

**THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA**  
**2005-2006 FACULTY SENATE MINUTES**  
September 1, 2005

<u><b>Division</b></u>	<u><b>Present</b></u>	<u><b>Absent</b></u>
<b>President</b>	Richard Rice	
<b>Past-President</b>	Marvin Ernst	
<b>At-Large</b>	Stephen Kuhn, Claire McCullough, Jamie Sompayrac, David Young, Judith Wakim	Jonathan McNair
<b>Adjunct</b>	Tim Parker	
<b>Behavioral</b>	Fritz Efaw, Helen Eigenberg, Shela Van Ness	David Brodsky
<b>Business</b>	Debbie Archambeault, Beni Asllani, Chris Brockman	Diane Halstead
<b>Engineering</b>	Joe Dumas, Jim Hiestand, Kathy Winters Roger Briley	
<b>Fine Arts</b>	Matt Greenwell, Gavin Townsend, Jillian Zwilling	
<b>CHEPS</b>	Kay Lindgren, Linda Johnston, Burch Oglesby, Robin Lee	Dana Wertenberger, Ted Miller
<b>Humanities</b>	Jennifer Beech, Vicki Steinberg, Chuck Lippy Tony Steinhoff, Elizabeth Gailey	Jennifer Beech
<b>Library</b>	Priscilla Seaman	
<b>Math &amp; Science</b>	Bob Marlowe, Betsy Darken, Henry Spratt, Gretchen Potts, Sharon Brueggeman	
<b>Ex-Officio</b>	Roger Brown, John Friedl, David Pittenger, Jocelyn Sanders, Richard Brown, Theresa Liedtka	Mary Lynn Williamson

**Among the Guests Present:** Deborah Arfken, Linda Orth, John Graef, Chuck Cantrell, Mary Tanner, Herb Burhenn, Danny Brant, Debbie Parker, Richard Casavant, Karen Adsit, T. C. Ware, D. Lisa Cothran, Michelle Rigler,

***SUMMARY***

The Senate endorsed a letter sent by the Executive Committee to UT President Petersen that congratulated the President for desiring to reward faculty for merit but objected to doing so by depriving other faculty of a much needed cost of living raise.

The Chancellor and Provost reported on events surrounding the merit pay raise decreed from on high, both expressing support for merit raises but concern over the salary compression problem at UTC. Senators supported merit raises but strongly urged the

development of fair and open guidelines for exceptional merit, with exceptional service appropriately recognized in these guidelines.

The Handbook Committee will be considering adjustments to the revisions made to the Handbook in the spring; these adjustments are recommended by Dr. Bob Levy, UT Vice-President for Academic Affairs, and the UT Office of the General Counsel. Barring snags, the new Handbook should become official when the UT Board approves it in October.

A policy for course substitutions for students with disabilities is to be considered by the Standards Committee.

Committee assignments were confirmed for 2005-2006.

The Honor Court was elected.

Provost Friedl gave a report that has since been made available to the UTC community.

UT President Petersen will be on campus on October 3 and 4.

An ad hoc committee will be formed to consider developing a final exam schedule that does not have Tom Ware grading into the wee hours of the morning before grades are due.

## **MINUTES**

### **1. Call to Order**

The first regular meeting of the 2005-2006 Senate was called to order at 3:02 p.m.

### **2. Introductions**

Members of the Senate and visitors introduced themselves to the assemblage.

### **3. Approval of the Minutes**

The minutes of the last meeting of the 2004-2005 Senate on April 21, 2005, were approved with a clarification added on page 3: "...grades of C cannot be used on candidacy forms for graduate degrees *in the School Psychology Program*." The minutes of the organizational meeting of the 2005-2006 Senate on April 21, 2005, were also approved.

### **4. Executive Committee Report**

President Rice read a letter to the Senate that the Executive Committee sent to UT President Petersen regarding the use of half of the 3% pay raise for the faculty to be used

for merit raises, despite the fact that all staff and administration are receiving an across-the-board 3% raise. In this letter, the Executive Committee congratulated the President for desiring to reward faculty for merit but objected to his method of doing so by depriving other faculty of a much needed cost of living raise. [This letter will be on the Faculty Senate Webpage soon.] Senator Greenwell moved and Senator Van Ness seconded endorsement of the letter. Senator Dumas moved and Senator McCullough seconded a motion to postpone this matter until a printed version of this letter is made available. The motion to postpone was defeated. The motion to endorse the letter passed.

## **5. Discussion Regarding 2005-2006 Faculty Compensation**

President Rice commented on the email sent out earlier in the day from Chancellor Brown and Provost Friedl, remarking that there had been a miscommunication regarding the source of the decision to use half of the faculty's 3% salary adjustments for merit pay. At the invitation of President Rice, Provost Friedl gave the history of this development. In June, UT President Petersen informed all campuses that half of the 3% salary adjustment, about \$300,000, was to be used for merit pay. Provost Friedl tried to abide by the Senate's wishes and sent to the UT System a proposal for pay raises based on the formula developed by the Budget and Economic Status Committee and approved by the UTC Faculty Senate in the spring. This formula dealt primarily with correcting problems with salary compression, with a very small portion devoted to rewarding exceptional merit. The UT System rejected this plan and required a plan based solely on merit.

At this point the Provost referred to a position taken by the UT Board of Trustees in 2003 regarding the importance of striving to reward outstanding faculty as well as the methods for selecting such faculty. [See the following webpage for more information: <https://san4.dii.utk.edu/pls/portal30/docs/folder/BOT/HTML/tenure.html#evaluationoftenuredfaculty>.] Under time pressure, with decisions needing to be made for July and August paychecks (for 12-month and 9-month faculty respectively), the Provost directed the deans to use exceptional merit ratings from the last five years to determine pay raises. All deans chose to follow this suggestion and came up with very similar plans for their schools and colleges. These plans were approved by Provost Friedl, Chancellor Brown, and the UT System. The salary increases resulting from these plans should be evident in all August paychecks. For 12-month faculty, the increases are retroactive to July.

Senator Greenwell asked about language from the Handbook, probably mandated by the state, which states that faculty who exceed expectations for rank are eligible for significant raises and those meet expectations for rank are eligible for minimum merit pay. How does this jive with the plan that has been executed? The Provost responded that the plan does not fit well with this language. The UT System insisted that faculty pay raises were not to be across-the-board. Since over 99% of the faculty was evaluated in 2004-2005 as meeting or exceeding expectations, raises could not be based on this criterion. In the future, it may be better to distinguish between minimal and more substantial meeting of expectations.

President Rice commented that in 2003-2004, four faculty had been rated below “meets expectations for rank,” with three leaving the university. [Four faculty were also rated as below “meets expectations for rank” in 2004-2005.]

Senator Spratt asked why five years had been chosen as the time period for using exceptional merit ratings to determine raises. This means that those who received exceptional merit ratings between 1995 and 2000 will never be rewarded monetarily for their accomplishments. Provost Friedl said that one reason for choosing a five year period was to avoid disadvantaging newer faculty, but that essentially the choice of a five year period was arbitrary.

President Rice and Provost Friedl made a number of remarks about the issue of compression. President Rice pointed out that the salary increase plan for this year aggravates the compression problem and the Provost agreed with this assessment. He reiterated that the first plan he had proposed to the UT System was the plan approved by the Senate but that this plan had been rejected. President Rice urged that the compression issue be revisited this year. Full professors earn around 85% and associate professors earn around 92% as much as comparable peers.

The subject of guidelines for obtaining exceptional merit was addressed by many Senators. Senator McCullough commented that she wants more predictable EDO ratings. “The better you know the rules, the better you can play the game.” Provost Friedl agreed, saying that the Deans’ Council decided earlier this week that deans need to make sure that all departments have clear guidelines for exceptional merit. In response to a question from Senator Darken, he clarified that within each department, the tenured faculty, the entire faculty, and the department head should all be involved in developing these guidelines. The guidelines then need to be approved by the Dean and Provost. The Provost would “tend not to disapprove” guidelines presented to him, unless they were highly inappropriate, because the best people to decide what deserves exceptional recognition within a department are the faculty of the department.

The Provost also commented that he is open to revisiting the use of a 20% cap on exceptional merit. However, if the number of faculty receiving exceptional merit mushrooms, then it loses its purpose. (The Secretary is pleased that an English professor spotted this logical inconsistency. Logic across the curriculum!)

Senator David Young pointed out that the use of a cap is in conflict with the use of guidelines to determine exceptional merit: one could meet the guidelines but not get exceptional merit due to the cap. Provost Friedl agreed but emphasized the importance of defining appropriate criteria for exceptional merit.

Senator Greenwell commented that there are two issues here, one the development of exceptional merit guidelines and the other the criteria for merit pay. Provost Friedl agreed, saying that both need to be pursued. He returned to the issue of salary compression, saying that he has made the point with President Petersen privately that

compression is a major problem at UTC. He also remarked that he agrees with President Petersen that there is also a need to reward exceptional performance.

Chancellor Brown reassured the assembly that “I’m not agin’ you.” He is not out to harm the faculty and completely stands with the faculty regarding its out-of-step, out-of-market salaries compared to appropriate peer groups. He said that he believes in merit pay. In North Carolina, raises were 100% based on merit. There were no across-the-board raises. Was there corruption? Absolutely. One ought to be able to rely on a civil community, faculty governance, and other factors. Unfortunately, sometimes these factors were ignored when they should not have been; sometimes they were not in place. Nonetheless, overall the system of merit pay worked. However, there is a major problem with salary compression at UTC. During the hiring process, Dr. Brown pledged to both the faculty and President Petersen to address this problem. The faculty are “an honored and valued resource.” The Chancellor concluded by saying that he has no right to be believed today. Instead, watch what he does.

Senator Efaw thanked both the Provost and the Chancellor for pushing the salary compensation plan developed by the faculty Budget and Economic Status Committee and for their full explanation of the situation. He pointed out that the Executive Committee letter to President Petersen argued in favor of merit raises on top of cost of living adjustments. He expressed concern about limits being placed on recognition of merit—this seems to imply that too much excellence is a bad thing. This can lead to a dog-eat-dog environment. While many of us trust our colleagues, Senator Efaw urged everyone to read what President Petersen has said: most faculty are just mediocre. This is not encouraging.

Richard Casavant, Dean of the School of Business, referred to the system used in his school to award exceptional merit. This system was approved by the faculty and “works for us.” Research is weighted at 40%, teaching at 45%, and service at 15%. Guidelines are provided about publications so that the new faculty knows what is expected of them. The problem is that the 20% cap is too high. It should be set at 5%-10% because then the superstars could be rewarded in our low resource environment. We have been in a low resource environment for as long as Dr. Casavant has been here—28 years.

Past-President Ernst congratulated the UT administration for doing the best they could with a bad deal. He would like to see a resolution to the disconnect between the process of awarding exceptional merit and the process of awarding promotions. We need to quit carping and get moving, defining expectations and taking this opportunity to move forward.

President Rice commented on the suddenness of President Petersen’s decision. If the faculty had known that exceptional merit ratings were really going to matter this past year, many (including himself) might have argued for this rating.

Others seconded Professor Ernst’s congratulations to the UTC administration and agreed that merit increases were appropriate. Some agreed that a lower cap on exceptional merit

could be OK, but the real problem was with cost-of-living adjustments (COLA). Senator Van Ness remarked that the majority of faculty have lower life styles now than 10 years ago due to lack of COLA. Unhappiness was expressed with both the Tennessee Legislature and Tennesseans' low level of commitment to education.

Senator Van Ness commented on feedback from Tommy Brown, our state representative who is on the Education Committee for the Legislature. She said that the UT system had not been effective in lobbying for funds for higher education. They did not start to lobby until the legislative session was half over. "No one is representing us." Ms. Brown said that we need to unite, send letters to the legislators with our stories. It made a huge difference in K-12 funding when legislators received a lot of letters and were visited by teachers.

Senator Darken spoke of the neglect of exceptional service in decisions about exceptional merit. As Secretary of the Faculty Senate, she is keenly aware of how much time and effort some faculty put into service activities, and how much excellent work is done in this area. The work of faculty who take care of faculty and university business is valuable and should not be ignored. She suggested that many Senators feel the conflict when they come to Senate meetings to attend to this business instead of staying in their offices to work on manuscripts and other rewarded tasks. The Chancellor commented that he understands this point. He is a professor himself and has served on many committees, chaired many committees, and even served as president of the faculty.

Ron Bailey, Dean of Engineering, commented that he could sense the despair of many faculty with regard to pay and compensation. However, he advised that we keep our situation in perspective. He was reminded of the conversations he had with his late father and others working the night shift at the cotton mill, who had trouble understanding what he did for a living. Teach three classes? How many hours is that? What else do you do? Is that all you do? Professor Bailey said that it is a great opportunity to be a faculty member here at UTC and it is good to show a little patience with the public even as we respond to "absolutely legitimate concerns."

## **6. Status of Handbook Revisions**

President Rice and Matt Greenwell, Chair of the Handbook Committee, asked Provost John Friedl to report on the status of the UTC Faculty Handbook revisions that were approved by the Senate in the spring. Provost Friedl reported that these revisions were sent to Bob Levy, chief academic officer for the UT System, who sent them on to the Office of the General Counsel for a legal opinion. Dr. Levy told the Provost this week that some adjustments need to be made. The details have been forwarded to Professor Greenwell and the Handbook Committee. The approval of the Handbook changes is on the October agenda of the UT Board of Trustees. These changes will be in effect as soon as the Board approves them.

Dr. Greenwell commented that at first glance, he thinks that some complicated adjustments may have to be made. If these are only structural changes, the committee

can take care of this, but if there are any substantial changes, the committee will bring the matter back to the Senate.

## **7. Course Substitutions for Students with Disabilities**

Provost Friedl reported that a problem had come to light this spring when a student with a disability appealed for a course substitution based on the disability. The appeal was considered appropriate and was granted. However, Michelle Rigler, Manager of the Office for Students with Disabilities, raised the concern that there is no standard policy for handling course substitutions for students with disabilities. Since the Americans with Disabilities Act has very specific requirements, it would be inappropriate for existing committees such as the Petitions Committee to handle such matters. Nancy Badger, Associate Dean of Student Affairs, reported that a policy statement has been drafted for these situations, which involve a very limited number of students. Course substitutions are limited to courses outside the major and for students who have already tried to complete the course with special accommodations.

Marvin Ernst moved and Joanie Sompayrac seconded a motion to refer the policy draft to the Standards Committee. The motion passed. A question was raised as to how involved appropriate administrators would be in faculty discussions of this policy draft and President Rice said he expected that there would be full consultation.

## **8. Faculty Committee Appointments**

Senator Sompayrac, First Vice President of the Faculty Senate and chair of the Committee on Committees (COC), presented the 2005-2006 list of faculty committee members for confirmation by the Senate. A few corrections were suggested for various committees. Senator Efav raised concerns about the appropriateness of department heads serving as members of the COC, since the COC is to appoint department heads to the EDO Appeals Committee. A discussion ensued about the nature of the EDO appeals committee as constituted in the yet-to-be-approved revised Handbook, the role of department heads on faculty committees, the slew of conflicting interests that can arise within committees regardless of the status of members as department heads or not, “renegade” committee members that need to be checked, the need for balance, the absence of balance, etc. Pointing out that the main concern voiced was over appointments that have not yet been made to an as yet non-existent committee (the EDO Appeals Committee), President Rice called the question. The motion to confirm the committee lists passed.

## **9. Honor Court Election**

The Senate elected the following faculty members to the Honor Court: Jennifer Beech (English), Barbara Norwood (Nursing), Karen McGuffee (Legal Assistant Studies), and Marea Rankin (Library). President Rice thanked these individuals for their willingness to serve on this committee. The election of three alternates was postponed until the next Senate meeting (to allow time for twisting of arms).

Senator Eigenberg asked about the rule that faculty members are expected to serve on only two committees and was assured that this rule is still in effect...in theory.

## **10. Administrative Reports**

Provost Friedl invited everyone to check the Academic Affairs webpage [<http://www.utc.edu/Administration/AcademicAffairs/>] for information about the academic budget, new faculty, etc. He made a number of points, including the following. There are 418 faculty this year, including 42 new faculty; this is increase of 11, including seven tenure-track faculty. The occupational therapy program is being revived through the Health Services Center in Memphis, at no cost to UTC. Admissions to the social work program have been discontinued for the year because the program lost accreditation due to the lack of a stable faculty and deficiencies in the curriculum. Admissions are expected to re-open for next year. The Fresh Life Program for freshmen is bigger and better. Wireless is coming and Andy Novobilski is bringing it.

Chancellor Brown thanked the Senate for the debate about merit pay, saying that it was extremely helpful. He announced that UT President Petersen will be on campus October 3-4 and will meet with focus groups to discuss a wide range of issues, including strategic priorities, curricular and academic issues, and relations between the faculty and the administration. The Chancellor also announced that there is legislation pending in the State Legislature exempting universities and others from the requirement of providing smoking rooms; this legislation will also permit UTC to enforce non-smoking areas around building entrances. He also publicized Military Night, with Navy blimps and other attractions, at the upcoming UTC football game with Tennessee Tech on Saturday. Finally he mentioned that the Black caucus of the Tennessee Legislature is conducting a retreat in November for "post-Geier planning." The Geier consent decree is the court-approved decree regarding desegregation in higher education in Tennessee.

## **11. Other Business**

None.

## **12. Faculty Concerns**

On behalf of Dr. Tom Ware of English, who had to leave the meeting before this agenda item came up, President Rice brought up his concern about the final exam schedule. This schedule, which was devised according to a Senate directive from years ago, is the same every semester, with the 9:25 TTh classes always scheduled at the end of exam week. This means that English faculty teaching at this time are burdened every semester with frantically grading huge piles of papers under severe time constraints. President Rice promised to appoint an ad hoc committee to look into this problem.

## **13. Adjournment**

The Senate adjourned at 5:00 p.m.

