Senate Council

Monday, November 1, 2021

The Senate Council met in regular session at 3:00 PM on Monday, November 1, 2021, in 103 Main Building, although a video conference link was also available. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise.

Senate Council Chair Aaron Cramer (EN) called the Senate Council (SC) meeting to order at 3:00 PM. The Chair welcomed those present. He informed everyone that the session was being recorded for notetaking purposes and noted that it was an open meeting. He asked that the SC members participating via Zoom to type their name and affiliation into the chat box and added that the chat function is generally only used for attendance and not monitored. He asked that all attendees, online and in person, state their name and affiliation prior to speaking, to ensure everyone knew who was speaking.

1. Minutes from October 18 and Announcements

The Chair reported that there were no changes to the minutes from October 18. There being **no objections**, the minutes from October 18 were **approved** as distributed by **unanimous consent**.

The Chair informed SC members he was invited by the Provost to meet with the deans to discuss shared governance. The Chair said he enjoyed the meeting, noting a productive discussion about numerous items including faculty councils, faculty memberships, college rules, working with senators, Senate composition, and the role of the deans in the Senate. He added that some deans had expressed the concern about their ability to speak openly. He asked SC members to consider how to ensure deans can serve as a channel to and from the faculty they represent.

The Chair reminded SC members of the requested updates provided to them on the Chair's interactions with President Capilouto. The Chair informed SC members that he met with the President and the Provost last week, noting that the President expressed favorable feedback about meetings with the representative bodies. The Chair also informed SC members that the President expressed great confidence in the Provost and was appreciative of the Provost acting as conduit between himself [the President] and the Senate. The Chair announced the President indicated that he intended to convene a meeting with SC members sometime this week; a Doodle poll has been sent out to determine SC members' availability.

The Chair informed SC members that after discussions with the chairs of the Senate's Rules and Elections Committee (SREC) and the Senate's Admissions and Academic Standards Committee (SAASC), and Senate's Academic Organization and Structure Committee (SAOSC), proposals to suspend or close programs would now be assigned to the SAOSC. The Chair noted this would help balance committee workload and was not inconsistent with the SAOSC's charge. The Senate's interests in closures tend to be less about the educational justification for the closure and more about the effect on the unit. The Chair also commented that the SC office was working on proposed changes to the *Senate Rules* on such proposals and those edits would also go to the SASCOC for review.

The Chair announced that senators met with the Provost about course modalities. The Chair explained the senators expressed concerns about the Provost continuing to exert control over course offerings from educational units. The senators supported the COVID Advisory Committee providing advice for local administrators to handle concerns for a return to more normal decision-making processes. The Provost expressed his appreciation to the senators for meeting with him and thanked them for their feedback, noting

that it was helpful and that he was receptive to further discussion. A brief discussion took place between SC members and the Provost about the alignment of the process moving forward.

The Chair provided an update to SC members about voting modalities for Senate meetings. The Chair explained a system called "Poll Everywhere" had been recommended by the College of Arts and Sciences IT staff.

The Chair informed SC members there were no program CIP code changes in the 2020-21 academic year, hence there would be no report given to senators about changes.

2. Committee Reports

a. Senate's Distance Learning and eLearning Committee (SCDLeL) – Roger Brown, chair

i. *Definition of Online Program and Status of Programs Previously Approved for Online Delivery*

The Chair introduced Roger Brown (AG, SCDLeL chair) to present the definition of online program and then the status of programs previously approved for online delivery. Brown explained the definition of an online program, noting alignment with the IPEDS definition for online programs, and added that appropriate subsequent changes would be made to the online program delivery forms. The Chair indicated that the definition should go to the Senate for approval. The Chair stated that the **motion** on the floor was a recommendation to rename the "fully online program" form and create a formal definition of an online program. Because the motion came from committee, no **second** was required. The Chair asked if there was any debate on the proposal and there was none. A **vote** was taken, and the motion **passed** with none opposed.

Regarding the status of programs previously approved for online delivery, the Chair inquired about how the current requirements would be communicated to faculty of programs previously approved for online delivery. Brown explained that he envisioned a brief survey that would be supported by additional discussion in faculty meetings. Brown noted that the UK Online office was currently working with previously approved online programs to ensure compliance with the new form. The Chair suggested that approval of a streamlined process to ensure existing programs met new requirements was within the SC's purview. The Chair stated that the **motion** on the floor was a recommendation that SC approve the streamlined process to document existing online programs' compliance with the SC's newly established process to request online delivery for a program, pending the Senate's approval of the online program definition. Because the motion came from committee, no **second** was required. The Chair asked if there was any debate on the proposal and there was none. A **vote** was taken, and the motion **passed** with none opposed.

b. Senate's Advisory Committee on Privilege and Tenure (SACPT) - Michael Healy, Chair

i. *2020-2021 Report*

The Chair introduced Michael Healy (LA, SACPT chair) to provide the SACPT's report for the 2020-21 academic year. Healy thanked the Chair and informed SC members of the committee's activities during the last academic year. Healy explained the kinds of activities the SACPT engaged in and the committee's resolved claims for the 2020-21 year.

The Chair opened the floor to SC members for questions about SACPT deliberations and activities. Grossman (AS) requested clarification on the SACPT's definition of resolved. Healy explained that a resolution from the committee could include providing a recommendation to the President, deciding not to pursue an investigation, or determining a claim was outside of the committee's purview. Jones (ME) asked, in the cases where the committee made a recommendation to the President, if the committee

was informed whether the President's decision was congruent with the committee's recommendation. Healy explained that generally, the committee was not informed.

The Chair noted there had been some situations where the SACPT chair felt it necessary to recuse themselves in certain cases. He noted the *Senate Rules* (SR) did not address this situation. The Chair asked what Healy's thoughts were on drafting SR language to alleviate these concerns. Healy commented that such a change would make sense. He added that one other issue has been discussed by the SACPT, regarding the creation of a deadline for bringing claims of abridgement of academic privilege. The SRs describe a deadline for claims related to tenure, but not abridgement. He said the SACPT was interested in proposing a deadline that could be applied to these cases. Healy indicated he would draft language on those two concerns for further review. The Chair thanked Healy, noting he looked forward to his presence next week at the Senate meeting.

3. Senate Meeting Modalities

The Chair informed SC members that the straw poll of senators yielded overwhelmingly favorable results for continuing Senate meetings via Zoom. The Chair asked for thoughts from SC members on the matter, noting modality would also be discussed at the next Senate meeting. Hawse (SGA) commented that meeting via Zoom seemed to be the best option for the time being, noting that he believed participation over camera should be required, as it is for SGA meetings. Cantrell commented that the larger size of the Senate meeting may be a good reason to continue meeting via Zoom. Collett suggested mindfulness about senators' locations, noting some senators may have difficulty participating over camera due to limited wireless bandwidth in some settings. Charnigo suggested Senate meetings continue via Zoom for the remainder of the academic year, expressing concern that a change could disrupt routines for many.

The Chair asked SC members to discuss the chat function in Zoom. SC members discussed the positive and negative effects of utilizing the chat function in Zoom. The Chair clarified the chat function was not necessary to take attendance during Senate meetings. The Chair noted this could be discussed broadly with the Senate. The Chair stated the public chat function would be disabled at the Senate meeting on Monday unless there were any objections from SC members. There were no objections.

4. Report from Strategic Plan Representative (Trust, Transparency, and Accountability Team Member Erik Blalock)

The Chair introduced Eric Blalock (ME, strategic plan team representative) to present his report. Blalock described some of the considerations made by the Trust, Transparency, and Accountability (TTA) team, including review of the number of Governing Regulations (GRs) the University presently had in comparison to other land-grant universities in the United States. Blalock presented visual representations of the team's findings, which demonstrated that UK was on the lower end of the number of Board policies for a land-grant institution compared to other land-grant universities. Swanson asked if Blalock could provide feedback on his overall perception of the process. Blalock explained the process was fast and noted the nimble nature of the process; the group began and ended its work within a couple of weeks. The Provost told SC members that the Board of Trustees-endorsed strategic plan was sent back to the five group to make suggestions on modifications to the tactics. The Provost noted that deliberation for metrics would be requested after deliberation on tactics was completed.

5. Tentative Senate Agenda for November 8, 2021

The Chair asked SC members if there was any discussion about the tentative agenda. Charnigo noted a clerical error. Grossman inquired about a concern related to an event occurring at another university about faculty

testifying at a government committee and whether the University could prohibit faculty from doing so. The Chair suggested that the SC ask the Provost to look for clarification, noting the President had never indicated such prohibition in the past. Collett commented that faculty were required to report political committee activity, noting they were not permitted to represent the University in front of those committees, but were not prohibited from doing so. The Provost agreed to retrieve an answer. The Chair asked if there was any further discussion on the agenda and there was none. Collett **moved** to approve the Senate agenda for November 8, 2021. Hawse **seconded**. A **vote** was taken, and the motion **passed** with none opposed.

6. Items from the Floor (Time Permitting)

The Chair asked if there were any items from the floor. The Chair presented an issue raised by Oltmann regarding the timing of fall break and the midterm grading window. The Chair noted that fall break was not an employment break, but an academic break. SC members discussed items including:

- Determination of the midterm date
- Flexibility for instructors who opt to submit midterm grades early
- Whether there was flexibility in changing the midterm date
- Whether there was flexibility in changing the date for fall break

The Chair noted that there is a Regulation Review committee he is a part of, which was intended to provide a campuswide understanding of the ramifications of changes to regulations. He explained that it has been months since that group has met. He wondered about the rationale for cancelling those meetings. The Chair expressed concern about the potential of being flooded with proposed changes to regulations when there would not be sufficient time to discuss the revisions. Cardarelli (HS, senior vice provost) indicated that it would be important to return to regular meetings for that group. The Provost indicated he would follow up on the concern.

Hawse asked for opinions from SC members about making Election Day an academic holiday to provide access for students to vote, noting the possibility for faculty and staff to have more time to vote as well. Hawse noted that research indicated that many students did not vote because of having class on Election Day.

A robust discussion took place and SC members considered the possibility of addressing these issues with a singular solution. Considerations included:

- Scheduling fall break to align with Election Day
- Absentee voting
- Voting as an excused absence
- Reconvening the ad hoc calendar committee
- Challenges for faculty and staff with children out of school on Election Day
- The possibility of a campus voting precinct
    - Hawse clarified that attempts to do this had been unsuccessful despite an existing precedence for campus voting precincts

The Chair noted to Hawse that while instructional hours and academic holidays were under the Senate's purview, establishment of a University employment holiday was determined by the President. Hawse indicated that the positive response received from SC during this discussion would help as he and the SGA look further into the matter.

The meeting adjourned at 4:52 PM with no objections.

Respectfully submitted by Aaron Cramer,
Senate Council Chair

SC members present: Lee Blonder, Susan Cantrell, Richard Charnigo, DeShana Collett, Sophie DeCorte, Marilyn Duncan, Gregg Hall, Michael Hawse, Bob Grossman, Megan VanGilder, Leslie Vincent

Invited guests present: Eric Blalock, Sheila Brothers, Roger Brown, Bob DiPaola, Michael Healy

Prepared by Katie Silver on Friday, November 5, 2021