



**UTK Faculty Senate Executive Council Meeting Minutes**  
**Monday, April 18, 2022**  
**3:30 via Zoom**

I. Call to Order at 15:31

The meeting was called to order at 3:31pm.

Attendance: E. Bernard; M. Brannen; P. Daves; T. Fridman; M. Gimmel; L. Gross; B. Issa; D. Kelly; A. Langendorfer; B. Long; B. Lyons; S. Madison; M. McAlpin; S. Ohnesorg; B. Ownley; D. Patterson; R. Spirko; S. Spurgeon; D. Thompson, M. Violanti; J. Williams; and J. Zomchick.

II. Approval of Minutes

a. Faculty Senate Executive Council Meeting Minutes [March 21, 2022](#)

Beauvais Lyons suggested the following sentence be added to Section F in New Business:

“Chancellor Plowman agreed that the Office of General Counsel is understaffed and that she would explore the option of funding a new position that would be dedicated to servicing UTK.” (This should be inserted after the following paragraph:

B. Lyons is concerned that the *Faculty Handbook* does not always uphold principals of shared governance and changes often get held up in the Office of General Counsel. This is an inefficient process since changes are often rejected by the General Counsel office. J. Zomchick responded that the General Counsel office doesn't have enough personnel to handle all their responsibilities. He feels we may need to use a workflow system to help move the process along. He will work with Diane Kelly and the Faculty Affairs Committee to identify a reasonable amount of time for making changes. L. Gross suggested that Loretta Link could help with workflow process related to Handbook changes.)

B. Long moved to approve, seconded by P. Daves.

The minutes were approved unanimously. (13 in favor, none opposed or abstaining).

b. Approval of Graduate Council Minutes [March 24, 2022](#) (S. Ohnesorg)

L. Gross asked if there were any action items in the minutes. S. Ohnesorg clarified that there were no action items but Senators should read the minutes to understand some changes in curricular processes. Since there are no action items, the Executive Council does not need to vote on approving the minutes.

### III. Announcements and Reports

#### a. President's Report (L. Gross)

As per the vote of the Senate, President Gross sent a formal nomination of Professor Lyons to the Chancellor and Provost for the faculty representative to the Board of Trustees Education, Research, and Service Committee (ERC). Should Lyons be selected for this we will need to have an election to replace Lyons on the UFC.

L. Gross received a request to vote on a COIA resolution that supports a report by the Knight Commission on revenues in intercollegiate athletics. Comments from Executive Council members are welcome as he is casting a vote on behalf of the Senate. He has asked for comments from the Athletics Committee and from the administration. His vote is due by April 26. A link to the report was made available in the chat.

<https://www.knightcommission.org/c-a-r-e-model-report-and-resources/>

L. Gross asked the Budget Committee to summarize the process (or lack thereof) of shared governance input on the budget process this year. The Senate will hear more about this later in our meeting but L. Gross has concerns that the BAM process has been far from the transparent process we were promised, nor has it been conducted in a manner that allows for informed input from faculty.

At the University Leadership Council meeting on April 6, L. Gross expressed concern that the bill that creates the Civics Institute is contradictory in that it states that all UTK processes will be followed, yet states explicitly that the Director of the Institute will make decisions to hire faculty, while that is the purview of the Provost at UTK.

The Senate continues to collect comments and suggestions as to how UTK might assist those in higher education in the Ukraine. Please continue to send them to Loretta Link.

L. Gross has passed on several questions to President Boyd for the upcoming UFC meeting regarding: (i) UT policy on congressional earmarks, given that Tennessee is near the bottom of earmark funding this year; (ii) data on the history of tenure-track and non-tenure track faculty hiring across the System, and (iii) data on the history of administrative hiring across the System.

L. Gross was informed by the Chancellor of the decision to hold another football game at a time that interferes with classes. He expressed concern about the decision and its impact on teaching, particularly on courses that only meet once a week.

The Senate will meet in-person on May 2 and everyone is encouraged to attend along with your Senate colleagues.

B. Lyons asked about the earmarking and if there are individuals working for the university in the Congress. L. Gross indicated that this was the nature of his question to President Boyd. T. Fridman remarked on the director of the Civic Center's ability to hire faculty and that many institutes are created in response to the competitive nature of academic disciplines. T. Fridman felt there may be advantages to having this sort of system. L. Gross recommended that all faculty share their views with the administration. B. Long asked about the May 2 meeting and if there had been any invitations sent. L. Gross clarified that the meeting is at 3:30 pm in Strong Hall 101 with a reception to follow in the atrium of the building.

#### b. UTK Chancellor's Report (D. Plowman)

The Chancellor was unable to attend.

c. Provost's Report (J. Zomchick)

The Provost shared that the Governor signed the Divisive Concepts Bill into law. The Administration will work with Deans to handle any complaints that may come while classes are in session. Before this bill was passed, they would get occasional reports from BERT so this won't be a new process. The creation of the Institute for American Civics also passed the state legislature and is on the way to the Governor to be signed into law. The Provost feels that once there is a department, the department heads will make recommendations to the deans and then to the provost, just like in other departments. The BOT will consider the test optional policy that has been in place since fall 2021 and will be in place for fall 2022. The Tennessee Senate passed a resolution to return to a test required policy. The Board of Trustees will look at this. The original pilot of the test optional policy was planned to last five years. Admission numbers continue to be strong. We are about 600 students ahead of last year's numbers. There will be a clearer picture after May 2. We will have between 6,200 - 6,400 new students in the fall with an increase also in transfer students. All numbers are expected to increase. The system released data on 5-year growth in comparison to our peers. We ranked 3<sup>rd</sup> for total growth, 2<sup>nd</sup> in undergraduates in SEC and 8<sup>th</sup> in graduate growth in SEC. We will be addressing stipend issues. The administration is making provisions for September 1 football home game. They are waiting for reports on academic structures.

B. Lyons asked about the PPPR process this semester. The process does not fully conclude until May. The Provost said that this report will be deferred until October. D. Kelly is happy to do a report at a later date. L. Gross indicated that the board had promised to look into the data on PPPR and the delay indicates that this will continue another year. J. Zomchick responded that if they repeal it at the October meeting that should be enough time to cancel it for the campus. D. Kelly said the delay is actually helpful for having enough time to organize data.

R. Spirko asked if there will be additional hires to accommodate the increase in students. J. Zomchick replied that they are working with enrollment management to predict what additional courses will be necessary. The new registrar will also help with predicting need for additional classes and he will support the college's needs.

B. Ownley asked about STRIDE training in light of the new law. This is required for members of search committees. There is already push back from those who take the training. J. Zomchick will talk to General Counsel. He views required training as a condition of employment and he is not sure if STRIDE training falls under this. He would like for us to continue with STRIDE and look at complaints as they arise. The law is already in effect.

B. Ownley also asked about Dean Thompon's survey and how graduate students are coping. Finances and housing are huge problems. Increasing enrollment will exacerbate these problems. It is almost impossible to find short term housing for visiting scholars. The Provost may have a short-term solution and the administration is in conversation with private developers about a public/private partnership to provide more housing. The university used to have graduate student housing and this may need to be replaced. They are very aware of these issues.

A. Langendorfer said that none of the 9-month salaries have been adjusted for inflation and the stipends are nowhere close to keeping up with the cost of living.

M. Violanti asked if there is a clear expectation of when 9-month faculty are expected to be available. J. Zomchick says that this conversation needs to happen with the Senate. Faculty need to be working with Department Heads on their schedules. This will also impact how on-line courses are offered and counted. M. Violanti also asked how the BAM will allow

discussions on salary compression. Under the BAM the deans will need to address these issues but there needs to be further discussion on this issue.

T. Fridman asked about inflation adjustments. In her department some faculty had a 1% increase in salary which is below inflation. Chairs are actually in charge of salary increases right now. She asked for a minimum increase for all. J. Zomchick will share this suggestion with Chancellor.

L. Gross clarified that with flexible calendars, the department heads are supposed to have complete responsibility in making sure that all teaching and service is represented accurately on the new calendar and that is not a detriment to faculty when they are up for annual review, promotion, and tenure. The Provost agrees that faculty who chose to teach in mini-terms should not be penalized but the department heads should consult with the deans. As long as the department heads and deans are in agreement this should not be a problem. D. Kelly said that we should not adjust workload in any way that jeopardizes the ability to achieve tenure and promotion

L. Gross asked about the growth of GTAs for next year. J. Zomchick did not know since fee waivers are moving to the colleges and hiring decisions are made there. L. Gross suggested tracking the number of GTAs to see if the number goes up.

B. Lyons asked if tuition waivers are always considered in-state so that it is not detrimental to recruit students from outside Tennessee. They are.

B. Ownley asked about GRA fee waivers and where they come from. The college doesn't seem to be responsible for this. Dean Thompson asked for a specific question to be sent to her since this is different in different colleges and departments. It is not clear where this money comes from and there needs to be more transparency.

- d. UTIA Report (L. Martin)  
L. Martin did not attend the meeting.

#### IV. New Business

- a. Acknowledgement of the Efforts of Jerry Riehl, recently deceased.  
D. Patterson discussed the work of Jerry Riehl in OIT who died unexpectedly on March 17. He was instrumental across campus in implementing and sustaining instructional technology. His efforts were instrumental in making the pivot to online instruction during Covid. The Senate should acknowledge his work in the next Senate meeting in a way that can be shared. A. Langendorfer would like to have a resolution that could be offered to his family on the last Senate meeting. Gross suggests that the Executive Council draft a resolution to share with the full Senate. He asked D. Patterson to draft a resolution to be shared with the Executive Council over email and approved to be shared with the senate in May. D. Patterson will also ask for contact information for the family and Loretta Link will invite them.
- b. [Budget and Planning Committee](#) was not provided with a two-week period to review the completed preliminary university budget (BAM) prior to submission to Executive Budget Committee.

P. Daves shared that transparency and shared governance were central to their recommendations to the BAM. A two-week review period for the BPC was one of the central features but this did not happen. The process was delayed for understandable reasons but it looks like the committee will not be able to review the budget and provide feedback. This is a bad precedent that cuts the Senate out of the process. They hope that deans would be

transparent but that is not guaranteed. Per the Senate bylaws the chair of the BPC sits on the budget steering committee. P. Daves is concerned that this precedent might easily become permanent.

The Senate can draft a resolution on this but there may be other avenues available. The scheduled meeting to present the budget to faculty has been cancelled. At this point, no faculty have seen the budget. Some Senators have been invited by deans to college budget hearings but this is not the same.

On May 13 the advisory board is meeting. B. Lyons sits on that board. We can request that our representative protest and vote against the budget. This can be decided at the next Senate meeting.

B. Lyons stated that the agenda for the UTK advisory board comes out a few days prior to the meeting. He can request budget information ahead of time and share this with Senators. There have been problems in the past with the budget not being shared in time for adequate review. A. Langendorfer asked if we could invite VC Cimino to make a report at our last meeting. L. Gross responded that he was invited but declined to attend because there would not be enough information to present. The budget should not be presented to the advisory board before it is reviewed by the BPC.

L. Gross asks how the Senate should respond. There are a lot of basic questions that need to be answered. The budget could be presented before the next senate meeting. Even incomplete information would be better than none at all. VC Cimino should attend the May 2 meeting. R. Spirko indicated that the Deans had some guidance in preparing their budgets, and asked whether we can see that information. We were promised the chance to see the two budgets (old budget and the new BAM) side by side for at least a year before the BAM is implemented and that doesn't seem to have happened. The support unit allocation committee has only met once.

J. Zomchick stated that he will advocate that something be presented to the Senate. The colleges do have working budgets and all have seen increases. Six out of 7 colleges were also asked to reduce their budgets by 2% but even with the reduction they still have more funds than last year. Next year we need to start earlier so that there is time to meet all the review deadlines.

L. Gross asserted that we need to get information to all interested committees as soon as possible and then we can decide how to counsel B. Lyons to vote.

P. Daves has prepared a draft resolution to follow agreed-upon protocols in the future. He is willing to discuss this off line or to bring a resolution to the next meeting.

b. [Budget and Planning Committee: UTK Campus Salaries Analysis Report](#)

T. Fridman stated that we do not have comparison numbers yet. The data they received were from November 2021. The committee looked at previous data. L. Gross clarified that this data is always a year behind. Will the committee be able to present this to the Senate? They can. Some of the data is flawed. There will be a report that is similar to reports done in the past (department level information with mean salaries). D. Patterson asked if the table provided is just Tenure Track faculty and why there were assistant professors of law since the law school has only associate and full professors. T. Fridman indicated that the figure she shared is only for Tenure Track faculty and clarified that a few years ago the College of Law began hiring assistant professors. The final analysis will be for Tenure Track and Non-Tenure Track faculty. The report should be available at the next Senate meeting.

- e. Proposed Revisions to *Faculty Handbook* Section 3.12 (proposed document forthcoming).  
(B. Lyons)

B. Lyons clarified that this is about the process of terminating tenure for tenured faculty members. This was in response to the firing of Dr. Anming Hu. The change is to more clearly describe the consultation needed before rescinding tenure. J. Zomchick has stated that there will be a definition of consultation but the draft from the General Counsel's office has not been provided. B. Lyons asks if the Executive Council can approve this kind of consultation (using the Leadership Team of the Senate or their designees) for presentation to the Senate at the next meeting and waive the need for a first reading so that we can respond in a timely fashion.

The Faculty Affairs Committee will approve the language and it will be sent out to the Senate for review as soon as possible and we will ask to waive the first reading of the change.

- f. Senate Bylaws (E. Schussler)

E. Schussler has an amendment to what has been sent out already. Section 3 of the Bylaws, needs to be updated to reflect the current organization of the university.

B. Ownley said that the VPVC of UTIA is the chief academic officer. J. Zomchick thinks that this is currently correct and should not be changed. This has been a problem for many years.

M. Violanti said that the change in this section will render the prior sections less clear. She suggests keeping the current language for context and then adding the update. Ownley's comment needs to be incorporated into the section.

This will be brought to the May Senate meeting as an amendment to the other changes that have been proposed. J. Zomchick suggested that the Chancellor is not the Chief Academic Officer, but rather the Chief Executive Officer. The Provost is the Chief Academic Officer. UTSI does not have a different Chief Academic Officer as the UTK Provost is the CAO for UTSI.

B. Lyons suggested making these documents "evergreen" by indicating there are officers designated by the President and BOT without naming specific titles.

The Senate leadership team will consider all comments and bring an amendment to the Senate in May to decide if the change should be made.

## V. Information Items and Committee Reports

- a. [Faculty Senate Committee Summary Reports](#)
- b. Unapproved Faculty Senate Minutes from [April 4, 2022](#)

## VI. Adjournment

The meeting was adjourned at 5:25 pm.

Respectfully submitted by Millie Gimmel