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Meeting Minutes

Faculty Senate

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4-11-2023

**April 11, 2023**

University of Mississippi. Faculty Senate

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# The University of Mississippi Faculty Senate

Meeting Minutes  
April 11, 2023

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- Information regarding the Zoom link is presented at the end of this document.
  
- The following members were present: Dan Durkin, Kerry Bowers, Melissa Cinelli, Enrique Cotelo, Josh Gladden, Jon-Michael Wimberly, John Berns, Gabriel Garrida, Melissa Bass, Robert Baker, Alex Watson, Joseph Carlisle, Heather Allen, B.J. Morgan, Matteo D'Alessio, Carrie Smith, Nadeeja Wijayatunga, Annaliese Caudle, George McClellan, Robert Barnard, Wen Wu, Sasan Nouranian, Scott Mackenzie, Elisa Modolo, Hans Sinha, Chad Russell, Kofan Lee, Brian Boutwell, Cole Stevens, Burkanettin Keskin, Joe Sweeney, Louise Arrizoli, James Cizdiel, Conor Dowling, Brad Dowling, Hal Robinson, John Lobur, Peter Reed, Lance Yarborough, Christy Nielson, Angela Green, Zenebe Beyene, Carolyn Higdon, and Joel Mobely.
  
- - Meeting called to Order at roughly 6PM.
  - Minutes from the February 14, 2023 meeting were approved.
  - Minutes from the March 21, 2023 meeting were approved.
  
- Guest Speakers
  - Bob Baker – Annual Athletics Update – Provided his annual report of the academic performance of student athletes. He reports to both the Provost, Noel Wilkin, and the Athletics/Executive Associate Shannon Singletary. He serves as a liaison between academics and athletes. He oversees the academic progress of 400+ student athletes. Reminds them that they are students first. He shared their report card for this past fall, indicating that the overall GPA was 3.16. This is the 6<sup>th</sup> semester where they have had a cumulative GPA over 4.0. He shared the Academic Progress Rate, which is 2 points per semester per student athlete/# of points possible X 1000. 1000 is a perfect score. If multi-year APR is below 930, there will be a post season ban, loss of scholarships, public reprimand for the institution. The APR scores also follow the coach: D-1 Head Coach APR Portfolio is part of their credentials. The prior year's data is submitted to the NCAA each November. The most recent data showed an APR of 992. 13 out of 16 teams had an APR of 1000 last year. Top 3 student-athlete majors were Business, Multi-disciplinary studies and Exercise science. Seven different programs also had graduate student athletes enrolled. He encouraged faculty to continue filling out the Retain Faculty Progress Reports, which is emailed twice a semester. The return rate was 66%. Thanked faculty for keeping up with student athletes' progress reports. He also encouraged faculty to recommend their best and brightest students for positions as student athlete tutors; they particularly need students in mathematics, physics. The pay rate is \$16-25/hr. Had over 3000 tutorial sessions and 1150 academic mentoring sessions (freshman). @Rebels academics is a twitter account praising students for

performing well, and they have students that win each month. Alex asked about changes coming down the pipe. Bob said that transfer students pose a unique challenge because their transition is often quite rapid; Bob said they were going to look at this process to make sure it was as effective as possible.

- Ane Debro and Rob Heuer - Name, Image, and Likeness (NIL) landscape terms that the NCAA has had in the legislation and the law. It relates to how student athletes are recognized and paid for the use of their name, image and likeness in relation to the performance and popularity in their chosen sport. It is a right of publicity. Permissive use of images. People cannot use people's image with advertising. The different promotional images have expanded into the commercial space.
- Ane Debro is general counsel for Name Image and Likeness; she indicated that in July of 2021, the NCAA passed a law that allowed students to benefit from the use of their image and likeness. The Mississippi Legislature then passed its own set of laws that gave additional parameters and detail to this new law, indicating what schools and students could do and how they could do it, what is fair what is right. They also issued prohibitive advice as well. The NCAA then enacted additional provisions, causing the Legislature to introduce another round of stopgaps in the law. Students now can earn the market rate for their name image and likeness; they can receive benefits and compensation such as money or items of service in exchange for promoting something. They have to report their transactions before they receive them so the NIL can ensure that they are in compliance with state law. Student athletes can hire agents and attorneys in this space so that they can have someone represent their interests. They can only be hired for the purpose of their NIL agreements. They can't represent them comprehensively, as NFL agents do. When they hire representation, they have to report that to the NIL as well. Students are often influencers on social media for products and they can host training camps, etc. They must be enrolled at the University in order to receive compensation; they must ask permission to use logos and gear. They do allow photos and videos to be used for personal promotion on their social media pages, so that they can increase their following. They can't sign any contract that conflicts with their university contract. There is no pay for play in order to receive compensation. They cannot promote certain activities, such as sports betting, controlled substances, tobacco or alcohol, whether it's the brand or the product. They can't promote nicotine devices or performance-enhancing drugs or supplements, adult entertainment or anything that would be inconsistent with the mission of the University or that would negatively impact the University. They cannot participate in NIL activities if it is going to conflict with their academic or athletic responsibilities. They can also be restricted from using non-approved brands; for example, as a Nike school, our athletes have to wear their Nike shoes whenever they engage in NIL activities.
- The Grove Collective – one of the terms that is frequently used is the term “collective.” Many of the more notable institutions have one or more of these. The Grove collective is a separate entity from the University of Mississippi. It is not sponsored through the institution or its athletics department. It enters into non-exclusive Name Image and Likeness Agreement with student-athletes. In return for compensation, the student-athlete licenses his or her publicity rights to the Grove Collective. The student athlete is contracted to do a service or activity as part of their contractual obligation to the Grove Collective (TGC). One of the benefits of this is that the TGC pays estimated taxes for the student athlete. For its part, the NCAA: provides education about NIL to student-athletes; requires them to report their activity; connects student-athletes with

NIL entities; assists NIL entities in raising money; enters into sponsorship agreements with NIL entity as long as it is the same as other sponsors; and, facilitates donor engagements with NIL entity.

- Q & A Hans Sinha asked if infractions still impacted the university with this new legal structure in place. Rob indicated that yes, the University is still penalized, but now the NIL entity is also punished; the student athletes are not. Rob provided further detail on the one incident that occurred. Lance Yarborough asked about the level of compensation that is common. Most of the transactions are very small, around \$500, and often consists of goods rather than a monetary reward. Large financial transactions are fairly rare.
- Josh Gladden – ORSP – Gave an update on Town Halls; 9 town halls have been held across campus. The numbers show the growing impact of UM scholarship; the number of citations moving from 30,000 to around 70,000. The relative citation ratio (RCR) takes into the account the age of an article and the impact factor of the journal the article that appears in gone from a 1.3 to a 1.5. The Herd Database shows how much money outside grants and the university spends on scholarship. There was a dip in 2020-2021 due to a restructuring of the way the data is measured. They have been doing the groundwork to expand the research infrastructure at the University. They had consultants come in and evaluate their research structure, which showed that we didn't have enough research staff and that we needed a modern electronic research portal. In Spring of 2022, they began implementing a plan that involved hiring 5 new research administrators. Also hiring a training and outreach expert. The research portal is going to be complicated; they are now entertaining different vendors to provide a coherent system. We needed a new ticketing system for addressing issues; they are in the process of working out the kinks; they have been working on this and have hired two new awards staff. Their longer term initiatives involve creating physical space, so they have created a master plan and are working with architects. They have created a Research and Envisioning Task Force to oversee the process of expanding the ORSP's ability to provide resources for faculty. Dan asked for more information about the research position. Josh said that it involves monitoring and training faculty as they engage in the process of implementing these plans.
- Resolution
  - Senate Resolution with Regard to the University of Mississippi's Sustainable Transportation Initiatives, Including Electric Vehicles – This resolution involves garnering support for increasing the number of electric vehicle charging station from two to eight. The stations are using Chargepoint, a national leader in this area. This service allows them to get a lot of data about usage that they couldn't get previously. The system will grow with the number of spots that are available. The Office of Sustainability works with the Department of Parking and Transportation and is also working with students in the college of engineering and other departments to monitor and oversee the growth of electric vehicle usage on campus and will entertain student proposals. The Committee of Development and Planning has installed a new system that will allow us to grow as we need to. Alex asked about the current state of electrical charging statements. Hal reiterated that we have eight parking spaces. The charging stations we have now are level 2 stations, as a level 3 would involve a monumental leap in infrastructure cost. Level 2s are 220-volt stations; these are the most cost-effective type of stations and the kind we are concentrating on right now. Level 3s would involve installing a 480-volt system, which would require a massive infrastructure overhaul to implement, and bringing more

voltage in would be very costly. We benefit now from installing the charging stations adjacent to power stations placed around campus. Level 2s take 4-6 hours to charge, whereas a level 3 takes only an hour. Level 2s cost around 1.25 an hour; after 4 hours, it goes up to 2.50. It is against federal law to charge for electricity, so we can only charge for time. You do not have to have a permit to park in the EV spaces; you just must be plugged in and charging.

The resolution was launched using a Doodle poll; 40 in favor; 0 not approving. The resolution was passed, and Dan said he would pass it along to the Chancellor.

#### ➤ Updates

- Faculty Senate Social – To be held at the Carrier House on 5/9/23. The only item of business is elections. All current officers are set to remain another year. Alex asked about taking a +1. Dan said that he would ask about bringing a guest.
- Joint Governing Body – Student organizations just had their elections. Dan has met the new ASB president. He has not spoken in person with the governing bodies of the other student organizations.
- UFSAM update – Passed the pre-contemplative phase having a retreat in Jackson. One goal will be to update the Constitution and Bylaws which are from the 1990s. Another goal is to return to the practice of coming to IHL meetings.
- Additional updates – Policy of Third Party is an IHL. Where we are lean was presented to the Chancellor; one request was for more library resources, and so Alex is in the processing of researching and amassing data on that subject. We also needed more information about shared resources between different departments. Dan expects the Chancellor to provide us with an update at the final meeting at the Carrier House.

#### ➤ Committee Updates

- Ad Hoc Committee Update (Chair: John Lobur) – John said they have been meeting weekly. He said they are rounding a corner and expect to be done with their soon and will hold town halls over the summer and hope work will be completed in the fall.
- Academic Conduct (Chair: John Lobur) - nothing to report.
- Academic Instructional Affairs (Chair: Alex Watson) – Robust discussions, but nothing actionable at this time.
- Development & Planning (Chair: Angela Green) – Nothing to report.
- Finance & Benefits (Chair: Joseph Carlisle) – Met to talk about regalia and the faculty meeting. Many other faculty asked about the way NTT faculty were handled here. It was recommended that to shorten the process by having everyone stand and be recognized. This would be followed by a gala event, a dinner that all faculty receiving promotions would attend. Outdoor Art and Promotion committee would oversee the event. Noel also discussed how it would be recognized when a member reached the highest level in their promotion ladder. Carrie asked if they could use a Fund25 account to rent regalia and/or to provide funds for additional materials of their own choosing.
- Governance (Chair: Carrie Smith) – Nothing to report.
- Research & Creative Achievement (Chair: Matteo D'Alessio) – Nothing to report.

- University Services (Chair: Heather Allen) – Nothing to report.
- Old Business --None
- New Business – Doing an audit of DEIs; Dan provided a link to an article.
  - Hans Sinha asked about the Hood Award and the Discrepancy between them. Noel indicated that funds had been introduced to make them equal.

The meeting was adjourned at 7:38PM

## ➤ Adjournment

Daniel Durkin is inviting you to a scheduled Zoom meeting.

Topic: Faculty Senate Meeting April 11, 2023

Time: Apr 11, 2023 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://olemiss.zoom.us/j/94708834658?pwd=SW5wNkdlaDQ1K0dDd3haMTIyeUFmUT09>

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