

Faculty Senate President's Meeting Notes

April 4, 2022

Submitted by K. Craven

Members Present:

Dan Allcott, Michael Allen, Sean Alley, Troy Brachey, Chris Brown, Debra Bryant, Steve Canfield, Melissa Comer, April Crocket, Kris Craven, Dennis Duncan, Mary Lou Fornehed, Steven Garner, Scott Hagarty, David Hajdik, Syed Rafay Hasan, Katherine Hermann-Turner, Tammy Howard, Janet Isbell, Christy Killman, Matt Langford, Emily Lee, Jane Liu, Mark Loftis, Jeanette Luna, Lori Maxwell, Jennifer Meadows, Holly Mills, Linda Null, Joseph Ojo, Kristin Pickering, Elizabeth Ramsey, Richard Rand, Christopher Reames, Lee Ann Shipley, Drew Sisk, Scott Smith, Troy Smith, Sandi Smith-Andrews, Holly Stretz, Dan Swartling, Lenly Weathers, Robert Wilbanks, Kimberly Winkle, Russ Witcher, Laith Zuraikat

Members Absent:

Stephanie Adams, Douglas Airhart, Yun Ding, Samantha Hutson, Ann Manginelli, Brian O'Connor

Guests Present: Lee Wray – Chief of Staff

Call to Order

Call to order 3:35 p.m.

Updates from President Luna

1. Council voting complete for each College
2. Council voting ongoing for at-large members
3. Nominations being accepted for Senate President-Elect (ad hoc nominating committee Smith-Andrews, Hajdik, Null)

Policy 780 – Misconduct in Research – The special called meeting was canceled at the request of Dr. Taylor, VP of Research and Economic Development. She has convened a committee of faculty to continue reviewing the policy and provide additional updates. This will be revisited next year.

Remarks from President Oldham

1. Governor's Budget Updates
2. Upcoming Capital Projects
3. Other remarks

In regards to the Budget, nothing is final. There will be additional adjustments based on the coming tax revenue for the year. The proposed budget was very favorable and there have been additional supplements including \$3.5M in recurring funds for the initiative in Crossville to develop a Research Center. There have been some issues with the current capitol projects mostly due to increased costs for materials, however resolutions are in the works and this is under

control. The administration is still looking at reallocating funds to cover the 4% raises without being able to increase tuition.

As of now, the enrollment for next year looks good. Applications are approximately 10% above the historic high value. Unfortunately, Brandon Johnson, Vice President of Enrollment Management, is leaving and a search is planned for the fall. Karen Lykins, Chief Communications Officer, has been appointed to serve until a search can be completed. Senate President Luna expressed the sentiment that the Senate will miss the work of Dr. Johnson. He has been valuable for the university. She praised the work on Preview Day and the success that those events have had.

President Oldham then presented the Senate with the Personal Campaign program by Karen Lykins. This encourages faculty to send personal notes (postcards) to incoming freshman and other prospective students. This has been very well received and there has been feedback from current students of its success in influencing their decision to attend Tech. All Tech faculty are encouraged to participate.

Board Representative Allcott agreed that these are all very impressive and provide hope for the future. They generate a great energy on campus and make it easier for the entire campus to work harder.

Question: You mentioned overruns on the Engineering Building. Where is the money coming from?

Response: The project was looking to be \$10M over the original bid. The architects and construction company have been working together to rearrange some of the budget allocations and contingency funds. This has been trimmed down to approximately \$3M and they feel that we will be able to raise the additional funds.

2021 Salary Pool and Adjustments

1. The mean salary increase for last year was 4% based on the Governor's budget. Looking back, it seems that some units had mean salary increases lower than 4% and some higher than 4%. Why are some units getting raises greater than 4%?
2. There are rumors of very large raises (some greater than \$15k or \$20k). How many of these raises occurred, and what is the justification?
3. Did the Board of Trustees approve raises greater than 7% for 2021; if so, will they approve raises greater than 7% in 2022?
4. In the past, equity adjustments have not come from the legislative salary pool. Did equity adjustments come from the pool last year?
5. Who calculates equity for university employees? Are faculty included in equity assessments? How often is equity analyzed?
6. Other questions from Senators

President Oldham assured the Senate that he is looking into these concerns. The information was premature as the data was not vetted. From his cursory look, there are a number of omissions and errors in the data causing it to be misleading. He cautions the Senators from making conclusions based on this data. It is true that the mean raise was 4% and based on his spot check so far, that is what he found. He has requested a full formal review and will be receiving a report as soon as it is complete. In addition to the moneys received from the raises, there are additional salary adjustments for some individuals including promotion, equity, reclassification, etc. It is his belief that the raises followed the allowable guidelines of 1% to 7% individually to not exceed an average of 4% for each unit. There are adjustments every year. The equity adjustments are not from the raise pool. HR calculates equity but the primary driver is protected classes like race and gender. There have been some recent hirings that stimulated a need for raising salaries in individual units. To attract talented candidates in some areas there is a need to deviate from the normal salary range, then we must look at everyone else in that unit. Faculty are generally not a part of the equity considerations. However, this occurred in the past in departments like marketing. There was a recent situation in nursing. With faculty, there is more frequent hiring which keeps the salaries tighter to the market average.

Comment: A Senator from the College of Nursing clarified that the equity raises given in that college were paid out of their Operating Budget and not paid by the university's raise pool funds.

Question: Were the AVP for HR, the CFO, and the President the signatories to the 2021 raises?

Response: There was no response.

Questions: There have been rumors of high raises. The Provost has also been questioning the data. What unit is looking into the data? Who is doing the data analysis for this report?

Response: President Oldham stated that the work will be done by Internal Audit, which is the most independent office for this type of situation. He also believes that they will be fair and thorough in their preparation of the report. They also have a direct line to the state audit group and they can consult with them, if needed. However, there is no anticipation that this action will be required. Internal Audit reports to President Oldham and the Board of Trustees.

Discussion: There was some discussion of the time frame for the report and the handling of raises this year. The exact timing of a report is unknown. As far as this year's raises, it is not just one person who approves them. Each unit head, department chairman or supervisor, is responsible for making requests and recommendations. Then these are moved up to the administration level where the final decisions are made. The process is different for the other adjustments that can coincide with the raises. This is a complex issue and it will take time to sort it out and account for all of the increases seen in the data that was distributed.

One key concern among Senators is that many of the large raises appear in a single unit, not Academic Affairs which is the largest unit on campus. Many faculty members are still not paid

fair market wages according to CUPA data. What source is the administration using to determine the market value for salaries in various positions? The individual amounts some personnel received last year are far beyond the 7% cap set of the Board of Trustees. President Oldham again stated that he cannot verify the numbers and believes there are other factors beyond the actual raise amount in the data.

Senate President Luna clarified that the data was originally obtained by the Office of the Provost with individuals identified, but that information had been redacted before distribution. She further stated that individuals who had received promotions or had their position reclassified had been excluded from the data. Finally, the data had been shared with the President Oldham on March 8th, at which time he was made aware that a response was expected.

Question: What is the plan to move forward this year with the Internal Audit report outstanding?

Response: It would be good to have a strategic plan for determining faculty salaries. This could be presented to the Board of Trustees leadership and begin a discussion of this issue. CUPA is a good place to start. You must remember that the considerations for faculty salaries are different than for staff. There is currently a substantial movement among ITS professionals that has significantly affected campus. This area is much more competitive causing significant changes in compensation.

Caution – The Senators are cautioned to talk in terms of general situations and not specific cases. There could be legal issues if specific personnel are named.

Question: There is a concern that there could be conflict of interest in HR regarding the final decisions about raises. Is it possible to change the organizational chart to make HR more independent? This would be similar to other institution in Tennessee. The Senate is still interested in COLA raises, but the Board of Trustees has been against this concept. It is counterproductive to put faculty in a position to compete with each other to get the raises under the current distribution strategy.

Response: President Oldham stated that he is agnostic regarding the organizational structure. He is interested in functionality. If there is a better organizational structure, he would be for it. However, it is too early to make judgements until the report is issued. He currently has no knowledge or suspicion that there was anything inappropriate about the raises. President Oldham does not believe that the Board of Trustees will change their mind about the strategy for implementing the raises, but he does not favor it either. There is a concern that if we can't adequately compensate the better performers, then we are in danger of losing them. We need to allow the supervisor to say how to reward their employees to maintain a high level of productivity.

Question: The adjustments for things such as salary compression only seem to occur every 3 years or so. It seems like we have to go out and get another offer to get an adjustment to our salary. Is this an appropriate expectation?

Response: No, this is not true. There have been some cases on the academic side where we were worried about losing someone and had to take proactive steps. In some instances, we lost them anyway. President Oldham does not like this game. By the time a faculty member has another offer, they are already emotionally withdrawn from Tech. We need to be thoughtful and proactive and use good judgement.

There was additional discussion about the source of some of the amounts shown in the data presented to Senate. In some instances, some of the increases in salary were absorbed by the operating budget of the unit and therefore beyond the pool of money designated for the raises. There have been a few times when multiple searches were required to fill a position. This will often result in a need to reclassify or increase the salary for that position. Then you need to consider the other people already at the same level and possibly adjust those salaries also.

Question: Will we be able to see the exact breakdown for all of the increases from last year when the report is published? Would like to see a pie chart to show to the dollar where the raise pool money went. Also want exact breakdown of equity adjustments per unit and the source for equity funding in a way that is crystal clear. We are looking for transparency.

Response: We are one of only 2 or 3 institutions in the state that publish salaries. This is intentional. No one is trying to hide anything. President Oldham also has questions, but is trying to not jump to any conclusion prematurely. If you look at the total budget, the majority goes to academics, about 2/3. This is more proportionally than most institutions. There is always a natural tension between the business units and the academic units, but both are necessary. We are looking for a healthy balance, but it is seldom perfect.

Question: It is not just morale that is concerning. The balance is off. There is an inability to maintain positions. It would seem that there is a bureaucratic bloat. There are more VP's and AVP's making it hard to see an equal balance. What is the balance between critical staffing and faculty? When do we say when?

Response: There is no evidence of administrative bloat. Our staffing numbers compare to our peers. About 10 years ago, our student-to-faculty ratio was 22/1. Now it is 18/1. We have made substantial progress in faculty hires and become much healthier. However, there are real costs incurred.

Question (from Chat): I assume that we budget each year for utility costs. How much has the cost of utilities increased and is there a contingency plan for basic operational increases?

Response: The budget office anticipates costs and builds them into the budget. When there are new buildings being opened, the utility costs start in advance to build. We are in good shape.

Question: The issue of morale is being discussed in the chat. Are there plans to address this concern?

Response: This is a tricky one. Some are planning to leave because of personal reasons we can't control. The attrition in faculty is currently at about 3%, which is relatively low. The staff is higher and closer to 9%. Again, this is a different market with different needs and concerns. Each department has a unique culture and environment. Many factors affect morale like resources, salaries, etc. It is not always possible to determine the factors causing the low morale.

Question (from Chat): If there is a decrease in enrollment, isn't the faculty/student ratio misleading?

Response: Half the drop is through enrollment decreasing, half is through faculty hires.

Comment: There are morale and finance issues with hiring and keeping faculty. I hope this gets your attention. We need you to advocate for us. In the Board of Trustees meetings, the state laws are sometimes misquoted. Our requests about the strategy with raises go ignored. It is important to call out these miscommunications. When all of the raise considerations are on merit, it is detrimental to morale.

Question (from Chat): What about campus police? They are short staffed and officers are leaving because of the low pay. With campus spreading out, what about comparable pay for the people that we totally need but cannot seem to get or keep?

Response: This is an area of focus for that reason. Not all the reasons are based on salary. There is a unique person who can do that job. We must be selective with the candidates that we choose. We are doing an analysis to become more competitive in the market. It is hard to find a good fit. The younger candidates say our campus is too quiet, they want a more energetic scene. We are trying to solve the issue and taking a closer look at it.

Question: What about increasing adjunct pay?

Response: That is up to the department chairs. They need to advocate for what is reasonable in their area. There are variable rates. They can negotiate every semester.

Question: The data that was distributed has a lot of information. But there are 56 people who were on the list. Should be quick to check those specific people, maybe need 2 weeks. Even if it is not the complete picture, it would be something before the end of the year.

Response: We can't assume anything. We don't know if information was omitted. Need to wait for the full report.

Update on Tennessee Senate Bill 2290

1. Now that this bill has passed, what impact(s) can we expect on campus?
2. Other questions from Senators

Senate President Luna said there was an update in Cabinet today. University Counsel Perdue has again offered to have a session with any department about the implications of this bill. The original bill had a provision for a disciplinary committee, but that was removed before it went to the vote.

Comment: Yes, that is true. However, there was an amendment that leaves faculty open for lawsuits from dissatisfied students.

Response: President Oldham does not think that that is likely. We will have to wait and see. We will need to deal with it in one way or another. In the current form, it is better than it could have been.

Comment: It only takes one student to cause a problem.

Response: President Oldham reminded the Senators that there is a policy for grade appeals. This would be the first step to a resolution for a dissatisfied student. If there were a case to go to court, they are typically deferential to campuses that have a policies and procedures in place and that follow them. They prefer that we adjudicate it on campus first. But you are right and they can now sue.

Comment: We need to help with any faculty intimidation or fear. Faculty need to know when to stop talking. This could have a chilling effect on discourse.

Question: What all is included? What about environmental issues like greenhouse gases?

Response: Senate President Luna stated that it is about race and gender.

Questions: If a student sues a faculty member, won't that be public knowledge? Won't they then have access to evaluation comments?

Response: President Oldham said that the administration would try to protect those. If there is a subpoena or a FOIA request, then we must provide them. However, it is not likely and we would only provide them if required to do so. Chief Of Staff Wray agreed that the statement is generally correct. The university would try to keep the evaluations closed. This hasn't happened, so we don't know.

Comment: We need to watch the legislature. The first challenge in the House was to a K-12 version where they did not want them to discuss Martin Luther King, Jr.

Comment: Yes. This could then extend to Rosa Parks. It is a solution looking for a problem. College students are adults, so why are we trying to protect them from ideas?

Adjourned at 5:27 p.m.

Approved: April 18, 2022