

UTK Faculty Senate Executive Council Meeting
Monday, March 20, 2023
3:30 pm
Student Union Room 377

MINUTES

Call to Order at 15:31

Attending: B. Schussler, presiding; M. Gimmel, recording secretary; J. Laughter, A. Langendorfer, R. Spirko, B. Ownley, E. Lukosi, A. Steiner, B. Issa, J. Chyz, D. Kelly, A. Bolton, L. Schoenbach, I. Meschke, S. Munoz, N. Hristov, M. Brannen, A. Roessner, H. Meadows, J. Heminway, S. Madison, A. Puckett, T. Fridman, K. Baker, C. Clark, M. Stanley, M. Griffin, O. Driscoll, D. Crawford, B. Lyons

Approval of Minutes

Faculty Senate Executive Council [Meeting Minutes, February 20, 2023](#)

Motion to approve by Ownley

Second by Steiner

Discussion: None

15 In favor; 0 Opposed

The motion passes, the minutes are approved without changes.

- I. Senate President Announcements (E. Schussler)
Elections are moving forward. Ballots will go to OIT who will send them to caucuses. We are still collecting nominations for recording secretary, COIA, UFC, and president elect. There are nominees for all these positions, but nominations are still welcome.
- II. New Business
 - a. Budget Items
 - i. Budget [report](#) (E. Lukosi and A. Bolton)

Lukosi reviewed the report and the budget processes. This report comes from the Budget and Planning committee.

Discussion: Were all the recommendations feasible or in process? These ideas have been discussed for some time and these are all process recommendations that are possible and valid. One challenge might be having a senator from each college/caucus as a representative in the budget process but this is important and it will be amended to open this option to non-senators.

Are there concrete answers to the recommendations at this point? Today there are no concrete answers but the time is now for making changes to the budget model and this is part of the

review process. Bolton feels all the recommendations are reasonable and he will advocate for them.

When will budget issues be reviewed? October? During College budget planning? For most colleges this will be October. The most challenging recommendation is to co-create budgets between colleges and support units.

Is there clarity around SIP funds and how to access them? Driscoll clarified that these funds are available but the process should be clearer.

Changes to this report can be made before submitting to the full senate. Including a time line would also be helpful.

What is the timeline for this year? Can we review proposals in the coming days? The intent is to get the budget balanced and send the consolidated budget to the Senate president and Budget and Planning committee next week. There is time to make recommendations before the budget is submitted in April for approval in May and submission to the BOT in June. The legislature still hasn't voted on the Governor's budget so we still don't know how much money will come from the state. The Finance Committee, the Council of Deans, and Faculty Senate are given a two-week period to review the budget. Bolton will send the budget to either the budget and planning committee or to the senate president when it is ready.

Do departments who rely on GRAs still have the in-state fee waiver for those students? The waivers in place now will be carried forward for next year.

Is it possible a living wage increase can be included in this year's budget? Any resolutions will need to come in the fall to hit the next budget. The timing matters less than the ideas and the force behind them and the conversation they generate. Budgets are always in process.

Can this report be shared with all faculty? Lukosi is hopeful the report will be shared widely. Lukosi added that when major budget changes are made they should be made in consideration of how they will impact the affected parties (fee waivers for example).

ii. Salary analyses update (T. Fridman)

This will be presented to the Senate at the April meeting. There are salary analyses done by several organizations (commission for women and program review committees for example); it would be good to consolidate our efforts.

b. Living wage [resolution](#) (Humanities and Social Sciences caucuses)

Should we move this forward to the senate? No motion is needed since this comes from the caucuses.

Discussion: Meadows introduced the resolution which is important for all caucuses. The resolution gives the body the opportunity to stand together on an important issue that impacts the

entire institution. Some edits and corrections were suggested and noted. How many staff would be impacted by this change since this is the minimum wage? This needs to be investigated. How many people make less than \$20? Has there been any thought about the unintended consequences like wage compression? This is already a problem and this resolution will exacerbate the problem. This is a problem for HR not for the Senate. The resolution does not need to be an action plan for the entire salary process. We have no power over the budget and state limitations but we also need to make a moral stand on the need for a living wage. Since the year 2000 the number of workers who do not make a living wage has decreased in large part because of studies from Budget and Planning and other senate work, but that does not diminish the need for this resolution.

A vote to send the resolution to the senate with corrections as discussed. The amended resolution should be shared with the EC before it goes to the senate.

16 In favor; 0 opposed

The resolution in its revised form will be brought before the full senate.

- c. By-Law [changes](#) (E. Schussler), including committee section [verbiage](#) and [overview](#) (B. Issa, S. Madison, H. Meadows, E. Lukosi)

These changes are necessitated by the changes in the university structure (Baker school. School of Music) and there some editorial and small structural changes that need to be made. Schussler reviewed the changes.

Motion to discuss the main by-law changes (not the committee changes) and move these to the senate by Issa, second by Steiner.

Discussion: Is it the case that by-laws can be changed to reflect current practices don't need to be voted on? That is true for the faculty handbook, but not the senate by-laws. Can we add that to the bylaws (minor/housekeeping issues don't need a vote, only substantive issues need a vote) Not all of these changes for today are housekeeping. There are a few changes that need to be made about the Graduate Council, especially about voting members and if ex officio members will serve on committees. The president will make the necessary corrections to the text.

There was an additional motion that all house-keeping changes be made without a full senate vote by Hristov. Second by Fridman

Discussion: Even small changes can be substantive and slip major changes under the radar. Others feel strongly that we should always vote on changes. "Housekeeping" needs to be clarified. Do we want to add verbiage about housekeeping or style/grammar mistakes?

The motion was withdrawn.

The council voted on the motion to accept the changes, not including the changes to committees.

18 In favor, 0 opposed

These changes with the additional discussed corrections and changes will be sent to the full senate for review and discussion and a vote in April.

The committee changes are more substantive and come from the January meeting of committee and caucus chairs where the changes in the university and the budget make our current structure unwieldy.

Motion to send these changes to the senate for consideration and then a vote in April by Madison, second by Langendorfer.

Discussion: Will Faculty Affairs still manage all the issues currently done by the constituting committees? Will the subcommittee chairs be the committee chairs? That is the idea.

What is the difference between a council and a committee? Would it be helpful to have a Faculty Affairs council? Councils are more representative of the caucuses across the campus, committees don't have this same requirement.

Why change the budget committee to the finance committee? This happened because benefits are now under budget as well.

What is the thought on the autonomy of a subcommittee? Who sets their agenda? Do the large committees meet every month or just the chairs of the subcommittees meet every month?

Athletics is about more than student athletes, combining it with student affairs might diminish its importance. It might be best to leave it as a separate committee

Finance and benefits might be a better name for the committee since benefits are not just about money.

Subcommittees should be represented on EC. But the subcommittee often have highly technical missions that don't need to be part of the EC. This is complicated. We don't want to make the

EC less nimble. The changes will not add more than one or two people to the EC. Committees can be changed as necessary

Do we need an emergency committee for unexpected issues? Do we need an advocacy committee?

Motion was approved.

17 In favor, 0 opposed

d. Faculty Affairs (J. Laughter)

i. J Term [discussion](#)

Laughter reviewed the shared discussion. Why is this an issue for some faculty and not others? Grant funding/summer pay has been denied to some faculty for work in January. Crawford clarified that for sponsored research faculty can accrue summer pay for May, June, July. In May most teaching obligations have been met and faculty can dedicate themselves to sponsored research. Any problems should be shared with Crawford. A senator pointed out that graduation is not until May 20 and most faculty are fully engaged in teaching in May. Could we shift the beginning of the academic year to mid-August? That would fix the problem. There are issues around when benefits start so changing the start of the year is very complicated. Faculty claiming summer salary don't usually teach more than one class in the Spring so claiming salary in May is usually workable. NTTF with grants are not done before the end of May and this will become a more common problem. For Humanities faculty this is more a question of time than sponsored salary. The four December/ January weeks and some weeks in June are often used for faculty service.

ii. Motion to revise [FHB ¶3.10 \(p. 24\)](#) with the addition of "applying for" comes from the Faculty Affairs committee

Discussion: This change is to clarify inconsistencies in the Handbook. There is a question of when one can go up for full, depending on appointment or applications for rank. Laughter withdrew the motion and will pursue further conversation and clarification with the provost.

iii. Motion to revise [multiple sections of the FHB](#) to shift from "14 days" to "7 days" in response time for APPR, R&R, and P&T

Discussion: The motion was reviewed. Do faculty with a negative response have enough time with 7 days? The change will allow more time for dossier preparation. Faculty who need to mount a defense need 14 days. Faculty are the only ones who have a specific time to respond. Could faculty request another 7

days? Perhaps 10 days would be a compromise. The process should not be determined by Interfolio or other external forces. UTIA still has no access to Interfolio.

There is a friendly amendment to add: A faculty member may request and receive an additional 7 days.

The motion is being sent back to committee.

- iv. [Alternative Retention Review](#) Process (would largely replace FHB ¶3.11.4.5 (p. 27), with necessary enhancements to the current section on mentoring (¶3.11.4.5.a.2))

This will be discussed at a future meeting.

- e. Policies and priorities for Marketing and Communications (N. Hristov)
The committee met with administrators about DEI issues and communication. The committee is proposing a task force/committee/subcommittee to work with Marketing and Communication to set policies and priorities on enhancing the reputation of the University in the academic world. The DEI committee would like to have input on how marketing and communications are focused. Marketing and Communication does not have a formal faculty advisory committee. This sort of dialogue and input would most likely be welcomed. Public Health had to take material on DEI off their website. The current Marketing and Communication website does not show their policies or priorities. Other departments have had to take down DEI materials and discontinue DEI events, often as a result of complaints from the public. How do we attract new faculty without attracting unwanted attention from the public? A working group including faculty would be useful. Dialogue is always important. Communications is underfunded and understaffed. This is a system issue that should involve the Chancellor.

V. Information Items

- a. Faculty Senate [Minutes from March 6, 2023](#)
- b. UFC report

UT Faculty Council Report (March 20, 2023) Beauvais Lyons, UTK Campus Representative

The UFC met on March 15 by Zoom. The meeting included a report from President Boyd regarding a number of bills impacting the university related to diversity efforts, including one (SB817) that would not allow us to require diversity statements as part of a job application. I inquired if a statement of teaching philosophy could require a statement about serving the learning needs of all students. Boyd confirmed that such a requirement would not be in violation with the law as he

understands it. He also said there are gun laws under consideration that could impact campuses, as well as a bill to ban TikTok on all state-owned mobile phones.

In advance of the meeting, I raised two topics (for discussion):

1. DRAG SHOW LEGISLATION AND CAMPUS SPEECH: In April the new law on drag shows in public will go into effect. Some have questioned the law as a violation of free speech. See: <https://theconversation.com/why-tennessees-law-limiting-drag-performances-likely-violates-the-first-amendment-201126> In this context, the new law is certainly in conflict with the Campus Free Speech Protection Act passed in 2017, which was lauded by FIRE: <https://www.thefire.org/news/comprehensive-campus-free-speech-bill-becomes-law-tennessee> The new law is certainly in conflict with our own university policies regarding speech and academic freedom: <https://policy.tennessee.edu/policy/bt0021-policy-affirming-principles-of-free-speech-for-students-and-faculty/> What preparations are the UT system making to prepare for these areas of legal and policy conflict?

Following the meeting I received a communication drafted by Vice-President Carey Whitworth addressing this topic:

- The legislation was amended from its original text to make clear that adult-oriented performances would be prohibited when they meet an existing state definition of “obscenity” and “harmful to minors,” and that occur on public property or in areas where minors could be present.
 - “Harmful to minors” is defined as “any description or representation, in whatever form, of nudity, sexual excitement, sexual conduct, excess violence or sadomasochistic abuse when the matter or performance: (A) Would be found by the average person applying contemporary community standards to appeal predominantly to the prurient, shameful or morbid interests of minors; (B) Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and (C) Taken as whole lacks serious literary, artistic, political or scientific values for minors.”
 - “Obscenity” is defined as “(A) The average person applying contemporary community standards would find that the work, taken as a whole, appeals to the prurient interest; (B) The average person applying contemporary community standards would find that the work depicts or describes, in a patently offensive way, sexual conduct; and (C) The work, taken as a whole, lacks serious literary, artistic, political, or scientific value.”
 - Adult-oriented performances that are obscene and harmful to minors are already prohibited at the University of Tennessee and does not conflict with our academic freedom and free speech policies.
 - I encourage you to read the final bill language. It does not ban drag shows on campus. Our General Counsel’s office has also reviewed the measure.
2. A GROWING GENDER GAP IN COLLEGE ADMISSIONS: I encourage everyone to listen to the most recent episode of Ezra Klein’s podcast about the performance gap between boys and girls. <https://www.nytimes.com/2023/03/10/opinion/ezra-klein-podcast-richard-reeves.html> . I think we are seeing a gender gap reflected in our admissions, but it would be good to have Bernie confirm this. How is the university thinking about, and responding to this gap? Does the requirement that we use standardized tests for admissions make this problem more challenging? Is the Legislature aware of these issues?

There was a good discussion on this topic, and Andy Puckett confirmed that numbers of female students on all campus are surpassing males as reported in the [February ERS Committee materials](#) (Tab.1.3). Colleagues at UTHSC reported the same for the medical school. The irony in these trends in the context of affirmative action was observed. UFC Chair Sean Walker said that he would make an inquiry to Interim Vice-President Bernie Savarese to look at longer term historical trends regarding admissions by gender.

VI. Adjournment at 18:00

Respectfully submitted by Millie Gimmel