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12-11-2023

2023 December 11 - University Council Agenda and Minutes

University Council, East Tennessee State University

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AGENDA
University Council
Monday, December 11, 2023
East Tennessee Room
DP Culp Center
8:30 a.m. – 10:00 a.m.

1. Call to Order
2. Roll Call
3. Standing Items
 - 3.1. Approve minutes of the November 13, 2023 meeting
 - 3.2. Review agenda
 - 3.3. Consent agenda items:
 - Student Housing and Meal Plan Accommodations Policy
 - Laboratory Safety Inspection Policy
 - 3.4. Call for Voluntary Reports of UC-Essential Action Items from Governance Organizations
 - 3.5. Sub-Council Reports – University Governance Organizations – Mr. Steven Hendrix
4. Action Items
 - 4.1. Old Business
 - 4.2. New Business
5. Information Items/Presentations
 - 5.1 ETSU Website File Management and Accessibility – Ms. Jess Vodden
6. President’s Report
7. Announcements
8. Adjournment

The next meeting is scheduled for January 8, 2024 at 8:30 a.m.

University Council
Monday, December 11, 2023
East Tennessee Room

1. Call to Order

Provost Kimberly D. McCorkle called the meeting to order at 8:30 a.m.

2. Roll Call

Melissa Nipper led the roll call. Members present were: Ms. Bridget Baird, Dr. Ginni Blackhart, Dr. Joe Bidwell, Dr. Cheri Clavier, Dr. Joel Faidley, Mr. David Finney, Ms. Joy Fulkerson, Ms. Christy Graham, Dr. Adam Green, Dr. Nick Hagemeyer, Mr. Steven Hendrix, Dr. Mike Hoff, Dr. Keith Johnson, Dr. Chris Keller, Dr. Karen King, Dr. Dharendra Kumar, Dr. Sam Mayhew, Dr. Kimberly D. McCorkle, Dr. Brian Noland, Dr. Rob Pack, Dr. Tony Pittarese, Mr. Jeremy Ross, Ms. Pam Ritter, Dr. Richard Sander, Dr. Joe Sherlin, Mr. Mehmet Topyurek, Ms. Jess Vodden, Mr. Trent White, and Dr. Lynn Williams.

3. Standing Items

3.1 Approve Minutes of the November 13, 2023, Meeting

A motion was made to approve the minutes from November 13, 2023, meeting. The motion was seconded; the minutes were approved.

3.2 Review Agenda

There were no changes to the agenda.

3.3 Consent Agenda Items

A motion was made and seconded to approve the items on the consent agenda (listed below). The motion was approved.

3.3.1 Student Housing and Meal Plan Accommodations Policy

3.2.3 Laboratory Safety Inspection Policy

3.4 Call for Voluntary Reports of UC-Essential Action Items from Governance Organizations

Faculty Senate: Faculty Senate President Dr. Ginni Blackhart reported that the Faculty Senate has wrapped up its meetings for the semester and will review and vote on two to three resolutions in the spring. Ms. Bridget Baird will speak with the Faculty Senate about her role and the upcoming legislative session.

Staff Senate: Staff Senate President Mr. David Finney reported that the Staff Senate Holiday Food Drive provided approximately 55 food drive boxes and thanked everyone for their support.

SGA: SGA President Trent White reported that the last Senate meeting of the year was held on Tuesday, December 5. He added that several resolutions would be coming through the next Senate meeting in the spring.

Athletics: Athletic Director Dr. Richard Sander reported that Athletics has been working through personnel issues over the last month, including hiring a new Football coach. Two additional coaching positions, Volleyball and Men's Soccer, are currently open as well, with searches underway. Men's and Women's Basketball teams are doing well.

3.5 Sub-Council Reports

University Governance Organizations: The Sub-Council report was tabled until the April 2024 meeting.

4. Action Items

4.1 Old Business

There was no old business to come before the council.

4.2 New Business

There was no new business to come before the council.

5. Information Items/Presentations

5.1 ETSU Website File Management and Accessibility

Chief Marketing and Communications Officer Jess Vodden reported on new procedures for website file management that will begin in July 2024. Currently, there are thousands of old files lingering on the website; many are outdated, inaccessible, and taking up unnecessary storage space. Beginning in July 2024, files that are on the ETSU website that have not been updated within the past five years will be removed. University Marketing and Communications has communicated this new process to all departments and will offer two content accessibility workshops per month starting in January 2024 to provide training to assist with making all material accessible.

6. President's Report

President Brian Noland reminded the council that the implementation of Voyager will be extended to July 1, 2024. This will allow time for staff to implement the new class and compensation structure in the spring.

He reviewed the budget highlights and emphasized the importance of focusing on retention, just as the university has done with recruitment. He reviewed the construction that will be ongoing over the next three to four years and mentioned the upcoming demolition party for the Campus Center Building. He reported that the university will be leasing the former Northeast State building located in downtown Johnson City from the City of Johnson City. This will provide much-needed space, primarily for the College of Arts and Sciences.

Dr. Noland anticipates housing to be full again in the spring and mentioned that a new residence hall will be needed. A plan for this need will move through the Facilities Strategic Master Plan, which will be presented in early 2024. Currently, the university is exploring transitioning office spaces in former residence halls back into living spaces for students.

Moving into 2024, the advisory committee will continue examining the university's budget model and make recommendations for changes. Leadership also will receive recommendations from the Academic Structure Task Force and the General Education Task Force.

Finally, he thanked the council for its work and leadership throughout 2023. He reminded members that the campus will close at noon on December 21, and will add an extra administrative closure day on January 2, 2024.

7. Announcements

Mr. Mehmet Topyurek, President of the Graduate and Professional Student Association (GPSA), announced that the GPSA will host a social on Friday, December 15, and he thanked the council for helping bring awareness to GPSA.

8. Adjournment

Provost McCorkle adjourned the meeting at 9:08 a.m.

The next meeting is scheduled for January 8, 2024, at 8:30 a.m.



LABORATORY SAFETY INSPECTION POLICY

Responsible Official: **Chief Operating Officer**

Responsible Office: **Environmental Health and Safety**

Policy Purpose

This policy specifies the East Tennessee State University (ETSU or University) Laboratory safety inspection process in compliance with state and federal regulatory requirements.

Policy Statement

The East Tennessee State University (ETSU) Office of Environmental Health & Safety (EHS) will inspect all ETSU Laboratories annually to identify and correct potential Laboratory safety or regulatory compliance issues. This policy applies to all ETSU research and teaching Laboratories and clinics.

I. Roles and Responsibilities.

- A. EHS will schedule and conduct all Laboratory safety inspections.
 1. EHS will inspect the department's Chemical Hygiene Plan (CHP) as well as each individual Laboratory's CHP.
 2. [The ETSU Chemical Hygiene Plan \(CHP\)](#) is available on the EHS website and can be used as a template.
 3. EHS will use the [Laboratory Safety Inspection Checklist](#) when conducting safety inspections, but may also reference any applicable code or regulatory requirement.
 4. Maintenance issues found during the inspection will be documented and entered into the ETSU Work Order System.
 5. EHS will provide compliance guidance to departments on applicable local, state, and federal regulations.

6. EHS will provide guidance on personal protective equipment (PPE), such as nitrile gloves, face masks, coveralls, goggles, etc.
 7. EHS will inspect Laboratory chemical fume hoods to ensure compliance with OSHA regulations.
 8. EHS will update Laboratory signage as needed.
 9. EHS will provide a final Laboratory Safety Inspection Report to the department's OSHA coordinator and department chair.
 10. EHS will provide guidance on how to correct any Laboratory deficiencies or regulatory violations.
 11. EHS will follow-up on any violations or deficiencies to verify corrective actions are taken.
- B. As part of the annual Laboratory safety inspection process, Laboratory personnel will conduct separate, periodic Laboratory safety inspections verifying compliance with the EHS [Laboratory Safety Inspection Checklist](#).
1. Laboratory personnel will undergo [Environmental Health and Safety Training](#), which will be subject to evaluation as part of the annual Laboratory safety inspection process.
 2. Laboratory personnel will correct any violations or deficiencies reported in the final Laboratory Safety Inspection Report.
 3. Laboratory personnel will comply with all related ETSU and EHS policies

Authority: T.C.A. § 49-8-203 et. Seq; [Permissible Exposure Limits](#) (29 CFR 1910.1000, Subpart Z), as established by the Occupational Safety and Health Administration (OSHA) and the [Tennessee Occupational Safety and Health Administration](#) (TOSHA).

Previous Policy: Facilities Management Laboratory Inspection Policy

Defined Terms

A defined term has a special meaning within the context of this policy.

LABORATORY

For the purpose of this policy, a Laboratory is a research and/or teaching facility or clinic that provides controlled conditions in which scientific or technological research, experiments, and measurement may be performed.

Policy History

Effective Date:

Initial: July 2017

Revision: March 2019

Revision:

Procedure

Laboratory Safety Inspection Procedure.

- A. EHS contacts the applicable department's OSHA Coordinator.
- B. EHS and the OSHA Coordinator schedule the annual Laboratory safety inspection, utilizing the [Laboratory Safety Inspection Checklist](#).
- C. EHS will notify department chairs and deans of the scheduled Laboratory inspection and the results.

Procedure History

Effective Date:

Initial: July 2017

Revision:

Related Form(s)

[Laboratory Safety Inspection Checklist](#)

Primary: Environmental Health and Safety

Secondary: Facilities Management



MEMORANDUM

TO: University Council

FROM: Chris Hurley, ETSU Health and Safety Specialist; Mary Little, Director, Disability Services; Kay Lennon-McGrew, Esq., Deputy University Counsel & Policy Counsel; Harden Scragg, Esq., Assoc. Policy Counsel

DATE: 12/11/2023

RE: Policy/Policies for 12/11/2023 UC Meeting

I. Housing and Meal Plan Accommodations.

A. Policy Purpose.

This policy specifies the requirements for a student with a Disability to request a housing or meal plan accommodation. A copy of the policy is attached.

B. Public Comment Period.

This policy was posted for public comment from 11/15/23 through 11/29/23. The following substantive comments were received:

1. Comment from: Leonard Granda:

"I agree the definition of undue burden needs to change. According to ADA in Section II (and III if private funds) and Section 504, Once a student has sufficiently documented that he or she has a qualifying disability, a college is responsible for providing reasonable accommodations or modifications that do not result in unfair advantage, require significant alteration to the program or activity, result in the lowering of academic or technical standards, or cause the college to incur undue financial hardship. Financial resources is not only from the state but also federal and local and private donations. please remove "facts about reasonable accommodations that make the request unreasonable". it's too vague and not clear.

I would suggest defining undue burden as any modifications or accommodations that shall not be fundamentally altered that cause extreme or significant difficulties or expense to the university or its programs.

One example of alternation is to place a Deaf student that uses American Sign Language in a housing that provides Living and Learning community for students interested in taking ASL or pair up with a roommate that may be able to use ASL or is learning ASL on campus.”

Sponsor’s Response: The defined term has been revised to take your comment into consideration.

2. Comment from Susan Epps:

“In the defined terms, the definition of undue burden reads that the facts are an undue burden; isn’t an undue burden an accommodation that would create unreasonable expense or difficulty?”

Sponsor’s Response: The defined term has been revised to take your comment into consideration.

3. Comment from Darryl Stevens:

“This policy looks reasonable and pretty clear. I’ve been on the housing and dining contract appeals committee for about 25 years and heard a few cases related to accommodations. This should streamline things and be better for both the student and the university.”

Sponsor’s Response:

Thank you for your comment.

C. Legal Review.

The Office of University Counsel completed its review of this policy on DATE and found no legal issues.

D. Recommendation.

IN CONSIDERATION of all of the above, the Office of University Counsel confirms the requirements under the Policy and Development and Administrative Rulemaking Policy have been met and the Office of Disability Services recommends **APPROVAL** of the Housing and Meal Plan Accommodations Policy.

II. Laboratory Safety Inspection Policy

This policy specifies the East Tennessee State University (ETSU or University) Laboratory safety inspection process in compliance with state and federal regulatory requirements.

B. Public Comment Period.

This policy was posted for public comment from 11/06/23 through 11/20/2023.

No comments were received during the public comment period.

C. Legal Review.

The Office of University Counsel completed its review of this policy on 11/28/2022 and found no legal issues.

D. Recommendation.

IN CONSIDERATION of all of the above, the Office of University Counsel confirms the requirements under the Policy and Development and Administrative Rulemaking Policy have been met and the Office of Environmental Health and Safety recommends **APPROVAL** of Laboratory Safety Inspection Policy



Housing and Meal Plan Accommodations	
Responsible Official: Vice President of Student Life and Enrollment	Responsible Office: Disability Services

Policy Purpose

This policy specifies the requirements for a student with a Disability to request a housing or meal plan accommodation.

Policy Statement

ETSU is committed to promoting accessibility and providing Reasonable Accommodations where necessary for students with Disabilities. This policy applies to a student living on campus with a meal plan.

I. Housing Accommodations.

Upon acceptance to ETSU, an individual who has been approved to live on-campus may request Reasonable Accommodations to their housing assignment due to a Disability at any time following acceptance, including before a housing assignment has been made. The Office of Disability Services will review the student's request and documentation of the Disability to make a decision and recommendation to the Office of Housing. The Office of Housing will attempt to accommodate any request approved by the Office of Disability Services if housing options are available. ETSU is not required to provide an accommodation that causes an Undue Burden to the university.

II. Meal Plan Accommodations.

Upon acceptance to ETSU, an individual who intends to live on-campus may request Reasonable Accommodations to their meal plan due to a Disability at any time following acceptance. The individual may be required to meet with the meal plan provider dietician to determine available options. The Office of Disability Services will review the student's request and documentation of the Disability to make a decision and recommendation to the university's meal plan service provider. The meal plan service provider will attempt to accommodate any approved request. ETSU is not

required to provide an accommodation retroactively or one that causes an Undue Burden to the university.

III. Temporary Accommodations.

A student with a Temporary Disability may request Reasonable Accommodations for the duration of the injury or condition.

Authority: Focus Act § 49-8-203, et.seq., Section 504 Rehabilitation Act, Title II of the Americans with Disabilities Act (ADA)

Previous Policy:

Defined Terms

A defined term has a special meaning within the context of this policy.

Disability	A physical or mental impairment that substantially limits one or more major life activities. A person with a Disability has such an impairment currently or is regarded as having an impairment.
Reasonable Accommodation	Adjustments to practices, policies and procedures that enable a student with a Disability to have an equal opportunity to engage in all aspects of university life.
Temporary Disability	A physical or mental impairment that substantially limits one or more life activities and that is expected to last 6 months or less; however, extensions may be justified depending on the disability.
Undue Burden	A significant financial burden that cannot be met by the university or a time period that is too short to meet the request.

Policy History

Effective Date:

Revision Date:

Procedure

I. Requesting an Accommodation.

A student requesting an accommodation for their housing assignment or meal plan:

- A. Contacts the Office of Disability Services for an appointment; and
- B. Provides the information and/or documentation requested by the Office of Disability Services.

II. Review of Requests.

The Office of Disability Services:

- A. Reviews the information provided by the student;
- B. Approves or denies the request for accommodation;
- C. Notifies the student in writing of the decision; and
- D. Notifies the Office of Housing or the university meal services provider, as appropriate, if the accommodation request is approved.

Related Form(s)

Procedure History

Effective Date:

Revision Date:

Scope and Applicability

Primary: Academics
Secondary: Students



EAST TENNESSEE STATE
UNIVERSITY

ETSU Website File Management

New Procedures Effective July 1, 2024

New Website File Management Procedures

Current State

- The ETSU website houses **hundreds of thousands** of web pages and files — many of which haven't been updated or reviewed in many years.
- These files historically have been maintained on the web server indefinitely.

New Procedure

- Webpages and attached files housed on the etsu.edu domain and subdomains must be reviewed and updated at least every 5 years.
- Updates must include optimizing old files for accessibility.
- **Files that haven't been updated in the past 5 years will be subject to automatic removal starting July 1, 2024.**

Why?

- **Quality control:** Many of these public-facing files are outdated or inaccurate.
- **Accessibility:** Many of these files fail to meet required accessibility standards, which creates legal risks and is counter to our values.
- **Storage:** Continuing to accumulate files in perpetuity is a waste of digital resources.

Next Steps

- Attend a Content Accessibility Workshop in the Spring.
- Update any important files on your website that were last updated prior to July 1, 2018.



Website File Management: FAQs

What types of files must be updated?

- Web pages
- PDFs
- Any file that is housed on the etsu.edu domain or subdomains for downloading, such as MS Office documents, audio files, or video files

How do I learn to optimize for accessibility?

- Participate in one of the twice-monthly Content Accessibility Workshops that UMC will host this spring. Details will be provided in the Weekly Update and on the University Events Calendar.
- Visit etsu.edu/brand for [accessibility tips and resources](#)

What about files I'm linking to on other sites or embeds?

- If a file is housed on another site and your page is merely linking to it, you are **not** responsible for updating the linked file.
- Embeds such as YouTube videos do not need to be updated. You should, however, strive to optimize all content you produce for accessibility.

What if I can't get my files updated by July 1, 2024?

- If you have several files that need updating and you are worried about the timeline, notify the UMC web team at cms@etsu.edu.



Website File Management: FAQs continued

What if I no longer need my files to be on the website, but I would like to keep copies?

- Log in to your website and save the files somewhere else. If you have trouble doing this, email cms@etsu.edu for help.

What if I no longer need these old files?

- Great! We'll automatically delete them for you sometime after July 1, 2024.

Is this an annual process moving forward?

- Yes. Effective July 1, 2024, files that have not been updated in the most recent five fiscal years are subject to automatic removal.

Will UMC send annual reminders about updating files?

- Yes. UMC will send reminders to ensure old files are reviewed and updated twice per year moving forward. These will be included in the Weekly Update to faculty and staff and via email to all website editors.

If you delete my files, are they gone forever?

- That depends on how quickly you let us know you need them restored. The safest bet is to ensure they are updated if you want to keep them.

What if I have additional questions?

- Email the UMC web team at cms@etsu.edu.



Contact

University Marketing & Communications (UMC)

Website Team

(423) 439-4317 • cms@etsu.edu

