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Faculty Senate Agendas and Minutes

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11-30-2020

### 2020 November 30 - Faculty Senate Agenda and Minutes

Faculty Senate, East Tennessee State University

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EAST TENNESSEE STATE  
UNIVERSITY

**Faculty Senate Agenda**

November 30, 2020

2:45 p.m. Virtual Zoom Meeting

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1. Celebrations
2. Introductions of Guests
3. Announcements
4. Approval of minutes from November 9, 2020
5. Action Items
  - a. Motion - Approval of Resolution in Support of SGA – Dr. Fiuza  
(FS Resolution Supporting SGA SSR-20-006.docx)
6. Information items
  - a. Handbook Committee Update – Dr. Epps
  - b. Board of Trustees Report – Dr. Foley
  - c. T&P Working Group Report – Mr. Hemphill
  - d. Minutes from the Meetings with Dr. Noland and Dr. Bishop – Mr. Hendrix
  - e. Call for Nominations for Faculty Trustee – Mr. Hendrix and Dr. Foley
  - f. University Committees Reports
  - g. Working Groups Spring 2021
  - h. Motion – Approval of Resolution in Support of SGA – Dr. Fiuza  
(FS Resolution Affirming ETSU Values.docx)
7. Old Business
8. New Business
9. Comments from guests
10. Adjourn



## FACULTY SENATE MINUTES

|                      |   |                |               |                  |                  |
|----------------------|---|----------------|---------------|------------------|------------------|
| <b>Meeting Date:</b> | 11/30/2020  | <b>Time:</b>   | 14:45 – 16:30 | <b>Location:</b> | Zoom             |
| <b>Next Meeting:</b> | 01/25/2021  | <b>Scribe:</b> |               |                  | Ashley Sergiadis |
| <b>Present:</b>      | Alexander, Katelyn; Blackhart, Ginette; Blackwell, Roger; Brown, Patrick; Burford, Mike; Burns, Bracken; Byington, Randy; Chen, Yi-Yang; Cherry, Donna; De Oliveira Fiuza, Felipe; Dunn, Andrew; Ecay, Thomas; Ellis, Jon; Emma, Todd; Epps, Susan; Evanshen, Pam; Fisher, Stacey; Foley, Virginia; Fraysier, Donna; Funk, Bobby; Garris, Bill; Gomez-Sobrin, Isabel; Gray, Jeffrey; Hagemeier, Nick; Hawthorne, Sean; Hemphill, Jean; Hendrix, Stephen; Holmes, Alan; Johnson, Jeanna Michelle (Mikki); Johnson, Leigh; Johnson, Michelle; Kahn, Shoeb; Kim, Sookhym; Kruppa, Michael; Livingston, James; Lyons, Renee; Mackara, Fred; McGarry, Theresa; Mitchell, Holly; Nivens, Ryan; O'Neil, Kason; Park, Esther; Peterson, Jonathan; Ramsey, Priscilla; Sargsyan, Alex; Sergiadis, Ashley; Silver, Ken; Tai, Chih-Che; Thompson, Beth Ann; Walden, Rachel; Waters, Susan |                |               |                  |                  |
| <b>Absent:</b>       | Collins, Charles; Elangovan, Saravanan; Hemphill, Bill; Stevens, Alan; Stone, William   |                |               |                  |                  |
| <b>Excused:</b>      |   |                |               |                  |                  |

### Agenda Items

Meeting called to order

1. Celebrations
2. Introductions of Guests
3. Announcements
4. Approval of Minutes
5. Action Items
6. Information Items
7. Old Business
8. New Business
9. Comments from Guests
10. Adjourn

### DISCUSSIONS

#### 1. Celebrations

- 1.1 **Brown** celebrated the adoption of his son. He will be traveling to Manila to bring him home for Christmas.
- 1.2 **Epps** showed the November 22 newspaper that featured Senator Dr. Donna Cherry who started the Huschka House for kids aging out of foster care.
- 1.3 **Park** announced that the Pre-College concert will be on Saturday at 1:00 PM for pianists and non-string instruments and 7:00 PM for string instruments. Link to YouTube:  
<https://www.youtube.com/channel/UCnmFfWk3hmlV-sForaCjSsw>

#### 2. Introductions of Guests

- 2.1 Joy Fulkerson, Vice President of Staff Senate and Enrollment Director of Leadership and Civic Engagement Programs in the Division of Student Life and Enrollment

#### 3. Announcements

- 3.1 **Silver** announced he had a large collection of back issues of American Association of University



## DISCUSSIONS

Professors. He offered to donate them to the Executive Committee to be placed in the Campus Center office or to anyone who is interested. **Hendrix** asked Silver to email him to discuss.

### 4. Approval of Minutes

**Hendrix** questioned whether there was an objection to approving the minutes from the 11/09/2020 meeting. **Sergiadis** stated that the minutes have been corrected based on minor changes sent by Dr. Epps.

**No Objection: Minutes Approved**

### 5. Action Items

#### 5.1 Motion - Approval of Resolution in Support of SGA – Dr. Fiuza

5.1.1 **Fiuza** made a motion to remove prior notice. **Epps** seconded the motion.

5.1.2 **Fiuza** received a lot of feedback from faculty pointing out issues with the SGA resolution. For example, we work with Catholic Charities of East Tennessee that helps immigrant families with visa issues. This would no longer be possible under the SGA resolution.

5.1.3 **Brown** clarified that the motion means Fiuza would like to come back and write a better resolution next time.

5.1.4 **Byington** asked if we could evaluate this motion and the motion in the information item at the same time during one of the meetings. **Brown** responded that this could be brought up when we move to debate on the motion.

**Motion is approved.**

### 6. Information Items

6.1 Handbook Committee Update – Dr. Epps  
None.

#### 6.2 Board of Trustees Report – Dr. Foley

6.2.1 The Board of Trustees met on Friday, November 13. The consent agenda items included modification of the Spring calendar. Spring Break has been divided across the semester. There will be no classes on Thursday and Friday, February 18 and 19<sup>th</sup>, on Monday and Tuesday, March 15 and 16<sup>th</sup>, and on Wednesday, April 14. As always, the university will remain open on those days and the College of Medicine and College of Pharmacy will follow their own academic calendars. The Board also approved the audit committee minutes from October, the audit committee charter, and the October budget revisions. Detailed information is available on the Board of Trustees website.

6.2.2 The other action item was approval of the Title IX Compliance Regulations. The emergency rule was adopted in August to meet the federal requirements. A hearing was held on the rule on October 13. No changes were made as a result of the hearing, so the Board approved the Title IX Compliance Regulations.

6.2.3 On November 17, the Sunset Performance Audit hearings were held before the Education, Health and General Welfare Joint Committee of Government Operations. The Sunset Performance Audit are held periodically for all state organizations. Depending on the results of that audit, institutions are given permission to continue as an entity. President Nolan and Chairman Niswonger appeared for ETSU. ETSU had one finding and ten observations. The finding was related to the accuracy of the daily Clery log. Most often, the date an incident was referred to police for investigation and the date the police handled it were not the same day. Every other independently governed university in Tennessee had the same finding. We had 10 observations. One observation was that Dr. Noland



## DISCUSSIONS

made a motion at a couple of the Board of Trustee meetings although he is not authorized to make motions. His motions had to do with honoring Dr. Bach when he retired and trustees when they rotated off the Board. He will not make any more motions. Another observation was that the Board counted the student representative as a member to make quorum on the Finance Committee, but the student representative is not a voting representative and not allowed to be counted for quorum. Every independently governed university in the state also had the observation that the counselor to student ratio was not at the recommended level. We responded to the committee about the finding and observations. We were given the longest extension (six years) you can have before we have to be audited again. We will have another audit in 2027. Tennessee Tech received a four-year extension and four findings. Tennessee State University received a two-year extension and six findings mostly related to financial issues. If they do not clear up their low performance areas, their entire board and their president will be replaced.

6.2.4 The announcement came in the President's Monday announcements that Dr. Foley is having Zoom meetings to give information to anybody who thinks they might be interested in learning about the position of faculty trustee. If you are interested, send Dr. Foley an email.

6.3 T&P Working Group Report – Mr. Hemphill  
None.

6.4 Minutes from the Meetings with Dr. Noland and Dr. Bishop – Mr. Hendrix

6.4.1 **McGarry** stated that an email was sent to students, staff and faculty from Dr. Noland's Notepads listing the committee members with Dr. Keith Johnson as chair of the committee. Faculty are very likely to trust the list of people on that committee. She was concerned that there was no mention of the corporation (Parker Executive Search) discussed in the notes from the meeting with Dr. Noland. That seems to be the polar opposite of transparency. **Hendrix** responded that he could make that recommendation to Dr. Noland's office. He stated that Dr. Noland has commented that although ETSU is using a search firm, Dr. Johnson and the committee will be ultimately driving that process. **Epps** responded that it was her understanding that search firms are used to get people to apply for the positions, but they are not running the search. **Hendrix** concurred with Dr. Epps. He offered to report back about the general process after the search committee meets.

6.5 Call for Nominations for Faculty Trustee – Mr. Hendrix and Dr. Foley

**Hendrix** announced that Faculty Senate is officially beginning the call for nominations for the faculty trustee position. The by-laws (Section 3 Part 7) outlines the faculty trustee qualifications (six years at the institution and evidence of shared governance). The call went out today in the Monday notes from administration. Dr. Foley will hold two information sessions, one in December and one in January, for those that are interested. Anyone who is interested can send an email to him and he will forward that on to the Executive Committee. The Senate will vote on the nominees in February. The full faculty will place their final vote on the resulting slate of two to three candidates.

6.6 University Committees Reports

6.6.1 University Research Advisory Council -- Dr. Peterson

Council reviewed a proposal of the Facilities Management regarding a Laboratory closeout policy. The revised policy will be sent out for public comment in the near future.

6.7 Working Groups Spring 2021

**Hendrix** announced that he would email this week a survey asking if there is any interest in serving on particular work groups. During the Fall retreat, each college identified some issues that they would like to see the Faculty Senate address over the next one to two years. He will distribute a survey to gauge interest from the Senate to see if individuals are interested in serving and staffing a working group to address each of those concerns.

6.8 Motion – Approval of Resolution in Support of SGA – Dr. Fiuza

**Fiuza** stated that this resolution was discussed with Virginia Foley and Alan Stevens. The main goal was



## DISCUSSIONS

to support the students and applaud their initiative to fight for what they understand is right. After receiving feedback, he decided to change the resolution to be more realistic. If we claim publicly to cut ties with all institutions that discriminate, many intuitions will say suit yourself and nothing will change. If our goal is to support people, we need to be able to help faculty at those institutions that identify as LGBT+ or any other minority group. We would not be able to provide such help with the SGA resolution. He proposed that the Senate recommend to affirm the university values and to mention the current centers that already work towards equity and inclusion at ETSU. He stated that this would affirm ETSU's commitment to equity and inclusion and work from the inside out and not the opposite. While he had many ideas on what to propose to the Senate, some of them were not up to the Senate. For instance, he suggested that the Equity and Inclusion Office could offer a service to the community where ETSU helps minorities to find and keep jobs. However, that is not the concern of the Faculty Senate, which is to speak for the faculty and recommend.

### 7. Old Business

None.

### 8. New Business

None.

### 9. Comments from Guests

None.

### 10. Adjourn

**Motion to Adjourn: Patrick Brown**  
**Second: Susan Epps**  
**Meeting Adjourned**

*Please notify Senator Ashley Sergiadis ([sergiadis@etsu.edu](mailto:sergiadis@etsu.edu), Faculty Senate Secretary, 2020-2021) of any changes or corrections to the minutes.*

Approval of Resolution in Support of SGA (as referenced in 5.1)

WHEREAS the ETSU SGA resolved that ETSU must cut ties with institutions that discriminate on the basis of prejudice;

WHEREAS ETSU mission states that “DIVERSITY of people and thought is respected;” therefore the Senate must

RESOLVED to recognize the students resolution as commendable because it reflects ETSU core values, and also

RESOLVED to follow their resolution making the same recommendation.

Moved by \_\_\_\_\_

Second by \_\_\_\_\_

Endorsed by

\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2020  
Mr. Stephen Hendrix, MBA  
President, ETSU Faculty Senate

## Meeting with Dr. Noland

11/12/2020

### Questions submitted by Senators

- Anonymous question from one of our faculty: I believe administration previously said they were holding a decision about raises until December. Is anything known at this time about whether faculty and staff might receive raises in December, and if there would be catch-up on months back to July, or if we should not expect raises during 2020-2021.

**Answer: We do not anticipate salary raises across the board this year as there were no dedicated state funds for raises. However, there are colleges implementing incentive plans and one-time bonuses, which is allowed under our current budget model.**

- I was talking to an employee at TNTech who is interested in applying to one of our programs. She was checking into the tuition assistance and was told that they had just made the decision to have it apply only for TN Tech, not available for use at other institutions. She said they told her it was a budget thing. Is that something we need to be concerned about here?

**Answer: This has not been discussed at ETSU. We do not anticipate enacting such a policy in the near future, although we would like to limit it to ETSU.**

- What specifically would be involved with "cutting ties" with Milligan? What activities would be impacted and how? Thank you.

**Answer: Dr. Noland has met with legal and leadership to discuss the resolution's implications. He is still working through what this resolution would affect. He asked the Executive Committee their feedback on the resolution. The Executive Committee discussed questions they had regarding the scope of the SGA resolution. SGA requested Dr. Noland respond within 14 days to the resolution. The Executive Committee informed him that Faculty Senate would be voting on their own resolution in response to the SGA resolution. Dr. Noland intends to delay comment from his office so that Faculty Senate and Staff Senate can respond and provide their perspective.**

### Other Notes

- Board of Trustees meeting is on Friday, November 13<sup>th</sup>. Some topics will include adjustments to the budget by B.J. King and updates on enrollment and the provost search.
- Update on Provost Search: On the search committee, there will be representation from each college, Presidents from SGA/Faculty Senate/Staff Senate/Retirees Association, and a community representative (Nancy Dishner). Parker Executive Search was chosen to assist with the search. Dr. Noland has served on search committees led by Parker as well as other search firms. Based on his experience, this search firm is trustworthy, transparent, aggressive, and brings diverse candidates that are a good fit for the position. There will be opportunities for campus feedback beyond the search committee. The plan is to advertise in late February, conduct Zoom interview in March, and on-campus interviews in April. The deadline is open until filled in order to be flexible due to the uncertainty of COVID-19. The search firm explained that we need to recruit more candidates because more drop out of the process due to COVID-19 related issues.



- Update on Budget/Enrollment: Enrollment is solid for Spring 2021. The budget for this academic year will remain the same. We do not anticipate state reductions of operating funds. Enrollment projection for next year will be 400-500 lower in part due to a smaller sophomore class. In terms of budget, we can manage this reduction in enrollment. There are budget challenges with athletics but that is a separate and distinct from ETSU as a whole.
- Sunset Audit will be released next week. Every 8 years, the state does a top to bottom review of the six universities formerly under TBR guidance. ETSU had one finding, which was fewer than the other universities. There were inconsistencies between our crime logs and Clery reports. In addition, there is not a process to check accuracy. This does not put our campus safety at risk. Example of inconsistency: The crime log stated that a certain crime occurred on 1/2/17 but in the Clery report it listed 2/1/17. There were also a number of observations. The President made motions (on retirements) at BoT meetings that the board acted upon. The Chair of BoT did not attend the full number of finance meetings, because the finance and academics meetings are at the same time. (Meetings are no longer scheduled at the same time.) Our counselor to student ratio does not meet accreditation standards.
- Dr. Noland encourages everyone to take precautions to keep you and your family safe. There will be an announcement to encourage COVID-19 testing before and after Thanksgiving. There are not plans to close the campus like we did in March because our plan is working. Currently, have less than 30 students in quarantine and 30 positive COVID-19 cases. The attendance threshold for events was mentioned: <https://www.etsu.edu/coronavirus/events-community/>
- Dr. Noland has received Faculty Senate's resolution on parental leave. This will be looked into more closely during Spring 2021.

Senate Exec did not have a formal meeting with Dr. Bishop on Nov 17. However, Senate Exec asked a question around a letter to be included in T&P Dossier concerning the impact of the pandemic. Dr. Bishop provided the following response -

Thanks, Stephen. The letter has not gone out. I thought I would send it at the end of this semester – thinking it would have more credibility for the entire AY 20-21. So no one has missed it, but should be on the look out for it no later than exam week in December.

An update on dean searches:

Clemmer dean search is in the penultimate interview stage. I anticipate a report from that search committee by the end of the week, and subsequent interviews/actions will evolve from that report.

Nursing dean search committee being chaired by Dean Byrd has begun its work. Plans are to have interviews hopefully in March 2021.

Request:

Please encourage faculty to reach out to students as the semester closes. We are getting reports that our students, and I imagine faculty also, are feeling a lot of pressure as the semester draws to a close. We sincerely want students to return to campus for Spring semester. Faculty outreach during this time, especially to students who seem to be less involved, may make the difference to their return to school in the Spring.

Best wishes for a Happy Thanksgiving to all.

Approval of Resolution in Support of SGA (as referenced in 6.8)

Whereas ETSU SGA has voted on a resolution that aims at fighting against prejudice in the workplace in order to improve our society through equitable employment opportunities;

Whereas we believe such resolution has flaws because it could cause more harm than do good to ETSU community and to East Tennessean region, by preventing collaborative research between our faculty and other faculty, who are not at fault, from institutions that might have values that allow prejudice to flourish, or by preventing ETSU students to receive grant funds generated by aforementioned possible partnerships;

Whereas we applaud our students' resolve to take a stand against all forms of prejudice; and recognize that their voices should be heard and acknowledged respectfully;

Whereas we value the open exchange of thoughts and ideas, even if different from our own individual ones;

Whereas ETSU is an institution that values and fosters diversity of people in our region, as it can be seen through the community engagement work of centers such as the Dr. Patricia Robertson Pride Center, the Women's Studies Center, the Mary V. Jordan Multicultural Center, the Language and Culture Resource Center, and the Office of Equity and Inclusion;

*Resolved*, that the Faculty Senate reaffirms ETSU's values and place as a safe harbor for students, faculty, and staff and as such we will set the example for Equity, Inclusion, and Social Justice and recommends that our institution continue to expand and support aforementioned centers in order to broader the impact they have in the East Tennessean community as a whole.

Moved by \_\_\_\_\_

Second by \_\_\_\_\_

Endorsed by

\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2021

Mr. Stephen Hendrix, MBA  
President, ETSU Faculty Senate

Whereas ETSU SGA has voted on a resolution that aims at fighting against prejudice in the workplace in order to improve our society through equitable employment opportunities;

Whereas we believe such resolution has flaws because it could cause more harm than do good to ETSU community and to East Tennessean region, by preventing collaborative research between our faculty and other faculty, who are not at fault, from institutions that might have values that allow prejudice to flourish, or by preventing ETSU students to receive grant funds generated by aforementioned possible partnerships;

Whereas we applaud our students' resolve to take a stand against all forms of prejudice; and recognize that their voices should be heard and acknowledged respectfully;

Whereas we value the open exchange of thoughts and ideas, even if different from our own individual ones;

Whereas ETSU is an institution that values and fosters diversity of people in our region, as it can be seen through the community engagement work of centers such as the Dr. Patricia Robertson Pride Center, the Women's Studies Center, the Mary V. Jordan Multicultural Center, the Language and Culture Resource Center, and the Office of Equity and Inclusion;

*Resolved*, that the Faculty Senate reaffirms ETSU's values and place as a safe harbor for students, faculty, and staff and as such we will set the example for Equity, Inclusion, and Social Justice and recommends that our institution continue to expand and support aforementioned centers in order to broaden the impact they have in the East Tennessean community as a whole.

Moved by \_\_\_\_\_

Second by \_\_\_\_\_

Endorsed by

\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2021

Mr. Stephen Hendrix, MBA  
President, ETSU Faculty Senate



**STUDENT GOVERNMENT  
ASSOCIATION**

EAST TENNESSEE STATE UNIVERSITY

**Student Senate**

*of the*

**East Tennessee State University**

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**SSR-20-006**

Executive Vice President Seth Manning presents the following legislation to the East Tennessee State University Student Government Association.

**A resolution that condemns Milligan University for its abhorrent stance toward its handling of LGBT issues and calls on the University leadership to cut select partnerships including but not limited to athletics events and use of University monies that are paid to Milligan.**

**WHEREAS**, Milligan University recently forced a professor to either resign or renounce their "lifestyle" based on that professor's sexual orientation

**WHEREAS**, sexuality, like race or disability status, is not a lifestyle choice and therefore any action taken against an individual of such class is a direct attack on their legitimacy as an individual to exist as a person

**WHEREAS**, ETSU has a direct moral and legal obligation to protect all students and the University Mission and Values Statement clearly states "PEOPLE come first, are treated with dignity and respect, and are encouraged to achieve their full potential; RELATIONSHIPS are built on honesty, integrity, and trust; DIVERSITY of people and thought is respected..."

**NOW THEREFORE BE IT ENACTED BY THE 2020-21 STUDENT GOVERNMENT ASSOCIATION SENATE OF THE EAST TENNESSEE STATE UNIVERSITY THAT:**

**Section 1.** The Student Government Association officially condemns Milligan University's recent actions to force the resignation of a professor on the basis of their sexual orientation as immoral, cowardly, an affront to human rights and dignity, and counter to the revered American values of hard work, equal rights, and respect.

**Section 2.** This resolution calls on the University to end all athletics scheduling, abandon pursuit of future academic agreements, and terminate partnerships in which University monies would be paid to Milligan or other universities with such discriminatory policies and procedures, whether towards sexuality, gender identity, race, age, religion, disability status, or sex of an individual.

**Section 3.** As this resolution's terms have the potential to encompass several colleges and universities, we request that immediate action within reason be taken but also that a University committee be formed to analyze where further action can be pursued.

**Section 4.** This resolution further calls on the University to look to its Mission and Values Statements when creating or renewing any partnerships with organizations, whether other colleges, businesses, or otherwise and to strongly consider disaffiliation when those organizations' values fall into conflict with the University's beliefs.