

FACULTY SENATE
MINUTES
March 2, 2020

Absent: Douglas Aaron, Brad Areheart, Stefanie Benjamin, Chris Boyer, Rachel Caldwell, Courtney Childers, Chris Cimino, Sherry Cox, Fabrizio D'Aloisio, Neal Eash, Sarah Eldridge*, Eliza Fink, Nick Geidner, Michael Gilchrist, Matt Harris, Jon Hathaway, Qiang He, Tim Hulse, William Jennings, Karen Jones, Brian Krumm, Alex Lapins, Teresa Lee*, David Manderscheid, Solange Munoz, Andreas Nebenfuehr, Katherine Newnam, Stephen Paddison, Isabella Pfeiffer, Andrew Pulte, Kristen Rearden, Alex Rodrigues, Sean Schaeffer, Lisi Schoenbach, Joe Scogin, Reza Seddighi, Liz Teston*, Phyllis Thompson, Sylvia Trendafilova*, Forbes Walker, Scott Wall, James Williams, Courtney Wright, Andrew Yu, Zhili Zhang, Xiaopeng Zhao

*Alternates: Lois Dzikus for Sylvia Trendafilova, Chuck Collins for Teresa Lee, Martin Griffin for Sarah Eldridge, Maged Guerguis for Liz Teston

Zoom: Mark Collins, Eva Cowell, Chris Parigger

I. ESTABLISHMENT OF QUORUM (E. Bernard)
E. Bernard established a quorum.

II. CALL TO ORDER (G. Skolits)
G. Skolits called the meeting to order at 3:34 p.m.

III. ANNOUNCEMENTS

President's Report (G. Skolits)

G. Skolits started the meeting with a discussion of where we are with the UT System President Search. He noted that at the Fall 2019 BoT meeting, Chair J. Compton began an evaluation process for Interim President Randy Boyd, indicating that a decision needed to be made within one year regarding a permanent president. At the most recent Board meeting in February, the Board shared a highly positive evaluation of Boyd, noting the creation of ORI, UT Promise, UTIA reunification, and hiring Chancellor Plowman. G. Skolits noted the BoT evaluation did not include sufficient faculty or student feedback, which Chairman Compton acknowledged; and as such, the BoT mandated that Boyd visit UT campuses for faculty and student input. The BoT nonetheless strongly signaled its intention to drop the Interim in Boyd's title and to propose a 5-year term. G. Skolits reported that the history of these issues involves a prior Board, a previous president, and past failures of shared governance and leadership which eventually brought about the [UT Focus Act](#). The UT Focus Act led to two particularly substantive policy changes: 1) the UT Focus Act eliminated a search requirement for the system presidency position (the BoT can identify and select one presidential candidate without violating policy or law in foregoing a competitive search) and 2) the UT Focus act eliminated a voting faculty BoT member, which is the highest level of institutional governance. G. Skolits explained that the UT Focus Act violated previously and long-held norms of University of Tennessee practice, namely faculty governance that includes a voting faculty Trustee and the nearly universal higher education norm of a competitive presidential search. He further stressed that the UT Focus Act was only construed to apply to the University of Tennessee.

Presidents of other public state universities were not affected with regard to searches or a voting faculty trustee. G. Skolits reported that the original FOCUS Act, which reorganized governance at other state universities, recently preserved or created a voting seat for a faculty trustee on these governing boards; at the locally governed institutions in Tennessee, searches are still the norm for replacing presidents.

Let me add to a couple of things to consider at this time as well. Consider that BoT leadership publicly acknowledged that the "No competitive search" position of the Board was not the "norm." They stated: They did not want to risk recently improved, positive relationships that Boyd has forged with the governor and legislature; They did not want to lose traction on key initiatives (e.g., ORI, UT Promise); and, They did not want to lose Boyd. Moreover, the BoT particularly noted that "good" presidential candidates would not likely apply given Boyd's personnel evaluation results, which have now been made public. G. Skolits provided several acknowledgements: 1) the no-search decision has been made; 2) the no-search decision is legal; 3) senate leadership challenged the UT Focus Act at its inception; 4) the transparency issues of the initial appointment of Boyd have been observed in the December 2019 Tennessee Comptrollers UT Audit Report; 5) Boyd has substantial support for the presidency of UT as his personnel evaluation suggests; 6) other UT units have a high level of support for Boyd; 7) key state leaders favorably view and support Boyd; 8) some faculty favor Boyd and acknowledge his strengths such as UT Promise, hiring Chancellor Plowman, supporting the restoration of the Office of Diversity with a Vice Chancellor, and getting the Pride Center moved to the Student Union; 9) some faculty oppose Boyd, acknowledging weaknesses such as a failure of shared governance in campus reunification, lack of faculty or other campus higher education experience, and lack of a competitive vetting via a search; 10) some faculty are neutral to Boyd; and 11) campus visits offer all faculty an engagement opportunity on Boyd's strengths and weaknesses regarding his presidency.

B. Lyons reinforced that the UT Focus Act barely passed at the time it was passed. It would require efforts such as UCW engagement and initiating conversations with legislators that would align with the beliefs of the faculty. B. Lyons suggested that this would require an initiative of the FSEC to begin grassroots communications with legislators to change the law. J. Shefner announced that UCW is having an annual lobby day on March 9. J. Shefner asked what the mechanism would be to make questions available from the senate; he also asked whether the Town Hall would include members of the BoT. G. Skolits responded that Boyd would be the presenter and that B. Killion will create a mechanism for folks to add questions electronically. A. Ludwig asked whether there is any information that the board has shared regarding an evaluation rubric for the Town Halls. G. Skolits responded that he was not aware of how the Town Halls would be evaluated.

A. Ludwig reinforced that the Faculty Senate bylaws indicate that it is our job to create criteria for administrative positions. M. Anderson noted that the original focus act allowed all of the LGIs to gain a trustee and when the UT focus act passed, we lost ours. The System Relations Committee is writing a white paper that will come before the FSEC. L. Gross noted that it was a loss not only of faculty trustee, but also representation on the academic affairs committee on the board. He further explained that there was a representative from every single campus for that committee. L. Gross encouraged the senate to think of this as an opportunity to ask very specific questions of concern to this campus that the president would be responsible to respond to in an open way. J. Shefner asked whether the faculty senate could invite R. Boyd to meet

exclusively with the senate. S. Sorenson provided a word of caution concerning focusing on open searches; in particular, he noted that many hires are opportunity hires which contribute to the diversity of the campus. Additional discussion ensued. N. Hristov asked whether a subcommittee or task force should be appointed. M. Anderson stated she would commit to making a google doc where senators could add questions. A. Ludwig noted that the speed at which this is happening seems to be going faster than we are comfortable with; perhaps a subcommittee could work on a resolution. M. Anderson suggested that G. Skolits name an ad-hoc group to work on this. G. Skolits stated that anyone interested in serving should contact him after the meeting. G. Skolits reported that next steps would include instituting: 1) a process for asking questions; 2) a process for getting those questions to the system via BOT mechanism; 3) an ad hoc committee to draft a resolution. M. Black expressed gratitude to G. Skolits for his leadership on these issues.

UTK Chancellor's Report (D. Plowman)

No report.

IV. MINUTES OF THE FACULTY SENATE AND EXECUTIVE COUNCIL

The Faculty Senate meeting minutes of February 3, 2020, were presented for approval. B. Lyons moved approval; J. Shefner seconded. The minutes were unanimously approved.

The Faculty Senate Executive Council meeting minutes of February 17, 2020, were included as an information item.

V. OLD BUSINESS

There was no old business.

VI. NEW BUSINESS

Extension Bylaws Change ([link](#)) (A. Ludwig)

A. Ludwig introduced herself as the Ag Caucus Chair and explained that the bylaws proposal presented creates consistency and opportunity for all Ag faculty to serve in the caucus. She noted that the Ag Caucus includes 191 FTEs and each holds an appointment among 3 distinct units (Herbert College, Ag Research, or UT extension). She stated that extension appointments are similar to teaching in many ways; while extension staff doesn't teach in the classroom, they do bring their expertise to Tennesseans. Roughly 50 of 191 are FTEs are extension appointments. She underscored that this bylaws change does not change the number of faculty but rather how folks are represented within the caucus. B. Lyons noted that this change is being presented as a 1st reading today and will come forward for a vote at the next meeting. M. Violanti asked that the "s" be removed from Communication and Information.

Election of UFC Representative (G. Skolits)

G. Skolits reported that at the last meeting we held an election for a representative to the Campus Advisory Board. Today we will vote on a representative to the University Faculty Council (UFC). D. Patterson stepped forward as a nominee. A vote was taken by paper ballot; D. Patterson was elected to serve as the UTK representative to the UFC.

Guns on Campus Resolution (J. Shefner)

J. Shefner reported that there are two separate sets of bills that have been introduced. He distributed a document with several talking points to senators. HB2102 (7 sponsors) and

SB2288 as introduced, allows a registered student at a public institution of higher education to carry a handgun in a concealed manner on property owned, operated, or controlled by that institution if the student is a handgun carry permit holder and otherwise in compliance with state law. HB2102 has been assigned to the Constitutional Protections and Sentencing Subcommittee; SB2288 has been assigned to the Senate Education Committee. HB2661 (19 sponsors) and SB2888 as introduced permits a person to carry a handgun in a concealed manner; permits a person carrying a handgun in a concealed manner to carry in parks, higher education campuses, and areas posted by local governments in the same manner permitted by handgun carry permit holders. HB2661 has been assigned to the Constitutional Protections and Sentencing Subcommittee; SB2888 has been referred to the Senate Judiciary Committee. B. Lyons asked what action the senate would take once this resolution passes. J. Shefner urged the senate leadership to make this opposition very clear to the Provost, Chancellor, and EC as it was not clear at the EC meeting that many individuals knew how far it was going and with what kind of support presently. J. Shefner noted that Interim President Boyd should be asked about his stance and what he plans to do about it. L. Knox stated that this would be an issue that would cause her to walk out of her classroom and never come back. J. Brown asked whether there have there been any statements from UTPD about this. It was noted that this type of legislation has been opposed by UTPD in the past. K. Gehrman asked whether guns were allowed in the legislature; after some debate, it was determined that they were allowed. S. Madison asked whether the campus can make more restrictions if this does pass; she gave the example of the early learning center. M. Griffin noted that in the case of an armed shooting incident on campus it was made clear in the past that UTPD does not have the capability of distinguishing between the good student with the gun and the perpetrator. N. Hristov noted that as the parent of an incoming freshman, she felt strongly that she would not allow her child to attend if guns were allowed on campus and in dorms. A federal agent who was a guest in the senate stressed his opposition of this legislation. N. Hristov suggested a clause such as, "Whereas, these bills will deter enrollment by making students and parents feel unsafe on campus." K. Gehrman suggested replacing the word, "probably" with "predictably." A. Roessner suggested a friendly amendment to N. Hristov's statement by noting, "Whereas, these bills will deter student, staff, and faculty recruitment and retention efforts." J. Shefner accepted these friendly amendments to the resolution.

TUFS Resolution (M. Anderson)
[2016-2017 Resolution](#)

[2020 Resolution](#)

G. Skolits called for the vote. The vote passed by a majority. Castillo abstained.

VII. REPORTS OF STANDING COMMITTEES

Approval of Minutes

UG Council Minutes of [January 28, 2020](#). The UG Council passed the following proposals: (1) to replace the ABC/NC grading system with ABC/N, in order to comply with the State of Tennessee Attorney General's opinion on HOPE Scholarship grade calculations; (2) to incorporate these ABC/N grades into the general repeat policy; (3) to revise the grade replacement policy by (a) extending the current policy to 300- and 400- level courses and (b) replacing the "most recent grade counts" policy with "highest grade counts"; (4) to revise the add/drop policy by (a) reducing the length of the add/drop period and (b) extending the

maximum number of allowed drops (i.e., "W"s) from four to six classes; (5) to add new catalog language concerning Distance Education programs. The minutes of the UG Council passed unanimously.

The Grad Council minutes of February 20, 2020, are forthcoming.

The consent agenda passed unanimously.

VIII. ADJOURNMENT

G. Skolits adjourned the meeting at 4:57 p.m.

Respectfully submitted,

Sadie Hutson, Faculty Senate Secretary