

FACULTY SENATE
MINUTES
November 19, 2018

Absent: Joe Bailey, Ernest Bernard, Tami Bland, Hamparsum Bozdogan, Jason Brown, Qing Cao, Vincent Carilli, Chris Cimino, Lisa Driscoll*, Yuri Efremenko, Sarah Eldridge, Kelly Ellenburg, Eliza Fink, Jennifer Fowler, Michael Gilchrist, Martin Griffin*, Qiang He, Sadie Hutson, David Icove, Jackie Johnson, Karen Jones, Laurie Knox, Nicole Labbé, Luiz Lima, David Manderscheid, Tomás Martín-Jiménez, Stephen Marz, Crystal McAlvin, Lisa Muller, Lisa Mullikin*, James Myers*, John Orme, Chris Parigger, Isabella Pfeiffer*, Andrew Pulte, Victor Ray, Sean Schaeffer, Pedro Tomás, Jennifer Tourville, Scott Wall, Alan Wallace*, Stewart Waters, Brian Whitlock, James Williams, Andrew Yu, Edward Yu, Zhili Zhang, Xiaopeng Zhao

Present by Zoom: Eva Cowell

Alternates: Thura Mack for Alan Wallace, Sylvia Trendafilova for Lisa Driscoll, Avigail Sachs for Lisa Mullikin, Matt Harris for James Myers, Angelia Rollins for Isabella Pfeiffer, Jed Diamond for Martin Griffin

I. ESTABLISHMENT OF QUORUM (B. Lyons)

B. Lyons and B. Killion established that a quorum was present.

II. CALL TO ORDER (M. Anderson)

M. Anderson called the meeting to order at 3:47 pm.

III. ANNOUNCEMENTS

President's Report (M. Anderson)

The complete text of M. Anderson's report is [available here](#). She noted that the October TUFs meeting attended by G. Skolits, B. Ownley, and M. Anderson, the OpEd project, D. Keffer's legislative outreach which will continue through December. Faculty are working together to emphasize the importance of higher education to this state. Most of her remarks focused on the Rock, white supremacist activities, and the Senate's upcoming call for a Chief Diversity Officer.

M. Anderson asked Faculty Senators to help gather the kinds of conversations we need to be having, and to make sure that faculty voices are strong, present, and not just as a constituency but as the living, breathing heart of the university. She emphasized the upcoming United at the Rock events on February 20. She encouraged all to engage with President Randy Boyd in the November 29 forums he will host, including a lunch for Faculty Senators. She quoted from Tim Snyder's 2016 *On Tyranny*: "Defend an institution...Do not speak of 'our institutions' unless you are making them yours by acting on their behalf. Institutions don't protect themselves. They go down like dominoes unless each is defended from the beginning."

Finally, she previewed the first Senate video PSA, "[Tennessee: Home](#)" produced by UTK colleagues, and with Grey Mangan, student in Cinema Studies and regular Beacon contributor, behind the camera and in the editing.

M. Anderson then called a motion to suspend the 5-day rule to do resolution for notification of materials through the agenda in order to move forward with introducing the resolutions. The motion passed unanimously.

UTK Chancellor's Report (W. Davis)

W. Davis reported the meeting with Board of Trustees (BOT) last week was positive. On October 31, 2018, the Chancellor's office sent a message to encourage folks to be civil in their expressions; emphasizing diversity and inclusion. On November 11, 2018, two hooded individuals painted the rock with a swastika. Students and faculty who were meeting nearby saw the Rock, and were able to quickly repaint it.

A question was posed about if whether police presence would have made a difference in preventing the messages of hate and intolerance. B. Lyons expressed concern that hate speech can precipitate action. B. Ownley asked what would happen if something negative was communicated on the rock about a political figure. W. Davis explained that it is not possible to respond to everything, but rather, they try to have as few of these incidents as possible. G. Kaplan, a faculty advisor for Hillel, agreed there is a historical precedent with the symbol and that the possibility exists that it could invoke violence. He emphasized that a clear message needs to be sent that these expressions of hate will not be condoned in any way. A. Roessner stated she appreciates the Chancellor's position that it is not feasible to respond to every message that gets put out. However, in this context, and the fact that this happened in the aftermath of the message on 10/31, she urged him to communicate quickly and applauded the speed with which students responded. B. Lyons asked about possible restrictions on when the Rock can be painted. M. Kwon noted that it is possible to have time-place-manner restrictions. M. Anderson noted that Vice Chancellor Carilli could look at codes of conduct on other campuses about this issue. She then emphasized the need to address this with a community response.

J. Shefner asked W. Davis to explain why he chose the language, "Do not condone" rather than outright condemning the hate speech that was painted on the rock. He also asked him to explain why it took so much time to get a message out. W. Davis stated that he had been weighing the danger of exacerbating the problem and listening to the community before he spoke. He chose to wait to hear from the community that was directly affected. J. Shefner asked W. Davis if he would put out a new message saying that he condemns what was done on the Rock, which is not the same as – "we do not condone." W. Davis said he did put out a message saying that we don't condone what happened and that the behavior was inappropriate. The decision on his word choice was based on personal beliefs of never condemning anyone or anything. W. Davis apologized to those who thought he should have condemned it. He explained that he feels just as committed as others but he just does not use the same words. He stated that if his choice not to use the word "condemn" offended anyone he apologizes. M. Black stated that it is not a matter of offense but a matter of violence because what was written on the Rock was an invocation of violence calling for the killing of Jews. She emphasized the need to be very clear about this.

UTIA Chancellor's Report (T. Cross)

T. Cross submitted a written [report](#) that is included with the agenda items.

Position Paper on Hate Speech and Campus Climate (B. Lyons)

B. Lyons submitted a [position paper](#) on Hate Speech and Campus Climate.

Teaching Tool PowerPoint for Discussing Free Speech (D. Keffer)

D. Keffer created a [discussion guide](#) to facilitate student conversation about balancing free speech with campus safety. The brief PowerPoint frames the discussion so students can recognize, acknowledge, and address the problem by allowing them to have an inclusive conversation. D. Keffer stated the PowerPoint shows the messages on the Rock, the text of the first amendment, and questions for discussion. He emphasized that everyone on campus needs to refute what happened. M. Anderson requested that professors take at least 10 minutes to talk about this in their classes. She added that the senate will also do more as a faculty and as a community.

IV. MINUTES OF THE FACULTY SENATE AND EXECUTIVE COUNCIL

The Faculty Senate meeting minutes of October 15, 2018, were presented for approval. Minutes were unanimously approved.

The Faculty Senate Executive Council meeting minutes of November 5, 2018, were included as an informational item.

V. NEW BUSINESS

Panel on Student Success and Access (S. Murphy and P. Rutenberg)

S. Murphy explained that she and P. Rutenberg are co-chairs and act as liaisons between faculty and the many teaching resources on campus. Today they are moderating a panel of various representatives from administration, student life, student organizations, and student government. Representatives included: Shea Kidd-Houz (Dean of Students), Karen Sullivan-Vance (Associate Vice Provost for Student Success), Wesley Smith (SGA), Cole Tipton (SEAT co-chair), and Ali Boggs (GSS). Representatives shared information about their roles and answered questions regarding how student life and student services incorporate faculty into what they are doing. There was an emphasis on the importance of building relationships, providing advocacy, and working together on retention such as with early alert which can intervene and provide support. R. Spirko asked what faculty can do to assist students to feel a sense of safety and belonging on campus. Suggestions included building campus community, challenging unconscious bias when necessary, and providing activities/events that promote a safe culture. Intervention can also occur at the curriculum level by providing a diversity and inclusion class when students first arrive on campus. Students see having a director as important and they also want programs in place to support student success and retention. K. Sullivan-Vance reported that in terms of retention and persistence, when students know that they matter, they persist. Currently, academic case management is offered as a service. A challenge with this service is that there is only one person who handles all of the first early alerts that come out on students. K. Sullivan-Vance stated that there is a plan to hire more people to assist with the process by being able to follow-up. She stated that we all want students to come into their university – to grow, develop, graduate, and go out in the world and be successful. She also expressed she would be happy to talk more about this with any faculty. S. Kidd-Houz reported there has been more conversation around faculty engagement. She encouraged Faculty Senators to come to events like the Transgender Day of Remembrance Vigil that was scheduled for that evening. M. Anderson reminded everyone that faculty can call 974-HELP anytime, which is a hotline number and offers triage services when there are concerns about a student.

Resolution Concerning Parking for 3rd Trimester Expectant Mothers (G. Kaplan)

G. Kaplan, Chair of the Benefits Committee, reported that this resolution is a recommendation that comes from a request made to M. Anderson in September 2018.

Friendly amendments requests included: 1) add "New or" before nursing mother, and 2) add "a" before 12-week period. The amendments were accepted by the Chair and the resolution passed unanimously.

Resolution the University of Tennessee (UT) Faculty Senate Benefits and Professional Development Committee for October 1, 2018 Faculty Senate Executive Council Meeting

WHEREAS, after engaging in discussion during the previous weeks, on September 26, 2018 the UT Faculty Benefits and Professional Development Committee voted in favor of supporting/not supporting the resolution below.

THEREFORE, BE IT RESOLVED THAT the UT Faculty Benefits and Professional Development Committee voted 8-0 to support the resolution below.

BE IT FURTHER RESOLVED THAT a copy of this Resolution be presented for approval/no approval at the Faculty Senate Executive Council meeting to be held on October 1, 2018. If approved by the Faculty Senate Executive Council, this Resolution will be presented for approval/no approval at the UT Faculty Senate meeting to be held on October 15, 2018.

Resolution on Parking Passes for Expectant/Nursing Mothers:

WHEREAS, there is no current UT policy regarding parking passes for expectant/nursing mothers:

BE IT RESOLVED, we advocate that UT Parking & Transit Services provide a temporary parking accommodation to our students, staff, and faculty who are in their third trimester of pregnancy, or who are new mothers wishing to nurse their baby. In particular, that: permit holders

We recommend that, in order to be eligible for this permit, an applicant should submit a request in writing to UT Parking & Transit Services prior to their third trimester of pregnancy and provide a physician's note indicating a due date.

1. Faculty and staff parking in their third trimester of pregnancy be granted the option of reserving an expectant/nursing mother space in their permitted parking lot. Such spaces would be designated by UT Parking & Transit Services. This option would also be available to parking permit holders who need to secure a space prior to the third trimester due to a high risk or otherwise problematic condition.

2. Faculty and staff parking permit holders who are also [new or] nursing mothers be granted the option of purchasing a permit, valid for [a] 12-week

period after the birth of the nursing mother's baby, to park in an expectant/nursing mother space in their permitted lot. Such spaces would be designated by UT Parking & Transit Services. We recommend that this permit accommodation should be renewable for one additional 12-week period. We recommend that, in order to be eligible for this permit, an applicant should submit a request in writing to UT Parking & Transit Services.

Diversity and Inclusion Committee (A. Roessner)

A. Roessner reported that the Senate's Diversity and Inclusion Community has remained committed to serving as an information clearing house for UTK's campus commissions and committees in the absence of an Office of Diversity and Inclusion. To that end, they compiled a list of campus needs and concerns related to diversity and inclusion and they are committed to encouraging UTK's university leaders to reinstate a Chief of Diversity Officer at the University of Tennessee. A. Roessner provided [a list of rationales](#) for the reinstatement for a CDO prior to January 1, 2019. With the Faculty Senate support, she stated that the committee would like to present the list to Interim Chancellor Wayne Davis and incoming President Randy Boyd on November 26, 2018. While she noted that each rationale listed is important, she directed everyone's attention to the 4th statement on the list:

"to retain students, staff, and faculty, especially from underrepresented groups, who are feeling more vulnerable and more at risk in this current campus climate."

A. Roessner reported that this rationale was the top recommendation from the September 9, 2018, report of the Diversity Champions drafted to fulfill Interim Provost John Zomchick's charge for recommended measures to advance faculty recruitment and retention at the University of Tennessee. In recent days, the immediate necessity of this recommendation was affirmed as students, staff, and faculty from underrepresented groups who reported feeling that their safety was at risk on this campus in the aftermath of two abhorrent instances of neo-Nazi fueled anti semantic hate speech and indignations of violence at the Rock. In the aftermath of these instances A. Roessner and the Diversity and Inclusion Committee recommended:

- Reinstatement of a Chief Diversity Officer (CDO) prior to January 1, 2019.
- Enhanced monitoring of activities at the rock and campus by UTK's law enforcement.
- A town hall forum moderated by an expert in constitutional law with students, faculty, staff, and university leaders.
- A measure to consider instituting content neutral time, place, and manner restrictions at UTK's Rock.
- Additional initiatives and educational programing that addresses campus safety and climate.

A. Roessner emphasized that UTK must act now to discourage future hate acts and speech from terrorizing this university community. She added that reinstating a Chief Diversity Officer will begin to help healing the university's climate and restore faith in the University of Tennessee's commitment to welcome ALL Vols.

Resolution Concerning Diversity and Inclusion CDO Recommendations (A. Roessner)

A. Roessner, Chair of Diversity and Inclusion Committee, reported that this resolution is a recommendation for the administration and the vote is on the Chief Diversity Officer. Friendly amendment requests by M. Black and J. Shefner included: 1) Specify Reinstatement of a full-time interim Chief Diversity Officer who is a member of the Chancellor's Cabinet on UTK's campus, 2) add "full-time Interim" Chief Diversity Officer, and 3) Recommend a national search for a permanent full-time Chief Diversity Officer position. The amendments were accepted and the resolution passed unanimously.

Resolution Endorsing the Recommendation from the University of Tennessee Faculty Senate Diversity & Inclusion Committee to Reinstate a Chief Diversity Officer for our Campus prior to January 1, 2019, November 19, 2018

WHEREAS, recent incidents of abhorrent anti-Semitic hate speech at the Rock and other reports and trends have left our students, staff, and faculty, especially from underrepresented groups, feeling more vulnerable and more at risk in this campus climate;

WHEREAS, we support the list of rationale offered by the Faculty Senate's Diversity & Inclusion Committee;

NOW, THEREFORE, BE IT RESOLVED THAT the UTK Faculty Senate recommends the endorsement of the recommendation from the University of Tennessee Faculty Senate Diversity & Inclusion Committee to Reinstate [a full time interim] Chief Diversity Officer [who is a member of the Chancellor's Cabinet] for our campus prior to January 1, 2019, [to be followed by a national search for a permanent position.]

W. Davis shared that the search for a new Vice Chancellor of Diversity will not likely occur until next fall. He reminded everyone he will no longer be here after June 2019 and we will not be able to search for a new Chancellor and a Chief Diversity officer during the same months.

Resolution from Diversity and Inclusion Committee: Supporting SGA Bill #22-18 (C. Sams)

Resolution Endorsing the Proposed SGA Resolution to Introduce Lighting and Paint Supplies for the UT Rock

WHEREAS, recent incidents of abhorrent anti-Semitic hate speech at the Rock and other reports and trends have left our students, staff, and faculty, especially from underrepresented groups, feeling more vulnerable and more at risk in this campus climate; and,

WHEREAS, the Student Government Association (hereafter SGA) has demonstrated strong leadership and stewardship in their community; and,

WHEREAS, the SGA has condemned the neo-nazi and white supremacist symbols on The Rock and called out the disunity and divisiveness generated by them; and,

WHEREAS, the SGA has also been steadfast in their support of maintaining The Rock as a free speech area; and,

WHEREAS, the SGA has proposed Senate Bill 22-18,

to add a spotlight, a live-stream camera, and make paint available via the UTPD in the case of additional incidents at The Rock,

NOW, THEREFORE, BE IT RESOLVED THAT the UTK Faculty Senate endorses SGA Senate Bill 22-18 and the SGA's efforts to strengthen our community.

M. Anderson explained that this resolution is concerning the Senate's support of the SGA and their bill to introduce measures they think it will deter future incidents of hate speech on the rock. O. Flomberg, SGA senator, stated that the resolution calls for reforms related to the Rock and protections of what gets done on the Rock. The biggest part of this bill is a compromise of some of the views that people have about video surveillance of the Rock. Supporters of the measure would like to place a live-webcam that provides a constant live stream of the Rock. He encouraged the Faculty Senate to support the measure. K. Baker asked for clarification on if the video stream would go to the police department on campus or if it could be viewed campus wide. W. Davis reported that administration is in the process of ordering, purchasing, and getting a light installed. He stated that there are not any issues regarding freedom of speech relative to the live-cam and also cautioned that there could also be secondary consequences to its installation. He explained the live-cam would allow everyone to view the Rock any time, including those who write hate messages. They too, would then be able to view the students who paint over the hate speech. H. Blackwell, SGA senator initiate, is supportive of the live-cam for the Rock. She however asked that no more restrictions be placed on the Rock due to the already number of controls that already exist for the walkway. Organizations also have to do a lot of things as it is in advance to get tabling rights. She stated that more restrictions would take away the beauty of what the Rock is and the way it can be used for free speech to fight against the issues that were being discussed. She asked faculty senators to please consider how more restrictions could hinder the way students use the Rock that are really good.

J. Shefner requested that M. Anderson recognize non-senator R. Blitt, who reported that there is an open letter from concerned faculty and staff from UT. It has been open for signatures since the middle of last week. There are currently over 400 signatures. He read the following paragraph from the letter: "We, the faculty and staff of UTK recognize the need to go further. We unequivocally condemn expressions of hatred that threaten or intimidate or bring into doubt the value of diversity and inclusivity on our campus and in our city. And we express our strongest support for and solidarity with UTK's Jewish students, faculty, and staff, and all members of our community who have been targeted by this and other similar attacks." R. Blitt invited others that feel this way to sign the open letter until Wednesday. The letter will then be presented to the Chancellor and administration.

R. Blitt stated, "The experience on campus this month isn't a generalized expression of hate or an innocuous scribble of political idea. It's a virulent and specific form of hatred older than the university itself and its manifestations here, same as everywhere else, is a direct precursor part to incitement to actual violence. This is especially evident in the current political climate we are living in and on the heels of the massacre of Jewish worshipers in a synagogue in Pittsburgh for

the crime of being Jewish. The institutional reaction did not and still has not effectively acknowledged this or its own shortcomings. Antisemitism needs to be called out for what it is, specifically, the hatred of Jewish people and of the Jewish faith. It must be recognized as something that has no place on our campus... The Chancellor and administration had two weeks before they referenced antisemitism in their public statements. That is deeply, deeply problematic and concerning. I demand that we do better.”

M. Anderson directed attention back to the resolution and asked if there were any additional questions/discussion. B. Lyons asked W. Davis to clarify if there is not already a camera on the Rock as there is some understanding that there is a security camera the police use. W. Davis said there is a camera on the intersection that partially views the Rock. However, the camera does not provide a full view of the Rock. The camera has been placed looking toward the Rock at various times but in practice it needs to be focused on the intersection. In this case, there would need to be a second camera that specifically focuses on the Rock because one camera cannot adequately cover both areas.

T. Lee stated that the live stream could cause more problems and offered clarification to ensure that everyone understood that W. Davis’ earlier consideration, which was that the camera could encourage more people to come to campus. In response to concerns about speech that promotes killing a whole class of people, including the families of people in the room, J. Shefner advocated for time, place, and manner controls. C. Sams stated that she appreciated J. Shefner’s concerns, but thought our focus should be on supporting the student government’s efforts to address this question. She then suggested possibly tabling or amending the resolution to support a spotlight due to the complications that go beyond just supporting the students. B. Lyons moved to table the resolution and C. Craig seconded the motion. After more discussion, the inability to resolve the language, and a reminder from M. Anderson that the senate can support SGA’s effort without a resolution, M. Anderson called the question. The motion to table the resolution was unanimously passed. The Faculty Senate agreed to convey their support for the SGA’s efforts to make recommendations for the good of our community regarding the Rock.

Handbook Update on ETTR and Codifying Policy on Early Tenure (J. Zomchick)

M. Kwon from the College of Law and the Faculty Affairs Committee have been working to make [changes](#) to the *Faculty Handbook* necessitated by several changes that were passed by the BoT last March and June are currently underway. These recommendations will be voted on in February 2019. In regard to the changes related to *Early Consideration of Tenure* is that there will be a 6-year probationary period. (No change from current campus practice.) Early consideration, or standing for tenure before year six, requires approval from the Department Head, Dean and Chief Academic Officer. (No change from current campus practice.) Probationary period begins the year of appointment unless the appointment happens after January 1 of that year. Then, it will begin in the subsequent year. (This has not been a campus practice in the past.) Probationary faculty members have to complete one full year on the campus before standing for tenure.

A probationary tenure member who stands for early consideration and is denied will have one more chance to come up for tenure. If he or she has come up before year five then he or she has to wait one year before the next attempt. If that person had come up in year five, since there is a mandatory 6-year probation period, must come up the succeeding year. Someone who has come up once, and who failed to be granted tenure, must get new letters for the

dossier when coming up the second time. *Enhanced Tenure Track Review*, referred to as the mid-cycle review, policies are not changing. However, all of the process inscription that is currently in the *Manual for Faculty Evaluation* (MFE) is being moved into the *Faculty Handbook*. This is the first of several moves as the goal is to consolidate the MFE into the *Faculty Handbook* so that there is one source for all of the policies and processes. Thereby, eliminating confusion and inconsistent language between them. The change for consideration is related to the *Enhanced Performance Planning Review* (EPPR), which was passed two years ago. The plan is to incorporate the policy, (without change) into the *Faculty Handbook* in a separate process because faculty are bound by Board policy. One area left up to campus discretion in the Board policy is *Coordination of Annual Performance and Planning Review* (APPR), which occurs every year. EPPR, which is triggered when there are two "falls short" within a 4-year period, or one "falls far short", or a faculty member requests it, or has matter of a triple PR. He explained that this is the attempt for a policy proposal that explains the coordination between the APPR and the EPPR. J. Zomchick requested senators study the proposal and to send questions to M. Kwon with the Faculty Affairs Committee.

B. Lyons asked J. Zomchick to clarify the process and the involvement of General Council and to what extent he had been able to consult with them in terms of the discussions with the Faculty Affairs Committee. J. Zomchick stated that there have been a number of issues that have come up over the several months in respect to the General Council's role in shaping the *Faculty Handbook*. They are currently working on scheduling a meeting between the Faculty Affairs Committee and the representative of General Council. He has been told by both M. Kwon and the General Council and they do not currently see any red flags with the recommendation. He however noted that the senators might see red flags and if this happens this is the opportunity to tell administration that you would like to see different changes. These recommendations will come back to the Senate February 4, 2019, meeting for a vote.

Calendar for 2019-2020 Faculty Senate Meetings (G. Skolits)

G. Skolits presented a proposed schedule for Senate meetings for next year. The Senate voted unanimously to accept the calendar. M. Anderson reported that senate meetings will begin at 3:30 pm for the rest of spring 2019 and also for next year.

Update on Local UTK Board Trustee (G. Skolits)

M. Anderson reported that Lou Gross is still on the ballot but the second nominee who was running has withdrawn. There is now a call for additional nominations. There will be an electronic vote so there can be someone in place in January 2019.

VI. REPORT OF AD HOC COMMITTEES

Tabled due to time.

VII. REPORTS OF STANDING COMMITTEES

Tabled due to time.

VIII. ADJOURNMENT

The meeting was adjourned at 5:36 pm by M. Anderson.

Respectfully Submitted,
Phyllis L. Thompson