

Faculty Senate Executive Council
March 11, 2019
MINUTES

Present: Sadie Hutson, David Keffer, Laurie Knox, Michelle Kwon, Beauvais Lyons, Bruce MacLennan, Larry McKay, Robert Mindrup, Samantha Murphy, Bonnie Ownley, Rebecca Prosser, Amber Roessner, Pat Rutenberg, Gary Skolits, Soren Sorensen, Rob Spirko

Guests: Wayne Davis, John Zomchick

I. CALL TO ORDER

G. Skolits called the meeting to order at 3:31 p.m.

II. APPROVAL OF MINUTES

Minutes of the Executive Council meeting of February 18, 2019, were presented for approval. B. Lyons requested a change to notate that M. Anderson began presiding over the meeting at 3:43 p.m. B. Lyons moved approval of the minutes as amended, R. Mindrup seconded. Minutes approved unanimously.

III. ANNOUNCEMENTS AND REPORTS

UTK Chancellor's Report (W. Davis)

W. Davis reported that the internal search for Ombudsperson is ongoing. Interviews will be held on March 25th and March 27th. The search for the next UTK Chancellor is on schedule. Airport interviews will be held on April 1st and April 2nd, followed by the campus visits. There are a number of things that are in progress including a committee that will develop the process for awarding student programmatic funding. V. Carilli is looking for representation on that committee. Another committee will also form to review the student code of conduct. Both committees will include senate representation. B. Lyons wanted to thank Chancellor Davis for his message about the recent events on campus. B. Lyons wrote a column in the Knox News Sentinel regarding the Campus Free Speech Protection Act: <https://www.knoxnews.com/story/opinion/columnists/2019/03/04/opinion-ut-must-uphold-campus-free-speech-protection-act/3058723002/>. B. Lyons emphasized the need for appropriate legal expertise from faculty to ensure that we comply with federal and state statute. M. Kwon echoed that we should not be censoring the content or positions of what people say; she also underscored that we should be doing things that engage students and encourage robust dialogue. R. Spirko asked whether we know what the nature of the advisory committee is regarding how much input they will have? W. Davis responded that V. Carilli has written a draft, which will be circulated among faculty and students to determine a process in a month. He noted that although this seems rushed, if we don't respond, we risk being unable to have programmatic funding for Fall. A. Roessner asked whether there is hope for a model like one adopted by peer/aspirational schools that allow the students more autonomy (e.g. a 501(c)(3)). She stated that this allows students to distance themselves from the university. W. Davis responded that while he feels this could be a good solution, he is concerned that this may not be able to be done in time to address Fall programming. W. Davis indicated his priority is to get a process in place for something that works for Fall term. B. Ownley asked whether each individual student would form their own non-profit or whether there would be one umbrella organization to cover all of the organizations. W. Davis answered that there is only a need for one umbrella organization. G. Skolits shared a concern that all of this started as a legislative

issue; while moving fast is needed, it can be detrimental as well. W. Davis reiterated that whether we get it right immediately is not as much of a concern as getting a procedure in place for Fall. W. Davis stressed that any program students want to have will be accommodated. A. Roessner asked W. Davis to clarify who will lead the cultural competency training to the executive administration. W. Davis stated that the company is ADL Southeast: <https://atlanta.adl.org>. A contract is in place and there will be a full-day of training in March where a 2-hour block is set aside just for the Chancellor's cabinet. T. Small is working on this, as is V. Carilli.

UTIA Chancellor's Report (T. Cross)

T. Cross wanted to thank B. Ownley for her work on the Education, Research and Service Sub-Committee. He also noted that Drs. Zomchick and Manderscheid did an effective job on the revisions to Chapter III. The new Dean for Ag Research, Dr. Hongwei Xin, was hired and he will be coming to lead programs at UTIA. T. Cross reported that UTIA is working on an integrated faculty reporting system which will pull from Banner, Cayuse, Elements, UTIA system reporting, etc. This is a matter of setting up a workflow system for annual reviews and document generation (P&T, post-tenure review, etc.).

Provost's Report (J. Zomchick for D. Manderscheid)

J. Zomchick noted that the handbook revisions were approved at the BOT meeting for Chapter III, including the language regarding EPPR and the change of termination of tenure policy. J. Zomchick noted that he worked with M. Kwon to include language from BOT policy in the handbook. J. Zomchick noted optimism that there would be an interim handbook within the next month. In addition, the website where the handbook lives will be redone which will feature a web-based handbook as well as a pdf version. J. Zomchick stated that he will continue to work with M. Kwon on incorporating what was in the *Manual for Faculty Evaluation (MFE)* and what will now be in the *Faculty Handbook*. Vice Provost Hinde gave an extensive presentation on VolCore at Academic Council last week; there was also a presentation on assessment, the five-year SACSCOC mid-cycle review, and a report from the student counseling center. Interim Vice Chancellor R. Nobles provided a presentation on research security and the increased need for security being prompted by the federal government re: espionage. Our proximity to ORNL increases our vulnerability as a target for these types of security threats. B. Lyons asked J. Zomchick what the major take-away messages were from his meeting with Christopher Newfield following the UT Humanities Distinguished Lecture Series presentation. J. Zomchick responded that his talk prompted him to think about the nature of our discovery mission and how we need to have more discussion as a campus regarding the quantitative and non-quantitative effects that the University has on the community, going beyond the economic impact. There are also benefits that may not be able to be quantified in financial terms. J. Zomchick noted that education is an engine for social mobility as well as the foundation for our democracy and that we must articulate our impact clearly. M. Kwon inquired about whether the administration is still going to go forward to the BOT to change the requirement from 6 years to 4 years pertaining to early tenure consideration. W. Davis noted that the System Chancellors must agree to this before it can be moved forward. L. Knox noted that it was a year ago that we passed the changes to Chapter IV of the *Faculty Handbook*. J. Zomchick noted that where we stand with appointment language is that the "expectation" of reappointment establishes a protection stronger than tenure; it is unclear whether the final verbiage will include the terminology of "possibility" vs "expectation." M. Kwon noted that when the changes go back to the Faculty Senate for a vote, it is not clear what happens if the changes get voted down. L.

Knox asked about whether we need to ensure that the changes are in keeping with the BOT policies. J. Zomchick responded that this has been done.

IV. OLD BUSINESS

Updates to Handbook (M. Kwon)

M. Kwon provided an update regarding APPR, dossier assembly, and the APPR Improvement Plan. The green language in the linked documents is from the MFE; the red language is new.

APPR ([click here](#))

Assembly of the Tenure and/or Promotion Dossier ([click here](#))

APPR Improvement Plan ([click here](#))

Pertaining to Chapter III there were various changes to conform the handbook to BOT policy, as well as the MFE. These changes to Chapters III and IV will be posted electronically for the FSEC and a vote will be conducted electronically. M. Kwon explained that Chapter IV addresses nature of appointments, while Chapter III is manual integration. J. Zomchick thanked M. Kwon and the Faculty Affairs Committee for their hard work. He also stated that there is a good compromise for the joint faculty title that will allow maximum flexibility to allow appointments with external entities as well as "adjunct" appointments. S. Sorensen seconded the motion from Faculty Affairs Committee for all three documents.

COIA Report (B. Ownley)

B. Ownley reported on the COIA meeting held at UTK on February 23 and 24. There were people from the NCAA, the Drake Group, Inc. and the Knight Commission on Intercollegiate Athletics.: <http://www.thecoia.org>. A number of faculty representatives provided presentations. B. Ownley reminded the group that COIA is made up of faculty senate representatives. At times, athletic departments can be a drain on the budget rather than a support. UT is not necessarily in that situation. B. Ownley noted that the NCAA used to have a certification program for athletic programs and institutions, but they are considering a coach's certification program. Faculty Senates will need to become more active in working with athletic programs to ensure the health and welfare of student athletes. The focus of next year's meeting will be to consider a tool to look at the academic progress of student athletes (both in and outside of the conference). B. Ownley noted that perhaps there will be monetary awards to institutions for the academic achievements of student athletes. M. Anderson spoke at the meeting about the communication link with athletics to showcase our faculty. J. Williams shared his story and the importance of knowing who the students are outside of athletics.

Volunteer Core Follow-up (R. Mindrup)

R. Mindrup reported that the implementation committee is meeting after spring break to determine working groups and will be developing rubrics/submission guidelines that are consistent across the whole curriculum. More information is forthcoming about the CIS courses; the committee will hold Zoom meetings to describe CIS.

V. NEW BUSINESS

Report from Non-Tenure Track Issues Committee (L. Knox)

L. Knox reported that at the October meeting, M. Anderson was asked to attend and address the question, what should we be working on next? There were two issues that came forward: 1) the meaning of academic freedom as it applies to contingent faculty; 2) due process

regarding annual review, paths to promotion, and faculty governance roles. Pertaining to the first issue, L. Knox articulated that there is a need to have difficult conversations with students early in their experience at the university and since contingent faculty are often teaching freshman and sophomore students, there is a need to support and protect the contingent faculty members' academic freedom. There is presently a plan to write a whitepaper on this to present to the Faculty Senate by Fall 2019. Pertaining to the second issue, there will soon be explicit policies in place regarding annual review, paths to promotion, and faculty governance roles. L. Knox posed a question about what happens when departments neglect implementing these processes or when supervisors violate them. She further described that because the faculty are contingent, it may be difficult to appeal or suggest reforms. She noted that it is not clear that there is even as much protection as non-exempt staff for these faculty members. The goal for this particular issue is to examine this policy gap and investigate the meaning of due process for contingent faculty. B. MacLennan asked whether there are peer institutions to look to for best practices? L. Knox responded that the committee will look at this specifically. B. Lyons suggested that for the second whitepaper it would be useful to get opinions from colleagues from the College of Law regarding labor/employment law. He also suggested that Human Resources and the Ombudsperson could also be helpful.

Feedback on New Voting and Attendance System (R. Spirko)

R. Spirko reported that at the February Senate meeting, 64 people could log in using the TurningPoint system; by the end of meeting, 71 individuals were logged in (~92% of Senators). The system is useful for recording the votes of individuals participating via Zoom as well as voting in uncomfortable or controversial situations. S. Hutson asked whether we could do a test run and get folks setup during the August Faculty Senate retreat. L. McKay stated that there is a need for determining higher level troubleshooting. S. Sorensen suggested that there actually be some clickers on hand for individuals who do not have a device. S. Murphy stated that there is a need for more clear setup directions that are understandable. B. Lyons reminded the group that we may need to examine our bylaws to determine whether they accommodate electronic voting. R. Spirko encouraged individuals to send him additional thoughts via email.

Budget & Planning Committee Report (L. McKay)

L. McKay reported that there has not been a budget meeting since the last report. On March 25th, the committee will meet with D. Thompson from the Graduate School as well as an upcoming meeting with Provost Manderscheid.

Candidates for President-Elect (G. Skolits)

G. Skolits reported that in most caucuses, the elections are taking place for new Senators; about 50% of elections are underway. G. Skolits stated that he talked with several individuals about serving as President-Elect. There is presently one candidate who agreed to stand for candidacy, Shawn Spurgeon. A vote will need to occur by the end of the term.

VI. STANDING COMMITTEE AND TASK FORCE REPORTS ([Consent Agenda](#))

- a. Appeals Committee (R. Prosser)
- b. Athletics Committee (J. Williams)
- c. Benefits and Professional Development Committee (G. Kaplan)
- d. Budget & Planning Committee (L. McKay)
- e. Diversity & Inclusion Committee (A. Roessner)
- f. Faculty Affairs Committee (M. Kwon)

- g. Graduate Council (M. Aydeniz)
- h. Library and Information Technology Committee (M. Collins)
- i. Nominations and Appointments Committee (G. Skolits)
- j. Non-Tenure Track Issues Committee (L. Knox, C. McAlvin)
- k. Research Council (S. Sorensen)
- l. Teaching & Learning Council (S. Murphy, P. Rutenberg)
- m. Undergraduate Council (R. Mindrup)
- n. University Faculty Council (B. MacLennan)
- o. System Relations Committee (B. Ownley). B. Ownley reported that the committee met with C. Cimino regarding a concern about where the Pride Center would end up. There is presently 6000 square feet of unfinished space in the Student Union. She asked W. Davis whether any decisions had been made about that space. W. Davis responded that the decision has been made to fund the costs of finishing the space B. Ownley described. He further reported that to his knowledge, the Pride Center would be included in that space. The overall intent is to design the space into 3-4 smaller spaces. The University has approval from the state building commission to build out the space; however, the funds for the operation of the Pride Center is a matter of separate consideration.
- p. Special Legislative Task Force (D. Keffer)

VII. ADJOURNMENT

G. Skolits adjourned the meeting at 4:58 p.m.