

UTK Faculty Senate Executive Council Meeting
Monday, April 17, 2023
3:30 pm

Minutes

- I. Call to Order at 15:35, Schussler presiding
Attending: M. Scoggins, E. Lukosi, B. Lyons, J. Chyz, S. Madison, D. Ader, L. Whitnah, J. Laughter, A. Langendorfer, T. Freeburg, T. Fridman, N. Hristov, K. Baker, C. Clark, A. Steiner, R. Spirko, A. Roessner, J. Zomchick, M. Griffin, E. Bernard, M. Brannen, L. Meschke, J. Heminway, O. Driscoll, M. Stanley, B. Ownley, L. Shoenbach, A. Puckett,

II. Approval of Minutes

- A. Faculty Senate Executive Council [Minutes, March 20, 2023](#)

Motion to approve by: Madison

Second: Lyons

Discussion: No discussion

The minutes were approved: 17 in favor, 0 against

II. President Announcements

The president expressed her thanks for the Executive Council on this, her last EC meeting. We accomplished a lot, had excellent discussions and learned together. The year-end report will be included in the agenda for the last Faculty Senate meeting in May. Bill1376 in the legislature on divisive concepts is a continuation of the movement on divisive concepts. She asked the Provost for his perspective on this.

The provost is aware of concerns about the bill and the press coverage which overstates the effects of the bill. The administration is steadfast in protecting academic freedom and in promoting diversity and inclusion. Any legislation causes concerns which the administration shares. The office of government relations does a good job in advocating for the university. He encourages everyone to read the bill as that might allay some fears. The amended bill does not change anything on divisive concepts since the last law passed. It recognizes academic freedom, free speech and inclusion. Nothing in our classrooms can be considered mandatory training. Faculty can talk about race, gender, sexual orientation in the classroom. The bill mandates that the administration must investigate any complaints on divisive issues and they must report these complaints to the comptroller. This is not new but there is an enhanced reporting obligation. The bill prohibits institutions from requiring applicants for employment or admission to supply a diversity statement or to agree with an institutional diversity statement. There is also language about not using state funds for dues, membership fees, etc for organizations that require members to endorse a particular divisive concept. As far as he knows, no organization requires this. There will still be a diversity section on the annual review files/Elements.

Does this bill conflict with the Campus Free Speech act? It does not seem to.

Since this is concurrent with the bill that gives THEC the authority to tell universities to shut down programs rather than just make recommendations, is this problematic? The Provost is unsure but feels that they are not related issues. The bill giving THEC this authority does not seem likely to pass this session.

There a number of searches in psychology, all of which were successful. The diversity statements were very helpful in making strategic hires. Can the provost or chancellor make a public statement in favor of diversity statements? If the law prohibits diversity statements, how could it serve the university to make a

public statement about their importance at this point? The administration will work with the General Council to find the best way forward. Can applicants still ask for a comment on diversity in teaching philosophies? Perhaps the way to phrase this is to ask about inclusive pedagogy. The law seems to say we cannot require but we can suggest a comment. The Chief of Staff suggested we wait until the bill is passed before we start working on interpretations.

IV. New Business

A. [Elections](#) (A. Roessner)

- Election of COIA representative, B. Krumm

The COIA representative is elected by the Executive Council. Roessner reviewed Krumm's ballot statement.

Krumm was elected as COIA representative.

- Nomination of Recording Secretary, M. Brannen

This nomination is forwarded to the full senate. Roessner reviewed Brannen's ballot statement.

Brannen will be forwarded to the senate as the nominee for Recording Secretary.

- Continuation of Communication Officer, R. Spirko

This recommendation is forwarded to the full senate. Spirko commented on the shifting communication landscape and feels that the communications officer can now focus on higher order issues. He looks forward to serving another year with the new caucus system and the new budget model.

Spirko will be forwarded to the senate as the nominee.

Roessner thanked everyone for their self-nominations and President Schussler for her work in making nominations move smoothly. She has reached out to OIT to finalize the tallies for the senate elections.

Schussler hopes that committee assignments will happen before the end of finals. There will be a discussion about pre-designated meeting dates so that it is clear when all meetings will happen (Mondays at 3:05 should be open for all senators).

B. [Childcare resolution](#) (S. Madison)

Madison reviewed the resolution. The Early Learning Center (ELC) is a great facility but does not serve the needs of faculty, grad students and staff with children. There are only 96 spots available there now. They ask that a taskforce be formed to explore solutions to the childcare crisis.

A senator reminded the body that taskforces are not always efficient ways to effect change. Are there other mechanisms that are more effective? Madison said there are many ways forward but a taskforce with the directive to report back on their progress seemed the best way forward. Scoggins indicated that it is a money issue to find the space and the personnel and that it will be important to assess the need. Perhaps the task force could assess need or propose creative solutions. It will be difficult to expand the ELC since it is a research facility. Finding space will take time especially since the ELC will be losing their building on White Avenue. The ELC can be cost prohibitive for many families. Other facilities in the community are much less expensive. The ELC should be cheaper and should be available to low-income families. Should human resources be included in this discussion?

Scoggins shared that the Chancellor's office is already in conversation with other companies about expanding childcare and is exploring models at other universities. This information had not been shared with faculty prior to this meeting. A taskforce documenting the need for childcare might generate useful information in what the real need is. There was a friendly amendment to create a taskforce of faculty, staff and graduate students who collect data to inform the work already being done.

It was noted that the Chancellor has not been in attendance all year and her attendance would be welcome and appreciated. It would be good to know what her cabinet is discussing so that we don't put forward resolutions on things that are already being done. Others expressed appreciation to the committee for taking on this issue.

17 In favor: 0 opposed

The resolution will be sent with the friendly amendment to the full senate.

C. [Faculty Affairs](#) (J. Laughter)

- Chapter 4 Handbook (moves to Senate with our trust in NTT Issues review)

A resolution was passed in the senate on November 1. It asked for feedback by Feb/March on the Chapter 4 changes. We are still waiting on this feedback. The faculty affairs committee voted to approve any version that has been approved by the Office of the General Council and the NTTF issues committee. VP Kelly is not in attendance so she cannot answer questions. The provost indicated they are working on figuring out what can be approved administratively at UTK and what needs to go forward to the Board. The senate president reminded the body that the FSEC functions as the senate with the ability to vote over the summer, in case this should not be approved at the May senate meeting. There was frustration expressed over how long it has taken to pass these changes (over three years).

The body voted to accept that the approval now rests with NTT Issues committee.

17 in favor, 0 against

- FHB 3.10 (time to apply for promotion to full)

Laughter reviewed the proposed text. The text clarifies that the year in which the dossier is submitted for tenure counts as one of the years in rank. There may be a problem with board policy. A senator clarified that the board is responsible for tenure not promotion. VP Kelly was fine with this since some departments are following this timeline already. The Provost indicated that the letters of appointment state when the faculty member should apply for promotion.

Does the text reflect the graphic shared? Yes it does.

The body voted to send this on to the full senate.

17 in favor 0 against

- FHB 5.4.1 (Appeals procedural verbiage)

Laughter reviewed the issue at hand about appeals. These changes protect faculty more. The ombudsperson has not been approached on this issue yet but there is no objection to bringing her into the discussion. She should be consulted before this is brought to the senate. There should be no prohibition on the faculty member sharing information. Griffin indicated that the Faculty Handbook only speaks to the committee obligation to share information and does nothing to prohibit the faculty member from sharing. Lyons recommended postponement until the ombudsperson is consulted. Langendorfer indicated that the change does not change the involvement of the ombudsperson. Lyons feels that the change shouldn't be made without consultation even if it doesn't impact the ability of the faculty to consult the ombudsperson.

The president suggested that we vote and consult with Lisa Yamagata-Lynch. If she recommends that we pull the change, we will rescind the vote.

The body voted to send this on to the full senate after consultation with the ombudsperson
17 in favor, 0 opposed

D. Updates (E. Schussler)

- By-Law edits

These edits are in the 28-day review period. They are available in the information items. In the main changes, there is a new description of the libraries and IT committee, which awards will stay within the research council, and which will move to the new committee. There is a new line in the presidential duties about interfacing with other groups. There was a clarification on the TUFs representative.

The committee changes: there was discussion about the number on the DEI committee. Prior chairs of the committee are in favor of the reduced number but we could add two ex officio members.

Discussion: A senator asked about making sure there is a diversity of representation on budget and planning. Monitoring attendance falls to the committee chairs. The chairs should notify the senate president when members of their committees do not attend or participate.

- Budget review

12 people met to review the budget last week. Lukosi reviewed the discussion and will be sharing the report/letter later.

- Council of Deans presentation (upcoming)

This Friday the leadership team will be presenting for an hour to the council of deans.

They will be discussing the role of the senate, the importance of shared governance and how to have effective shared governance in the new budget model. Please share thoughts and ideas with the FSLT before Friday.

V. Information Items

- A. Departmental By-Laws [Audit](#)
- B. Faculty Handbook [Housekeeping](#) Items
- C. Faculty Senate [Minutes](#), April 3, 2023
- D. Current By-Law edits (see below)

Main By-Law changes:

https://docs.google.com/document/d/1zz_XQGBGRS-g4ZOX9AAsvBASMJ9WXC3H/edit?usp=sharing&oid=112224852314578087682&rtpof=true&sd=true

Committee changes:

<https://docs.google.com/document/d/1Z7Vd4TVVIm32LenpbRvMmiXyXVjNA0dm/edit?usp=sharing&oid=112224852314578087682&rtpof=true&sd=true>

VI. Adjournment by assent at 17:13

Respectfully submitted by Millie Gimmel