

UTK Faculty Senate Executive Council Meeting
September 13, 2021 3:30
via Zoom <https://tennessee.zoom.us/j/97440121658>

ATTENDING: Ernest Bernard, Michelle Brannen, Mark Collins, Phillip Daves, Joanne Devlin, Tamah Fridman, Millie Gimmel, Martin Griffin, Louis Gross, Bernard Issa, William Jennings, Anne Langendorfer, Beauvais Lyons, Stephanie Madison, Mary McAlpin, Stefanie Ohnesorg, Bonnie Ownley, David Patterson, Beth Schussler, Robert Spirko, Shawn Spurgeon, Mark Stanley, Michelle Violanti, James Williams

Guests: Diane Kelly, Donde Plowman, Dixie Lee Thompson, John Zomchick

CALL TO ORDER at 15:30, Louis Gross, Senate President, presiding

Gross began the meeting asking members of the executive council to introduce themselves.

APPROVAL OF MINUTES FSEC Zoom Meeting - April 19, 2021

Motion to approve by Lyons, second by Fridman.

Committee voted to approve the minutes.

ANNOUNCEMENTS AND REPORTS

President's Report (L. Gross)

The president commented that this has been and still is a difficult year. He thanks Brooke Killion, Rob Spirko, Beth Schussler, Shawn Spurgeon and Millie Gimmel for stepping back in this semester to keep the senate running. He also thanks the Executive Council.

Linda Martin has been invited in her role as interim VC for UTIA to attend this meeting but could not attend. She will always be invited since the UTIA is an important part of the campus. She will be attending when able.

Some of the officers of the senate need to be verified. The president has asked Bernard to continue as parliamentarian and he will do so. Spirko, communications officer and Gimmel, secretary, must be approved by the EC and then by the full senate.

Mary McAlpin moved and Lyons seconded a motion that Spirko and Gimmel continue in their positions. The motion passed and will be taken up by the senate.

Other appointments: Gross and Ownley are the UTK representatives for TUFs. Jessie Grieser of English has agreed to serve on the Student Tech Fee Board. Davendra Potnis will also serve. Beth Schussler will be our formal representative on the Commission for Women. Spirko is on the

Commission for Disability. Gross has appointed Qiang He to the UT Institutional Compliance Committee which reports to the provost. Gross is serving on the Alumni Board, the Chancellor's Associates and the Commission for Blacks.

We need someone to serve on the executive academic calendar committee. Ideally this person would serve for a number of years. Nominations are welcome. Lyons suggested sending a request for self-nominations to the senate faculty. The Student Media Board and the Coalition for Intercollegiate Athletics also need representation. Nominations are welcome.

Gross has attended a number of meetings and participated in many events for faculty and students in his capacity as senate president.

The senate officers are meeting weekly. Please let Gross know of any matters that the officers should address.

The search for an administrative assistant has been a challenging process. Interviews are underway and there is one more interview September 14.

The president's web page has latest information on Covid response, the Hu case, the budget growth of the system and other issues.

Discussion: No discussion

UTK Chancellor's Report (D. Plowman)

The chancellor shared the good news that UT has gone up a bit in the US News and World report ranking (from 52nd to 46th in public institutions and overall from 112th to 103rd). There is a formal dedication of the Geier and Robinson residence halls. Both honorees will be in attendance. She thanks everyone for all the work they are doing. Students are happy to be back in the classroom. She is teaching in person and has had a positive experience. There's been a major issue with Aramark and problems hiring workers. Aramark is hoping to fix this issue. The dining halls are working fine but the spots in the student union are not always staffed. There are food trucks on campus but this doesn't solve the problem. Forbes named UT as one of the top 10 employers in Tennessee. There should be an announcement on the UTIA VC search committee members soon. This is an important position that will replace the spot previously held by VC Tim Cross.

Discussion: Violanti asked about the IT situation with wifi on campus and in the classroom. Internet has been very unstable. Plowman responded that the problem is with the vendor. The Chancellor feels like these have been resolved. Violanti stated that she did not have wifi this morning. Fridman asked about the rankings based on resources available to teachers. Alumni salary averages \$51400 for graduates with bachelor's degrees but lecturers who have Master's degrees start at \$40K, PhD's at \$45K. These faculty are always in survival mode. Plowman said they will keep working on it. Patterson asked about federal funding for air filtration in classrooms. This issue has been raised many times but it doesn't seem anything is moving forward. Plowman stated that we have done all we could to improve ventilation in all possible

buildings but in older buildings this has not been possible. She will ask VC Cimino to share exactly what has been done. Patterson indicated that machines could be placed in classrooms. This has not happened in Henson Hall. The chancellor will pass this information on.

Provost's Report (J. Zomchick)

The provost shared that enrollment is at a record high. We have reached our enrollment goal a year early and thus a capacity study has been ordered to consider what the ideal size of the university might be. Growth should happen at the level of undergraduate, graduate and on-line students. 19 faculty were part of a Working Group asked to look at academic structures. This report should be at the Chancellor and Provost's offices by the end of September and they will then look at the recommendations in conjunction with the Budget Allocation model. With the BAM a lot of authority for salary models will move to the Deans. Faculty are performing well (multiple awards and recognitions). There are great events happening on campus this semester.

He agreed to discuss the Hu case and has seen the questions from the Faculty Affairs committee. Gross suggested Zomchick answer these in writing and share them with the senate. Zomchick was willing to answer preliminary questions in this meeting. He is not sure he will answer all the questions submitted in writing. Lyons feels that the questions from the FAC are important and Zomchick should indicate why he will not answer all questions. We need to be clear on administrative procedures that follow the spirit of the handbook as well as the letter of the handbook, especially around the suspension of Dr. Hu and the following loss of his visa. The reputation of the University of Tennessee is suffering over this and there needs to be a proactive response.

The provost points out that the language in the handbook is Board policy (0006). He says they followed Board policy. If a person is charged or arrested for a felony, it is important to put that person on leave without pay until the situation is resolved. The faculty member then has the opportunity for redress which includes restitution of lost pay. The institution must await the outcome of the judicial process. Once this was done, a letter was sent to Dr. Hu and if his work authorization is restored, he will be restored to faculty status.

Lyons asked if the university is assisting Dr. Hu with his application for a work visa. Zomchick said that the letter sent to Dr. Hu indicated that he will have a position at UT and as such is assisting in the application. He has a job waiting if he returns and his work authorization is restored.

Lyons also stated that per policy the provost had a choice to not suspend Dr. Hu without pay. This was not a required action. Why did the university administrators presume guilt instead of innocence? Zomchick said that a felony charge regardless of what it is should lead to leave without pay.

McAlpin tried to clarify the sequence of events. Hu was harassed by the FBI. The university had three options: reassignment, suspension with pay or suspension without pay. Either of the first two would have allowed Dr. Hu to keep his visa. Hu was terminated because he did not have a

visa, not for cause. He will be rehired if he has a visa but he must have a job to get the visa. The only way UT can make this right is to reinstate Hu to help him regain his authorization for work.

The provost felt that McAlpin was suggesting we treat faculty with visas differently than faculty who do not need them. The principle must be fairly applied regardless of immigration status. Felony charges must be met with suspension without pay to retain our respectability. What matters is that this was a felony and it was for the good of the institution to suspend without pay.

Can Hu get a visa without a job? Hu's lawyer has reached out and the administration has responded with what the lawyer asked for.

The president curtailed the discussion to allow the provost to answer the questions from the FAC and this discussion will continue in the full senate.

NEW BUSINESS

Correction in Faculty Senate Bylaws (S. Ohnesorg; B. Lyons) (attached)

This is a minor correction suggested by the Graduate Council. There was no discussion. The correction was approved.

Hu case (B. Lyons)

Lyons indicated that there was robust communication among the FAC and the questions were carefully crafted. These will be discussed in the full senate meeting.

Course Modality Draft Resolution (B. Issa) (attached)

Issa stated that at the senate retreat the Teaching and Learning Council was concerned about faculty safety in the classrooms because of the threat created by Covid-19 and the Delta variant. The TLC drafted a resolution asking that modality changes should be chosen by faculty and be approved at the department level.

Discussion: This can be sent on the senate or returned to the committee. Daves asked if the resolution allows faculty to decide on their own if they can move on line. This could be chaotic for all involved. Issa clarified that changes in modality will be in consultation with department head. This resolution comes from the anxiety many people had at not feeling safe in their classrooms.

Langendorfer indicated that this is an 18-month long discussion over who has control over teaching modalities. Learning happens in different classrooms in different ways. The NTTF issues committee is also concerned about this. Faculty should be trusted to make the best choices for themselves and their classes.

Madison asked that since we already have the ability to move temporarily online, is this resolution for permanent changes? Issa replied that the ability to move temporarily is not true across colleges.

VP Kelly asked if faculty had control over modality to begin with? Issa said yes, faculty were allowed last year to make this choice. Kelly asks that the committee clarify what faculty were allowed to do pre-pandemic.

Gross asks for clarification of what consultation with the department head means, and how this differs from current policy on temporary changes.

Schussler said that before the pandemic faculty controlled modality and now we are constrained. The other question is: can this decision be made once the semester is underway? Is emergency change allowed when faculty feel that the classroom is unsafe and better done on-line?

Lyons stated that he often has to move his class on-line because of student illness. Are deans/colleges resisting changes? Is this resolution truly needed?

The provost has given guidance to the deans about faculty illness and teaching on-line, finding substitutes and other ways to continue instruction. More are vaccinated and vaccination protects against serious illness.

Issa says there are pedagogical considerations, especially in classes where students are expected to interact with each other all the time. There needs to be more flexibility for all the different kinds of classes. The provost says changing now, mid semester would be disruptive. The chancellor says that accommodations have been made but she has made a promise to students to keep classes face to face. She says the campus infection numbers are good. She is committed to honoring the promise to stay face to face. 70% of faculty and 60% of students are vaccinated. Issa said that this information needs to be shared.

Ownley pointed out that on the Ag campus the fear is based on the fact that the mask mandates are not always being followed by instructors. Are instructors legally liable if a student gets covid in a classroom where an instructor does not enforce mandates? Athletes are very concerned about this. This is the first time the chancellor heard of instructors not enforcing the mask mandate. Faculty can ask maskless students to leave if they do not abide by the mandate. In large classes faculty may not always be aware of who is not in compliance. The provost says this is being addressed with instructors who may not be enforcing.

Daves said that many students left campus and went home last year to do their on-line courses and this was difficult for them. There are not enough spaces on campus for students to do on-line courses.

Brannen shared that the libraries have a difficult time enforcing the mask mandate. Can library faculty ask students to leave if they are not wearing a mask? The Chancellor says yes.

Gross asked Issa how to proceed. Issa requested a vote on the resolution as written. The exec committee voted 64% in favor 36% opposed. The resolution will be sent to the full senate for discussion.

Google Document Graduate Council Minutes - April 29, 2021

The Graduate council minutes contain a policy change with regard to the appeals process. Therefore, it needs a discussion and vote. Ohnesorg clarified this was an attempt to specify timelines for appeals that were more expedient. This was discussed extensively in the grad council. No one voiced any concerns about the proposal. The EC was 92% in favor of sending this to the full Senate.

INFORMATION ITEMS AND COMMITTEE REPORTS

- Unapproved Faculty Senate Minutes - May 3, 2021 (attached to agenda)
These go to the full senate. If you see any issues, please contact Gimmel
- Committee Goals for 2021-2022

This document will be shared with the full senate. If you want to change anything, please let Gross know immediately.

Lyons expressed his appreciation for the information on the president's page but wonders if this can be on the senate page. This is difficult without an executive assistant. Only 2 people have access to the website, the communications officer and the executive assistant. This should be easier to accomplish once the executive assistant is hired.

There are two resolutions honoring Shawn Spurgeon and Sharonne Winston Underwood. Sharonne will be invited at the beginning of the meeting and rules will be suspended to put new business at the beginning of the meeting. The agenda for the full senate meeting is forthcoming.

ADJOURNMENT 17:05

Respectfully submitted by Millie Gimmel