

November 21, 2022
Faculty Senate Business Meeting

Via TEAMS

In attendance: President Maxwell, Secretary Killman, Past-President Luna, President-Elect Allen, Senators Canfield, Smith-Andrews, Burch, Liu, Isbell, Mills, Hasan, Hajdik, Winkle, O'Conner, Swartling, TSmith, Mullen, Hutson, SSmith, Loftis, Park, Meadows, Turner, Null, Fornehed, Frye, Alley, Allcott, Hermann-Turner, Craven, Pickering, Comer, Brachey, Ojo, Lee, Fennewald, Manginelli, Adams, Rand, Witcher, Crockett, Rajabali, Upole, Reames

Absent: Senators Shipley, Duncan, Sisk, Langford, Howard, Weathers, Spears, Ding,

Call to Order: 3:35pm

Approval of today's agenda moved and seconded. Passed unanimously.

Informal note – Senate has been asked if the strategic plan faculty leaders can come to the January business meeting and Advancement VP, Kevin Braswell and his team asked to come in March.

Not planning to have the vote of no confidence today.

Question:

Why are we not having votes today?

Answer:

Should it be just a vote of no confidence? Are we premature? A discussion of the vote of no confidence to learn the will of the Senate is needed. Senate should determine type of vote (confidence interval).

Comments:

The vote of no confidence was pending more information that had come from audit. We have that information.

What are the implications of a vote of no confidence? What happens next?

Do we want to vote as a statement or vote for impact?

People want to know why we (Senate) haven't dealt with this issue that we said we would take care of last spring.

If we don't do it today, it's pushed to February. Either we have confidence or we don't.

Anyone can motion to bring the vote back to the table.

Don't want to have a vote that will not carry. Want to hear the voice of the senate. Trying to do the will of the senate without feedback.

Not everything at the university is going wrong. But we should put the President on record as not owning up to issues with CFO. Is there any info from audit that contradicts previous no confidence vote?
No.

Senate is a deliberative body – not always speedy.

We asked for feedback, we have feedback. If we do vote no confidence, it's symbolic; doesn't carry teeth. President Oldham does with it what he wants to.

Question:

Do we move on the CFO action only?

Comment:

Comfortable moving forward with a vote of no confidence in the CFO. Fell there has been a lack of transparency.

I think I'm hearing the Senate wants to move forward today with a vote of no confidence in the CFO.

Would be good to hear from some Senators who never say anything. Very serious matter, we don't really know the feeling of the senate overall.

We are the advisory board to the President. We do not function at the pleasure of the president.

Need to speak up. Agree that we should vote today. Tabling will make it too many months. Lose momentum. President and others have not been transparent about what happened.

What the President might do with what we say shouldn't stop us from doing and saying what is right.

Seems we are dancing around the issue. Put out a poll to see how people are feeling – vote about the vote.

What are the unintended consequences in the future? How will that impact our decision?

Discussion of Board breakfast inserted:

Senators in attendance at the last breakfast made good points to the board members. Some board members made it a point to say a vote of no confidence in the president or the board would get us no place. At top of board's agenda now is process of evaluation. Want objective measurements, not subjective at all. We might be able to do something about the evaluation issue coming up. Trustee Stites said don't vote no confidence in the president or board, it won't get you anywhere. Said he would look into the hiring issues/HR. How will a no confidence vote in the CFO play out?

Breakfast with Chair Harper – biggest message – do not vote no confidence. She was concerned with negative press. Board needs more time. Senators talked about various buckets of problems including morale issues. She seemed surprised at some. We want to get the message out that we want to right the ship.

Way in which we were spoken to by President the last time we met suggested he is not willing to discuss advisor boards comments.

Question:

Preliminary pole or move to the vote?

Comment:

Not doing something can also be consequential. Can be harmful if we do nothing – would mean we have no voice.

Action:

Preliminary Poll - in the chat. Temperature test. Will tell us how many will vote and what their potential vote will be. Click on the link – log in as needed, then answer the survey.

32 responded – 94% of polled say no to confidence; 6% indicate yes to confidence

Question:

What is the end game?

Answer:

It's significant. The board and president may not do anything, we are the only advisory body of Tenn Tech. We have a moral and ethical duty to reflect the faculty. We will uphold the job we have been given. We will say there is a conflict of interest when market equity raises are given only to the division of the CFO. Conflict of interest in the organizational chart. Safety and security risk with too few police officers because cannot be hired at a reasonable salary. The lack of CFO financial support of the library which is lowest in the state. Threat to millions of dollars in federally funded grants in the office of research and economic development. We know that this is happening. We are not saying anything is illegal, as the audit has indicated, but there are conflicts of interest and they are not ethical. We represent the faculty.

Comment:

Something has happened that we consider unethical. What are our options since we are advisory? Vote of no confidence implies or voices an opinion. Formal voicing of an opinion, but it sounds much worse. Implications not power. Where it goes from there is up to the president.

Action:

Motion to bring the vote of no confidence back from (off) the table was made and seconded at about 4:30. Discussion ensued.

Question:

Is this a pattern of behavior?

Answer:

Budget advisory committee is like binoculars, brings things into focus, and is a pattern. Yes, absolutely. First budget crisis – over awarded scholarships years ago that was the beginning of a pattern, and each year since, something wonky has happened.

Comments:

We waited too long. We should have blown the whistle long before. Since it took us so long – library has been funded, police have been hired. We've missed the time to act.

The pattern of behavior is hiding information. Financial meetings are hard all the time. This is a pattern of deception. The CFO was caught red-handed, hiding information from the Provost so that Academic Affairs was on the wrong end of the stick when money was being handed out for raises.

They have changed the way they are doing things. We made that change happen. We pulled back the curtain. Money flow is different now.

IT people have been picked off by MTSU. They are paid more money and have better work environment. Our TTU staff requested flexible work schedule in the summer, it would not be entertained. Still haven't been able to hire in office of Research. Seems that things are falling down all around.

Action:

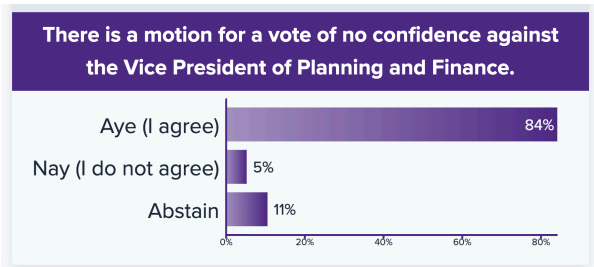
Call the vote to bring off the table, the vote of no confidence, from April 2022. Motion carried.

Request to have the original motion from April 2022 read.

"Motion for a no confidence vote".

There is now a motion, it's off the table. We will do Poll Everywhere for the vote.

Senate vote via Poll Everywhere.



Question:

What would be the basis of our vote? Agenda points?

Procedurally, should I notify the president solely or the president and the cabinet or President and CFO?

Answer:

Goes through the chain of command – in official word.

Official notification to president and Chair Harper, then justifications on behalf of the senate if they ask.

Comments:

We've gotten some answers finally, and nothing has contradicted our original investigation and questions.

Took a long time to get information and it doesn't contradict our original concerns.

Going to get questions from the press. Stick to the script and primary issues at hand, like stated in the agenda – faculty and staff raises, focus on conflict of interest.

We are a collective body. Other last points?

Motion to adjourn by Senator Rand and seconded by Senator Smith-Andrews. Meeting ended at 5:08pm.

Respectfully submitted by Christy Killman