



**UTK Faculty Senate Executive Council Minutes**  
**Monday, February 21, 2022**  
**3:30 via Zoom**

Attending: E. Bernard; M. Brannen; P. Daves; T. Fridman; M. Griffin; L. Gross; B. Issa; B. Long; B. Lyons; T. Freeberg (representing M. McAlpin); B. Ownley; D. Patterson; E. Schussler; R. Spirko; S. Spurgeon; and M. Violanti.

**I. Call to Order** at 3:32 pm

**II. Approval of Minutes**

a. [Faculty Senate Executive Council Meeting Minutes January 24, 2022](#)

There were no corrections to the minutes. P. Daves moved to accept the minutes and R. Spirko seconded the motion. The Executive Council voted unanimously to approve (12 yes)

b. [Approval of Undergraduate Council Minutes February 1, 2022](#) (J. Devlin)

J. Devlin reported on the meetings of the Undergraduate Council. There are four voting items in the minutes, one from the Appeals Committee and the other three from the General Education Committee. The General Education Committee has approved many courses and have worked through all of the Vol Core backlog. Also, for the next few years the catalogs will reference both the older General Education and Vol Core.

M. Violanti asked about the Appeals Committee report. Setting the withdrawal date to be the last day of class has a lot of impact on student group work and M. Violanti asked if this has been approved. The actual discussion in the Appeals Committee was about the committee being the last stop for seeking a retroactive withdrawal. Some of the items in the minutes are still being discussed. L. Gross asked for a clarifying statement before these minutes go to the full senate. B. Lyons expressed his appreciation for everyone working on Vol Core. The Faculty Senate Executive Council voted 14 in favor, 0 against and 0 abstaining.

**III. Announcements and Reports**

a. President's Report (L. Gross)

President Gross thanked everyone for their efforts on behalf of shared governance. The Senate Leadership has been very active on several issues since we last met. A major matter of concern has been reports attacking the diversity efforts across the State universities and particularly at UTK under the name "Critical Social Justice". In discussions with the Chancellor and Provost, we decided that asking the Senate to formally respond to these reports and to the issues associated with a couple of bills before the State legislature on "divisive concepts" would not be as beneficial as having a statement come from the leadership of faculty Senates across the State. Therefore, L. Gross is signing a letter from TUFS that was drafted over the past several days and is going to be distributed to legislators. Executive Council members were sent the statement about the bills from the President and Chancellor. The System has been working to ameliorate the impacts of the bills on divisive concepts - these (and others including responding to efforts to remove tenure) are still ongoing. Please reassure your colleagues

that the President has been very clear about defending academic freedom, maintaining commitments to diversity and noting that we in no way are "indoctrinating students" in any particular ideology.

Regarding academic restructuring, the Senate leadership submitted a possible timeline and a few examples for how suggestions might be submitted. These are now posted on the restructuring website and the Senate leadership worked in collaboration with the Provost's office to establish a feedback form that encourages responses with alternatives aligning with the themes of the working group on restructuring. These examples are not in any sense ones we expect the Senate to endorse - they are simply examples to indicate how benefits and challenges associated with each suggestion might be framed.

Additionally, the Senate leadership has encouraged the Provost and Chancellor to focus efforts on the processes here that impede the ability of faculty to do their jobs effectively and to, in particular, consider ways to reduce the clerical burden on both faculty and unit heads. Please encourage colleagues to suggest through the feedback form ways that we can change processes to do this.

After discussions with the Provost, and the evident challenges in implementing the Budget Model input we had hoped the Senate Budget and Planning Committee would have, L. Gross, E. Schussler and P. Daves have attended the Deans presentations to the Provost (L Gross attended all, Beth and Phillip attended some). The details of the budgets presented are still mostly being kept within each College since nothing is yet passed by the legislature so we don't know the budget for next year. Faculty are encouraged to ask their Unit Heads and Deans if they would like to know details for their College. A consistent take-away from these budget presentations was the potential benefit for all Deans to hear from others and to make potential connections on projects that could benefit from collaborations. I would encourage that this be enhanced next year and that Deans be able to hear budget presentations from support units as well.

L. Gross is delighted that the policy on bullying is now coming before the Senate - this has been a very long process with many, many people involved and he particularly thanked Beauvais Lyons, Mary Lucal, Diane Kelly, and Lisa Yamagata-Lynch for their efforts along with a large cadre of others.

The TUFs meeting was held on January 28 and had input from VP for Government Relations Carey Whitworth and Terry Salzman (Government Relations from Tennessee Tech). They both noted that a general statement similar to the one that TUFs is doing about the value of academic freedom noting that we encourage alternative perspectives and viewpoints throughout the curriculum and encourage students to make their own decisions would be very preferable over the type of resolution we were sent by the African American Policy Forum. They encouraged TUFs to submit a short statement and noted that the legislative process goes very rapidly and it would be difficult for any Senate to respond directly to particular bills due to timing.

L. Gross continues to respond to requests from media reporters on various issues and always clarify that he is speaking as an individual faculty member unless the Senate has acted on an issue.

On a personal note, President Gross accepted the retirement incentive and will therefore retire on June 30, 2022. Although he had planned to be available next year to continue to assist the Senate leadership, that is not possible except informally. He thanked the FS Executive Council for allowing him to again serve as President. The Bylaws are silent about how to deal with an opening in the Immediate Past-President position. The Senate leadership have discussed this and President-Elect Schussler will describe the suggestion we have. E. Schussler indicated that we may need to adjust the Bylaws. In the meantime, perhaps the senate President could select from a pool of interested persons who are past

presidents or the FS Executive Council could hold elections and elect a person to serve as Past President. The earliest we could have someone in this position is at our March meeting. She would prefer to have a person in place by April.

T. Fridman expressed concern about the reaction to the moves about “indoctrination of students” and L. Gross encouraged her to draft something to bring to the Senate. Everyone is able to respond to the media and legislatures as independent faculty members.

M. Violanti feels that if the By-laws are silent on what to do in the absence of a Past-President, then the President should be able to appoint someone. B. Lyons suggested that the example in the Bylaws for replacing the University Faculty Council representative might offer some guidance.

b. President-Elect’s Report (E. Schussler) ([link](#))

E. Schussler reviewed the openings for several positions. Many nominations close this week. The nomination for Senate President will be open until March 11. The FS Executive Council will be reviewing these nominations at the next meeting. She again asked for feedback on what to do for the fall Senate retreat. There has not been overwhelming response to the survey on the fall retreat.

L. Gross would like some sense of how to move forward on replacing the immediate Past President. B. Lyons suggested that the FS Executive Council approve someone who has previous experience with the Senate (ideally as president). He asked if anyone objected to opening self-nominations for a vote at our next meeting. E. Bernard indicated that a simple approach is the best and that E. Schussler should be able to approach any past president with a request to serve in this position. The position has no assigned duties but does often meet with administrators. E. Schussler knows that at least one person is interested. Anyone who might be willing to serve in this role should contact President-Elect E. Schussler and the decision will be made at the next FS Executive Council meeting.

c. UTK Chancellor’s Report (D. Plowman)

The Chancellor was very pleased with her experience interacting with the Senate leadership team. The Chancellor, Provost, and Senate leadership have been meeting monthly and these meetings are a great example of shared governance. She praised L. Gross’s efforts and congratulated him on his retirement.

The Chancellor repeated the good news around the budget and the money coming from the legislature. A lot of proactive work happened during the pandemic and has borne fruit in the budget and the recognition of the performance of the university.

There has been talk in Nashville about requiring the ACT at all public state universities for admission. UTK went test-optional during Covid as did most universities. Many universities, including many Ivy League Universities, have not returned to requiring standardized tests for admissions. The UTK plan was to do a pilot study on students who came in without ACT scores and compare graduations rates to those who came in with test scores. Right now, there doesn’t seem to be a bill coming out of the legislature on this matter. The Board of Trustees will be discussing this in the near future and in June the Chancellors can present their position moving forward. The Chancellors would like to continue the pilot program and make a data-based decision. Some in the State feel that removing the ACT is part of the universities “woke” agenda. The Chancellor wants to keep UT competitive and most students do take the ACT.

The discussion around “divisive concepts” is directed at all educational institutions and this is happening all over the country with essentially the same language used in

legislation. It is likely this legislation will pass. The President and the Chancellor are responding to the allegations against UTK. She regrets the politicization of higher education and she and the President are standing up for diversity and academic freedom. She and the Provost met with every person who was named in the documents attacking UTK. She encourages everyone to maintain their respect for each other and keep doing our work.

R. Spirko asked about the bill about redefining individuals with a concealed carry permit as a law enforcement officer. The Chancellor will look into this.

d. Provost's Report (J. Zomchick)

The Provost echoed the praise of President Gross and his contributions to the campus over the years. The Provost meets with the deans every Friday to update them on the latest legislative events. The budget hearings are going well and deans are learning from each other and looking for collaborations. Please visit the academic structures website as it has been updated recently. There are links to the website on the Provost's website. Last Tuesday they issued the second phase of admissions acceptances. About 69% (24,000) of applicants have been accepted and for the first time there is a waitlist for admissions. The target is 6,300 students. The average high school GPA is 4.07 and those who have not been admitted have been shown other options. The main limiting factor is the number of beds in university housing. There are about 8,000 beds and upper classmen are feeling the pinch of exorbitant rents in private apartments in Knoxville and hoping to stay in the residence halls.

B. Lyons mentioned the need for housing for visitors/collaborators coming to campus. The Provost mentioned that they are looking for housing for graduate and international students. In addition to building new residence halls they are looking at public/private cooperative partnerships. There is a house in Fort Sanders that has been leased and furnished by the university and is available for visitors. Chris Cimino has the details on this.

M. Violanti stated that classroom size affects faculty and having more students without housing accommodations is challenging. The Provost is working with departments with high enrollment courses on this and on spreading the classes across all possible times and days.

T. Fridman discussed the loss of faculty in the Math Department and the low salaries of lecturers. The Provost continues to work with the deans on these issues.

e. UTIA Report (L. Martin)  
VP Martin did not attend the meeting.

#### IV. New Business

a. Request for pilot of curricular approval changes for Undergraduate Council and Graduate Council. ([link](#))

This is a joint request for a pilot year to make the curriculum process flow more smoothly and reduce the work load at specific meetings. There is a bottleneck in approving courses and removing approval of the FS Executive Council from the approval process would facilitate the process without removing transparency. There is also a plan to adopt a management system that will be visible to all members of the campus community and this will increase transparency. L. Gross stated that the addition of a fulltime staff person for the Senate will also help transmit this information.

B. Lyons suggested that they define low-, moderate- and high-impact changes.

S. Ohnesorg stated that she will share a document which further explains these terms and there is also a checklist which ensures fairness.

B. Ownley applauds the use of a new system but is concerned about the pull of the Undergraduate and Graduate Councils away from the Senate and that eliminating the review by the Executive Council might weaken that connection. The full Senate could still send actions back to the committee which might take even longer than having the Executive Council send items back for corrections. R. Spirko wondered if they might not include the Library IT committee on these decisions around document sharing since this is a potential challenge. L. Gross mentioned the Chancellor's desire for an Intranet on campus and that might help in this situation. Dean Thompson discussed the use of the system Curriculog for catalogs and other university business and this may be a good way to update our curricular revision.

S. Ohnesorg responded to B. Ownley that the FS Executive Council is not prohibited from discussing curricular changes but that the current calendars are almost impossible to sync and slows things down. L. Gross indicated that since this is a pilot there should be a review in about a year to see if it is working. This would be a temporary change to the By-laws. Curriculog will be in place to use during the pilot period.

The FS Executive Council voted to send this to the full Senate. (12 in favor, 1 against, 2 abstaining).

b. [Workplace Bullying Task Force Proposal](#) (B. Lyons)

B. Lyons discussed this proposal. The Faculty Affairs Committee reviewed this and sent it to the FS Executive Council for inclusion in the Faculty Handbook and it is an HR policy. L. Yamagata-Lynch is not sure when the HR policy will come to fruition. This would only be a UTK policy and the System Code of Conduct is changing and includes a policy on bullying. B. Lyons would like to bring this forward as a first reading at the next Senate meeting.

M. Violanti discussed the use of the work "intent" stating this could be a loophole for the perpetrator if they do not have an intent to bully. She suggested that resource links should be included. B. Lyons clarified that a pattern of repeated behavior indicates intent rather than one-time mistakes. L. Yamagata-Lynch will make sure resources are clearly marked and available when this goes to the Senate.

The FS Executive Council voted to send the proposal to the Senate for a first reading. (11 in favor, 0 against and 3 abstaining).

c. Proposed Policy Regarding Tenure-Track Reappointment and Probationary Clock (B. Lyons):

Current and proposed additional text:

**3.11.4.1 Length of the Probationary Period (New suggested text in orange)**

"A tenure-track faculty member must serve a probationary period prior to being considered for tenure. Except as otherwise provided in Board policy, the probationary period will be six years. The faculty member will apply for tenure during the sixth year, and if tenure is not granted, the faculty member will be permitted to serve a seventh year as a terminal year. If a faculty member begins employment after July 1 and before January 1, the remaining term of the faculty member's initial appointment will count as the first year of the probationary period, so that what is treated as the first year of a faculty member's probationary period will not be shorter than six months. The provision of a probationary period and any statement in an appointment letter or otherwise regarding the probationary period and the year of mandatory tenure consideration do not guarantee retention of the faculty member for the full probationary period. **In the rare**

**situation in which the appointment of a tenure-track faculty member is interrupted and the faculty member is re-appointed to a new tenure-track position in the same unit, the subsequent appointment may be made, at the discretion of the chief academic officer, with no loss of credit toward completion of the full six-year probationary period.”**

This issue primarily impacts international faculty whose position titles sometimes change. In the past individuals impacted by this have been able to go up early for tenure but this will make the process clearer and easier. This will need Board of Trustees approval.

The FS Executive Council approved sending this to the full Senate for a first reading. (13 approved, 0 against, 1 abstaining).

**V. Information Items and Committee Reports**

- a. [Faculty Senate Meeting Minutes February 7, 2022](#)
- b. [Faculty Senate Committee Summary Reports](#)
- c. [Faculty Senate Accomplishments](#) (B. Killion)
- d. [Faculty Handbook Proposed Changes and Pending Actions](#)

L. Gross reported that there is a position for educational program coordinator in the Ombudsperson’s office and they would like a Senate representative on the search committee. There may be some summer service on this committee. Please contact L. Gross if you are interested in being on the search committee.

P. Daves again thanked L. Gross for his willingness to be Senate pPresident during a difficult year and that L. Gross will be deeply missed.

**VI. Adjournment at 5:02 pm**

Respectfully submitted by Millie Gimmel