



## Minutes of the Faculty Senate

**Presiding:** William P. Travis (Health Studies)

**Date:** 3-28-2023

**Secretary:** R. Jeffrey Thieme (Marketing & Supply Chain Management)

**Senators Present:** Reza Banai (City and Regional Planning), Lynda Black (School of Law), Theodore Burkey (Chemistry), Gerald Chaudron (Libraries), Tori Cliff (Journalism and New Media), Melanie Conroy (World Languages and Literatures), Frances Fabian (Management), Hal Freeman (Liberal Studies), Rhema Fuller (Hospitality), Edith Gnanadass (Leadership), Stephanie Huette (Psychology), Andrew Hussey (Economics), Eddie Jacobs (Electrical and Computer Engineering), Brian Janz (Business Information and Technology), Jessica Jennings (BioMedical Engineering), Shelley Keith (Criminology and Criminal Justice), Maggie Landry (School of Social Work), Jeni Loftus (Sociology), Jeff Marchetta (Mechanical Engineering), Scott Marler (History), Daniel E. Millican (Military Sciences, Naval Sciences), Sanjay Mishra (Physics and Materials Science), Deborah Moncrieff (Sciences & Disorders), Deanna Owens-Mosby (Instruction and Curriculum Leadership), Patrick Murphy (Counseling, Edu Psychology & Research), Fawaz Mzayek (Public Health), Matthew Parris (Biological Sciences), Michael Perez (Anthropology), Zabi Rezaee (Accountancy), Martha Robinson (Lambuth Campus), Brian Ruggaber (Theatre & Dance), Michael Anderson Shults (School of Music), Genae Strong (Nursing), Mark Sunderman (Fin, Ins, and Real Estate), Jeff Thieme (Marketing & Supply Chain), William Travis (Health Sciences), Alistair Windsor (Mathematical Sciences), Leah Windsor (English), and Amanda Young (Communication & Film).

**Senator Present by Proxy:** Kas Saghafi proxy for David Grey (Philosophy)

**Senators Absent:** Mihalios Golias (Civil Engineering), Rebecca Howard (Art), James McGinnis (Engineering Technology), Esra Ozdenerol (Earth Sciences), Sajjan Shiva (Computer Science), and Jennifer Thompson (Architecture).

**Faculty Senate Information Officer:** To be determined.

**Guests:** Abby Parril- Baker (Interim Provost), Sara K. Bridges (Ombudsperson), Jill Dapremont (Past President), Richard Evans, Markia Hilliard (Admin Assoc), David Horan, David Kemme (Faculty Trustee), and Brian Waldron.

The four-hundred-and-ninety-fifth meeting of the University of Memphis Faculty Senate was held on Tuesday, March 28, 2023, via the Zoom video conferencing platform due to restrictions imposed in response to the COVID-19 global pandemic.

### **03.28.23.01 CALL TO ORDER (2:40 P.M.)**

President Pat Travis called the virtual meeting to order at 2:40 pm with a quorum present.

### **03.28.23.02 APPROVAL OF AGENDA**

The agenda was approved as written with one change: Move Faculty Trustees Candidates Q&A to the end of New Business after Motion on Budget and Finance Committee's recommendations for faculty salary raises (C) – Budget & Finance, Zabi Rezaee.

### **03.28.23.03 APPROVAL OF MINUTES**

The minutes of the February 28, 2023, Faculty Senate (FS) meeting were approved by acclamation as written.

### **03.28.23.04 PRESIDENT'S REPORT**

President Travis reported that he presided over the March 2 open forum for Faculty Trustee candidates, attended the Global Showcase luncheon, the EC met with University President Bill Hardgrave, the EC met with Interim Provost Abby Parrill-Baker, and he attended Policy Review Board meetings.

### **03.28.23.05 REPORTS**

#### ***Standing Committee Reports***

#### ***Committee on Committees: Chair, Genae Strong***

President Travis yielded to Committee on Committees Chair Genae Strong who reported that the Committee met on March 14 to discuss their charges and strategies for identifying applicants to serve as Faculty Advocates.

#### ***Academic Policies Committee: Chair, Edith Gnanadass***

President Travis yielded to Senator Brian Janz who reported on behalf of the Academic Policies Committee Chair that he has two updates. One is regarding the motion to roll out the new and improved Student Evaluation of Teaching Effectiveness (SETE) evaluation instrument that passed the FS in the last meeting and the other concerns the Committee's charge to develop a position statement related to ChatGPT and other generative artificial intelligence (AI) tools.

First, he received a few comments relating to the new instrument from Senators after last month's FS meeting. He forwarded the comments to Interim Provost Abby Parril-Baker and Dr. Eli Jones and they met to discuss next steps. Interim Provost Parril-Baker plans to continue with the SETE rollout and ensured them that the comments will be addressed prior to a full-scale

rollout. Fortunately, the team collected a significant amount of data from the pilot tests, so most of the comments pertaining to validity and understandability can be addressed by reviewing this data. Regarding the comments pertaining to tenure and promotion and the new instrument, Interim Provost Parril-Baker responded that the issue will be easily handled by having two different evaluation data sets for faculty going up for tenure and promotion in the near term (evaluation data with the old SETEs and evaluation data with the new SETEs).

Second, regarding ChatGPT, Senator Janz met with various University faculty, Chief Information officer (CIO) Dr. Robert Jackson, Interim Provost Parril-Baker, and the Interim Provost's task force on academic integrity. It has been decided that the Academic Policies Committee will direct the creation of a task force consisting of Senators and members of the University community with an interest and/or expertise in generative AI and how the UofM should consider these tools. This task force will be assembled at the start of the fall semester and begin work soon after.

On a related note, the Academic Policies Committee will need several new members for the next Senate term and Senator Janz made a special appeal to Senators to consider joining the Academic Policies Committee next year if they would like to participate in this important work.

#### *Academic Support Committee: Chair, Andrew Hussey*

President Travis yielded to Academic Support Committee Chair Andrew Hussey who reported that one of the Committee's charges was to look into the observer role within Canvas. The observer role is used by the athletic department to help ensure that student athletes are keeping on track by making their course progress visible to advisors. There are various objections that some faculty have regarding the ability of Canvas observers to see course content. These concerns led to the current policy of allowing instructors to opt out of observers in Canvas.

Another large concern is that observers can see discussion board posts of all students in the course, which raises confidentiality issues. The Committee has held several meetings with various parties regarding this issue and is happy to report some progress. Specifically, the Committee was able to eliminate the ability of Observers to see any discussion posts, despite the prior general understanding that limiting this functionality was impossible. This change has already been implemented for all courses and will continue in the future.

Beyond this, the Committee has identified a product, Dropout Detective, that would allow the Athletics Department (and potentially others, if desired) to extract students' course-related information and progress without having any access to course content. Dropout Detective would directly integrate into Canvas. It would come at a cost and the specific student content that advisors would be able to see is slightly diminished compared to the current method of having nearly complete access to courses. But it would appear to eliminate the remaining concerns that some faculty may have regarding campus observers. The Athletics Department is on board with this solution. The only remaining issues that need to be clarified are the ease at which this product could be integrated with Banner and the internal resources that might be

needed to make it happen. While very promising, the Committee is holding off making a formal recommendation for adoption of Dropout Detective until administration has completed a review of the technical aspects of its potential implementation.

*Faculty Policies Committee: Chair, Jeff Marchetta*

President Travis yielded to Faculty Policies Committee Chair Jeff Marchetta who reported that the Faculty Policies Committee has completed a first draft of the revision of Policy AA3013 related to Faculty Hiring. The draft has been reviewed by Interim Provost Parril-Baker and is currently being reviewed by Human Resources (HR). The Committee hopes to have the policy ready for the Senate to review in April. The Committee is also submitting a written report outlining the proposed revisions for the 2024 Faculty Handbook (See Appendix A.1). The proposed revisions will be brought before the Senate in the April 18 meeting in a motion to recommend for approval.

The Committee moved to accept the report.

**The report is adopted by a vote of 40 for, 0 against, and 0 abstain.**

Chairperson Marchetta requested that any questions regarding the proposed revisions to the Faculty Handbook be sent to him prior to the next meeting so the Committee can consider them prior to putting forth a motion.

*Research Policies Committee: Chair, Mike Gkolias*

President Travis yielded to Research Policies Senator Deborah Moncrieff who reported on behalf of the Research Policies Committee that the Committee will be meeting with the Research Council on April 20.

*Administrative Policies Committee: Chair, Ted Burkey*

President Travis yielded to Administrative Policies Committee Chair Ted Burkey who reported that with respect to the Committee's charge to review the survey of administrators to determine whether the FS should continue with the annual survey, a Subcommittee has submitted a motion to use a revised list of questions for the evaluation of Deans and Directors.

In addition, a Subcommittee met with University President Bill Hardgrave and Interim Provost Parrill-Baker to discuss faculty evaluations of the President and Provost. They agreed with the Committee that it would not be beneficial to evaluate the Provost or University President in the current administrative transition year. Reports and other information that could be used to assist faculty evaluation of the University President and Provost were considered. In particular, the Committee, Interim Provost, and University President agreed that using traditional survey questions were not particularly relevant for evaluation of their respective positions and the use of key performance indicators should instead be considered.

With respect to the Committee's charge to review the Children on Campus Policy and determine if there's a need for revision, Associate Vice President for Educational Initiatives Dr. Sally Parish reported to the Subcommittee that a benchmarking study was conducted by three University faculty. On-campus dialogues were had with individuals who have supervisory responsibility over large units/departments that would be affected, and recommended edits (based on that internal and external information) were submitted to HR. Chief Human Resources Officer Maria Alam indicated that HR is finalizing the policy draft and will provide a draft for Faculty Senate to review.

*Library Policies Committee: Chair, Frances Fabian*

President Travis yielded to Library Policies Committee Chair Frances Fabian who reported that the Committee met with University Libraries Executive Director John Evans last week. They mostly discussed the effects on the budget for the University Libraries now that the University has achieved Carnegie R1 status. In a list of 38 R1 Southeast university libraries, budgets of other university libraries range from \$11M at the University of Alabama-Birmingham to \$49M at Duke University annually. The UofM is 38th on the list with a funding of \$8.4M. The University Libraries budget has remained static since 2001. It was cut by 4% in fiscal year 2021 and this loss has not been replaced. University Libraries ran a deficit last year, is currently running a deficit this year, and expects to run a deficit next year. Several multi-year database subscription contracts are coming up for renewal and University Libraries expects increases due to inflation running at about 8%. Also, R1 institutions are charged more for these resources than R2 institutions. The current budget will probably not cover these increases in database subscriptions. The Committee plans to meet with University President Hardgrave to understand budgeting for University Libraries going forward. The Committee also plans to work with Parliamentarian Marchetta on forming any potential motions from the Committee on these issues.

*Budget and Finance Committee: Chair, Zabi Rezaee*

President Travis yielded to Budget and Finance Committee Chair Zabi Rezaee who began his report by recognizing the hard work and dedication of Budget and Finance Committee members over the past year and especially this past month. The Committee had several meetings this month. They prepared three versions of salary raise allocation motions for today's meeting. Version A recommends a fixed/flat amount of \$3990.31 raise for faculty regardless of rank and salary for 2023/2024 academic year. Version B recommends an across-the-board 3% raise and a fixed/flat amount of \$1596.13 raise. Version C recommends an across-the-board raise of 5%. Options A, B, and C are different and if one passes the Committee will withdraw any remaining motions. Chair Rezaee urged Senators to consider voting for the option that their unit prefers and voting against the other options. The first option that gets a majority vote will be adopted and recommended to administrators.

The Committee is also working on their charge to create a new list of peer institutions that reflect the University's recent attainment of Carnegie R1 status. Senator Alistair Windsor will report on the work of the Subcommittee working on this charge.

The Committee is also gathering data to perform analyses of both faculty salary comparisons and salary compression. The Committee will submit reports to the FS for inclusion in the April meeting agenda.

Senator Alistair Windsor reported on the Committee's charge to develop a new list of peer institutions for the University. He met with Associate Vice Provost for Strategic Analytics and Director of OIR (Office of Institutional Research) Bridgett Decent, EdD, and reached out to several people about the selection of variables for the cluster analysis. He urged Senators interested in determining the list of variables for the cluster analysis to reach out to him. The Subcommittee will ask OIR Director Decent to perform another cluster analysis based on the new list of variables. The analysis is expected to produce large clusters. The Subcommittee plans to distribute the cluster analysis results to Senators and have them work with faculty in their units to either rank them or provide a list of their top 20 to the Subcommittee. The goal is to narrow the list down to about eight or so peer institutions at the university level. The Committee expects to bring forth a motion detailing the procedure of developing a new peer institution list in the April FS meeting. Since this analysis will not be completed in this Senate term, the Subcommittee will use the existing peer institution list that was provided by OIR to perform a salary analysis for the current term.

### **03.28.23.06 NEW BUSINESS**

#### ***Motion to Approve Survey Questions- Administrative Policies, Theodore Burkey***

President Travis yielded to Chairperson Burkey who presented the motion on behalf of the Administrative Policies Committee (See Appendix A.2).

Senator Alistair Windsor moved to amend the motion (Seconded by Senator Lynda Black):  
Replace the word college with college/school in questions as appropriate.

**The amendment is adopted by a vote of 37 for, 0 against, and 0 abstain.**

**The amended motion is adopted by a vote of 41 for, 0 against, and 0 abstain.**

#### ***Motion on Budget and Finance Committee's recommendations for faculty salary raises (A) – Budget & Finance, Zabi Rezaee***

President Travis yielded to Chairperson Rezaee who presented the motion on behalf of the Budget and Finance Committee (See Appendix A.3).

**The motion is adopted by a vote of 23 for, 15 against, and 3 abstain.**

***Motion on Budget and Finance Committee's recommendations for faculty salary raises (B) – Budget & Finance, Zabi Rezaee***

The Committee withdrew the motion.

***Motion on Budget and Finance Committee's recommendations for faculty salary raises (C) – Budget & Finance, Zabi Rezaee***

The Committee withdrew the motion.

President Travis informed the FS that Parliamentarian Marchetta is recusing himself from the Faculty Trustees Candidate Q&A to avoid any conflict of interest as he is a candidate. Senator Mark Sunderman is acting as Parliamentarian during the Faculty Trustee Candidate Q&A session.

***Faculty Trustees Candidates Q&A***

President Travis presided over a question and answer (Q&A) session with the Faculty Trustee Candidates: Dr. Brian Waldron, Senator Leah Windsor, Senator Zabi Rezaee, and Parliamentarian Jeff Marchetta. President Travis announced that he hadn't invited Dr. Waldron to the meeting, so Senator Leah Windsor began with opening remarks, followed by Senator Rezaee and Parliamentarian Marchetta. During the question-and-answer period, Dr. Waldron joined the meeting, gave opening remarks, and participated in the remaining questions and answers. The session concluded with closing remarks from Parliamentarian Marchetta, Senator Rezaee, Senator Leah Windsor, and Dr. Waldron. President Travis apologized to Dr. Waldron for not inviting him to the FS meeting.

**03.28.23.07 ANNOUNCEMENTS**

President Travis yielded to Faculty Senate Administrative Assistant Markia Hilliard who announced that all new Senator election results are due in the Faculty Senate Office by March 31.

**03.28.23.08 ADJOURN**

The meeting adjourned at 4:29 pm.

## Appendix

### A.1: Faculty Policies Standing Committee Report

Faculty Policies Standing Committee Report

3/28/2023

## Proposed Revisions for 2024 Faculty Handbook

### Revision of Section 1.4

~~The University of Memphis is accredited by the Commission of Colleges of the Southern Association of Colleges and Schools (SACSCOC) to award bachelor's, first professional, master's, educational specialist, and doctoral degrees. Individual programs that are accredited can be found on the university accreditation website.~~

The University of Memphis is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award bachelor's, first professional, master's, educational specialist, doctoral degrees, and graduate certificates. Questions about the accreditation of the University of Memphis may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling (404) 679-4500, or by using information available on SACSCOC's website ([www.sacscoc.org](http://www.sacscoc.org)).

### Revision of Section 1.8

Faculty with administrative duties in academic units and/or departments/centers/institutes may only be appointed with administrative titles that are described herein. Guidelines for salary adjustments and retreat salaries for faculty holding administrative appointments are detailed in university policy which can be found on the [university website](#).

### Revision of Handbook Section 3.1.11 Professional Development Assignments

~~The Professional Development Assignment program encourages tenured and tenure-track faculty members to continue their professional growth develop as teachers, scholars, and researchers. The period of an award may be for one semester, at full pay, or for one academic year at half pay. All tenured faculty are eligible for Professional Development Assignments with a minimum of seven (7) years of full time service. A faculty member may apply after only five years from the approval of a prior award, provided that he or she proposes to spend a full year on the assignment, at half pay. Exceptions may be granted by the provost. Professional Development Assignments approved by the university may be credited toward completion of the probationary period. Each academic unit shall post guidelines and procedures for the application and selection processes for Professional Development Assignments.~~

Professional Development Assignments (PDA) allow faculty members to develop proficiencies as teachers, scholars, and researchers. The period of an award may be for a half year at full pay,



or for one academic year at half pay. PDA approved by the university may be credited toward completion of the probationary period.

All full-time faculty are eligible for PDAs on a competitive basis.

- Half year PDA: Faculty are eligible for a half year PDA with minimum of seven (7) years full-time service since appointment or any previously granted professional leave.
- One year PDA: Faculty members are eligible for a one-year PDA with a minimum of five (5) years full-time service since appointment or any previously granted professional leave.

In rare instances, the provost may grant exceptions. The university policy on PDAs can be found on the [university website](#).

### Revision of Faculty Handbook 4.9.3A Tenure by Appointment

No faculty member shall be granted tenure upon initial appointment except by positive action of the Board of Trustees upon the recommendation of the president. In exceptional cases, an outstanding distinguished senior faculty member, dean, provost, or president may be awarded tenure upon her or his initial appointment. In those cases, ~~the president may bypass the tenure and promotion review process, described in Section 4.9.7, and directly submit a written recommendation for awarding tenure upon appointment, along with the candidate's application file, to the Board of Trustees for consideration. The president will notify the academic unit or the department/center/institute that will serve as locus of tenure for the appointee that she or he is recommending that the faculty appointee be awarded tenure upon initial appointment to the Board of Trustees. the candidate's application file may take the place of the traditional dossier which is described in Section 4.9.7B.~~

The Board of Trustees will ~~only~~ grant tenure upon initial appointment ~~only~~ if the proposed appointee

1. holds tenure at another higher education institution and the Board determines that the president has documented that the proposed appointee cannot be successfully recruited to the university without being granted tenure upon initial appointment, and
2. will be appointed as an associate or full professor.

## Revision of Handbook Section 4.4 Special Faculty Titles

### Chair of Excellence, ~~Endowed Chair, and Eminent Scholar~~

Outstanding faculty are appointed to fill endowed ~~Chairs of Excellence~~ **Chair of Excellence, Endowed Chair, and Eminent Scholar positions**. Faculty holding an appointment as ~~Chairs of Excellence~~ **a Chair of Excellence, Endowed Chair, or Eminent Scholar** are considered to be academic leaders, and as such, often will be consulted by the provost and their deans regarding development and implementation of academic policy. Although ~~Chairs of Excellence~~ **a Chair of Excellence, Endowed Chair, or Eminent Scholar** reports to the chair of their home department regarding departmental matters, they often interact directly with the deans and the provost in many matters concerning academic governance. A faculty member appointed to a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar position~~ will also hold a tenured or tenure-track appointment in the faculty member's department or academic unit. Faculty members holding an appointment as a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~ remain subject to the same rules and conditions applicable to all tenure-track and tenured appointments.

Faculty holding an appointment as ~~Chairs of Excellence~~ **a Chair of Excellence, Endowed Chair, or Eminent Scholar** are expected to perform at levels exceeding those for the professor rank within their units, to mentor and graduate doctoral students, and to lead within their faculty, may receive salary supplements and various forms of fiscal and staff support accordingly. Faculty holding ~~Chairs of Excellence~~ **a Chair of Excellence, Endowed Chair, or Eminent Scholar** position are expected to continue to perform at the same level of research and/or scholarly excellence that led to their appointment as a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~. In STEM areas, ~~Chairs of Excellence~~ **a Chair of Excellence, Endowed Chair, or Eminent Scholar** is expected to support research students, labs, and post-docs, and to lead colleagues in programmatic developments at federal levels.

Faculty members holding ~~Chairs of Excellence~~ **a Chair of Excellence, Endowed Chair, or Eminent Scholar** position will be evaluated annually by their department chair or the dean. In addition to the annual review, the provost will form a committee to conduct a more comprehensive review of the work of a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~ every seven (7) years. The committee will include the provost, Executive Vice President of Research & Innovation, dean, ~~and department chair, and two faculty members holding a Chair of Excellence, Endowed Chair, or Eminent Scholar position~~. Documents submitted for review of a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~ should include the original contract, copies of annual performance evaluations, an updated curriculum vitae, and a brief status report. This report should summarize the professional work of the Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~ over the previous seven (7) years with respect to the expectations stipulated in their appointment as a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~, including any revisions which had been made in those plans over the intervening years. The report should also include the direction(s) a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~ plans to take over the upcoming years in his or her professional work.

Each member of the committee should review the documents submitted by the Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~ individually and then submit written feedback to the provost. The provost will meet with the Chair of Excellence, Endowed Chair, or Eminent Scholar to discuss the planning and review feedback. ~~then meet as a group with the Chair of Excellence, Endowed Chair, or Eminent Scholar to conduct the planning and review process. Once the review is completed,~~ The provost will have responsibility for making the final assessment of the prior performance and future plans of the Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~ based upon his/her consultation with the other committee members. Failure to continue to perform at a high level of research and scholarly excellence could lead to removal from a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~, and the loss of the associated benefits accruing to the faculty member in his or her status as the holder of a Chair of Excellence, ~~Endowed Chair, or Eminent Scholar~~.

## Revision of Handbook Section 4.9.6 Criteria for Tenure

Professional excellence is reflected in the faculty member's

- teaching (which includes advising and mentoring),
- research/scholarship/~~creative work~~ (according to the terms of the candidate's appointment),
- ~~and~~ service, and
- ~~service or other creative work in the discipline,~~
- professional comportment consistent with the Faculty Code of Conduct.
- ~~willingness to contribute to the common life of the university, and~~
- ~~effective work with colleagues and students, including the faculty member's ability to interact appropriately with colleagues and students.~~

## Revision of Handbook Section 4.9.7E(1) Review and Recommendation by the Provost

The provost will review the dossier and ~~prepare a letter providing~~ formulate an independent recommendation ~~regarding award of tenure and/or promotion and a summary explanation of that recommendation~~ based on his or her review and evaluation of the materials in the dossier. The provost will review the dossier from an even broader perspective than that used in the academic unit. In addition to and exclusive of individual qualifications and performance, consideration must be given to such matters as department imbalance in rank distribution, potential for continued staff additions, prospective retirements and resignations, enrollment patterns, program changes, and other significant institutional considerations.

The provost will notify the candidate of the recommendation that he or she will make to the president regarding the candidate's application ~~no later than February 1<sup>st</sup> or the first regular~~

~~business day after if February 1<sup>st</sup> does not fall on a regular business day. even (7) days after the beginning of the spring academic term. In the case of a negative recommendation, the provost will provide written reason(s) for the recommendation. The provost's letter becomes which shall be included in dossier.~~

## **Revision of Handbook Section 4.9.7E(2) Appeals of a Negative Tenure and/or Promotion Decision**

~~The faculty member may appeal a negative recommendation for tenure and/or promotion under the tenure and promotion appeals procedures described in Appendix B.2. If, after the provost's tenure and/or promotion recommendations are announced, a faculty member wishes to appeal a negative recommendation, the written request for an appeal must be submitted to the chair of the Faculty Appeals Committee no later than February 15<sup>th</sup> or the first regular business day after if February 15<sup>th</sup> does not fall on a regular business day. for tenure and promotion appeals through the Faculty Appeals Committee are described in Appendix F.2.~~

~~At the conclusion of the tenure and promotion appeals process, the Faculty Appeals Committee committee will provide its recommendations in writing in accordance with the procedures described in Appendix B.2 to the faculty member, the provost, and the president. The committee may review information related to the appeal to whatever extent it wishes and then make its recommendations to the president. For tenure and/or promotion appeals, the recommendation of the Faculty Appeals Committee is advisory to the president.~~

## **Revision of Handbook Section 4.10.2A(2)**

The provost will notify the faculty member, the president, the dean, and the department chair in writing of his or her decision to begin ~~termination proceedings~~ **the process to determine whether Adequate Cause exists for termination** for Unsatisfactory Performance and any decision related to temporary disciplinary action. The provost will provide all documentation collected during the Post-tenure Review process and provide a timeline for the termination proceedings to the department chair. The department chair will transmit the documentation and timeline to the department tenure and promotion committee. For academic units without departments, the provost will provide all documentation to the dean who will transmit the documentation and timeline to the academic unit tenure and promotion committee.

## **Revision of Handbook Section 4.10.2A(7)**

- c. **Termination for Adequate Cause:** Before deciding that the faculty member's appointment should be terminated for Adequate Cause, the provost shall give the faculty member written notice, including a statement of the grounds for termination, framed with reasonable specificity, and the opportunity to respond to the stated grounds and the proposed termination in a meeting with the provost. The faculty member may choose to respond in writing instead of, or in addition to, a meeting with



the provost. Any written response must be submitted to the provost within 10 calendar days of delivery of the written statement of the grounds for termination. **All meetings between the faculty member and provost must be concluded within 10 calendar days of delivery of the written statement of the grounds for termination.** If, after considering any information provided by the faculty member and after consulting with the president, the provost concludes that the faculty member's appointment should be terminated for Adequate Cause, the provost shall provide written notice of termination to the faculty member by:

- a. **Briefly citing the grounds for termination, as described in 4.10.1.C(1), 4.10.1.C(7), and/or Appendix C, and the date on which the termination will become effective unless the faculty member elects to contest the termination as described in Section 4.10.2A(9) of this handbook;**
- b. providing notice of the faculty member's right ~~to contest~~ **to elect the proposed termination in a pre-termination hearing before a tribunal, as described in Appendix G, or in a post-termination hearing conducted under the provisions of the Uniform Administrative Procedures Act as described in Appendix H;** and
- c. providing notice that the faculty member has 15 calendar days after receipt of the written notice to ~~elect in writing to contest the termination and to elect in writing the form of hearing.~~

Selection of one type of hearing waives the opportunity to contest the termination through the other type of hearing. **If the faculty member does not make the required hearing election within 15 calendar days after receipt of the written notice described in Section 4.10.2A(7)(c), then the provost will make the election on the type of hearing.** The provost shall send a copy of the written notice to the president of the Faculty Senate and university president at the same time as it is sent to the faculty member. **Any rights described in Section 4.10.2A(7) are in lieu of any other rights of grievance or appeal in the handbook or any appeal to the president.**

## **Deletion of Handbook Section 4.10.2A(8)**

### **~~8. Failure to Contest Termination~~**

~~If the faculty member does not contest the charge(s) in writing and make the required hearing election within 15 calendar days after receipt of the written notice described in Section 4.10.2A(7)(c) above, the faculty member shall be terminated, and no appeal of the matter will be heard within the university.~~

## Deletion of Handbook Section 4.10.2A(9)

### ~~9. Options to Contest Termination~~

~~The rights provided in this paragraph are in lieu of any other rights of grievance or appeal in the handbook or any appeal to the president. A faculty member may contest the proposed termination in a pre-termination hearing before a tribunal in accordance with the procedures described in [Appendix C](#) or in a post-termination hearing conducted under the provisions of the Uniform Administrative Procedures Act in accordance with the procedure described in [Appendix H](#).~~

## Revision of Handbook Section 4.10.2B(2)

The provost will notify the faculty member, the president, the dean, and the department chair in writing of his or her decision to begin ~~termination~~ **the process to determine whether** proceedings for Adequate Cause **exists for termination** for Misconduct and any decision related to temporary disciplinary action. The provost will provide all documentation relevant to the case and a timeline for the termination proceedings to the department chair. For academic units without departments, the provost will provide all documentation to the dean.

## Revision of Handbook Section 4.10.2B(5)

- c. Termination for Adequate Cause: Before deciding that the faculty member's appointment should be terminated for Adequate Cause, the provost shall give the faculty member written notice, including a statement of the grounds for termination, framed with reasonable specificity, and the opportunity to respond to the stated grounds and the proposed termination in a meeting with the provost. The faculty member may choose to respond in writing instead of, or in addition to, a meeting with the provost. Any written response must be submitted to the provost within 10 calendar days of delivery of the written statement of the grounds for termination. **All meetings between the faculty member and the provost must be concluded within 10 calendar days of delivery of the written statement of the grounds for termination.** If, after considering any information provided by the faculty member and after consulting with the president, the provost concludes that the faculty member's appointment should be terminated for Adequate Cause, the provost shall provide written notice of termination to the faculty member
  - a. ~~providing a statement of~~ **Briefly citing** the grounds for termination, **as described in 4.10.1C(1), 4.10.1C(2 - 6) and/or Appendix C,** and the date on which the

termination will become effective unless the faculty member elects to contest the termination as described in **Section 4.10.2B(7)** of this handbook;

- b. providing notice of the faculty member's right ~~to contest~~ **to elect** the proposed ~~termination in~~ a pre-termination hearing before a tribunal, **as described in Appendix G**, or ~~in~~ a post-termination hearing conducted under the provisions of the Uniform Administrative Procedures Act **as described in Appendix H**; and
- c. providing notice that the faculty member has 15 calendar days after receipt of the written notice to ~~elect in writing to contest the termination and to elect in writing the form of hearing.~~

Selection of one type of hearing waives the opportunity to contest the termination through the other type of hearing. **If the faculty member does not make the required hearing election within 15 calendar days after receipt of the written notice described in Section 4.10.2B(5)(c), then the provost will make the election on the type of hearing.** The provost shall send a copy of the written notice to the president of the Faculty Senate at the same time it is sent to the faculty member. **Any rights described in Section 4.10.2B(5) are in lieu of any other rights of grievance or appeal in the handbook or any appeal to the president.**

## **Deletion of Handbook Section 4.10.2B(6)**

### **~~6. Failure to Contest Termination~~**

~~If the faculty member does not contest the charge(s) in writing and make the required hearing election within 15 calendar days after receipt of the written notice described in Section 4.10.2B(5)(c) above, the faculty member shall be terminated, and no appeal of the matter will be heard within the university.~~

## **Deletion of Handbook Section 4.10.2B(7)**

### **~~7. Options to Contest Termination~~**

~~The rights provided in this paragraph are in lieu of any other rights of grievance or appeal in the handbook or any appeal to the president. A faculty member may contest the proposed termination in a pre termination hearing before a tribunal in accordance with the procedures described in Appendix G or in a post termination hearing conducted under the provisions of the Uniform Administrative Procedures Act in accordance with the procedure described in Appendix H:~~

## Revision of Handbook Appendix B.2.A Process for Tenure & Promotion Appeals

### 1. Formal Initiation of Appeal:

- If a candidate decides to appeal a negative decision for tenure and/or promotion, he or she must submit a initiate the appeal by providing a **written notice of intent to** ~~written request for an appeal the provost's tenure and promotion recommendation~~ to the Faculty Senate President, the chair of the Faculty Appeals Committee, and the provost ~~within thirty (30) days of the beginning of the spring academic term~~ **no later than February 15<sup>th</sup> or the first regular business day after, if February 15<sup>th</sup> does not fall on a regular business day.** After filing the notice of intent to appeal, the candidate must submit the written appeal **to the chair of the Faculty Appeals Committee, and the provost no later than March 1<sup>st</sup> or the first regular business day after, March 1<sup>st</sup> does not fall on a regular business day, which must include the following:**
- ~~In the notice of appeal to the Faculty Appeals Committee chair, the faculty member filing the appeal must identify~~ The ground(s) for the appeal and ~~should pursue only those grounds for which there is credible evidence supporting the appeal.~~
- ~~It is the faculty member's responsibility to present~~ Evidence to support each ground that serves as the basis for the appeal. Assertions must be supported by documentary evidence or testimony.

### 2. Appeals Through the Faculty Appeals Committee:

- ~~The procedures for appeals through the Faculty Appeals Committee are presented in Appendix F.23.~~ After receiving a request for an **the written** appeal, the Faculty Appeals Committee will vote on whether
  - a) to take no action on the grounds that the appeal lacks merit for consideration or
  - b) to conduct a hearing.

If a **simple** majority of the Faculty Appeals Committee determines that the appeal merits consideration, the committee chair will contact the Faculty Senate office to make the arrangements for a hearing. **The hearing will be conducted in accordance with the procedures specified for a Tenure and Promotion Appeals Hearing which are presented in Appendix F.3.** The chair of the Faculty Appeals Committee must transmit the recommendations resulting from the appeal with the faculty member, department chair, dean, provost, and president **no later than April 15<sup>th</sup> or the first regular business day after if April 15<sup>th</sup> does not fall on a regular business day, within 40 days from receipt of the notice of appeal.**



### 3. Decision by the President:

After receiving recommendations from the provost and the Faculty Appeals Committee, the president makes a recommendation to the Board of Trustees and notifies the candidate of this recommendation.

In the case of a negative recommendation, the president will provide the candidate written reason(s) for the decision. The recommendation of the president is not appealable.

## Revision of Handbook Appendix G

If the faculty member makes a timely election to contest the charge(s) through a hearing by a university tribunal as described in Sections 4.10.2A(9) or 4.10.2B(7), the faculty member must confirm in writing the decision to waive the right to a hearing under the Uniform Administrative Procedures Act, and the president shall ~~inform~~ ask the Faculty Senate ~~President, or a designated committee of the Faculty Senate, to appoint~~ that a tribunal ~~within 15 calendar days and shall notify the faculty member in writing of this action.~~ **will be convened.** The matter shall then proceed in accordance with the tribunal procedures described below with the faculty member's termination stayed pending the conclusion of those procedures.

## Revision of Handbook Appendix H

Post-Termination Hearing and Decision under the Uniform Administrative Procedures Act: If the faculty member makes a timely election to contest the charge(s) under the Uniform Administrative Procedures Act (UAPA) in lieu of a Pre-Termination Hearing Before Tribunal under Sections 4.10.2A(9) or 4.10.2B(7), the president shall appoint an administrative judge, the faculty member's employment will be terminated on the date specified in the notice provided under Sections 4.10.2A(7)(c) and 4.10.2B(5)(c) of this handbook, and the matter shall proceed post-termination in accordance with the contested case procedures **pursuant to T.C.A. § 4-5-101, et seq.** ~~promulgated by the university under the UAPA. The UAPA contested case procedures are published in the Compiled Rules and Regulations of the State of Tennessee, Tenn. Comp. R. & Regs. § 1720-1-5~~

***A.2: Motion to Approve Survey Questions- Administrative Polices, Theodore Burkey***

**Faculty Senate**



**M2023.xx.x Motion to Approve Survey Questions for Evaluation of Deans and Directors**

**Originator: Administrative Polices Committee**

Whereas,

The Administrative Policies Committee is responsible for reviewing, proposing changes to, and/or recommending the continuation of surveys for faculty evaluation of Administrators.

Be it resolved that,

The Administrative Policies Committee proposes that surveys administered by CREP for the faculty evaluation of Deans and Directors should include all 22 questions listed in Attachment 1.

Recipients:

Faculty Senate

President Hardgrave

Abby-Parrill Baker, Interim Provost

Motion Passed/Failed #/#/####

Vote: # For, # Against, # Abstain

# Faculty Senate



## Attachment 1: List of survey questions for Evaluation of Deans and Directors

1. Articulates a clear and compelling vision for the College
2. Sets appropriate goals for the College
3. Clearly identifies College priorities.
4. Involves faculty in planning for the future
5. Acts decisively on important issues
6. Is accessible to faculty
7. Listens and responds to faculty ideas, concerns, and/or needs
8. Looks out for the best interest of college faculty and staff
9. Works wisely to increase student enrollment, retention, and graduation
10. Fosters effective College/community partnerships
11. Is transparent
12. Is an effective manager of fiscal resources
13. Is an effective manager of human resources
14. Makes effective programmatic decisions
15. Delegates responsibility and authority appropriately
16. Generates a spirit of cooperation and teamwork in the College/School
17. Ensures that policies and procedures are administered equitably
18. Ensures that tenure and promotion decisions are based on policy
19. Is committed to a diverse academic community in which individual differences are respected
20. Follows through on commitments
21. Creates an atmosphere of trust among College faculty
22. Works to grow and support faculty research initiatives

Motion Passed/Failed #/#/####

Vote: # For, # Against, # Abstain

***A.3: Motion on Budget and Finance Committee's recommendations for faculty salary raises  
(A) – Budget & Finance, Zabi Rezaee***

**Faculty Senate**

**M 2023??A: Motion to Recommend Salary Raise Distribution for FY 2024**

**Originator: Budget and Finance Committee**

Whereas,

The sustainability of the human capital (staff, faculty, and administrators) at The University of Memphis is crucial to the continuous growth and maintenance of R1 status.

Whereas,

The inflation rate was 6.5 percent for the 12 months ending December 2022. The Consumer Price Index (CPI) is expected to remain at the same or even higher rate in 2023.

Whereas,

Governor Lee submitted a budget proposal for Fiscal Year (FY) 2023-2024, which includes a total raise pool of 5% for higher education employee for the next fiscal year. The final state budget signed into law by the legislature and governor may include a salary raise pool of 5%.

Whereas,

The Budget and Finance Committee (B&FC) of the Faculty Senate anticipates an adequate response from The University of Memphis—given university growth, the inflation rate of 6.5%, the R1 status, and expected state approval of a 5% salary increase.

Whereas,

The Faculty Senate passed a compensation motion in 2019 and 2022 recommending the following priority list for annual salary raise distributions: across the board raises equal to the rate of inflation, salary compression, equity, and merit raise—in this order.

Be it resolved that,

The B&FC, following the compensation motion approved by the Faculty Senate in 2019 and 2022, makes the following recommendations for the distribution of the expected and approved 5% salary-raise pool:

1. The University of Memphis should fully fund and allocate the entirety of the approved salary pool. The portion not completely funded by the state should be funded from internal resources/funds.
2. The total wage/salary pool for the entire university should be allocated into three distinct pools for administrators, faculty, and staff. Salary increases within each group should be funded only from that pool, and funds from one segment should not be reallocated to another without clear reasons and justifications.
3. The state's approved 5% increase of the salary pool should be allocated as follows.
  - A. A fixed amount salary raise equal to 5% of the average salary for all faculty in 2022 regardless of rank and based salary. The average salary of all faculty (818, instructors, assistant, associate, and full professors) for The University of Memphis as of December 2022 is \$79, 806.29 according to the OIR's Faculty Salary Analysis for 2022. Thus, the proposed fixed amount of raise for faculty is \$3990.31 ( $79,806.29 \times 5\%$ ).
  - B. If The University of Memphis plans to give additional raises to the faculty, such as for salary compression, equity, and merit, then the university should allocate the funds from other sources and use them for these purposes.

Recipients:

Bill Hardgrave, President

Abby L Parrill-Baker, Provost, and EVP

Raaj Kurapati, CFO and EVP

Motion ### 3//28/2023

Vote: # For, # Against, # Abstain

***A.4: Motion on Budget and Finance Committee's recommendations for faculty salary raises (B) – Budget & Finance, Zabi Rezaee***

**Faculty Senate**

**M 2023??B: Motion to Recommend Salary Raise Distribution for FY 2024**

**Originator: Budget and Finance Committee**

Whereas,

The sustainability of the human capital (staff, faculty, and administrators) at The University of Memphis is crucial to the continuous growth and maintenance of R1 status.

Whereas,

The inflation rate was 6.5 percent for the 12 months ending December 2022. the Consumer Price Index (CPI) is expected to remain at the same or even higher rate in 2023.

Whereas,

Governor Lee submitted a budget proposal for Fiscal Year (FY) 2023-2024, which includes a total raise pool of 5% for higher education employee for the next fiscal year. The final state budget signed into law by the legislature and governor may include a salary raise pool of 5%.

Whereas,

The Budget and Finance Committee (B&FC) of the Faculty Senate anticipates an adequate response from The University of Memphis—given university growth, the inflation rate of 6.5%, the R1 status, and expected state approval of a 5% salary increase.

Whereas,

The Faculty Senate passed a compensation motion in 2019 and 2022 recommending the following priority list for annual salary raise distributions: across the board raises equal to the rate of inflation, salary compression, equity, and merit raise—in this order.

Be it resolved that,

The B&FC, following the compensation motion approved by the Faculty Senate in 2019 and 2022, makes the following recommendations for the distribution of the expected and approved 5% salary-raise pool:

1. The University of Memphis should fully fund and allocate the entirety of the approved salary pool. The portion not completely funded by the state should be funded from internal resources/funds.
2. The total wage/salary pool for the entire university should be allocated into three distinct pools for administrators, faculty, and staff. Salary increases within each group should be funded only from that pool, and funds from one segment should not be reallocated to another without clear reasons and justifications.
3. The state's approved 5% increase of the salary pool should be allocated as follows.
  - A. An across-the-board raise for Cost-of-Living Adjustment (COLA) of 3% ( $5\% \times 60\%$ ) funded by the state.
  - B. A fixed amount raise for Cost-of-Living Adjustment (COLA) of the 2% ( $5\% \times 40\%$ ) funded by the University of Memphis based on the average salary for all faculty in 2022 regardless of rank and based salary. The average salary of all faculty (818, instructors, assistant, associate, and full professors) for The University of Memphis as of December 2022 is \$79, 806.29 according to the OIR's Faculty Salary Analysis for 2022. Thus, the proposed fixed amount of raise for faculty is \$1,596.13 ( $79, 806.29 \times 2\%$ ).
  - C. If The University of Memphis plans to give additional raises to the faculty, such as for salary compression, equity, and merit, then the university should allocate the funds from other sources and use them for these purposes.

Recipients:

Bill Hardgrave, President

Abby L Parrill-Baker, Provost, and EVP

Raaj Kurapati, CFO and EVP

Motion ### 3//28/2023

Vote: # For, # Against, # Abstain

***A.5: Motion on Budget and Finance Committee's recommendations for faculty salary raises (C) – Budget & Finance, Zabi Rezaee***

**Faculty Senate**

**M 2023??C: Motion to Recommend Salary Raise Distribution for FY 2024**

**Originator: Budget and Finance Committee**

Whereas,

The sustainability of the human capital (staff, faculty, and administrators) at The University of Memphis is crucial to the continuous growth and maintenance of R1 status.

Whereas,

The inflation rate was 6.5 percent for the 12 months ending December 2022. The Consumer Price Index (CPI) is expected to remain at the same or even higher rate in 2023.

Whereas,

Governor Lee submitted a budget proposal for Fiscal Year (FY) 2023-2024, which includes a total raise pool of 5% for higher education employee for the next fiscal year. The final state budget signed into law by the legislature and governor may include a salary raise pool of 5%.

Whereas,

The Budget and Finance Committee (B&FC) of the Faculty Senate anticipates an adequate response from The University of Memphis—given university growth, the inflation rate of 6.5%, the R1 status, and expected state approval of a 5% salary increase.

Whereas,

The Faculty Senate passed a compensation motion in 2019 (attached) recommending the following priority list for annual salary raise distributions: across the board raises equal to the rate of inflation, salary compression, equity, and merit raise—in this order.

Be it resolved that,

The B&FC, following the compensation motion approved by the Faculty Senate in 2019, makes the following recommendations for the distribution of the expected and approved 5% salary-raise pool:



1. The University of Memphis should fully fund and allocate the entirety of the approved salary pool. The portion not completely funded by the state should be funded from internal resources/funds.
2. The total wage/salary pool for the entire university should be allocated into three distinct pools for administrators, faculty, and staff. Salary increases within each group should be funded only from that pool, and funds from one segment should not be reallocated to another without clear reasons and justifications.
3. The state's approved 5% increase of the salary pool should be allocated as follows.
  - A. An across-the-board raise for Cost-of-Living Adjustment (COLA) of 5% approved.
  - B. If The University of Memphis plans to give additional raises to the faculty, such as for salary compression, equity, and merit, then the university should allocate the funds from other sources and use them for these purposes.

Recipients:

Bill Hardgrave, President

Abby L Parrill-Baker, Provost and EVP

Raaj Kurapati, CFO and EVP

Motion ### 3//28/2023

Vote: # For, # Against, # Abstain