

UNIVERSITY OF KENTUCKY
SENATE

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Regular Session

September 8, 2003

3:00 p.m.

**W. T. Young Library
First Floor Auditorium
Lexington, Kentucky**

Dr. Jeffrey Dembo, Chair

**An/Dor Reporting Services, Inc.
179 East Maxwell Street
Lexington, Kentucky 40515
(859)254-0568
University of Kentucky Senate
September 8, 2003**

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JEFFREY DEMBO, CHAIR

GIFFORD BLYTON, PARLIAMENTARIAN

REBECCA SCOTT, SECRETARY TO SENATE COUNCIL

ROBYN BARRETT, COURT REPORTER

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1 CHAIR DEMBO: We shall call the meeting to
2 order. That's so official. We have
3 a little change in the order to the
4 agenda today. I understand that
5 President Todd will be here
6 somewhere around 3:10 or 3:15, so
7 what I'd like to do is to go through
8 whatever business we have until his
9 arrival, at which point he'll take
10 over and present his strategic
11 plan. And upon completion and after
12 any question and answer session,
13 we'll go ahead with the rest of the
14 Senate Agenda. For those who are
15 not familiar, what I'd like to do is
16 to outline how the Senate meetings
17 work and to introduce the new
18 senators at the University Senate
19 this year. I'm Jeff Dembo. I'm
20 Chair of the Senate Council, and
21 according to a change in the Senate
22 rules, I'm also the presiding
23 officer of the University Senate
24 meetings.

25 Let's see. Cool, I like it,

1 John.

2 The University Senate is
3 composed of 94 elected faculty. The
4 election traditionally occurs in the
5 spring semester, and the sole role
6 or the sole function of the Senate
7 is to tell the colleges how many
8 Senate slots they have allocated,
9 based on the composition of the
10 faculty and students within their
11 college. We have some colleges that
12 have not yet held elections. I'd
13 like to take this opportunity to
14 remind you that if you're in one of
15 those colleges, that election of
16 senators is a faculty
17 responsibility. The faculty can
18 count on or ask the administration
19 for support, and in some cases, if
20 the faculty delegate that
21 responsibility to the
22 administration, then it will clearly
23 have to delegate it, but it's a
24 responsibility of the faculty, so we
25 can assure that the elected

1 representatives do in fact represent
2 their constituents.

3 We have 19 elected
4 students. Also in the spring
5 semester we have ex officio members,
6 among who include -- among whom
7 include the deans of all the
8 colleges and various administrative
9 officials, like vice presidents.
10 I'd like to introduce the new
11 senators for this year.

12 We have some folks that are
13 serving another term, so their names
14 may be familiar to those who have
15 attended meetings. Ernie Bailey,
16 from the College of Agriculture.
17 Ernie, raise your hand if you could,
18 please. Ernie is also on the Senate
19 Council. Lee Edgerton has been
20 elected for a term as Senator, also,
21 on the Senate Council, and Lee is
22 Vice-Chair of the Senate Council.
23 Larry Grabau, Larry is a member of
24 the College of Agriculture and
25 formerly the Director of the

1 Teaching and Learning Center, or
2 Director of the Former Teaching and
3 Learning Center. Steve Isaacs from
4 Agriculture, welcome aboard.
5 Michelle Duffy, from B & E. Hello,
6 Michelle. I need to learn
7 everybody's faces and names, too.
8 John Garen from B & E. Hello,
9 John. Keith Johnson, also from
10 B & E. Sean Peffer, hello, Sean.

11 PEFFER: Hi.

12 CHAIR DEMBO: Jason Shaw from B & E. For a
13 second I saw a pattern of everybody
14 congregating back there. Kim
15 Anderson from Engineering. Okay.
16 Hans Gesund from Engineering. Hans,
17 how many times have you been a new
18 Senator?

19 GESUND: I'm not. I'm reelected. I'm in
20 the second three-year term in
21 succession right now.

22 CHAIR DEMBO: Well, thank you very much.
23 It's a pleasure to have you back.
24 Eileen Abel from LCC, hello, Eileen.
25 Brent Eldridge, welcome aboard. Don

1 Hardwick, welcome. Greg Zoll, did I
2 pronounce it correctly?

3 ZOLL: Yes.

4 CHAIR DEMBO: Okay. We also have, as part
5 of the Senate Rules, members of the
6 Association of Emeriti Faculty. And
7 the representative is Jacquie Noonan
8 from the College of Medicine.
9 Jacquie, where are you?

10 NOONAN: Here I am.

11 CHAIR DEMBO: Thank you so much for coming.
12 We appreciate it. Other senators
13 include Rolando Berger. I thought I
14 saw you here, Rolando. Thank you
15 very much for coming back to the
16 Senate again. Steve Haist from the
17 College of Medicine, thank you for
18 coming. Brian Jackson, wonderful,
19 thanks. Charlie -- Charlie
20 Kaetznel. Did I pronounce it
21 correctly?

22 KAETZEL: Kaetznel.

23 CHAIR DEMBO: Kaetznel, thank you. Catherine
24 Martin from the College of
25 Medicine. We have a wonderful

1 turnout. Thank you all very much.
2 We know what the schedules are like.
3 Pat DeLuca from the College of
4 Pharmacy. Okay. Janet Ford from
5 Social Work.

6 UNIDENTIFIED SPEAKER: She's not here
7 today.

8 CHAIR DEMBO: Okay. Kate Black from
9 Libraries. We have some latecomers,
10 so I'm sure some folks will be
11 coming in. And a new senator --
12 every year the President of SGA is
13 on the University Senate, Rachel
14 Watts, and she may have a conflict.

15 UNIDENTIFIED SPEAKER: She'll be here.

16 CHAIR DEMBO: I'll take one moment to speak
17 about my interactions with Rachel
18 Watts. They have been entirely
19 favorable. She's an energetic, I
20 think, very effective leader, who
21 has already, in a very short time,
22 done a world of good for SGA and
23 other things related to the
24 university, so she's a welcome
25 addition to the university

1 community.

2 We also have some new ex
3 officio senators by virtue of their
4 role in the university
5 administrative structure. Jeannine
6 Blackwell is a voting member. She's
7 the Dean of the Graduate School.
8 Jeannine, are you here? Okay.
9 Steven Hoch, Dean of Arts and
10 Sciences, is a new member. Are you
11 here, Steve? Professor Sudharshan
12 from B & E. These are voting
13 members, and half the deans have
14 voting privileges one year and not
15 the next year and then vice-versa.

16 Nonvoting members include
17 Sheila Brothers, who is the Chair of
18 the Staff Senate, who has been
19 granted, by action of the University
20 Senate, ex officio status. And I
21 have equally good things to say
22 about Sheila in her position as
23 chair. She's a wonderful consensus
24 builder among a wide variety and
25 diversity of people. Alfred Kohen,

1 by virtue of being the acting
2 Executive Vice President for Health
3 Affairs and the Medical Center, is
4 also an ex officio nonvoting
5 member.

6 Carol Diedrichs, are you
7 here, Carol? Thank you very much
8 for coming. Carol is the new Dean
9 of Libraries here at U.K. David
10 Royse, by virtue of being the
11 academic ombud -- take a look for a
12 second and take a look at David
13 Royse. Raise your hand. So
14 whenever the ombud calls, that's the
15 man, but for some reason there's a
16 folklore that the ombud is always
17 the student advocate and that's not
18 necessarily the case. It's the case
19 for advocating fairness and
20 consistency, and David is an
21 imminently fair person, so any
22 questions, you should have no
23 hesitation to call him. And
24 finally, Dick Siemer, who is the new
25 Executive Vice President for Fiscal

1 Affairs. Are you here, Dick? Also
2 a wonderful addition to the
3 university community.

4 Finally, in terms of other
5 introductions, before I get to
6 councils, you need to see who else
7 is going to be participating at each
8 of these meetings. We have an
9 esteemed emeritus faculty who's been
10 with us for a number of years.
11 Gifford Blyton is our Senate
12 Parliamentarian, and he graciously
13 accepted the invitation, request,
14 pleading, to work with us again this
15 year. Gifford claims to be the
16 self-proclaimed oldest
17 parliamentarian in the United
18 States, but I've learned a hell of a
19 lot from him. And if you've ever
20 gone through the classroom building
21 and you see a trophy case with
22 awards from the debate team, Gifford
23 was the one who took the team to
24 heights during that period of time.
25 Gifford, thank you very much, again.

1 Rebecca Scott is our
2 full-time Administrative Coordinator
3 in the Senate Council Office, to the
4 left of Gifford. She's been a
5 godsend in terms of getting the
6 office up to speed and into the 21st
7 Century and we're doing more things
8 than we could have imagined doing
9 before, so it's a pleasure to work
10 with you. We also have Angel Clark,
11 who is a part-time employee, working
12 with us in the office. And we have
13 Robyn Barrett from -- come again.

14 REPORTER: An/Dor.

15 CHAIR DEMBO: An/Dor Reporting. You may see
16 her; you may see somebody else on
17 her team at future -- future
18 meetings. Several years ago the
19 Senate requested that there be a
20 full legal type transcript at the
21 Senate meetings; hence, a
22 stenographer, so you can see the
23 transcripts as well as the minutes.
24 Thank you very much. So to help her
25 out, since she doesn't know all of

1 you, if you do speak up, please make
2 sure to state your name and your
3 college affiliation.

4 We have five councils of the
5 Senate, the Senate Council, which is
6 the executive body, and then four
7 academic councils that are
8 responsible for the academic
9 programs within their purview. The
10 Senate Council members, just so you
11 know who's been acting on behalf of
12 the Senate, are Ernie Bailey, Mike
13 Cibull from the College of Medicine,
14 Liz Debski from Biology, myself,
15 Dr. Edgerton, Davy Jones, Faculty
16 Trustee. Davy, are you here? Okay.
17 Michael Kennedy, also Faculty
18 Trustee, hi. Peggy Saunier from
19 LCC, back over there. Kaveh Tagavi
20 from Engineering and Ernie Yanarella
21 from the College of Arts and
22 Sciences sitting in front over
23 here.

24 We also have three student
25 members on the Senate Council, and

1 RESOLUTION IN HONOR OF THE LATE MARK BERGER)

2 CHAIR DEMBO: May I ask that we rise for a
3 moment of silence. President Todd,
4 some of you may not know that
5 according to the governing
6 regulations the president is the
7 chair of the University Senate. I
8 don't know if you're addressing us
9 specifically in that regard, but the
10 discussion now is going to be
11 concerning the strategic plan and
12 there'll be a limited time for
13 questions and answers following the
14 discussion -- the presentation. I
15 hope that you have some good
16 questions that you'd like to bring
17 up.

18 (PRESIDENT TODD PRESENTS THE PRESIDENT'S
19 ANNUAL ADDRESS)

20 CHAIR DEMBO: Okay. Getting back to the
21 first item on the agenda, we have to
22 approve the minutes from the May
23 meeting, and they were circulated
24 via a hot link on the Web site. I'm
25 going to take you to the Web site in

1 a couple of minutes to make sure all
2 senators know what's on it and what
3 types of things to look for. But
4 without any objections, I'd like to
5 consider the minutes approved.
6 Number three on the agenda is that
7 the Senate Council is obliged to
8 report to the full Senate what went
9 on over the summer in the absence of
10 the full Senate.

11 According to Senate Rules,
12 the Senate Council shall serve as
13 the Executive Committee for the
14 Senate and it shall report or it
15 shall act on other matters referred
16 to it by the Senate, with the
17 responsibility and authority
18 delegated to it, and act for the
19 Senate in emergency situations and
20 report those actions to the Senate.
21 So over the summer, when the full
22 Senate is not in session, Rule H
23 would apply.

24 We have about five items to
25 report. The first was that the

1 Senate Council was instructed by the
2 Senate to act on behalf of the
3 Senate to recommend a proposal for
4 reorganization of the College of
5 HES. Those of you who were here in
6 the Senate last year remember that
7 at the very end of the year, there
8 were several proposals that the way
9 that the College of HES could
10 reorganize. One of them was that
11 all units would go to the College of
12 Agriculture. Another proposal was
13 that some faculty would go to the
14 College of Education, other faculty
15 would go to the College of
16 Agriculture. The outs -- the final
17 Senate meeting, the Senate delegated
18 that responsibility to the Committee
19 on Academic Organization and
20 Structure and to the Senate
21 Council.

22 Kate Chard in the College of
23 Education was chair and will chair
24 that committee again this year.
25 Their committee deliberated and met

1 with the Senate Council and the
2 result was that the Senate Council
3 recommended Proposal One, which was
4 that some faculty should go to the
5 College of Education, other faculty
6 should go to the College of
7 Agriculture. That was an advisory
8 opinion given to the Provost because
9 he requested it.

10 From there the Provost
11 recommended to the Board of Trustees
12 Proposal Two, that everybody should
13 go to the College of Agriculture.
14 As part of our opinion, the Senate
15 also communicated directly to the
16 President that, in his position as
17 the Chair of the Senate, he should
18 directly communicate to the Board of
19 Trustees what the Senate opinion
20 was, which was Proposal One. So
21 that was in fact communicated to the
22 Board of Trustees.

23 The Board of Trustees went
24 along with the recommendation for
25 Proposal Two, and so now the College

1 of Human Environmental Sciences has
2 been disbanded with that
3 reorganization. And part of that
4 was that there be a recommendation
5 to look specifically at the Early
6 Childhood Education Program, which I
7 think is in ongoing review right
8 now.

9 The next thing that happened
10 was the Faculty Evaluation of the
11 President. Steve Reed and the Board
12 of Trustees acknowledged that there
13 were no formal guidelines in place
14 by which to evaluate the President.
15 Steve Reed with several
16 representatives from SGA, the Staff
17 Senate, and the University Senate,
18 to talk about how to evaluate the
19 President. And I thought it was a
20 very productive meeting. We
21 brainstormed a number of things that
22 would appear to be important. And
23 from that, many of you may have
24 received a request for your
25 evaluation, and in it what contains

1 some of the guidelines that we came
2 up with at that meeting. So once
3 the faculty opinions were gained, a
4 summary letter was sent to the
5 Chairman of the Board representing
6 faculty sentiment.

7 A third and somewhat
8 contentious issue that arose that
9 you should be aware of is that
10 several years ago, when distance
11 learning courses became more
12 popular, the Council on
13 Postsecondary Education instructed
14 that the university look closely at
15 those courses that were going to be
16 offered via distance learning
17 format. And basically the
18 university had to assure that, by
19 virtue of offered in distance
20 learning format, that there was no
21 substantive change in the program or
22 the course.

23 So the Senate rules were
24 changed to reflect the fact that all
25 distance learning courses needed to

1 be reviewed by a council and then
2 reported. The issue at stake here
3 was Statistics 200 was a course that
4 was offered both at U.K. and LCC,
5 and LCC elected to design and to
6 intend to offer a distance learning
7 format of Stats 200. Their council,
8 the Lexington Community Council,
9 Academic Council, met and approved
10 the course, consistent in a manner
11 with the Senate Rules.

12 The University's Department
13 of Statistics objected and claimed
14 that there was in fact a substantive
15 change in the course by virtue of it
16 being offered as a distance learning
17 course. The problem here was that
18 there was no provision in the rules
19 for contesting this, basically, and
20 so at first the contest was that the
21 wrong council was reviewing it, that
22 it should have been the University's
23 Undergraduate Council instead of
24 LCC's Academic Council. And then
25 there was also the debate as to

1 whether there really was a
2 substantive change. The Department
3 of Statistics felt that after they
4 reviewed the material, there was in
5 fact a substantive change.

6 The Senate Council decided
7 to act in this case as the Rules
8 Committee, to see if in fact the
9 rules were followed correctly
10 regarding the disagreement, and the
11 Senate Council came up with several
12 statements. One was that no council
13 has the final authority over
14 distance learning courses because
15 it's just not specified. There is
16 no distinct council listed in the
17 rules as having that final
18 authority. Until those rules can be
19 codified by the Senate, then who is
20 the appropriate council? The Senate
21 Council felt that it should be that
22 council that has acted in that
23 capacity over the past four years.
24 So the intent here is to come up
25 with better rules that will

1 accommodate the need to be able to
2 question these types of changes.
3 And in the meantime, Stats 200 and
4 any of the distance learning courses
5 that were approved, until the new
6 rules can be adopted, will go along
7 with the old rules, but any new
8 courses from this time until the new
9 rules are codified will be
10 reviewed. And finally, the Senate
11 Council asked that the Rules
12 Committee identify some type of an
13 appeals process.

14 If there are any questions
15 about any of these, please ask, or
16 if I've misconstrued any Senate
17 Council members --

18 ALBISETTI: Jim Albisetti, Arts & Sciences.
19 The College of Human Environmental
20 Sciences doesn't exist anymore, but
21 the Senate Web site says they still
22 have Senators.

23 CHAIR DEMBO: The rules committee has not
24 yet codified what the new --
25 actually, let me go back for a

1 second. Right now there's a large
2 mismatch between the Governing
3 Regulations, the Administrative
4 Regulations, and the Senate Rules.
5 The Senate Rules are subordinate to
6 the Governing Regulations, so
7 there's a committee, a task force
8 that actually Dr. Jones and I are
9 both on, headed by Phyllis Nash, to
10 look at the GR's. And there are
11 changes in place to hopefully keep
12 up with that. We have yet Senate
13 Rules to change to accommodate the
14 change in organizational structure
15 as well, so you're right.
16 Professor Tagavi is the Chair of the
17 Rules & Elections Committee for this
18 year.

19 TAGAVI: I might be wrong on this, but there
20 is a HES College until we say there
21 is no such college. That proposal
22 has not come to the Senate yet; is
23 that not correct?

24 CHAIR DEMBO: Since there are no people or
25 students to inhabit a college, then

1 I guess in essence, it doesn't
2 exist.

3 TAGAVI: But such a proposal has to come
4 through the Senate to -- is that not
5 true, Davy?

6 JONES: Well, it functionally did, that last
7 item last spring, yeah. And the
8 board acted to make that college not
9 exist anymore, but it's (inaudible).

10 CHAIR DEMBO: Any other questions about this
11 distance learning? Okay. I failed
12 to mention -- I'll mention that in a
13 moment. There was another item that
14 came before the Senate Council. The
15 Senate Council received a proposal
16 from the Provost, asking that we act
17 on an interim reorganization that
18 would move the Center for Health
19 Services Management and the
20 Department of Health Services
21 Management from one college to
22 another. The Senate Council
23 reviewed this, and in a manner, I
24 think, somewhat similar to the
25 spirit of what we discussed with HES

1 last year, the Senate Council sent a
2 letter to the Provost acknowledging
3 that we don't feel that there's such
4 a thing as an interim reorganization
5 and we'd be pleased to review the --
6 a formal proposal when the Senate
7 was back in session and it can go
8 through the due process.

9 As a side light, as I
10 understand it, I believe coming in
11 the pipeline is going to be a
12 proposal for a new college; that is,
13 a College of Public Health. It's
14 still at the discussion stage and
15 has not yet, I think, gone to the
16 college councils themselves, but
17 that's something to keep on the time
18 line.

19 We were asked by the Provost
20 for names for an ad hoc committee
21 concerning faculty performance
22 appeals. There are two types of
23 appeals that came up this summer.
24 One was appeals related to privilege
25 and tenure; for example, faculty

1 that did not gain tenure in a timely
2 fashion. And those types of appeals
3 go to a standing Senate Advisory
4 Committee called the Privilege and
5 Tenure Committee. The Chair this
6 year is Peter Perry. Peter, I think
7 I saw you here. Maybe not. Okay.
8 But there are also sometimes merit
9 appeals, and there were a number of
10 faculty who appealed -- who appealed
11 or wanted to appeal their merit
12 evaluation for the year.

13 In a discussion I had with
14 the President, one of the items we
15 discussed was should the Senate
16 committee on privilege and tenure
17 also handle merit appeals? And the
18 President was of a mindset that it
19 should not, that that should be
20 something separate. So the Provost
21 asked us for some names, and we
22 offered some names for folks to
23 serve on an ad hoc committee to
24 review merit appeals.
25 We were also asked for names for LCC

1 Accreditations Task Force. As the
2 President mentioned, Ben Carr is
3 chairing that, and representing the
4 Senate will be Lee Edgerton from the
5 Senate Council.

6 We received a very nice
7 communication from the Chairman of
8 the Board, Steve Reed, and it was
9 sent to us actually from our faculty
10 trustees, where Chairman Reed
11 indicated his desire to push ahead
12 with faculty salary issues and
13 wanted to know what could be done.
14 At our Senate Council retreat over
15 the summer, that was presented to
16 the Senate Council. And in response
17 to that, at a recent meeting, the
18 Senate Council elected to form an ad
19 hoc committee on faculty salaries.
20 It's going to be chaired by -- it is
21 chaired by Ernie Yanarella. Ernie,
22 who are the other members on it?
23 Remind us.

24 YANARELLA: We are still currently working
25 on getting representatives from

1 certain key constituencies. At
2 presence we have -- at present we
3 have former Dean Richard Furst, Eric
4 Thompson from CBER, Alice Christ,
5 who is involved with AAUP. In
6 addition, we have one or two other
7 people who are considering my
8 invitation. We are hoping to have
9 about eight people on that committee
10 and to look into a variety of
11 concerns germane to the interests
12 that have emanated from the Senate
13 Council, from faculty members, and
14 also from the Board of Trustees.

15 The Senate Council has given
16 us a short deadline for the report,
17 which I think we're not going to be
18 able to meet, given the number of
19 considerations, but we intend to
20 work very hard over the next couple
21 of months to come up with a report
22 that, number one, identifies the
23 palpable reasons for significant
24 salary increases, looks to both
25 internal and external ways in which

1 funding could be increased, and I'm
2 sure the committee itself could come
3 up with a number of other
4 recommendations that are germane to
5 other areas as well.

6 CHAIR DEMBO: One other item that came up
7 regarding process is the processing
8 of the -- of the degree candidate
9 list. When I began as Chair of the
10 Senate Council, we would receive a
11 memo from the President's Office --
12 from Don Witt at the Registrar's
13 Office, saying something like:
14 Attached for your information and
15 review is the official graduation
16 list for X year or semester. In
17 accordance with the established
18 University and Senate Council
19 procedures, the official graduation
20 list is not being mailed to each
21 member of the University Senate for
22 approval; however, limited supply
23 lists will be available for
24 inspection.

25 The Senate Council felt that

1 this was not consistent with one of
2 the major responsibilities of the
3 University Senate; that is,
4 authorizing/recommending to the
5 board degree candidates. So now
6 with the ability to do everything
7 electronically, we have requested
8 from the Registrar, and the
9 President's Office has agreed with
10 this, that we'll get an electronic
11 list that we'll post on the Senate
12 Web site and alert Senators to its
13 presence and then you'll have the
14 opportunity to comment on the degree
15 candidates.

16 I neglected to mention two
17 other things. The first was to
18 introduce our Sergeant at Arms of
19 the University Senate. This is
20 Michelle Sohner. She's sitting in
21 the back. Michelle, raise your
22 hand, please. Michelle is the
23 Administrative Coordinator in the
24 Academic Ombud Office but has ably
25 served as the Sergeant at Arms for a

1 number of years. We really
2 appreciate it, Michelle. So
3 whenever there are some interesting
4 or possibly contentious votes,
5 she'll be the one who will ask you
6 to keep your hands raised. She is
7 also authorized to eject anybody who
8 is interfering with the decorum of
9 our proceedings.

10 We have one other
11 announcement. I neglected to
12 mention our new student senators.
13 John Weiss has given me the names
14 here. We have Matt Bacon. Brafus,
15 I mentioned already, Brafus
16 Kaalund. Michael Barnett, Daniel
17 Flournoy. We have Matt Martin,
18 Martha Purdue. I mentioned
19 D. C. Storm. Kate Davis is from
20 Education. Allison Hensley, Sandy
21 Schomaker, Anne Sharpe, and
22 Veleashia Smith. I want to
23 compliment SGA for getting us the
24 names of individuals. I think,
25 again, that's a partnership that we

1 need to maintain and work very
2 closely together.

3 I have several announcements
4 to make; then we'll get into the
5 business of today's discussion.
6 This shouldn't take very long, but I
7 thought we needed to get off to a
8 start here. There's going to be --
9 the University Senate is
10 co-participant in a gubernatorial
11 debate that's going to occur on
12 October -- October 8th in the
13 Worsham Theatre. We were approached
14 by the Staff Senate to see if we
15 would partner with them, and we
16 agreed. They're asking for faculty
17 questions to be submitted, things
18 you want to see the gubernatorial
19 candidates asked. So if you have
20 some interesting questions, I'd be
21 pleased to collate them and to
22 forward them to Scott Marksberry of
23 the Staff Senate.
24 The Provost has told us that there
25 are several colleges that are going

1 to have their periodic reviews. The
2 Administrative Regulation states
3 that there are periodic reviews of
4 educational units. The ones that
5 are having it this year are Arts &
6 Sciences, Design, and Pharmacy. So
7 sometimes you, as Senators, will be
8 asked to nominate members to serve
9 on committees or task forces, and if
10 you have the names or would
11 personally like to serve on one of
12 these College Review Committees,
13 please give your names to either me
14 or Rebecca Scott in the Senate
15 Council Office.

16 We're going to have an
17 orientation to the University Senate
18 and the shared governance system at
19 U.K. two weeks from now. New
20 senators, old senators, anybody is
21 welcome to attend. It will be here
22 in the Young Auditorium at 4:00 two
23 weeks from now. We'll send out an
24 e-mail regarding that.
25 Let me push ahead here. So, now,

1 how is the agenda for a Senate
2 meeting set and how do we approach
3 that? The Senate Agenda is set by
4 the Council. The Council can send
5 something forward with either a
6 positive recommendation, negative
7 recommendation, or no recommendation
8 at all. Or, in fact, the Senate
9 Council can feel that it's not ready
10 to be an agenda item. You, as a
11 senator, or any of your colleagues
12 can bring something to the Senate
13 floor outside of the Senate Council
14 if you have ten signatures. So
15 that's to limit the power that the
16 Senate Council has to control the
17 agenda of the University Senate.
18 So along those lines, the Senate
19 Council has determined that there
20 should be this first item that we're
21 to discuss in a second, and today
22 it's presented for discussion only.
23 I'm introducing the fact that the
24 Senate Rules states that if there's
25 an item of great import or that

1 needs to be cogitated upon by the
2 faculty and students and
3 administration, that it can be
4 brought forward as a discussion item
5 at one meeting and an action item at
6 the next. So that's what we're
7 doing here with this next item.

8 This is the Faculty
9 Representation on Committees, a
10 draft document. Last year in
11 November, the University Senate
12 expressed its desire to have a group
13 work on how faculty should be
14 represented on various task forces,
15 committees, work groups around the
16 university, because of some concerns
17 that were raised. From this a joint
18 Administration and Senate work group
19 met. It's composed of three deans
20 and three Senate Council members and
21 they met and hashed out the wording
22 on this document. It was reviewed
23 by the Senate Council and presented
24 with a positive recommendation. The
25 intent of the Senate last year was

1 that once this statement is
2 approved, then the proposal will be
3 sent to the President and the
4 Provost for incorporation into the
5 appropriate administrative
6 regulation.

7 So here's the statement:
8 The following shall pertain to
9 search appointment and reappointment
10 committees for senior academic
11 administrative officers, level of
12 dean above to the President,
13 university-wide committees, task
14 forces, administratively formed
15 working groups related to academic
16 affairs. So that's the essence of
17 what we're doing.

18 Here's the meat of it. The
19 elected representatives of the unit
20 shall be asked to recommend half or
21 close to half the total number of
22 faculty participating on the
23 committee. The key word there is
24 the "elected" representatives.
25 Number two, the total number of

1 distribution of faculty shall be
2 proportionate to the impact of the
3 position, process, or charge of the
4 committee on the faculty. In other
5 words, if there's going to be a
6 search committee for the head of
7 Physical Plant, then it's unlikely
8 that we'll need a large
9 representation from any specific
10 college or maybe from any of the
11 colleges. We may need somebody
12 who's more intimately involved.
13 Whereas if it's somebody for the
14 Dean of Arts & Sciences, then
15 obviously there should be heavily
16 proportional representation of Arts
17 & Sciences on that committee. The
18 request from the appropriate office
19 shall include the composition of the
20 committee, that is, how many
21 representing students, staff and
22 faculty will there be, the number of
23 names to be selected by the elected
24 faculty representatives, and a
25 reasonable deadline, allowing at

1 least two weeks.

2 The Senate Council felt that
3 our experience had been, we get a
4 last minute request: I need three
5 names for such and such a task force
6 and we need it by tomorrow. Well,
7 I'm sorry I'm exaggerating, but this
8 is what it felt like. So in the end
9 we didn't know exactly how many
10 names they were going to take for
11 those three names, and we felt that
12 we needed to have a more reasonable
13 deadline. So let me back up for a
14 second. So that's presented to the
15 Senate floor for discussion or
16 questions. Professor Jones.

17 JONES: What does it mean, the "unit" up in
18 that number one? Give me an example
19 of what that means.

20 CHAIR DEMBO: Let me back up for a second.

21 If this were, let's say, an
22 appointment for a senior academic
23 administrative officer of a unit --

24 JONES: Tell you what, for the purpose of
25 this, say it's an Associate

1 Provost. What does that mean, the
2 unit in the number one?

3 CHAIR DEMBO: Let's go forward. One would
4 assume -- Kaveh, do you want to help
5 us out? You were on the task force.

6 TAGAVI: The discussion was this applies
7 either to this or to (inaudible) the
8 Dean. For the Dean, the purpose of
9 the Dean, the unit is the college,
10 and any -- everybody else would be
11 the entire campus. So the elected
12 representative would be either
13 college councils or the Senate.

14 CHAIR DEMBO: Other questions or comments,
15 discussion?

16 HARDWICK: Don Hardwick from LCC. When
17 you're talking about "the total
18 number and distribution of faculty
19 shall be proportionate to the
20 impact," can you numerate that? I
21 don't quite understand the meaning
22 there.

23 CHAIR DEMBO: I think that was one of the
24 things we struggled with, was that
25 the composition of a committee

1 should be relevant to its task at
2 hand, and that it's difficult to
3 define numbers, but there is a way
4 to see if there's fair
5 representation of those parties that
6 would have a dog in that fight, so
7 to speak. So I don't think it's an
8 exact science, but if you want to --
9 Professor Tagavi, any other thoughts
10 about that part of it?

11 TAGAVI: No, you're correct, that we
12 struggled with it and we
13 intentionally left it vague.

14 CHAIR DEMBO: To have not addressed it,
15 though, would have meant that
16 somebody could put together a
17 committee composed of folks that
18 were not as closely related to the
19 job at hand.

20 NOONAN: Noonan, medical. Who's going to
21 make that decision, about the total
22 number distribution? I mean, who's
23 going to --

24 CHAIR DEMBO: When a committee is first put
25 together, a task force, let's say to

1 reorganize the Medical Center, that
2 would typically come from somebody
3 in Central Administration. So at
4 least this would provide a way for
5 us to respond to the composition of
6 the committee. If it's a dean
7 search, for example, then I believe
8 the regulations say that the Senate
9 can -- has input into how a search
10 is conducted. Is that right, Davy?
11 Did I get that correct?

12 JONES: Uh-huh (affirmative).

13 CHAIR DEMBO: So there the Senate would
14 almost have direct input into the
15 composition of a search committee.
16 Professor Berger from Medicine.

17 BERGER: Yes. The Senate is the one that is
18 going to determine that the
19 committee is proportionate? I mean,
20 we are the ones that make that
21 determination, that the committee
22 has been formed with proportionate
23 representation?

24 CHAIR DEMBO: I don't know, Rolando, if it
25 has to be the Senate, per se. If

1 this becomes an administration
2 regulation, then virtually anybody
3 in the community could -- could
4 challenge something like that.

5 BERGER: Well, I'm trying to understand
6 because, you know, it's says, "The
7 total number and distribution of
8 faculty shall be proportionate to
9 the impact of the position." But,
10 you know, in any issue that has more
11 than one side, everybody -- without
12 trying to be devious, but just
13 honestly may think that it is
14 important that -- say, there was a
15 conflict, just to use an example,
16 between dentistry and myself. I
17 would think proportionate would be
18 all of the membership from medicine,
19 nobody from dentistry. I'm sure
20 they'd not agree. So who, then,
21 made that determination, who should
22 be the -- who is going to determine
23 that it is indeed proportionate,
24 that it is reasonable to the
25 impact?

1 CHAIR DEMBO: I can speak my view -- and
2 then I'd like to hear others -- is
3 that in the spirit of shared
4 governance and fairness, that we can
5 mutually decide that, you know, the
6 composition of this committee is
7 either fair or it's unfair and
8 then --

9 BERGER: Who are "we," the Senators?

10 CHAIR DEMBO: "We" meaning either the
11 elected representatives of that
12 unit, the elected representatives in
13 the larger body; so, for instance,
14 the Academic Council of the Medical
15 Center might have an opinion about
16 that, since they represent the
17 Senate.

18 BERGER: So not one particular body?

19 CHAIR DEMBO: Right. Other thoughts or
20 questions? Okay. So this was
21 presented for discussion only. It
22 will be an action item at the next
23 meeting of the Senate.
24 There's been one other thing we've
25 been asked to comment on. The Board

1 of Trustees Ad Hoc Committee on
2 Board Structure was asked, among
3 other things -- asked us -- not us,
4 asked the university, among other
5 things, to come up with a Code of
6 Conduct. Joe Fink, I think, chaired
7 a task force, and this has now come
8 down from the President's Office.
9 They want comments on this Code of
10 Conduct. We have a link to it on
11 the Senate Web site. I don't know
12 if this is hot linked over here;
13 otherwise, I'd go to it. But if you
14 scroll down to the area under items
15 for review, you can link on it and
16 read the Code of Conduct. It has, I
17 think, an intent to provide an
18 ethical basis for the way we behave
19 and act, sort of things about ethics
20 and research and accepting
21 remuneration from outside sources.
22 But the best thing to do is to read
23 it over and send all comments to us
24 so we can offer a response to the
25 Administration.

1 And I think the only other
2 thing I wanted to do was to announce
3 some of the committee chairs that we
4 have for this year. I already
5 mentioned Kay Chard, who's chairing
6 the Academic Organization &
7 Structure Committee. Kaveh
8 Tagavi -- Michael, have you got one
9 second? Senate Rules & Elections
10 Committee, Bob Grossman has kindly
11 agreed to chair the Academic
12 Programs Committee. Chuck Staben
13 from Biology will be chairing the
14 Institutional Finance Committee.
15 Is there anything that you'd like to
16 tell us, Mike, as one of our Faculty
17 Trustees about this President's
18 Compensation Committee? There's
19 some activity going on there.

20 KENNEDY: The Ad Hoc Committee on
21 President's Compensation -- this is
22 different from the Bonus
23 Committee -- is trying to evolve a
24 new contract for the President, and
25 that meeting is next -- I don't know

1 when that meeting -- it's either
2 next Wednesday or the Monday before
3 the board meeting. All board
4 meeting committees are open to the
5 public and the press, so anybody who
6 wants to attend, they may.

7 CHAIR DEMBO: Okay. Thanks, Michael.

8 Davy --

9 KENNEDY: Sorry, I have to go teach.

10 CHAIR DEMBO: That's okay. I blindsided
11 you. I should have told you.

12 KENNEDY: That's okay.

13 CHAIR DEMBO: And, Davy, what's the next
14 step on the faculty salaries issue?

15 JONES: Well, I think you mentioned it
16 before, that Steve Reed sent me an
17 e-mail (inaudible) after the last
18 board meeting. At the June board
19 meeting, the strategic plan went up
20 that shows where we are, you know,
21 relative to the benchmarks. And I
22 articulated to the board that the
23 faculty had been biting the bullet
24 really hard for some time now, and
25 now that this is one of the

1 strategic plans, to get us up, you
2 know, the board needs to step up to
3 the plate and do that. And so the
4 next day Steve Reed sent me an
5 e-mail saying, well, you know, how
6 do we do that? You know, what's a
7 tangible plan to achieve that goal?
8 And he offered to -- and that's
9 pretty good, the Chairman of the
10 Board, come down to Lexington, meet
11 with the Senate Council and parties
12 as to what's a realistic way to find
13 funds, either internal or external,
14 to get this accomplished? And
15 toward working with him on that, the
16 Senate has now appointed this
17 committee that Dr. Yanarella is in
18 charge of. And this is not to --
19 the purpose of this committee is not
20 to find that there's a salary
21 problem -- there is a salary
22 problem -- but how to solve it,
23 finally. And this won't take just
24 one year, but over the next several
25 years, what's a tangible way that we

1 can make an inroad on that.
2 That's -- and it's good that we
3 actually have the Chairman of the
4 Board so interested and involved on
5 that. We haven't seen that kind of
6 interest in a long time.

7 CHAIR DEMBO: So one final word in closing,
8 before we dismiss. The next
9 meeting, of course, will be the
10 second Monday in October. We'll
11 send out a notice in advance.
12 There's an attendance requirement.
13 You can't miss more than three
14 meetings. But all you have to do is
15 e-mail us saying, I won't be able to
16 make a meeting, and then that's
17 fine. There's no problem. Last
18 year I thought was a very good year
19 for the Senate. I really
20 appreciated the collegial dialogue
21 we had about some very difficult
22 issues. I'm hoping we'll have more
23 of the same this year. And we try
24 to not make the Senate meetings a
25 rubber stamp, looking at dotting I's

1 and, you know, crossing Q's and T's,
2 but rather to have an intelligent
3 conversation about the fate of the
4 university.

5 I think that the President
6 and his strategic plan sound good.
7 I think that we need to all see how
8 we can work towards that, but we
9 also need to question it where it's
10 appropriate, and the Senate
11 Committees are one way to do that.
12 And as a Senator, of course, you
13 have the right to bring anything
14 forward to the Senate for action.
15 So if you have good ideas, things
16 that we as the Senate should
17 address, that's your right and
18 perhaps your obligation on the part
19 of your constituents. So thank you
20 very much. Look forward to seeing
21 you in October.

22 (MEETING CONCLUDED AT 5:00 P.M.)

23
24
25

1 STATE OF KENTUCKY)

2 COUNTY OF FAYETTE)

3

4 I, ROBYN BARRETT, CSR, the undersigned Notary
5 Public in and for the State of Kentucky at Large,
6 certify that the foregoing transcript of the
7 captioned meeting of the University of Kentucky
8 Senate is a true, complete, and accurate transcript
9 of said proceedings as taken down in stenotype by
10 me and later reduced to computer-aided
11 transcription under my direction, and the foregoing
12 is a true record of these proceedings.

13 I further certify that I am not employed by nor
14 related to any member of the University of Kentucky
15 Senate and I have no personal interest in any
16 matter before this Council.

17 My Commission Expires: November 24, 2003.

18 IN TESTIMONY WHEREOF, I have hereunto set my
19 hand and seal of office on this the 26th day of
20 September, 2003.

21

22

23

24

25

ROBYN BARRETT, CERTIFIED SHORTHAND
REPORTER, NOTARY PUBLIC, STATE AT
LARGE, KENTUCKY