



Faculty Senate

Presiding: Stanley E. Stevens

Date: 1-22-08

Secretary: Mary V. Battle

Senators Present: Jan R. Acuff, Jerry L. Anderson, Melvin L. Beck, Jeffrey S. Berman, Joel D. Bumgardner, Laurenda K. Cunningham, Steven Fell, Linda C. Finch, Donald R. Franceschetti, Nicholas V. Holland III, Susan Magun-Jackson, Wade M. Jackson, William H. Jermann, Candace C. Justice, Balaji C. Krishnan, J. Harvey Lomax, William C. McKeown, E. Trey Martindale, David A. Nofsinger, Richard L. Petersen, John R. Petry, Lawrence A. Pivnick, Jean-Pierre Reed, Margaret Quinn, Susan L. Roakes, Leslie S. Scruggs, Jr., Michelle L. Stockton, Bette R. Veteto, Francisco Vivar, Charles Williams Jr., and Peter Wright.

New Senator Absent: Economics (vacant), Engineering Technology (vacant)

Senators Absent: Walter G. Kirkpatrick, David N. Lumsden, Jonathan Judaken, Hoke Robinson (explained), and Irvin L. Tankersley.

T.B.R. Rep: Edward H. Perry

Guests: David N. Cox (President's Office) and Thomas Nenon (Provost's Office)

The three hundred and sixth meeting of the University of Memphis Faculty Senate was held Tuesday, January 22, 2008, in the Entertainment Lobby of the Michael D. Rose Theatre and Lecture Hall.

01.22.08.01 CALL TO ORDER

The meeting was called to order at 2:40 p. m. with a quorum present.

01.22.08.02 APPROVAL OF AGENDA

The agenda was approved.

01.22.08.03 APPROVAL OF MINUTES

It was moved to approve the minutes of the Faculty Senate meeting of December 4, 2008, with editorial corrections from Senator J. Petry and Nicholas V. Holland III, Richard, David N. Lumsden, and Richard L. Peterson, as present from the last time.

01.22.08.04 PRESIDENT'S REPORT

1. Feedback, Tennessee Board of Regents (TBR) Quarterly Board Meeting. President E. Stevens informed the Senators that from his perspective the TBR Quarterly Board Meeting hosted by the UoM went extremely well. At the dinner, the entertainment provided by the students, especially choral presentation in quadraphonic sound was “incredible.”
2. On-Campus Stadium Feasibility Study. The Heery Corporation from Atlanta, GA, has been hired to conduct the on-campus stadium feasibility study. William G. Langsdon from the Heery Corporation will be on campus Wednesday, January 23, 2008, from 1 to 2 p.m., in the assembly room located on the second floor of the Athletic Building. The purpose of the visit is to gather input from different focus groups, such as faculty, staff, students, and community members. The Faculty Senate had been requested to provide the names of five or eight faculty members interested in participating in the focus group discussion. Faculty members to participate in the faculty focus group are Edward Perry, Wade Jackson, Candy Justice, Walter Kirkpatrick (to serve as an alternate if additional faculty are needed), Trey Martindale, Susan Roakes, and Lewis Coons.
3. Effort Certification Work Team. The Effort Certification automated system went live, and one campus-wide workshop was held for faculty. Prof. Arthur “Art” Graesser, Psychology, and others, including Senator Jerry Anderson, Civil Engineering, had complicated situations. The system was tested for three weeks daily. As a result, two pages of error messages were created and, subsequently, corrected.

01.22.08.05 PRESIDENT-ELECT’S REPORT

TBR Faculty Sub-Council. President-Elect E. Perry informed the Senate that the Jan 25, 2008, meeting of the TBR Faculty Sub-Council was attended by the Faculty Senate President E. Stevens, because the UoM TBR Sub-Council representative, E. Perry, was unable to go due to academic obligations. Addressed were current issues: undergraduate degree requirements, articulation with proprietary colleges, approval of academic programs, units, and modifications, associate degree programs, awarding the honorary degree, submitting proposals for new academic programs or units, articulation at community colleges and universities, and discussion of The Family Education Rights and Privacy Act of 1974 (FERPA) Guidelines. Particularly important are undergraduate degree requirements mentioned in an e-mail from TBR Vice Chancellor Paula Short.

01.22.08.06 ELECTION OF PARLIMENTARIAN

President E. Stevens informed the Senators that Alan W. Proffitt had taken a position elsewhere and that, consequently, his position as Faculty Senate Parliamentarian is vacant. An election must be held to replace A. Proffitt. President E. Stevens asked whether there were any nominations from the floor; there were none. Senator M. Battle nominated Senator J. Petry to serve as parliamentarian.

Elected by acclamation on January 22, 2008.

01.22.08.07 ELECTION OF MARCUS ORR FACULTY SENATE LECTURESHIP COMMITTEE CHAIRMAN

Senator B. Krishnan nominated Senator L. Pivnick to serve as the new Chairman of the Marcus Orr Faculty Senate (MOFS) Lectureship. Sen. D. Franceschetti had resigned in December as chairman. NOTE: Senator L. Pivnick was not present at the time of his nomination.

Senator L. Pivnick was elected by acclamation on January 22, 2008.

01.22.08.08 COMMITTEE ON COMMITTEES' REPORT

Senator J. Anderson, a member of the Committee on Committees, presented the committee's report in the absence of Senator L. Pivnick. The committee report dealt with motions for faculty nominees to serve on the following university committees:

MOTION 1: Move that the Faculty Senate approve the nomination of Frances Pearson, College of Education (Leadership) to serve on the University's Green Fee Committee.

Adopted by voice vote on January 22, 2008.

Senator L. Pivnick, who arrived at the meeting late, was informed of his election as chairman of the Faculty Senate Marcus Orr Faculty Senate Lectureship Committee and promptly resigned from the chairmanship of MOFS citing academic obligations but expressed his desire to actively participate in the role of a member of the MOFS Committee. His motion to reconsider his resignation as chairman was accepted by the Faculty Senate. Senator L. Pivnick nominated Senator J. Petry to serve as Marcus Orr Faculty Senate (MOFS) chairman.

MOTION 2: Move that the Faculty Senate approve the nomination of Senator John Petry to serve as chairman of the Faculty Senate Marcus Orr Faculty Senate Lectureship Committee.

Adopted by voice vote on January 22, 2008.

NOTE: Nominations were solicited from the floor for two faculty members to serve on the Faculty Convocation Planning Committee, but none were forthcoming. The committee has been in existence for years; however, this is the first time that faculty have been invited to partake in planning the event. Nominations will be considered at the February 19, 2008, Faculty Senate meeting.

MOTION 3: Move that the Faculty Senate approve the nomination of Senator Balaji Krishnan, College of Business & Economics Marketing & Supply Chain Management, to serve on the Faculty Senate *ad hoc* Information Technology Committee.

Adopted by acclamation on January 22, 2008.

MOTION 4: Move that the Faculty Senate approve the nomination of Senator Lawrence "Larry" Pivnick, School of Law, to serve on the Faculty Senate Marcus Orr Faculty Senate Lectureship Committee.

Adopted by acclamation on January 22, 2008.

MOTION 5: Move that the Faculty Senate approve the nomination of Reginald L. Green, College of Education (Leadership), to serve on the Faculty Senate *ad hoc* Faculty Grievance Committee.

Adopted by acclamation on January 22, 2008.

01.22.08.09 NEW BUSINESS

1. Individual Faculty Senate Member Proposed Amendment. Senator J. Berman from the floor recommended the following amendment to the Constitution of the University Faculty on behalf of himself and the undersigned members of the University Faculty for Faculty Senate consideration. The amendment reads as follows.

Amendment #5

Change the wording of Article II, Section 3. Part B

From: “The term of office for an elected member of the Senate shall be two years. Senators may be elected to no more than two consecutive terms, with the exception of the President-Elect, who may be elected to a third term. With these restrictions, senators may serve any number of term.”

To: “The term of office for an elected member of the Senate shall be two years.”

Adopted by voice vote, with 1 nay and 0 abstentions on January 22, 2008. The amendment will be submitted to the General Faculty with the endorsement of the Faculty Senate.

2. Academic Support Committee. Senator J. Petry, Chair of the Academic Support Committee, recommended the following motion based on the committee’s December 4, 2007, Nomenclature Report to the Faculty Senate. The motion asked missed departments to elect Faculty Senate representatives.

At its recent meeting, members of the Academic Support Committee passed the following motion:

MOTION 6: “Moved that both the Department of Criminology and Criminal Justice and the Department of Computer Science be asked to elect a faculty member to serve on the Faculty Senate for a two-year term beginning in April ~~2007~~ and extending through April ~~2009~~.” NOTE: Senator J. Petry requested changes in the dates on the Committee’s original motion (see strikethroughs).

Motion now reads:

MOTION 6: “Moved that both the Department of Criminology and Criminal Justice and the Department of Computer Science be asked to elect a faculty member to serve on the Faculty Senate for a two-year term beginning in April 2008 and extending through April 2010.”

Adopted by voice vote, with 0 nays and 1 abstentions on January 22, 2008

NOTE: Susan Roakes, SUAPP representative, is recorded as the one abstention.

3. Faculty Policies Committee. Senator J. Berman recommended the following proposed changes to The University of Memphis Faculty Handbook. The Committee's report in its entirety was placed on UMdrive, and the URL was sent to the Senators prior to the meeting. The Faculty Policies Committee attachments (Attachments 5 and 6; including attachment 7, summary) were presented and discussed. The two motions were presented individually. See attachments 5, 6, and 7 following the rest of the minutes.

The first motion, in Attachment #5, refers to deadline for changes to the Handbook (Appendix A of Faculty Handbook) in Section 5 ("Submittal Deadline for Policy and Procedures Changes"), adds a new deadline.

Motion: "Any administration proposal for a substantive change to the *Faculty Handbook* must be submitted for approval to the Faculty Senate prior to the first senate meeting of the spring term preceding the academic year in which the proposed change would take effect."

Motion to amend Senator J. Lomax: Strike the words "a substantive," and replace with "any."

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

The motion now reads:

"Any administration proposal for any change to the *Faculty Handbook* must be submitted for approval to the Faculty Senate prior to the first senate meeting of the spring term preceding the academic year in which the proposed change would take effect."

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

The second motion, refer to Attachment #6, Recommended Changes to T&P Appeals Procedures, (Chapter 4 of the *Faculty Handbook*); alter the highlighted text on the sections on T & P appeals procedures. A friendly discussion during the debate on this motion included arguing other points the first time appeals had been accepted and the need to encourage upper administrators to give credence to successful T & P appeals.

1. In section entitled "University Tenure and Promotion Appeals Committee Composition," add the highlighted sentence:

Motion: "Each year, a pool of eighteen faculty members is formed to hear tenure and promotion appeals. **These individuals must be tenured faculty whose principal role is non-administrative.**"

Motion by Senator E. Perry to amend: Add the language and the entire next sentence: Ten of the members will be appointed by the Faculty Senate and eight will be appointed by the president." Then, replace add the new sentence with new language.

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

The motion now reads:

"Each year a pool of eighteen faculty members, appointed by the Faculty Senate, is formed to hear tenure and promotion appeals. These individuals must be tenured faculty whose principal role is non-administrative. **Ten of the members will be appointed by the Faculty Senate and eight will be appointed by the president.**"

Motion to strike the sentence that reads: "Ten of the members...by the president."

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

The motion adopted reads:

"Each year a pool of eighteen faculty members, appointed by the Faculty Senate, is formed to hear tenure and promotion appeals. These individuals must be tenured faculty whose principal role is non-administrative.

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

2. Change section currently titled "Role of Committee in Advising Candidates of Process" as follows:

Motion: "Advising Candidates During Appeals Process"

At any stage of the appeals process, an appellant has the opportunity to enlist the aid and advice of a Faculty Appeals Advocate. There are three such Appeals Advocates who are appointed by the Faculty Senate for three-year terms. The Appeals Advocates are tenured faculty at the Professor rank who are well versed in the appeals process, not currently serving on either of the Appeals Committees, and able to serve as conflict-free advisers to an appellant during the appeals process. An Appeals Advocate can provide information about appeals procedures and the grounds for appeals, assist appellants in developing their appeals, and advise appellants during an appeals hearing.

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

The motion by Senator J. Lomax, to amend the language under item 2 that involves the role of the Appeals Advocate, who under the amendment must give the appellant notice of the right to also have an attorney present.

Each appellant must be informed of the right, though not the necessity, to have legal counsel present in addition to the Appeals Advocate.

3. In section on "Grounds for Appeal," change as follows:

Motions:

- 1. Violation of principles on academic freedom as outlined in the Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors;**
- 5. An arbitrary, capricious, or unsupported recommendation; or**
- 6. A negative decision by the provost despite positive recommendations at all four lower levels of review (department committee, department chair, college committee, college dean)."**

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

4. **Motion** (refer to Attachment #6): Immediately after the section entitled “Grounds for Appeal,” add new section: **Motion: “Special Review Committee . . . any hearing.”**

Motion to strike new section, in its entirety under item 4., by W. Jermann.

Voted by show of hands: 13 votes in favor of striking new section, 11 against on January 22, 2008.

5. **Motion** (refer to Attachment #6): In section entitled “Appeals Committee Procedures,” change wording: “The complainant (**accompanied by an Appeals Advocate or other** counsel if desired) and participants may be present throughout the duration of the hearing.”

Motion to amend by L. Pivnick, add the word “and” before the word “or” under item 5. In section entitled “Appeals Committee Procedures,”

Motion now reads:

“The complainant (**accompanied by an Appeals Advocate and/or other** counsel if desired) and participants may be present throughout the duration of the hearing.”

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

6. **Motion** (refer to Attachment #6): At end of section entitled “Appeals Committee Recommendations,” add sentence at the end: **“If the decision of the Appeals Committee is not unanimous, the committee may also submit to the President a minority report with the rationale for dissenting opinions.”**

Adopted by voice vote, with 0 nays and 0 abstentions on January 22, 2008.

01.22.08.10 ADJOURN

Because of the lateness of the meeting, the sizeable portion of the agenda items pending, and the possible loss of quorum, President E. Stevens asked the members whether the meeting should be adjourned. It was so moved and seconded. The meeting ended at 4:40 p.m.