

## University Assembly

April 21, 2021

### TEAMS Meeting

**Members Present:** Adams, Allcott, Airhart, Allen, Bates, Blair, Brachey, Z. Brown, Bryant, Buntin, Craven, Drexler, Duncan, Fornehed, Fowler, Frye, Gotcher, Hajdik, Hanna, Harris, Harvey, Honeycutt, Howard, Jones, Killman, Kolodziej, Langford, Larimore, Lay, Luke, Luna, Manginelli, Maxwell, Meadows, Melichar, Mills, Nelson, L. Norris, Null, O'Connor, Ojo, Pardue, Payne, Rand, C. Roberts, J. Roberts, Roth, Russell, Shank, Shipley, Slater, D. Smith, T. Smith, Smith-Andrews, Stein, Stinson, Stretz, Swartling, Swartzentrover, Taylor, Weathers, Wells, Wilbanks, Winkle, Wilson, Witcher, Zagumny.

**Members Absent:** Bohannon, C. Brown, Chang, Ding, Edmonds, Isbell, Laningham, Lee, S. Norris, Paradis, Rogers, Semmes, Wilcox, Womack.

**Non-Voting Members Present:** Braswell, Bruce, Clark, Holt, Johnson, Oldham, Owens, D. Smith, Schrock, Stephens,

#### Summary of Proceedings:

Approved agenda

Approved minutes from November 18, 2020

Approved revised International Undergraduate Admissions Policy 242

Approved revised Transfer Credit for International Undergraduate Students Policy 243

Approved revised International Undergraduate Students Readmissions Policy 244

Received annual report from Information Technology Committee

Received annual report from International Affairs Committee

Received annual report from University Planning Committee

Received report of the Academic Council for Spring 2021

Received report of the Administrative Council for Spring 2021

Received remarks from President Oldham

Other such matters

**Proceedings:**

President Oldham called the meeting to order at 3:35 p.m. President Oldham stated that as a reminder and for those new to the Councils that the University Assembly was a joint meeting of both the Academic Council and the Administrative Council that met once each semester. President Oldham indicated that according to Policy 102 University Committees: The University Assembly receives, reviews, and approves reports from the Academic Council, Administrative Council, and the standing committees that directly report to the University Assembly. The University Assembly also considers matters designated by the President for review.

Lisa Zagumny motioned to approve the agenda and Dennis Duncan seconded. Jeannette Luna motioned to amend the agenda with the addition of approval of revised Policy 223. Sandi Smith-Andrews seconded. Lori Bruce questioned why this policy was being brought to the University Assembly and the other policies that had been approved by Academic Council were not. Diane Smith clarified that the policies that are on today's agenda report directly to University Assembly and do not go through either Council adding that Policy 223 reports to Academic Council. Luna withdrew her motion to amend.

Smith-Andrews asked to modify the agenda to include a procedural question prior to agenda item 8. Smith-Andrews asked if the Academic Council report was accepted did that automatically constitute approval of all the policies therein. President Oldham confirmed that acceptance of the report would move it to ratification. President Oldham suggested that if the issue was with one of the reports, that we address it within that part of the agenda. Motion APPROVED with one nay and three abstains.

A motion to approve the minutes of November 19, 2020, was made by Duncan and seconded by Zagumny. Motion APPROVED with two abstains.

Charlie Wilkerson presented revised International Undergraduate Admissions Policy 242 which had formality changes. International Education previously reported to Academic Affairs and currently reported to Enrollment Management. Zagumny motioned to approve. Seconded by Smith-Andrews. Motion unanimously APPROVED.

Wilkerson presented revised Transfer Credit for International Undergraduate Students Policy 243 and explained the revisions to the reporting structure for International Education and to Section C regarding the different credits that could be awarded from different countries. Zagumny motioned to approve. Seconded by Duncan. Motioned APPROVED with three abstains.

Wilkerson presented revised International Undergraduate Students Readmissions Policy 244 explaining the policy dictated that Policy 1202 be followed and it also updated the reporting line to the Vice President of Enrollment Management. Zagumny motioned to approve. Seconded by Duncan. Motion APPROVED with two abstains.

Yvette Clark presented the annual report for Information Technology Committee which met four times during the semester. Clark said the Committee discussed the Help Desk ensuring there were enough service people to answer calls. Clark indicated that two additional ad hoc committees were added; one to review software and digital services request forms and another to look at the technology purchase process.

Brian O'Connor motioned to accept the report. Zagumny seconded. Holly Stretz requested information on future software. Clark indicated that Bedelia Russell, Jason Beach and she would create a list with a time frame and road map. O'Connor asked if the University was migrating to TEAMS and away from ZOOM. Clark responded that the long-term plans for virtual meetings needed to be determined indicating that full site licenses could not be maintained for both. Motioned APPROVED, one abstained.

Wilkerson presented the annual report for International Affairs Committee. The main focus was on four policy revisions and the committee also discussed the new ESL program that would be started in summer or fall. Zagumny motioned to accept the report. Seconded by Mills. Motion unanimously APPROVED.

Dewayne Wright presented the University Planning Committee Annual Report. Wright stated that progress had been made on the Strategic Plan with a full time Chief Diversity Officer named, Presidential Task Force appointment and the creation of a Diversity Student Recruitment Program. Wright added that regarding education on the budget models, that subcommittees were added to the University's Budget Advisory Committee. Duncan motioned to accept the report. Zagumny seconded. Stretz thanked Claire Stinson's group for giving an educational talk on the budget to the Faculty Senate. Motion APPROVED, one abstained.

Lori Maxwell presented the Academic Council Report for Spring 2021. Academic Council met two times virtually, March 10, 2021 and April 14, 2021 adding that the February 3<sup>rd</sup> meeting was cancelled due to the lack of agenda items. Maxwell summarized the report which was submitted with the agenda. Maxwell reported that Professor Kimberly Winkle was elected by acclamation as Chair of the 2021-2022 Academic Council. Douglas Airhart motioned to accept the report. Matt Langford seconded.

O'Connor indicated that he understood that the Academic and Administrative Council Reports are provided to the University Assembly who then accept the reports as what occurred in the Councils. If the University Assembly feels compelled to act on any of the issues brought forward by the Council, they have the right to do so. If no action is brought forward then the action of the Council stands. We can accept the report, then decide to act on any discussion on any particular policy.

Dan Allcott acknowledged O'Connor's understanding but stated that University Assembly was very unstructured and that there was no apparatus for that and that's why this discussion was necessary.

Smith-Andrews added that the Procedures for University Assembly stated that there are no procedures on the very first line.

President Oldham indicated that now was the time, during this discussion, if there were concerns about anything within the report, to bring it up now in the form of a motion.

Smith-Andrews motioned on the behalf of the Administrative Council, I move to withdraw revised Policy 223 as elements within the policy extend beyond the Academic Council and into and under the scope of the Administrative Council who has not had an opportunity to review it. Allcott seconded.

President Oldham indicated he felt there were discussions needed on this subject and opened the floor for questions. Smith-Andrews stated those on Administrative Council had not had an opportunity to review Policy 223 until it was presented at Faculty Senate. Smith-Andrews indicated that meant that only half of the shared governance system was in place despite the fact that many of the elements in the policy fall under the auspices of Administrative Council, such as, the Library, Bookstore, Information Technology Services, etc. Basically, Administrative Council wanted an opportunity to be a part of the process. The previous policy was fine because it did not tread in those areas but the new policy clearly had areas that fall under Administrative Council.

Bedelia Russell commented that she was responsible for the review of the policy. Russell became aware that there were questions on the previous day and it was her impression that University Assembly was the opportunity to address the concerns since it was a joint assembly. Russell offered to provide context and answer any questions from the floor. Russell indicated that the items that Smith-Andrews mentioned were all headers in the original policy and the policy did not show routing to the Administrative Council previously. Stretz had previously asked about the policy going to Administrative Council and so a copy of the policy was placed on the TEAMS site for Administrative Council on April 7<sup>th</sup>. Russell indicated she did not receive comments following that submission.

Russel stated that a copy of the policy was not included here due to the procedural question; it was not an intentional exclusion for the larger assembly. Russell noted that the original policy was developed in 2017 and past due for scheduled review in 2019, and in addition, it needed revision for the upcoming SACSCOC interim report, which necessitated language changes/updates. The intent was to insure there was adequate faculty support, student support and include all those appropriate services that the current policy did not include. Russell indicated that she was tasked with getting a policy aligned with our current practice that we adopted when we moved from remote to online education.

Russell noted that the policy was entitled Distance Education and it was expanded to include Online and Distance Education. At the request of Graduate Studies, it now included both graduate and undergraduate courses and programs. Russell met with ITS, CITL, the full Dean's Council which included the VP of Enrollment Management, the Vice President of Planning and

Finance and Stretz, Faculty Senate President. Dean's Council also included the Library, Graduate Studies and IR.

Russell noted that when she began the revision in September 2020 and began going through those headers, which again had not changed from the original policy, she checked with each of those areas to verify accuracy and current practices, etc. Dean Gotcher pointed out that we now have Dual Enrollment which should be included in the definition of distance education as well as Dean Zagumny asking about 2 + 2.

Russell stated that the new policy reflected current infrastructure of support, it included operational definitions that came out of task forces both in the summer and the fall. The policy now reflected some best practices which are part of the SACSCOC and the NC-SARA guidelines which stated what is to be done and who was responsible for doing it. Russell indicated that the published policy had reference to "traditional" faculty as compared to "online" faculty. Russell replaced "traditional faculty" with simply faculty because all faculty are doing some of both, so it actually broadens the coverage and support for all faculty.

Russell noted that the published policy included other policy numbers that were outdated and unit reorganizations and renaming that had occurred since 2017, which were changed in the revision. Russell added that all of these items were presented to Academic Council at the time of the revised policy. One question received in Academic Council, I think was from Dr. Stretz, asking if Intellectual Property was included, and like the original policy, it was.

Russell commented that if there were specific sections of that policy that we need to absolutely reconsider, to please let her know so we can get this right. Russell indicated that she did not know the timing of when the reaffirmation report for SACSCOC needed to be submitted because the current policy is not accurate and does not reflect current practices. Russell indicated that this was approved in Academic Council unanimously and she only received two questions at the time. A copy was distributed, as requested, a few weeks ago.

Smith-Andrews acknowledged receiving the copy a few weeks ago and restated that the motion on the floor was to have it reviewed by Administrative Council; the reason is that half of shared governance had no opportunity to take a look at this policy and it is pretty substantive. Faculty Senate spent about an hour on the agenda item this past Monday and there were too many concerns, unless everyone wanted to be here another hour or so. Smith-Andrews indicated she could either withdraw her motion or table the policy until Administrative Council could review.

Russell directed back to the procedural piece, she's not clear of the scope of the concerns. Russell would have liked to have been able to attend Faculty Senate, to be able to answer those concerns, to expedite this but did not receive an invitation.

Stretz indicated that it had been difficult because they began paying attention late in the game and had it gone through Administrative Council, this might have been picked up earlier and discussed earlier. After it was presented in Dean's Council, Stretz sent it forward to Faculty Senate but it had to wait for a Senate meeting to discuss.

Stretz gave an example in Part B, 1-a., that has a part that describes the annual Agreement of Responsibilities (AOR). Stretz did not understand why the Agreement of Responsibilities was discussed in this policy on distance education, adding whether the CITL was going to be involved in negotiating an Agreement of Responsibilities? Stretz stated that this was not clear in the policy.

Russell indicated that was an example of language that was in the published policy. Stretz noted that was what we should be doing, was to make the current policy fit better to what was occurring. Russell added in regard to evaluation, both SACSCOC and NC-Sara said that we have to indicate how faculty who specifically teach in an online environment are evaluated. So, the current policy that is published drew a distinction between the faculty who taught online and the faculty who were that “traditional” faculty, whatever that meant at that time – I think we can all assume that it was the physical, present in the classroom person. Russell suggested that if we have a policy that applies to faculty, and we have well established policies that apply, why would we not want to have that across all methods of delivery? Russell added that as a faculty member, she would want that.

Stretz stated that we should make it clearer that evaluation and Agreement of Responsibilities are between a chair and the faculty. Russell asked where it stated that CITL would evaluate? Smith-Andrews said that it states the CITL would evaluate and do it annually.

Rand added that the point was not whether the faculty should or should not be evaluated by the AOR, the fact is that since the AOR was included, that becomes an Administrative Council issue to address as well. Rand stated, if the policy was going to be revised by the Academic Council aspects, it also needed to have the opportunity to be reviewed by the Administrative Council as well because there are areas that fall under their responsibility. Rand added he saw two big areas he was concerned about. First, it is not simply a revision and update of the old policy but included significant aspects that did not exist before, specifically things like CITL was now going to be doing an annual quality check on all online courses based on national standards. Rand indicated that that was new and no one has had a chance to review, adding that chairs and faculty were not asked about this.

Rand indicated that there were a lot of other things in here that relate to this issue of relationship between faculty. Rand stated that this policy came through Academic Council, and he was on the committee last summer, and he objected to much of this then, and as soon as he was off and couldn't object, this is in the policy.

Secondly, Rand stated that he believed there were flaws in this policy with holes in it that needed to be addressed and fixed before it was set in policy. As we have learned, policies have the effect almost of laws. Rand also objected that there were things that were not policy and were actually procedures and should be separated, stating that we have worked hard to separate procedures from policy previously. Rand again stated that the policy needed more work before being included in Policy Central.

Russell indicated that she did not disagree with what anyone was saying and that was why she was present, to hear input and get specific examples of where the issues were. Russell added that she had been continuing discussion with EMCP regarding the ERP within the policy. Russell said that there had to be a starting point and policies were meant to be revised but the current published policies had all of these elements in there that did not go through Administrative Council the first cycle through.

Russell noted that now we had a larger scope, and she had asked on two or three occasions if this needed to go through Administrative Council and, in essence, was told to follow the approval process. Russell added that she would love edits and specific things, and clarified that the task force previously also did not include her either. Russell also clarified that there were chairpersons who were included in this review and she was sorry he was not one of them.

Rand added that there were issues with this policy, and he should have been included as a chair with a number of faculty. Rand added that he thinks that faculty are not going to respond well to the CITL being in the role of the arbitrator of the quality of their classes when that quality benchmark has not been defined. Rand also stated that it screamed to him to accomplish this, for the CITL to do an annual quality check on every single distance class, which was included in the policy, would require a tremendous increase of personnel and budget, and asked where that was going to come from? Rand stated that this presumed that the chairs were not doing this.

Russell explained her perspective coming from Nursing was that was what happened within the department for curricula review still and that stays in place, this had to do with quality assurance. Russell stated she hoped that everyone wanted students to have high quality online courses that had gone through some evaluation. Russell added that this was a service that was currently within the scope of CITL and a fee was being assessed. Russell asked Rand if he was asking that the scope and mission of the CITL be changed? Rand said he was suggesting that this changed the scope of the CITL. Rand added that he thought that currently the CITL did not take the position that they do this every year and that they would submit these recommendations.

President Oldham indicated he felt like everything was on the table that needed to be.

Provost Bruce added that she was concerned about what was voiced, that this policy should have gone through Administrative Council. Bruce stated that she had spent time previously looking at the Council and Assembly charges, to have a better understanding of why policies were approved in various ways. Bruce took issue with the fact because it had something about AOR, it meant it should go to Administrative Council. Bruce said that to her knowledge, AOR's are purely an academic affairs phenomenon; a purely faculty planning document for the faculty to have with their chair, Policy 223 was an Academic Affairs policy. Bruce stated that personally, as the Chief Academic Affairs Officer, she didn't want Administrative Council deciding about academic issues about courses, coursework and course delivery. Bruce noted that it was one thing if it was administrative, but she was am very protective about academics and academic affairs.

Secondly, Bruce felt like it was not accurate to say that no one had a chance to review this policy. It went through Academic Council and was unanimously approved. Bruce added that some may think that their representatives on Academic Council did not do their due diligence while reading it but this policy went through the exact processes and approvals it should have. Bruce indicated that she was not saying it was a perfect policy, and some of the issues discussed seemed like legitimate areas of concern. Bruce stated that she didn't want to circumvent shared governance by some saying that we don't like the outcome of shared governance or the decision of the Council, so we want to negate it. Bruce also found that is troubling.

President Oldham asked Smith-Andrews to repeat the motion on the floor. Smith-Andrews restated the motion: On behalf of the Administrative Council, I move to withdraw, or I can modify to table, the revised Policy 223 as elements within the policy extend beyond the scope of Academic Council and into that of Administrative Council and Administrative Council has not had a chance to review it. So, table or pending Administrative Council approval or review.

President Oldham stated that if it went back to Administrative Council for review, it would effectively delay any implementation until late next fall unless we took some emergency action, which we do on occasion. President Oldham added that he wasn't sure that Administrative Council and University Assembly could come back together before next fall.

President Oldham asked if there were other comments or questions about the motion on the floor. Zagumny asked for this policy, if the approval process didn't include Administrative Council, how do we make it work so that it gets reviewed by Administrative Council and then back through Assembly?

President Oldham said that was what this motion would entail. President Oldham indicated that it had already passed Academic Council, unless Academic Council wanted to look at it again, it would go for review of the Administrative Council and then on to Assembly. Oldham stated that this obviously pointed out some issues we had with the way shared governance, as we are structured, and said that he felt like everyone was trying to follow it appropriately and in good faith. Oldham added that whenever we had work that goes through one council and not the other, then you had a potential for there to be some kind of conflict and to his knowledge we did not have a conflict resolution aspect in our procedures on how to handle something like this, so we're trying to do the right thing, whatever that is here.

Rand asked to clarify, so if people vote yes on this motion, what happens? Oldham said if you vote to table, it will pull that policy back out of the report. We could then move to the original motion to accept the annual report as amended. Policy 223 would go back for further review. Allcott asked if the existing policy would still be in place and the President confirmed that he would.

Oldham pointed out that Russell had significant concerns with the existing policy and leaving it in place is also problematic. Russell affirmed that the existing policy references units and positions that are no longer here – the CITL has a different name, a different oversight of distance and online education, states that we have a library liaison that is dedicated to online



teaching or online students and that is not the case; these are a few things that come to mind. Russell added as she had previously stated, the headers had not changed, there were references to policy numbers that had been changed during that time, what happened in six years and what had happened in the last ten months, so we were just trying to catch everything up.

Russell indicated that she did not know when the final cutoff was for the policy to be in effect relative to affirmation but it was much more important that we align the policy with the existing practice that had evolved and had been adopted over the past year so that it is fair to faculty and fair to the students in terms of transparency. President Oldham called the question of the motion by Smith-Andrews. 47 YES, 11 NO, 3 ABSTINCTIONS. Motion to amend the report and table Policy 223 was APPROVED.

President Oldham stated we now had to go back to the original motion to approve the amended Academic Report for Spring 2021 and asked if there were any questions. Hearing no questions, President Oldham call the question to vote. 55 YES, 5 NO, 1 ABSTINCTION. Motion was APPROVED. The amended report was approved.

President Oldham pointed out that Policy 223 goes back for further review. President Oldham added, to be clear, Administrative Council would now take a look at this Policy 223 adding that he thought it was important, that since it has already passed Academic Council, that subsequent changes to this policy may need to be taken back to Academic Council for another review. President Oldham recommended that the two councils have a joint meeting to review the policy and that we will look at the possibility of expediting Policy 223 through University Assembly so as not to wait six months to approve.

Provost Bruce respectfully requested that the policy go back to Academic Council stating that this was an academic policy. Provost Bruce added that it was not currently written to go through Administrative Council; it should go through Academic Council and then University Assembly. Bruce again stated it was an academic policy, adding that once Academic Council read it again, and as a group, they could recommend that it go to Administrative Council, adding that she would be comfortable with this. President Oldham commented that her thoughts were duly noted and he understood the issue. President Oldham suggested that Maxwell and Smith-Andrews confer and meet together with the Provost to figure out the best pathway to get to the root issues and to figure out a process that is acceptable to everybody. President Oldham thanked everyone for the discussion and added that it was important that we get it right and he appreciated everyone's feelings about it.

Smith-Andrews presented the Administrative Council annual for Spring 2021. The Council met two times virtually. Smith-Andrews noted that the March 3<sup>rd</sup> meeting was canceled due to the lack of agenda items. Smith-Andrews summarized, stating that the Council had approved six student organizations' constitutions, two revised procedures, two new policies, six revised policies, tabled one policy for further study, received reports from twenty university committees that report to Administrative Council. Smith-Andrews was reelected chair for 2021-22. Duncan motioned to accept the report. Mills seconded. Motion APPROVED with three no votes.

President Oldham thanked everyone for all their hard work stating that the University had dealt with a lot of highly unusual circumstances with the pandemic. President Oldham gave credit to everyone on campus, students included. President Oldham told the group that two new buildings were celebrated last week and were great additions to the campus adding that more buildings were to come with more outdoor space in development. President Oldham mentioned the addition of firepits and waterfalls and other great spaces to congregate outside.

Oldham stated that Dr. Rob Owens had been appointed as the University's full time Chief Diversity Officer. He thanked and congratulated the Strategic Implementation Team for continuing to do a great job. President Oldham noted that the University was fortunate to be in a state that is fiscally sound adding that the support for higher education and the proposed budget looked very good for Tennessee Tech noting that substantial salary increases were built in, as well as funding for a new engineering building and capital improvement dollars.

President Oldham stated that students come first and thanked everyone making them the priority!

Other such matters: Smith-Andrews asked if a committee could be formed to create formal procedures for the University Assembly. President Oldham agreed and indicated he would work with the Chief of Staff, Lee Wray, and organize a group between the two councils.

Rand motioned to dismiss. Dennis Duncan seconded. Meeting adjourned at 5:03 p.m.

Diane Smith, recorder