

University Council
November 9, 2020
Meeting conducted via Zoom

1. Call to Order

Dr. Wilsie Bishop called the meeting to order.

2. Roll Call

Ms. Amanda Mowell called the roll. Those in attendance were: Ms. Bridget Baird, Dr. Wilsie Bishop, Dr. Bill Block, Dr. Myra Carew, Mr. Scott Carter, Dr. Cheri Clavier, Dr. William Duncan, Dr. Susan Epps, Ms. Kayla Frank, Ms. Joy Fulkerson, Dr. Mark Fulks, Dr. Allen Gorman, Dr. Adam Green, Mr. Stephen Hendrix, Dr. Mike Hoff, Dr. Keith Johnson, Dr. Karin Keith, Dr. Chris Keller, Dr. B.J. King, Dr. Karen King, Ms. Candy Massey, Dr. Sam Mayhew, Dr. Wendy Nehring, Dr. Brian Noland, Mr. Shivam Patel, Ms. Pamela Ritter, Mr. Jeremy Ross, Dr. Don Samples, Dr. Janna Scarborough, Dr. Joe Sherlin, Mr. Joe Smith, Dr. Jeff Snodgrass, Ms. Alicia Williams

Those absent: Dr. Joe Sherlin

Others in attendance: Ms. Mary Cradic, Mr. James Batchelder, Dr. Bill Flora, Ms. Karen Glover, Mr. Cesar Gracia, Dr. Nick Hagemeyer, Dr. Amy Johnson, Ms. Kay Lennon-McGrew, Dr. David Linville, Ms. Amanda Mowell, Dr. Jodi Polaha, Dr. Megan Quinn, Mr. Mark Tipton, Ms. Jessica Vodden

3. Standing Items

3.1 Approve minutes from October 12, 2020 meeting

Several members made motions and the November meeting minutes were unanimously approved.

3.2 Review agenda

There were no changes to the agenda.

3.3 Voluntary Reports of UC-Essential Action Items from Governance Organizations

Mr. Shivam Patel had no report from the Student Government Association.

Ms. Kayla Frank said the Graduate and Professional Student Association hosted in-person and Zoom events and many of the attendees commented they feel stressed and overwhelmed by the remote learning environment. The GPSA will look to host their next in-person and Zoom even in February.

Dr. Allen Gorman said the Council of Chairs continues to explore leadership development opportunities.

Mr. Stephen Hendrix noted that Faculty Senate will vote on a resolution related to family paid leave. At the end of the month, the senate will begin taking nominations for

the Faculty Trustee position to be filled next year. Nominations will be accepted until the end of January.

Ms. Candy Massey reported that Staff Senate is working on Holiday Drive and will distribute food Nov. 18-20. A new Staff Senate website was launched and one of the senate's goals is better communication with staff.

Dr. William Duncan (Research Council) reported that work continues with Ballad Health to establish data use agreements with the Center for Rural Health Research and cardiovascular research. Once these are complete, a template will be available to facilitate access to the electronic medical record data.

Dr. Karen King had no new information to report for the Information Technology Council.

Mr. Scott Carter noted that competition for men's and women's basketball teams begins Nov. 25.

Dr. Bishop had no report for Academic Council.

4. Action Items

4.1 Old Business

No old business was brought before the University Council for consideration.

Next, Dr. Bishop reviewed the process for policy development. Policy Development and Administrative Rulemaking establishes the university-wide procedure for the development, revision, and review of all university policies and procedures. As such, the originating body and University Counsel review new policies or revisions before entering the 14-day public comment period. When a policy is listed on the University Council agenda, it is being presented for substantive character and the merits of the policy, Dr. Bishop said. The comment period provides the opportunity for the entire campus community to submit modifications and feedback. It is the best time to raise concerns and suggest format changes, she added. She then asked Dr. Mark Fulks to talk about the responsibilities of University Council in regards to policy development.

Dr. Fulks said the policy process is coordinated by University Compliance and Ms. Kay Lennon-McGrew has stepped into the policy coordinating role. He reiterated the importance of following the policy on rulemaking so that someone who is subject to discipline or another action as result of a policy cannot challenge its validity and avoid application. He encouraged members of University Council to read the Development and Administrative Rulemaking Policy. Additionally, policy guidelines will be developed so everyone can use the same general format when drafting/ revising policies. Adopting a guidebook will help resolve grammatical issues. Dr. Fulks also noted the importance of determining what is policy and what is procedure – a procedure can be changed at any time; whereas, a policy change requires going through the full process.

Ms. Marlena Rogers has recently joined University Compliance. She and Dr. Adam Green will assist in ushering policies through the process. The overarching goal, Dr.

Fulks said, is to make the policy process as efficient and effective as possible so that everything is taken care of before it comes before University Council for a substantive review. Members have three options:

1. Approve
2. Not approve
3. Send back the draft for revisions (starts the process again)

Discussion commenced about the ability to upload or submit grammatical changes during public comment periods.

Dr. Bishop said she aims to use her remaining time at ETSU to review academic policies. She thanked Dr. Fulks for his review of the process and said members of University Council have a responsibility to be more attentive to public comment periods that are announced in the Weekly Update newsletter.

4.2 New Business

4.2.1. Policy on HRSA Legislative Mandates Restricting the Use of Federal Funds

Ms. Karen Glover presented an overview of the policy that was created to address requirements mandated by the Further Consolidated Appropriations Act signed into law in December 2019, which provides funding for the Health Resources and Services Administration (HRSA). Its intent is to provide information on statutory provisions that limit the use of HRSA grant funds.

The current Legislative Mandates remain in effect until a new appropriation bill is passed; therefore, the following are prohibited from being funded by HRSA grants: (Complete list included in the [policy attachment](#))

- Salary limitations – federal grant funds cannot be used to pay the salary in excess of Executive Level II.
- Gun-Control – no federal grant funds should go toward advocating or promoting gun control.
- Anti-Lobbying – no federal grant funds should not be used to pay for activities designed to influence legislation, etc.
- Restrictions on Abortions (and exceptions) – no HRSA funding shall be expended for any abortion.
- Ban of Funding of Human Embryo Research.
- Limitation on Use of Funds for Promotion of Legalization of Controlled Substances.

Dr. Duncan requested that “HRSA” be added to the title of the policy to discern that the policy does not apply to all federal grants.

Dr. Susan Epps made a motion to accept the policy as presented with the editorial change to the title. Mr. Shivam Patel seconded the motion. It approved unanimously.

4.2.2. Policy on Use of Electronic Signatures

Ms. Glover said the purpose of this [policy](#) is to identify when an electronic signature may replace a written signature when conducting official business on behalf of the

University. It says there must be a mutual agreement by each party to conduct transactions by electronic means when the signature is required by law using an approved electronic signature method. The signature authority already in place should be followed with approval granting that authority, she added. In determining whether to approve an electronic signature method, consideration must be given to the systems and procedures associated with using that electronic signature and whether the electronic signature is at least as reliable as the existing method.

ITS will be responsible for maintaining and collecting an inventory of all approved electronic signature methods. Departments can utilize this inventory but must adopt their own processes to ensure documentation is appropriately stored. Receipts of cash are not eligible for electronic signature.

Discussion ensued about some of the language labeled as “procedure” but could be considered policy. To address these concerns and allow for more time to review, it was suggested that the policy go through another public comment period.

Mr. Stephen Hendrix made a motion to table the policy until the December meeting to allow for further review via a second public comment period. Mr. Shivam Patel seconded the motion. The motion carried.

4.2.3. Proposal for Sub-Council on University Governance Organizations

At the October meeting, Dr. Bishop brought forward the idea of forming a Sub-Council that would serve as a clearing house for directing and facilitating activities related to governance structure of the university.

The proposal for the Sub-Council on University Governance Organizations ([attachment](#)) outlines membership. Dr. Bishop said the sub-council would be a visible and public effort toward shared governance embedded within our university governance structure. The Provost Office would staff it and assist with the website and solicitation of nominations for committee membership. The sub-council would review committees to avoid redundancies and assure each committee is carrying out its respective charge. It would determine the procedure for identifying committee members, training for committee chairs, and overseeing a repository for minutes to document the demonstration of activities of shared governance. The sub-council would be a liaison to University Council for motions from committee for endorsement or approval so that when committees take action it can be implemented and formalized, Dr. Bishop stated. Additionally, it would help committees restructure or dissolve. She said this sub-council would help support shared governance and infrastructure for years to come.

Ms. Candy Massey made a motion to approve the proposal. Dr. Epps seconded, and it was unanimously approved.

5. Information Items/Presentations

5.1 Campus Safety Update

Mr. Jeremy Ross stated that throughout the last 14 months there have been challenges for Public Safety. He thanked Captain Mark Tipton for his work and leadership over this time as Public Safety Officers continued to work when much of campus was

remote. Technology and camera upgrades complement officer patrols, and, like the rest of campus, the department has faced budget cuts, Ross stated. Public Safety recently received Tennessee Law Enforcement Accreditation, which is a reflection of the work and changes implemented. Captain Tipton, chair of the search committee, introduced ETSU's Chief of Police, Mr. Cesar Gracia.

5.2 Update from Quality and Effectiveness Sub-Council

Dr. Cheri Clavier said the sub-council continues to meet monthly to discuss how to roll out the process for academic, administrative, and student support units to work on institutional effectiveness and assessment. The group talked about what is already in process and what is needed. Members participated in a demonstration of a planning and self-study product from Watermark. It was well-received and centralizes the assessment process across the board.

She added that ETSU will be up for reaffirmation with SACSCOC and will be part of the Class of 2023. Work will begin very soon. Dr. Clavier said she was recently notified that ETSU has been approved for the differentiated review, which means instead of writing a full report for 90+ standards, around 40 or so will be required, although there will be a compliance check for the other areas. This will reduce the workload and allow for a greater focus on quality.

5.3 Update on ETSU Surveys of Faculty, Staff, and Students

Dr. Mike Hoff notified University Council that surveys focusing on mental health and COVID-19 would be distributed to all faculty, staff, and students, as well as to temporary employees. The wording of the survey was vetted by the Strong BRAIN Institute. Upon the discovery of a parallel survey focusing on COVID vaccines being developed, Dr. Leigh Johnson and Dr. Megan Quinn were able to partner with Dr. Hoff for one survey. It will contain language about who to contact if a student needs help such as counseling or academic support. Dr. Hoff said he will have a preliminary report a week after the survey goes out. Respondents who indicate they need help will automatically be sent to Counseling Center or other area for follow-up, even if they do not complete the entire survey.

6. President's Report

6.1 Search for Provost

Dr. Noland first thanked Dr. Bishop for the leadership she has provided during several periods of transition including college restructuring and most recently a pandemic. Spring 2021 semester will be her last at the university; therefore, a search must begin for the next Chief Academic Officer and University Provost, he said. Dr. Keith Johnson will lead the search committee and committee members will be notified soon. Parker Executive Search will assist in a national search effort to begin in December and remain open until filled. Dr. Noland anticipates that most candidates will emerge in December and January, and Zoom meetings with candidates will be held in late February/early March. Finalists will come to campus in late March and early April with the goal of a new Provost being named during the spring semester who will begin in July. Dr. Noland said this is this most important search he has been a part of during his tenure as President.

6.2 Strategic Visioning Process

Next, Dr. Noland provided an update on the strategic visioning efforts for Committee for 125 Chapter II, which is presently in the data collection phase as a number of surveys are underway. Focus groups and employer surveys will be conducted, as well as meetings with local superintendents and alumni. An external consultant will help frame the process. Results of baseline information will be shared with campus in the spring. In February or early March, members of the Committee for 125 Chapter II will be announced.

Dr. Noland is hopeful that in-person forums can be held similar to the previous process if a COVID vaccine is available. He anticipates that a complete document will be brought to University Council and campus in fall 2021.

6.3 Budget Update

In his budget update, Dr. Noland said that THEC recently took action on early budget recommendations to the Governor. This was the first step in proposed fee ranges and begins conversations in Nashville around budget recommendations. As Chair of the Council of Presidents, Dr. Noland will present the budget on behalf of universities to Gov. Bill Lee. The THEC recommendation is relatively strong. It provides outcome money, some operating increases, but does not provide salary revenues. The state government took a 12% reduction while higher education was held harmless. Dr. Noland said he was pleased to announce that ETSU had the second best performance in the outcome formula. If Gov. Lee adopts the proposal, then ETSU would receive \$2.2 million in new revenue, and the fee increase cap would be between 0 and 2 percent. The budget will not be finalized until spring, he added.

On the capital side, Dr. Noland said the proposed Humanities Building has been retitled the Academic Building and is No. 5 on the capital project list. He anticipates strong funding for deferred maintenance and support for Quillen College of Medicine. He and Dr. BJ King will begin the campus budget process in December, and Dr. Bishop has scheduled some hearings for colleges in November.

6.4 Board of Trustees

Due to the spike of COVID-19 cases in the region, Dr. Noland said the decision was made to hold the November quarterly meeting of the Board of Trustees remotely. Committee meetings will run consecutively beginning at 8 a.m. followed by the full board at 1 p.m.

6.3 COVID Response Update

During his COVID update, Dr. Noland explained that flexible work structures remain in place, and faculty are continuing to teach remotely or on ground with no changes expected through the end of the fall semester. In the spring, there may be opportunities for small on-ground discussions and activities as Dr. Noland said he shares the concerns of others about the effects of detachment and isolation on mental health. He called on faculty and staff to finish the semester strong and to reach out to students and colleagues to ensure they are doing okay. Discussions around safe capacity for indoor events and athletics is underway and more information will be provided.

Several themes have emerged from focus groups with students, Dr. Noland explained. Freshmen said they would still like the opportunity to participate in Preview and more in-person group activities. Students also explained that they feel an enhanced volume of work has been assigned for remote courses.

6.4 University Relations Update

If ETSU were operating normally, the grand opening of the Martin Center would have dominated the fall semester, Dr. Noland said. While the opening is delayed a bit, there remains a significant need for fundraising and sponsorship support as well as someone to lead community relations associated with the Martin Center. Jennifer Clements has transitioned into a role with University Advancement and will continue to take the lead on university and presidential events as well as a lead role with fundraising and external relations at the Martin Center. The vacancy left behind in University Relations presented an opportunity to step back and look at organizational structure and study top to bottom how we market and tell the story of ETSU. Jessica Vodden is joining the university for the next 9-12 months to help lead strategy efforts in marketing and communication. Many may have already met her as she worked on a baseline assessment throughout the spring and summer. She spent more than 10 years in higher education leading statewide communication outreach and marketing efforts and now operates her own firm. Ms. Vodden will report directly to Dr. Noland as a special assistant to the President. He noted that this work will help to demonstrate return on investment for marketing resources as we look to grow and expand our efforts.

Dr. Noland closed his remarks with a point of reflection – This tumultuous period of time in our region, campus, and across the nation presents an opportunity to come together and set aside differences to lead with our values to improve the lives of the people of our region. He urged members to thank individuals for the things they have done to make this semester a success.

7. Announcements

Dr. Bishop announced that candidates for Clemmer College Dean are interviewing on campus, and the search committee is expected to make a recommendation later in the month. The search for the College of Nursing Dean will begin soon, and Dr. Debbie Byrd will chair the search committee. It was previously announced to campus that Dr. Wendy Nehring will return to a faculty position.

8. Adjournment

The meeting adjourned at 10:17 a.m.