

**From:** "Gross, Louis J" <lgross@tennessee.edu>  
**Date:** Wednesday, December 1, 2021 at 10:02 PM  
**To:** "Senate@Listserv.utk.edu" <Senate@Listserv.utk.edu>  
**Cc:** "Gross, Louis J" <lgross@tennessee.edu>, "Link, Loretta" <gll561@utk.edu>  
**Subject:** Changes in Campus Masking and Vaccination Policies

Faculty Senate Colleagues,

As you are aware, Chancellor Plowman distributed an announcement today regarding changes in campus policies in response to the pandemic and President Biden's Executive Order that have been required due to a federal district judge injunction. This afternoon I posted on the Senate President's website my suggestions for how faculty might respond to these changes – see <http://lgross.utk.edu/Senate2021/MaskChanges1Dec2021.txt>

Provost Zomchick has distributed this evening an email to Deans regarding the changes and with his approval I am including his email below. While I assume that Deans have shared this information broadly, I am sending this as well and encourage Senators to inform their colleagues about both the Provost's note and my suggestions.

I hope that the changes to pandemic response that occurred today are temporary and hope that each of you have as successful an end of the semester as possible. Please contact me if you have comments or suggestions.

Stay well,  
Lou

--

Louis J. Gross (he, him, his)  
Chancellor's Professor and Alvin and Sally Beaman Distinguished Professor  
of Ecology and Evolutionary Biology and Mathematics  
Director Emeritus, National Institute for Mathematical and Biological Synthesis (NIMBioS.org)  
Director, The Institute for Environmental Modeling  
University of Tennessee - Knoxville

President, 2006-2007, 2021-2022, UTK Faculty Senate  
Past-President, 2003-2005, Society for Mathematical Biology  
<http://lgross.utk.edu/>

**From:** Zomchick, John P

**Sent:** Wednesday, December 1, 2021 5:25 PM

**To:** Alldredge, Kari Lynn <[kaldre1@utk.edu](mailto:kaldre1@utk.edu)>; Cross, Angie (Angie) <[across15@utk.edu](mailto:across15@utk.edu)>; Driskill, Owen <[jdriskil@utk.edu](mailto:jdriskil@utk.edu)>; Gray, Gary <[ggray5@utk.edu](mailto:ggray5@utk.edu)>; Hinde, Robert J <[rhinde@utk.edu](mailto:rhinde@utk.edu)>; Kelly, Diane <[dianek@utk.edu](mailto:dianek@utk.edu)>; Neisler, Gretchen <[gneisler@utk.edu](mailto:gneisler@utk.edu)>; Savage, Mark (Mark) <[mark@utk.edu](mailto:mark@utk.edu)>; Thompson, Dixie Lee <[dixielee@utk.edu](mailto:dixielee@utk.edu)>; Williams, Amber <[awill337@utk.edu](mailto:awill337@utk.edu)>; Young, Jason T <[jason.young@utk.edu](mailto:jason.young@utk.edu)>; tlee35 <[tlee35@utk.edu](mailto:tlee35@utk.edu)>; Mazer, Joseph Paul <[joemazer@utk.edu](mailto:joemazer@utk.edu)>; McIntyre, Ellen <[emcinty2@utk.edu](mailto:emcinty2@utk.edu)>; Mangum, Steve <[smangum@utk.edu](mailto:smangum@utk.edu)>; Beyl, Caula Ann <[cbeyl@utk.edu](mailto:cbeyl@utk.edu)>; Smith, Steve <[stevensmith@utk.edu](mailto:stevensmith@utk.edu)>; Niederhauser, Victoria <[vniederh@utk.edu](mailto:vniederh@utk.edu)>; Blaze, Douglas A <[blaze@utk.edu](mailto:blaze@utk.edu)>; Messinger, Lori <[lmessing@utk.edu](mailto:lmessing@utk.edu)>; Thompson, Jim (Jim) <[jthomp70@utk.edu](mailto:jthomp70@utk.edu)>; Mench, Matthew M <[mmench@utk.edu](mailto:mmench@utk.edu)>; Cross, Angie (Angie) <[across15@utk.edu](mailto:across15@utk.edu)>; Driskill, Owen <[jdriskil@utk.edu](mailto:jdriskil@utk.edu)>  
**Cc:** Crawford, Deborah Leslie <[dcrawf19@utk.edu](mailto:dcrawf19@utk.edu)>; Scoggins, Matthew <[scoggins@utk.edu](mailto:scoggins@utk.edu)>; Benton, Tisha (Tisha Benton) <[tisha.benton@utk.edu](mailto:tisha.benton@utk.edu)>

**Subject:** Lifting of the Mask Mandate

Dear colleagues:

As you know, we have lifted the campus mask policy required by President Biden's executive order because of a **temporary** injunction issued by a federal court against its enforcement and the retraction of our exemption by the State Comptroller. As of today, we are forbidden by state law to require masks in any of our facilities.

I wanted to reiterate the key points we discussed previously and again ask for your help to manage the shifting requirements and questions

about effects of the mask mandate on academic policies as we move forward.

Here are key points for now, based on what I expect you might hear from concerned faculty in the next 24 to 48 hours.

- During **final exam week**, faculty members are expected to continue in the mode of instruction that they started in unless they request and receive an exemption through the formal ADA accommodation process. That is, if they are scheduled to administer an in-person final exam, they must administer the exam in person.
  - Faculty are welcome to ask students to consider wearing masks during the final exam, but they cannot require students to wear masks or ask students who choose not to wear masks to make alternative arrangements for taking the final exam. Similarly, faculty are not required to accommodate students who request alternate arrangements for the final because of the current mask policy unless the student has received an accommodation from Student Disability Services.
  
- **Spring 2022 course modality** may not be adjusted due to the **current** presence or absence of a mask requirement. The presence or absence of mask requirements has no bearing on course modality, except in cases where an official accommodation has been granted by OED. The decision to return to in-person instruction and in-person work was made because vaccines are free, effective, and easily obtained. Given what we know about the efficacy of the vaccine and the widespread demand for in-person instruction from our students and their families, we decided to return to in-person instruction last fall. That decision stands.
  - Any modality changes for spring 2022 must be approved by a dean and should be reserved for a situation where a faculty member has an approved accommodation. A student who has registered for a face-to-face class should be able to count on us to provide it. We made that promise to our

students, and they need us to keep it in the interests of promoting their academic success and personal well-being.

- **Federal Contracts:** The university can continue to sign federal contracts that contain the Biden executive order clause and can continue to perform work under such contracts that are already signed. Everything in those contracts will be enforceable as normal, except for the executive order clause (which mandates that we require covered employees to be vaccinated and require people on campus to wear masks). The effect of the federal court's injunction is that the federal government cannot enforce that executive order clause against UTK at this time.

We remain supportive of vaccination and boosters, and faculty are welcome to encourage students to get vaccinated. We strongly support showing respect for a person's decision to wear, or not wear, a mask or get vaccinated.

Please share the information as you deem necessary, especially with respect to federal contract compliance questions.

I'm grateful for your patience under these shifting circumstances.

I am happy to discuss these matters tomorrow morning.

Thank you again for your leadership,

John



**John P. Zomchick**

Provost and Senior Vice Chancellor  
Professor of English  
University of Tennessee  
527 Andy Holt Tower  
Knoxville, TN 37996-0152

865-974-2445

865-974-4811 fax

[provost@utk.edu](mailto:provost@utk.edu)