



Faculty Senate Executive Council Minutes
Monday, January 24, 2022
3:30 via Zoom

I. Call to Order

The meeting was called to order at 3:30 pm.

Attendance: E. Bernard; P. Daves; T. Fridman; B. Issa; A. Langendorfer; B. Long; B. Lyons; S. Madison; B. Ownley; D. Patterson; B. Schussler; R. Spirko; S. Spurgeon; M. Violanti; and J. William.

II. Approval of Minutes

- A. Approval of Faculty Senate Executive Council Minutes November 1, 2021 ([link](#))
The minutes were approved with minor corrections.
The vote was 15 in favor, 0 against, 0 abstaining

III. Announcements and Reports

- A. Faculty Senate meeting dates for 2022 – 2023 and Senate Retreat dates will be forthcoming.

Please let the Senate Leadership know if you have any ideas about the schedule for next year or ideas for the retreat.

- B. President's Report (L. Gross)

L. Gross thanked everyone for their efforts on behalf of shared governance.

The Senate Leadership has been very active on several issues since the last Senate meeting. They participated in several discussions with campus administrators regarding covid issues, requested that the campus initially hold classes online this semester, requested that the campus institute a more robust testing program similar to those at other institutions and expressed the concerns they heard from many faculty about frustration with lack of mask and vaccine mandates. Their suggestions regarding testing were considered infeasible given the lack of capability on campus. Despite the large number of infections throughout the State, the Governor has not declared a state of emergency, so we are not therefore

allowed to have any mask mandate. The campus administration is well aware of faculty concerns and has instituted a variety of procedures to allow instructors temporary flexibility regarding course modality. He has had questions recently about if the KN95 masks provided by the university are approved. The administration is checking on this. The date on the tests available at the SHC may be past but the tests are still valid. B. Schussler has heard from instructors in several large 100-200 level courses about masking on this first day of class. The approximate percentage of mask wearing from these classes was 40%, 11%, 50-60, 50-60, 32%. One instructor noted 70-80% mask wearing in higher level classes.

The Senate Leadership has discussed the process of academic restructuring and has given the administration examples of three of the types of potential restructuring suggested by the Working Group and provided a suggested timeline for consideration of the process of restructuring. As seen in the draft timeline sent in December, the leadership has encouraged that there be a thoughtful deliberative process to elicit and consider suggestions from the campus community.

The Senate Leadership discussed the academic budget planning process for this year suggesting a template, that was distributed, as a possible way for the Budget and Planning Committee to compare and contrast budgets over time. As a result of this discussion, the Senate leadership has been invited to attend College budget presentations by the Provost. Following this, they have asked the Provost to discuss academic budget plans with the Budget and Planning Committee prior to their deadline to provide input to the BAM process.

One concern is the expected reduction in Tenure Track faculty arising from the retirement incentive program and the President expects that the Provost will inform the Executive Council today of his plans to provide oversight of the College's plans for hiring.

Senate Leadership met with the NTTF Issues Committee leadership and has discussed with the Provost and Chancellor the suggestions from the Task Force on NTTF issues that the Provost established last year. At this point the intention is to move forward with considering some additional titles (Assistant/Associate/Full Professors of Teaching), to encourage Unit leaders to more readily utilize the flexibility already available to allow NTTF faculty to be compensated for their efforts in areas other than instruction, including mentoring students in scholarly activities and taking on diverse service roles. Along with this is the continuing need to enhance compensation for NTT faculty who take on responsibilities beyond formal instruction.

Senate Leadership has met with the Office of General Counsel to discuss issues of research security and asked for the Research Council to have input in the decisions regarding changes to policies on Outside Interest Disclosures and on research security. These are matters being considered at the System level and the expectation is that there will be new requirements for all employees arising from federal rules.

President Gross thanked the Provost and Vice Chancellor for Research for clarifying the capability for faculty to charge effort during May, June, and July to external funding. Guidance on this is available at:
<https://research.utk.edu/research-administration/contracts-awards/effort-certification/>

The University Faculty Council submitted to the System Human Resource staff who are developing the Faculty Sick Leave Policy the concerns expressed by us and other Senates, particularly regarding the lack of a ramp-on process for long-standing faculty.

President Boyd noted at the UFC and from our discussion with the Chancellor and Provost it is clear that the System and campus administration have been devoting significant effort to the potential for legislative actions related to diversity and teaching on matters of social and racial justice. Boyd strongly supports diversity initiatives and academic freedom and has defended the System and asserted that it is not indoctrinating students in any particular way.

There is a new policy from the System regarding lobbying and use of university resources. L. Gross sent the Vice President for Government Affairs several questions on this matter and will post these and any response to his website.

The new ERP system has been chosen and the UFC was told that it is hoped there would be funding from the State (we will know after the Governor's State of the State presentation) to cover the majority of the startup costs to the System with likely no increase in the taxes paid by the campuses. However, there will be expenses at the campuses associated with the changeover due to staffing needs.

President Gross has responded to several requests from media reporters on issues arising from the case of former Professor Hu which has continued to be featured in the national press. He is still under a litigation hold and can only answer as far as this hold allows.

Discussion: There was no discussion.

C. UTK Chancellor's Report (D. Plowman)

The Chancellor shared that we are in the process of searching for a new senior Vice Chancellor/VP of UTIA. The three candidates will be invited to campus February 15 through February 23. Every staff member on campus (not faculty or graduate teaching assistants) received an employee engagement survey in the Fall. The Chancellor will be sharing results in the future. The survey response for the question "How willing are you to recommend UTK as a place to work: was above 70%. The Chancellor remarked that she wants that percentage higher. One of the biggest issues is that staff employees between the ages of 25 - 34 are the least engaged. They indicated that they don't feel they are recognized for their contributions, and they feel disconnected from leadership and senior administration. The Chancellor remarked that the university needs to work on this issue. Staff are a vital part of the university. Effective January 1, 2022 all

hourly wage earners received an adjustment in salary as a result of the minimum wage increasing to \$15.00 per hour.

ORNL has hired Susan Hubbard from Berkeley and she is a great addition to the Lab.

This is the time of the year when the legislature reconvenes. We have a positive relationship with the legislature, perhaps the best in recent memory, in large part because of the work of President Boyd. The Governor will report his new budget recommendations next week and she is hopeful UT will receive additional support for a number of initiatives (regarding ERP, UTIA, and others). Our access to state funding is tied to performance measures and there may be additional funds this year.

Regarding the issues around diversity and inclusion, critical race theory, etc., some media outlets are creating a narrative “Public higher education is a place where students are indoctrinated to believe certain things and there is no independent thought” and diversity has been confused with Critical Race Theory and other topics. All diversity action plans have been requested by individuals outside the system via open records. The upper administration supports diversity initiatives on campus.

The Chancellor noted that 5% of the students at UT are black. Twenty-two percent of Tennessee high school students are black. We need to diversify so that we reflect the state population and help students succeed. Academic freedom is a fundamental principle in higher education and faculty should feel that they can teach what they feel is important without fear of censure. The administration supports academic freedom. This is a campaign year so it is likely that politicians will be looking for sound bites but we need to stay the course and do what we believe in.

The System office moved out of Andy Holt Tower. Chancellor Plowman’s office will be located on the eighth floor.

Discussion: B. Lyons commented on the ability of faculty to highlight diversity initiatives on their annual reviews, and this is a good way to push back on the multiple meanings of diversity. He asked if she could speak about the decision to not require standardized tests for admissions. The Chancellor replied that during the early pandemic many universities, UT included, suspended the requirement for ACT or SAT. There is not enough data yet to see the impact of this. Two-thirds of the applicants had standardized test scores. High school GPA is a better predictor of success than the ACT/SAT alone. UT would like to do a 5-year study and we are about half-way through that. Some on the BOT would like to go back to standardized tests. The Chancellor would like to wait and see what the data reveals. Reinstating tests might make UT less competitive. The month of June is the latest we can make a decision for Fall 2023 catalog

T. Fridman commented on the ancient concept of academic freedom. The post tenure review is expensive and hinders academic freedom. Reaching out to middle

school teachers might help our ability to recruit students who can be successful at UTK. The Chancellor agrees that the PPPR is very expensive and we need to continue working on this. L. Gross stated that it is on the Board's agenda to review this again but they need another year of data.

D. Provost's Report (J. Zomchick)

Provost Zomchick thanked the Senate Leadership for meeting with him and giving feedback on many items mentioned in L. Gross's report. He supports open communication and transparency.

As of January, there have been over 35,000 applications which is a 20% increase since last year at this time. To date 19,700 students were admitted in December, not all of whom will attend UTK, and the target is 6,300 new entering students in total which will be a 7% increase over Fall 2021. The four-year graduation and six-year graduation rates have increased. There has been a 4% increase in in-state applications and 30% increase in out-of-state applications. This is because of the strength of our faculty and degree programs. We have sent recruiters in out-of-state markets (Texas, Florida, and California) and that has paid dividends. Mr. Lonnie T. Brown is the new dean for the College of Law. The Education Director search is underway at UTORII.

He had heard concerns that the VRIP (early retirement offer) might create a shortage of Tenure Track faculty. There are 107 applications for the program, a little under what was projected. This includes NTTF, and Extension faculty, not just TT faculty on the main campus. Usually 50 - 70 retire or resign each year and some of the 107 may not retire. The Office of the Provost will continue to have final approval for hiring tenure-line faculty. We need to balance faculty research duties with instructional duties and needs. This will be different in each college. The Faculty Senate Budget and Planning Committee will still play a role--looking at support unit costs. The Provost wants to know that the deans are telling their faculty about where they are investing their resources

On February 10 a town hall has been scheduled to discuss academic structure and changes in higher education from 8:30 am – 10:30 am. He thanked the Senate leadership for providing examples of possible restructuring.

Discussion: Schussler indicated that there are a few chat questions. What is the percent increase in out of state applications? J. Zomchick replied 31%. How is first year retention going? The persistence rate is 95.9% from fall to spring for first year students. This is up slightly from last year. The Chancellor added that there is a high return of students at all levels and fewer on academic probation. Many students took advantage of academic support offered on campus.

E. UTIA Report (L. Martin)

L. Martin was in Memphis and did not attend the meeting.

IV. New Business

A. Diversity and Inclusion Committee (M. Violanti)

1. Resolution to Defend Academic Freedom and the Right to Teach about Race and Gender Justice and Critical Race Theory: ([link](#))

Discussion: M. Violanti and N. Hristov led the discussion. A few academic departments, other groups and the SGA helped craft this and the committee looked at other resolutions at other institutions. The resolution has a minor typo that will be corrected. The resolution stands against the ban on K-12 teaching of critical perspectives of race. The resolution is a preemptive gesture against the legislation of our curriculum. B. Lyons was concerned about the length of the resolution and wondered about the use of Latinx in the document. Why was Hispanic not included? L. Gross pointed out that he sent comments about the use of terms that imply that bodies external to the faculty should not dictate university curriculum, but all curriculum changes go to the BOT and then to THEC if it's a new program. The wording of the resolution does not accurately reflect what happens. The Chancellor commented that she appreciates the sentiment behind the resolution but argued for not bringing unnecessary attention to the issue. The President and Chancellor have been working on this and have not heard any movement to restrict instruction or research in the legislature. The resolution won't change minds in the legislature but could raise alarm bells. Perhaps this is not the time for this document. J. Zomchick emphasized the need to work across differences. There might be a legislative move to limit Critical Race Theory at UTK but it might be better to wait and see what happens rather than speak preemptively against legislative action. R. Spirko recalled the previous diversity initiative happened and the office was closed before the Senate could pass a resolution. The Senate does not move fast and it would be good to have things in place for the Senate president to react in a timely fashion when it becomes necessary. D. Patterson agreed that the intent of the resolution is strong but it could easily be inflammatory for the legislature. President Boyd is working hard on this on a person-to-person level. A resolution might undermine his efforts. M. Violanti clarified that this was brought to the committee's attention by an outside body and this is part of a bigger picture nationally and represents the feelings of many faculty. L. Gross asked if we could send this back to the committee for further refinement. T. Fridman spoke in favor of waiting and P. Daves spoke in favor of the content but not the tone and would be happy to work on this with the committee. N. Hristov acknowledged the need to revisit the document and the need to establish principles without preemptively attacking anyone. She is willing to take this back to the committee.

The decision was made to refer this draft resolution back to the Diversity and Inclusion Committee.

B. Faculty Affairs Committee (B. Lyons)

1. General discussion of [Faculty Handbook Proposed Changes and Pending Actions January 12, 2022](#).
2. Proposal to consider bringing forward two Faculty Handbook changes for first-reading at the February 7, 2022 Faculty Senate meeting:

- a. A proposal by the Office of the Provost to remove “Other Policy Documents (Section 1.11) and “Appendix I” outside of the Faculty Handbook.

Some items need to be moved out of the Handbook to other locations (Faculty Central). The General Counsel needs to be involved in changes to the Handbook before they are approved by the committee or the Senate.

B. Lyons moved (P. Daves seconded) the above changes be brought for a first reading in the Senate. Unanimous approval.

- b. Revision of Section 5.2: Faculty Ombuds Office to reflect new operations of the office.

This has been vetted by the General Counsel and approved by the committee. The Council voted unanimously to present this to the Senate as a first reading in February.

Faculty Affairs Committee is working on a number of changes with the Provost and the General Counsel and will bring more issues to the Senate in the future.

C. Budget and Planning Committee (P. Daves/T. Fridman)

1. Are there any budget plans to address inflation and salary compression issues?
Provost Zomchick indicated they are waiting for the January 31 State of the State address to hear what the proposal for raises will be. Some deans will be submitting a three-year plan.
2. Budget and Planning Template (attached as page 3)
This was a way for the committee to track what happens. A different plan is being implemented with Provost Zomchick.

D. Modality for Executive Council meetings for Spring 2022.

The Executive Committee will meet via Zoom in February.

- E. Call for Nominations for UTK Advisory Board and TUFs.

If anyone has a nomination, now is the time to put that forward either in this meeting or via email to President-Elect B. Schussler.

- F. [Graduate Council Minutes from November 18, 2021](#)

Ohnesorg presented the minutes and highlighted the reports on the composition of Master's committees and the language proficiency exams for academic credit. This is not available for degrees beyond the Master's. Some courses have been marked to be dropped since they haven't been offered and others have been flagged for review. Law has dropped a degree option since it was no longer serving a large student body. Senators should make their departments aware that courses are being dropped.

The Senate will have the opportunity to approve these minutes in February.

- V. **Information Items and Committee Reports**

- A. <https://provost.utk.edu/facultyaffairs/open-forum-on-periodic-post-tenure-performance-review/>
- B. [Unapproved Faculty Senate November 15, 2021 Minutes](#)
- C. [Faculty Senate Committee Summary Reports](#)

- VI. **Adjournment 5:17 pm**

The meeting was adjourned by L. Gross

Respectfully submitted by Millie Gimmel

