

FL UK SENATE COUNCIL 2-13-12.txt  
UNIVERSITY OF KENTUCKY  
SENATE COUNCIL MEETING

\* \* \* \*

February 13, 2012

3:00 p.m.

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UNIVERSITY OF KENTUCKY  
WILLIAM T. YOUNG LIBRARY AUDITORIUM  
401 Hilltop Avenue  
Lexington, Kentucky

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HOLLIE SWANSON, CHAIR

ROBERT GROSSMAN, VICE CHAIR

J. S. BUTLER, PARLIAMENTARIAN

SHEILA BROTHERS, ADMINISTRATIVE COORDINATOR

ANN CHASTANG, COURT REPORTER

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SWANSON:

Good afternoon. We have quorum. Welcome to the February 2012 Senate meeting. If you are questioning why we have tape over there, we are still testing microphone usage, and what we're trying to do is pick up the sound of people talking and not Sheila typing. Last year - last time we had an excellent recording of Sheila typing. Today we have a number of announcements, but before we get into that, here's my please slide. Please give your name and affiliation when you speak.

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Communicate with your constituencies. Attend meetings. Thank you. Respond to e-mails and web postings. Acknowledge and respect others and silence your electronic devices. The minutes from December 12th, 2011 have been received and editorial changes have been made. Could I have a motion for approval?

FRIAR:

Alan Friar, Arts and Sciences.

SWANSON:

Thank you. Do we have a second?

WASILKOWSKI :

Second. Greg Wasilkowski, Engineering.

SWANSON:

All in favor? Opposed? Abstained? Motion carried. Thank you. I have a reminder that we have Brit Brockman coming in April, and if you'd like to put forward some topics, we can get that into an organized discussion in April. We had a chat with him. The Senate Council is setting up an annual chat with the Chair of the Board and so that happened on the 31st. We're going to exchange information. We have new Senate Council members. Could you please stand? We have Lee Blonder will be our incoming Chair. She will start on June 1. Robert Grossman will be returning as our Vice Chair. Debra Anderson, Allison Davis, Gail Brion, Engineering, and Liz Debski are new Council members. Welcome and thank you. And we have a new Trustee and we'll talk about that election in a minute. Some of the actions that we took on behalf of the Senate, I approved inclusion of three students to the 2011 degree list. B.S. in Equine Science Management, a PhD in Animal Sciences, and a PhD in Psychology. So these are due to a clerical error. On behalf of the Senate at the request of the College of Business and Economics, the Senate Council approved temporary suspension one year of admissions into the BBA and Analytics. This college is currently undergoing a restructuring in the school of management and our Senate Committee on Structure and Reorganization is currently looking into that proposal. The SACPT annual reports, I just wanted to bring this to your attention because I've had some comments over the last couple years of why do we write these reports. And I thought this was a good example of why we write

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these reports. We got a note from a faculty member who was making an appeal to the SACPT, and they mentioned they went through all of the annual reports of the SACPT and building that case helped them quite a bit. There's a positive outcome to that faculty member's situation. So I thought that was a really good example of why we should be doing those reports. Gail Brion walked in and she is one of our new Senate Council members. We will be having a mass e-mail regarding changes to workers' comp to be sent to employees in the coming days so look for that. And we have some web transmittals. There are two posted and please take a look at those for your review. Davy Jones, would you like to update us on the faculty trustee election.

JONES:

Faculty trustee elections, probably most of you are aware, you've gotten a few e-mails about the faculty trustee election. Okay, we've had a first round complete since the last meeting of the University Senate. There are a little over 2100 voters. We had forty-eight percent participation by the eligible voters. That was a very strong turnout in the first round. That combed it down to three candidates we have listed here. By college the voter participation ranged from twenty-five percent up to eighty-one percent. I believe it was Nursing that had the eighty-one percent. Thank you, Nursing. You've set the bar for us here very strong. We'd like for all the colleges to have a high voter turnout. Right now we're in the final round of the election. There are forty-eight hours left in that. It ends at noon on Wednesday. I've sent out an announcement at the beginning of the election period that started last week to all eligible voters. I sent also a copy to all deans so that they could forward it through the chairs on down. I also sent a copy to the chairs of the elected faculty councils so that that round there could - with all these we're trying to get the word out and cultivate an atmosphere in the colleges. Please get out and vote because the stronger the turnout, the greater the mandate will be for

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whoever wins this election. I know in some colleges there's been a more robust get out and vote than in other colleges. But, again, we would hope by these various rounds, one more of these, we would get a very strong turnout of all the colleges. And, again, I also sent it to the UK news service. Just give you some more information that we have available at the Senate website, there is a primary opening to the Senate website if you go there. There's a place where you can click to go vote. For those of you who haven't been there yet, this is what the voting site looks like. You'll enter your UK person or link ID and then the password. It gets you to the second site here where the file candidates are listed. There's an election statement, an election bio sketch, and a home web page for each of the three candidates. If you're interested in additional information about the election process thus far, you can click this place and, again, we have posted there the list of all the eligible voters. Again, the information about each of the three candidates. And we've also posted each of the announcements that have been sent out from the beginning of the process up until now. They also get posted there. So if you don't have anything better to do but to go back and read Senate election announcements, they're there for you if you want to read those at this site. Okay, so, again, this Wednesday it will close. If you haven't voted, please do. I think a poll was taken. The entire Senate Council has voted. I really hope that this body would have a high voter participation and encourage your colleges and colleagues also.

SWANSON:

Any questions, comments? I'd like to bring your attention to the ongoing committee work because it is so impressive. Not only do we have our standing committees who are busy doing their work, I told you about the structure and organization committee. The Program Committee is really very busy. The Research Committee has been delving into some really important topics for you. We also have a number of ad hoc committees

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that I'd like to draw your attention to. You remember Joe Peek telling us about the staff University Senate Ombuds Committee. We are in the process of a second report that we will be submitting to the President tomorrow. And this is in response to some of his concerns that we brought up. Any questions about that? Okay, and then we have a Distance Learning Committee. That was at the request of the Senate Council, and we wanted a Distance Learning Committee to address a number of policy issues. That committee is headed up by Sharon Locke, Linda Gorman, and Kathy Kern. When we met with that committee, they said they wanted to do more. They didn't want to just look up policy. They wanted to look at incentives for doing distance learning courses, and they wanted to identify barriers. So I thank them for that, and so we'll be looking to their report at the end of the semester. We also have the Calendar Committee. Margaret Bausch - did I pronounce your name right?

BAUSCH:  
SWANSON:

Bausch, yes. Margaret has agreed to take on that task. Remember we have a number of issues pertaining to calendar. And what they'll be looking at is our academic needs and trying to balance that with our students' needs. We also have our honors faculty of record. Remember we voted on that in December and so that committee is up and going. I received an e-mail from the chair of our Planning and Priorities Committee and he regrets he cannot be with us today because he is in Athens teaching a course and trying to look past the tear gas and explosions and so on there. And then I'd like to tell you about the faculty committee on Review, Rewards, and Retention Committee or as our mathematician Greg has said, the RQ Committee where each R is equal. The charge of this committee, so this has been a process that has involved the Senate Council, the Provost, me, and the President. And so we've sent out the letters of appointment to this committee, and we're in the process of trying to get our first meeting, and we are also still in

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the process of making sure we've got the membership as we've intended. The charge is to review the policies and procedures related to faculty evaluation, promotion, and tenure, define opportunities and incentives aligned with priorities of the University which hold the greatest possibility to improve faculty satisfaction and overall outcomes of the University. Now it could be that we're trying to solve everything. But maybe just not yet at this single time. So what I've intended is to break the committee up after we meet a couple of initial times. We'll be gathering information and then we'll be splitting off into three work groups. Work group number one will examine criteria and expectations used to evaluate faculty performance and recommend changes, if necessary. And these are the questions that we'll be addressing. I'll send this out in an e-mail following this meeting. Work group number two, examine annual performance reviews and recommend changes, if necessary. And work group number three, determine whether faculty development and accountability are appropriately addressed and recommend changes, if necessary. So I'll be chairing that committee. And we have about seventeen members that we've tried to get well representation amongst the disciplines and the colleges. Any questions, comments? Okay, I'll try to keep you informed on the work of that committee. We have at least two forums that will be planned. I asked IT to help us set up a website that you could access the (unintelligible) from our Senate site and have its own website so that we can have our running discussions run on this. So regarding committee's activities, wow. Really good stuff going on. And thank you. A real brief update on our document handling system. You remember the last time we had Anna Bosch from Arts and Sciences come and tell you about how that system is going. It's going quite well. We had thirty applications for minor course changes that have come from the College of Arts and Sciences to the Senate Council office. So

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we'll continue piloting that and start refining just a few technical problems we still have to work out. Questions on that? Okay, we will be discussing changes to Senate Rules 3.3.2, procedures governing creation, consolidation, transfer, discontinuation, or significant reduction of an academic program or educational unit. So we wanted to make you aware that those will be under discussion at the Senate Council. They'll be on our agenda and then we'll bring those changes to you at the next Senate meeting. Questions? Okay, now I've heard a lot of comments about this so I thought I'd bring it up. The comments I heard is why is UK spending all this money on Wildcat Plaza. And the other comment I heard, I don't know where this came from, is that perhaps we're making a dungeon for faculty who misbehave. We don't have the money for that. So I'd like to tell you what this is. This is the Wildcat Plaza. It's funded by the UK Alumni Association. So it's about three hundred thousand dollars from the alumni, not UK money. And it's something the alumni wanted to do for the University. And they have a sculpture that's planned. The unveiling will be on Friday, April 20th at 3:30. And if you are interested, you could purchase a paver. So if you follow the website, there is a variety of pricing. I think the most expensive was \$275.

BROTHERS:  
SWANSON:

Sounds about right.  
So that's for somebody who is not a member. Hopefully that will raze - put all those rumors to rest. We have a question and answer session with Bill Swinford, the President's Chief of Staff.

TRUSZCZYNSKI :

Truszczynski, Engineering. So you said that Alumni Association wanted to do something for UK for us but did we want it?

SWANSON:

I don't know if they asked. I don't know. I don't know the process. I attended my first Board meeting with the one hundred nineteen other members last month. So I'll ask them. Oh, and I forgot to mention, the money for the pavers is going for scholarships.

KELLUM:  
SWANSON:

Rebecca Kellum. So where is this? It's right across from Memorial Hall - Coliseum. There's lots of

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construction. If you go to the  
alumni website, you can watch the  
web cam. They have a minute to  
minute - there isn't frankly a lot  
of activity right now. It's a  
little -

GROSSMAN: Find out what the big hole in the  
ground on Sunset Drive is across  
from the library.

SWANSON: I'm sorry, I forgot to investigate  
the big hole in the ground. Maybe  
Bill knows.

SWINFORD: I'm unaware of a big hole. It  
doesn't come across my desk. Thank  
you all for this opportunity. I  
know you're busy and I know you've  
got lots of work to be done so I  
appreciate the opportunity to come  
back and visit with you again. If  
I may have your indulgence for just  
a minute. The President and Dr.  
Mary Lynne Capilouto asked me to  
bring this resolution to you today.  
I'd like to start with it. Gloria  
Walton Singletary passed away the  
afternoon of February 10th, 2012  
following a brief illness. Mrs.  
Singletary is survived by two  
daughters, Bonnie Singletary  
Robinson, Kendall Singletary  
Barrett; one son, Robert Scott  
Singletary; four grandchildren and  
five great-grandchildren. She was  
eighty-eight years old. Married to  
the eighth president of the  
University of Kentucky, Dr. Otis  
Singletary. Gloria was  
affectionately referred to by many  
as Glow. She left an indelible  
impression on our University and  
forever changed the Lexington  
community and the Bluegrass region.  
Born Gloria Walton, she was the  
daughter of a Methodist minister, a  
native of Lanett, Alabama, and grew  
up on the gulf coast of  
Mississippi. A quintessential  
southern lady, Mrs. Walton met her  
husband, Otis Singletary, while  
attending Perkinson Junior College  
in 1940. They were later married  
on D Day, June 6th, 1944 in her  
father's church in Moss Point,  
Mississippi. Following World War  
II where the Singletaries enlisted  
in the U.S. Navy, the couple earned  
their degrees in History at  
Millsaps College in 1948. In the  
midst of turmoil and restlessness  
for our campus and country, the  
Singletaries arrived at the  
University of Kentucky in 1969.  
With patience, intellect, and  
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resolve - and result, the two of them together led UK for nearly two decades through a period of tremendous progress helping define and grow the modern public research institution we have become.

Described as the grand first lady for the University of Kentucky, Gloria Singletary, with a sense of grace, clever honesty, and pleasant diplomacy stood with her husband and blazed her own path as a mother away from home to UK students, comforter of patients in our hospital, an advocate of the arts in our community, after her husband's tenure as the third longest serving president of the University of Kentucky his passing in 2003, Gloria continued to champion the arts and numerous causes in our community. Her steadfast devotion to the Living Arts and Science Center helped enrich the lives of countless children and adults through engagement in civic art programs and basic sciences. Quote, no, I've got to take care of this roof, end quote, shouted Gloria from the roof of her - to her fellow Board members standing in the parking lot of the Living Arts and Science Center. Having never asked someone to do something she was not willing to do herself, Mrs. Singletary climbed on top of the center's roof to address needed maintenance concerns, the center dedicated to the Gloria W. Singletary Gallery in her honor for her many contributions. Gracious, unassuming, personable, genuinely interested in others, all recollections of the dearest admirers over her nearly ninety years life framed the character of Mrs. Singletary. A singular manifestation of the type of life we strive to lead, one of service, sacrifice, and love.

SWANSON: Could I have a motion to endorse the resolution?

ANDERSON: I'd like to make a motion to endorse the resolution.

TRUSZCZYNSKI : Second. Truszczynski, Engineering.  
SWANSON: Debra Anderson, College of Nursing.  
All those in favor? Opposed?  
Abstained? Motion carries. Thank you.

SWINFORD: Thank you all on behalf of President and Dr. Capilouto. I'll just talk for a couple minutes and  
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then I'll be glad to take questions if you have them. I'll just focus on three of the major things that the President is focusing his attention on these days. We are in the twenty-eighth day of the 2012 session of the Kentucky General Assembly. The good news is that they continue to be occupied by the districting, and it seems like very little else, and that includes for better or worse the budget of the Commonwealth. Everybody is kind of waiting for redistricting to get completed so everybody knows what districts they're running in and who might be running against them. Where we are in terms of the budget in particular, as you know from a message the President sent out earlier and from news report the Governor's budget recommendation has been introduced in the House. It includes a 6.4 percent reduction in the University of Kentucky's state appropriation. That totals to about 19.4 million dollars. The Governor recommendation also contains no state money for capital construction on the campus. Six point four percent is the same cut being asked of all the public universities and the community college system. The House representatives now has that budget in their possession. And, again, because of the districting, they have not taken up the budget in a serious way although we anticipate that them doing so very soon. The President spends a couple days a week over in Frankfort talking with legislators about the damage that would be done by a cut of that magnitude coming as you all are painfully aware on top of repeated cuts over the last ten years. The high water mark for the University in terms of our state appropriation was 335 million dollars. We are at 303 currently. And then if you walk backwards another 19.4, we'd be at 284 million dollars. So the President continues to work hard at it as the House begins to consider the budget. I think it's fair to say that while legislators are supportive of the University and will attempt to do what they can, I think we all need to be realistic about what the budget prospect is. We're hopeful that reduction does not take place, but we're realistic

about state revenues at this moment. And it simply does not look good for recovering a lot of that. We're hopeful we can recover some of that during the legislative portion of the process. The second major thing the President is focusing his attention on is something he's talking with members of the General Assembly about, as you all know from messages and press reports, we continue to negotiate with an external developer on the prospect of building new residence halls. We continue to negotiate. We believe we are close, but we are not there yet. The President intends to take a recommendation to the Board of Trustees on a first dorm project and intends to do so at the Board's February 21st meeting. The negotiations - the representatives of EDR were on campus Friday and literally met all day with legal counsel and facilities and the budget office and others to try to continue to negotiate a contract to move forward. The President continues to be adamant that a new dorm be constructed and open for fall of 2013. It's a very ambitious time line but one we believe is certainly doable if we can get a contract that both sides are comfortable with. The third thing that is occupying an enormous amount of the President's time, of course, is preparing the 2013 budget for the University of Kentucky recognizing that we have the potential reduction in state appropriations that we will have to absorb. As the President spoke with you all when he was here, one of the committees he has established to look at various aspects of the University is related to our financial modeling for the University. And so we've got a kind of run-on parallel tracks a little bit. We've got to prepare for 2012-2013 on one track and then we need to be working on the longer term of what the University's budget model will look like going forward. As the President stressed to you and as he stressed to that work group when he met with them a couple of weeks ago, he's only interested in one model, and that's the University of Kentucky model. He charged the

work group and following the pattern he used with the University Review Committee that Chair Swanson chaired last fall, he charged them and ultimately was going to get out of their way and let that committee do its work. I understand that they're going to be mechanisms that allow for this body to have feedback with both the faculty members of that work group but also the Chair who is Tim Tracy, the Dean of the College of Pharmacy. The President anticipates a proposal on the change model by June 1st which is also a very aggressive time line. So that work group is just beginning its investigations into the challenges we face as a University, what budget model will suit us best. The President assured them that from his perspective everything is on the table in determining how we go about changing the model. But as he's reiterated to me, places the current model appears to be untenable in this new normal that Frankfort likes to call it. So there are lots of other initiatives going on out there that I'd like to talk with you about. There are some things moving through the General Assembly as you all are aware of relating to the University of Pikeville becoming a component of the public university system. That's been proposed. That bill has not been - has not moved out of the House Committee that holds it yet. We also have various bills we're paying attention to related to all sorts of matters. But, again, everything is just kind of sitting there, but it will get through, I suspect, in fairly short order. The President I think described to you at his visit with you the number of work groups he has ongoing. In addition to the financial model, we're looking at our debt capacity to see what opportunities with capital construction we can take on as a university. Chair Swanson described to you the FCRO work group. We have already formed a sesquicentennial work group to begin laying the groundwork to our celebration of our University's one hundred fifty anniversary or founding. So there's lots of stuff going on. With that, again, I

appreciate your time and attention. I know you've got things to do but individually and collectively but I'm glad to take any questions that you have of what I've mentioned or anything else that's on your mind.  
Bob Grossman, Arts and Sciences.  
So we got a memo from the

GROSSMAN: President -

SWINFORD: Yes, sir.  
GROSSMAN: - about a week ago, I guess, in which he described a President's council that consisted of about twenty people or so. Only one of whom could remotely be described as academic, the Provost. All the other whom are staff, administrators.

SWINFORD: Yes.  
GROSSMAN: And I heard several people express concern about this President's council because it suggests the President is going to be getting almost all of his advice from a group of people most of whom do not, are not focused on the - or do not carry out the educational mission of the University but are supposed to be here to help us do the academic mission of the University. So can you explain the purpose of this council - it doesn't really say here - and what the President's thinking was behind it.

SWINFORD: Sure, thank you for your question. I appreciate that. Here's where we are. Under the previous administration, the President had a cabinet that met regularly. When Dr. Capilouto came to campus, he wanted to kind of get a feel for the place before he decided the mechanism about which he'd float ideas and then gather feedback. And the President's council, as you noted, is one of those mechanisms. And those are, as you suggested, the operating entities - representatives of the operating administrative units of the campus of the Vice President to Student Affairs, the Provost, and the like. The President will meet with them once a month to provide updates to those administrative officers on the things that are going on around campus. I think from the President's perspective there are other mechanisms for input from other constituencies including the faculty. His visits or my visits with this body, we've arranged for

I think they're later in the day meetings between the President and groups of faculty that will occur on a regular basis during the semester. The President continues to visit academic units. He made his way to all eighteen colleges in the fall and picked up with sub units in the colleges where he will gather information and input from the faculty. I assure you that the President's council will be only one of the mechanisms and that is to provide administrative officers with direction or guidance from the President. But there will be plenty of opportunities, I assure you that. We'll continue to have opportunities for the President to come here. He will continue to meet with the staff and Senate as well. He'll have opportunities to visit with Senate Council and other mechanisms. Does that help a little bit?

GROSSMAN: I guess I'm still not exactly clear on the purpose of the group. Is it for the President - for them to get with one another and the President to provide the more direction?

SWINFORD: Yes.

GROSSMAN: Or more for them to say hey, Mr. President, these are the thing that we need.

SWINFORD: Well, I think it's going to be a conversation with the President and the administrative units. Yes, it's to help. One of the things that the President has noticed since he's been here is that the cross communication among the administrative units is not nearly as strong as it needs to be.

GROSSMAN: I would say a worse problem is the communication between the administrative units and the educational units. And for the educational units not being able to communicate to the administrative units what our problems are and how they can better serve our needs.

SWINFORD: Well, I think we've got some opportunities here. I think the President would be open to other mechanisms that he could be involved in where that communication takes place. We are now in the process of just commencing the search for a new Executive Vice President for Finance and Administration. The President has placed a high priority with that search committee

on finding someone that facilitates communication between the academic and administrative units. If there are suggestions about how we do that better, I think this President has shown in his first seven plus months on the job that he seeks and takes seriously input, particularly from the faculty, about how we do things better. This is a President often talks about we need to be a learning organization. The things we aren't doing well, tell us about those and how we do them better, absolutely.

DEBSKI : Liz Debski, A&S. You had mentioned that you're close to a deal on that first dorm and that you expect to put a proposal in front of the Board of Trustees that meets in a week. And I'm wondering whether that allows enough time for the Board of Trustees to actually review the proposal and seek any faculty staff input on it.

SWINFORD: That's a really good question. We put this on the very fast track and we admit that. We are close. We are not there. Contrary to some of the things that I've been hearing, we are not there and we may not get there. I think we will but we may not. The President spoke with the Board at their December meeting about our missions and kind of laid out for them the broad parameters of what this opportunity may look like. Things such as the University will maintain control of the programming even if we turn over to a private developer the construction and maintenance of the physical facility. That's one of the things the President has held fast to, and he laid out other parameters for the Board. In terms of details, the President has stayed in communication with the Board Chair throughout the process but has assured the Board that we will take as long as they want at the February meeting and if the Board as a body is not ready to move forward based upon the President's recommendation, then we'll regroup and decide the best path forward. But we are - given the President's high priority on a new dorm in the fall of '13, this is - we have moved in a pretty aggressive way. But we've assured the Board that all questions they have will be answered before

they're asked to put the President's recommendation to a vote.

DEBSKI : So if I could just follow, so unless the Board asks for a faculty, staff, and student input at this Tuesday meeting, nobody will have a chance to comment?

SWINFORD: Well, I think the mechanism for that input at least initially is with the faculty and staff and student representatives on the Board of Trustees. Now one of the things that we've been very careful about - and I want to assure everybody about - is about a single dorm that we're laying the groundwork for. We've had discussions very preliminary, very, very preliminary with the developer about what we do next. So this is kind of the template we're beginning to lay out. And that will be obviously something for full community consumption whether this is the right way to approach future construction. And if it's not, then we find another alternative. I also note to you that we had pulled together a work group of about ten, eleven, twelve people who have been working on this. It includes deans. It includes the Vice President for Student Affairs. It includes representatives from Facilities and University budget office. So those entities have also provided input. This has not been the President negotiating in isolation from a lot of input from a lot of people. And we've gotten lots of good advice about everything from the academic space in these dorms, how it should be configured, how much of it should there be to how the dorm rooms themselves look. And we have had student focus groups to talk with them about what students are interested in. I have been proven wrong several times already what I thought students would want and what they actually do want to see in their residence halls. Yes, ma'am.

WOOD: Connie Wood, Arts and Sciences. With regard to the funding of these dormitories, could you give us any information as to what the University's financial commitment will be and where this money will come from?

SWINFORD: Yes, ma'am. One of the things that



makes this attractive to the University is that the developer brings equity to the construction project. How the dorm gets financed after that will come from student residence fees. The University currently is not putting money into the project. The developer constructs the project based on the equity they bring to the table and then recoups the costs through student residence fees. One of the negotiating points we're working on even as we speak is how you make decisions about the residence fees going forward, how those get set. They get set in collaboration between the developer and the University. I'm now officially telling you more than I actually know, but one of the tricky parts of this, one of the interesting and tricky parts of this is that if we were to attempt to overall the residence space on the University of Kentucky campus in the traditional way we've done, you would look at a time line whereby we would put up a new dorm maybe with a little luck in fall of '13. And then we may put up another dorm - another new dorm two or three years after that. And then we put up another dorm two or three years after that. They would all have to be debt financed by the University. And that, as you all know, constricts what else we can do with University funds if we are funding debt on residence facilities, for example, for newer dorms we build we're debt financing them. Because the developer can bring equity to the table, it gives us a lot more flexibility on it. Now having said that, we are in very close consultation with Moody and Standard and Poor about what it means to the University's debt rating to move forward on projects like this. And as the folks who are better versed in this than I am will tell you, we won't know until we have a deal. We go to Moody and S&P and say well, how will this look. And they say not until you've got a deal can we tell you what it means for your rating. So that's still an unknown. But what we do know is that we won't be shouldering the debt in the way we would if we did it the traditional way and the traditional way would

be much slower. Yes, sir.

GEDDES: Jim Geddes, College of Medicine. For the state budget cuts, can you just outline the strategy if the 6.4 percent cut holds? Will it be across the board cut or any programs cuts being considered?

SWINFORD: The President is in consultation with the Provost and the Deans about what approach makes the most sense. I will tell you that this President does not believe in across the board reductions. But as you will also know, that's been the way we've absorbed reductions in the past so we don't really have a mechanism for doing it differently. So the President's conversation with the Provost and the Deans which is ongoing is how do you make such strategic decisions rather than just doing it across the board. And that's where we are currently. The President is interested in the Deans' input and the Provost and others about what metrics you use to make some determinations about where cuts go. But we're still - it's still preliminary but we're building that one from scratch.

LEE: Brian Lee, College of Agriculture. How is the President working to change the master plan for the University in a physical sense? The stuff that is posted is woefully outdated. And if we're going to invest or have other people invest, how is that changing? What's the process for that change and when can we expect a new master plan?

SWINFORD: Thank you. Good question. Because we live in a new normal and the President has said we can't do what we've always done, which is put together a list of capital projects and take the top one and go to Frankfort with a bill and hope that it gets funded and then move down to the next one and the next one, we've got to think much more creatively about how we finance projects. The President has tasked another work group to do exactly as you suggested, and it includes faculty, staff, deans, and administrators. And the President expects by June 1 a blueprint to take us forward and he wants to know facilities that need to be done but he wants as importantly to know how those facilities would get

financed. And doesn't want, again, what we've done in the past which is do this building; it will cost 112 million dollars in state bonds because, again, that's not a tenable approach anymore. So we've got to think creatively about new resources. We've got to think about bringing donors to the table in a much more significant way. And so the President has tasked this group to try to tell him academic space, residence space. We've also talked about the needs of the student center. For example, research space. All those things. How do the pieces fit together and how can the University continue to move forward in an era where, again, the answer is not coming from Frankfort anymore, at least in the short term. So by June 1 the President hopes to see a blueprint for a new approach to capital. Yes, ma'am.

BRI ON: Gail Bri on, College of Engineering. The memo that came out from the President on the new restructuring where several vice presidents have been moved over, this doesn't seem to be much reduction in the administrative structure yet. Are there more plans coming?

SWI NFORD: That's a good question. First I would say that the memo probably didn't do as good a job as we could have done in laying all this out and that's on me. But what I will tell you is that if you look at the organizational chart that the President received when he got here July 1st and the restructuring and what it means for the number of the President's directors, it's been reduced from twelve to ten. He at this moment is not of a mind to replace Len Heller who has retired as our Vice President for Economic Development. He has also moved the Vice President for Institutional Research and Effectiveness under the Provost. So that will no longer be a direct report. But to answer the second part of your question, the President has asked several of his vice presidents to come to him with other plans for efficiencies and consolidations, changes, and looks forward to those. Again, it's a learning organization. I don't believe that we will reach a point during the course of this President's

administration where he'll say okay, we're there. We've got the organizational structure we want. Personally, I would love to see him say that. But I don't think we ever are going to be finished with the organizational structure. There are always ways I think that in a learning organization you figure out how to do things better and do things differently. The President thought it was important that he start with his office and his direct reports. I will also say to you that when this President came in July 1st, there were five employees in the President's office. There are now four. He does not intend to replace the other one. I can tell you we're all feeling that reduction, but the President felt you start with the President's office and with the President's structure and have conversations with direct reports about their operations as well. So we're not finished.

BRI ON: There will be a report of cost savings that are -

SWI NFORD: Yes, ma'am. We will lay all of that out. Again, to the degree the memo was incomplete, that's always the fault of the guy who helps write it, but there's more coming. Yes, sir.

CONNERS: Terry Conners, College of Agriculture. Students leave campus housing for a number a reasons. I appreciate we're short of dorms. We have students in my own college who are being asked to leave as upperclassmen because there's not room for them.

SWI NFORD: Yes, sir.

CONNERS: I hear a lot about dorm improvements and so forth. But one of the reasons I think students leave is not just because they want to get away from freshman noise or because they want to live independently. It's also because independent housing is often cheaper. And now it's very important. Do we have any commitment from the University that we also need to honor that kind of commitment to retain students on campus to provide them with an inexpensive alternative to independent housing?

SWI NFORD: That's a great question, yes, sir. Again, we're talking about a particular dorm in this phase one.

But as we've talked in a very preliminary way, so take that as a preliminary, we're talking about, as you all know, very much overhauling our current stock of residence halls but greatly expanding the number of beds potentially on the campus and turn away lots of sophomores, for example, that want to live on campus because of our interest at the moment of being sure the first year students have access to on-campus housing. Your question about expense, one of the things the President has asked this work group working that's working on this to keep in front of them is whether or not we have various approaches to residence halls going forward where you have different tiers of costs but you also didn't get different tiers of amenities across those dormitories. As we fold in the four newer dorms, I think that's going to be something we're going to be very sensitive to and probably talk a lot about whether is it a tenable approach to have various tiers of residence halls going forward. Your point is very well-taken. I hear that a lot about the expense of living on campus. One more question I'm told.

FRIAR: Alan Friar, Arts and Science. I'm a parent of a freshman who is living on campus right now. So I think I have a particular interest. Have the location and number of beds for this first dormitory been set?

SWINFORD: Yes, sir. I apologize. I should have told you all that at the outset. The first dorm location would be on Haggin Field and the goal would be that the last year for Haggin would be next year, the '12-'13 academic year. And then the new Haggin - new dorm on Haggin Field would be open fall '13 but Haggin would not be in the fall. That would be the first one we would take over.

FRIAR: And would there be an increased net in the number of beds?

SWINFORD: The work group that's working on this has put together a schedule. I wish I could quote it from memory. We break even basically with the first change in dorms. And then, again, in a very preliminary way we talk with the

developer about how you literally move around campus, take dorms offline while building new residence facilities. And there's a moment where we go back just a little bit but then there is a pretty substantial expansion within the next five years. So any decrease would be very temporary. Maybe one academic year before we move forward. I would note to you and I will speak of residence halls while it's still in my head. As you may or may not be aware, the Board of Trustees took action recently to rename New North - what we're calling New North dorm the David P. Roselle residence hall. And that naming ceremony will take place in April. I'll be sure to get Hollie the date on that. The President and Mrs. Roselle intend to be here for that ceremony renaming that dorm in his honor as former president.

SWANSON:  
SWINFORD:

All right.

I appreciate your time very much.  
Thank you.

SWANSON:

We move on now to our committee reports. We have Senate Retroactive Withdrawal Appeals Committee with Professor Tom Nieman.

NIEMAN:

Hollie told me to keep it brief. So it won't be more than forty-five minutes I don't think. We'll keep it down to that. We're going to limit questions to about twenty-five. If you can handle that, we'll get through it. I'm glad to be here this afternoon. By way of history, this is my fifth year on the Retroactive Withdrawal Appeals Committee, and this is my third year as Chair of the committee. And I've come to the conclusion that I'm finally learning the job. It's a very tedious kind of thing to deal with with withdrawals and students and various positions they find themselves. Last year or for the fiscal year fall '10 to spring '11 we heard seventy-eight appeals. We had seventy-eight appeals. The seventy-eight, we approved or agreed to sixty-four of them. We turned eleven back and denied the appeal. And we tabled three of them for basically lack of information. The interesting thing that's been happening now is that of the seventy-eight that we heard, forty-one of them were for medical

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reasons of one type or another and they run just the gamut. You imagine what it might be and we heard it. It happens. Financial, it was only six people this year. Personal kinds of thing were family problems, domestic disputes, and that drew eight appeals. And then there's a couple for military where they were called up to service and didn't get their act in order and so these kind of things. We've heard interestingly now a couple things that have kind of occurred more often than not where people are asking to withdraw for a partial part of a semester. So say if they have four courses and they say well, we just want to withdraw but we only want to withdraw two courses and that we find much more problematic, and unless there's a specific reason tied to the course, we generally deny those kinds of requests. And that's worked fairly well. We don't always get agreement from the ones we turn down, but we do do that. We've had to a number of occasions this year where the time frame they've asked for a waiver and I think that's kind of interesting. We have one went all the way back I believe to 1993 asking for a waiver for a couple semesters in the '90s and on through. And for the most part unless there's a compelling reason for why they couldn't, you know, ask for a withdrawal sooner than that, those have been denied. But there's been a couple that are for medical reasons or again, military or something like that that we've approved. The other thing I think that's at least worth noting that in - let's see, in the year previous to that we had ninety-three requests. This year is seventy-eight. And one of our concerns was that we were getting a lot of requests for withdrawal that really should have been handled by the colleges themselves. And so this year we set about to try to rectify that. We worked very closely with the deans of the colleges, and as a result, we've got, you know, seventy-eight rather than ninety-three. So like a twenty-two percent decrease in cases this year which is working out fine. Our relationship with the colleges is probably better now

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than it's been in a long time. And that's pretty well it. I think except my salary increase I think what you're all going to vote for this year of fifteen percent will be greatly appreciated, and I'll entertain questions if you have any.

WATKINS: John Watkins, Public Health. Do you have any sense from the committee on how these requests are split between undergraduate, graduate, professional programs and perhaps even a level of undergraduate?

NIEMAN: They're almost I'd say eighty percent undergrad. Of the undergrad I'd say about equally split from freshman through seniors. They're all over the place. And the programs are all over the place. They're everywhere from law to medicine to education, you know, Ag college, you name it. We're all on a first name basis with the deans now. So it's very much that way. So it's really spread. Any other? Okay, that's it. See, I didn't take too long. Thank you very much.

SWANSON: Thank you, Tom. We have our Senate Admission and Academic Standards Committee. Professor Finkel is Chair.

FINKEL: We've got two proposals which are related to each other. We might want to have separate motions but they're related to each other. This is the Department of Community Leadership Development and they've got - they've been restructured. Some of the restructuring has already been approved and this is perhaps to be understood as finishing the restructuring. Firstly they want to change the name of the undergraduate program to be the same as the name of the department taking out the word "Communications." Secondly they want to add a pre-major requirement for their Bachelors. So this is all with respect to the first proposal now. The first proposal is a change of the name of the undergraduate Bachelor's program. Part of that same proposal is introducing a pre-major requirement which is to get at least a C grade in each of the four specified courses, a total of ten credits. One is a one credit course. Thirdly, to remove - there were two



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options in the major and in order to make it more flexible the proposal is to remove the concept of options. Instead after the pre-major to have a set of four required courses and then to fill out the course requirements, a total of thirty-six credits with whatever the student wishes to take from a set of possible courses. So that would be a total then of ten pre-major and thirty-six major required credits. So that's the first proposal. The only objection that I've heard raised with our committee passed this unanimously is the question do we want yet another department having pre-major requirements. It seems to my committee that it's perfectly reasonable and the Senate Council also has recommended this. And so this comes as a motion from the committee that we approve this modification to the undergraduate, the Bachelor's of Science - I think it's Bachelor's of Science - requirements for this particular department, the Community and Leadership Development.

SWANSON:

We have a motion from the committee. Would anybody like to discuss in favor?

BRI ON:

I was going to second.

SWANSON:

All right.

FINKEL:

As the committee reported, it doesn't even require a second.

SWANSON:

Would anyone like to discuss in favor or against the motion?  
(No audible response.)

SWANSON:

All right, we'll get ready - Liz Debski, A&S. If I could just clarify, the objection was not that you required a pre-major set of courses. The objection was that you required the students now to get a C in order to be admitted - to have a C in those courses in order to be admitted to the major and that this was another program then that was possibly restricting access to a major.

SWANSON:

That is correct. Any other comments?

GROSSMAN:

Bob Grossman, A&S. Just I shared the concern about the minimal requirement. Certainly one thing that makes this different from some of the other current requirements is that there's no GPA requirement for this particular proposal. So that if the student fails or gets a D in one of these courses and

retakes it and gets a C, they could still enter the program. And in my mind that ameliorates a lot of the problems that are created when programs start getting - put minimum grades on courses.

- SWANSON: Thank you. Others?  
(No audible response.)
- SWANSON: All right, we'll go ahead and vote. All those in favor? Opposed? Abstained? Motion carries. Thank you.
- FINKEL: The second part then has to do with the requirements for a minor in this particular department. And the minor also includes the idea of the same ten credits that a student who wishes to get a minor needs to take and then a collection of other credits totaling I guess a total of twenty-two hours after the ten credits. So a total then of thirty-two hours for the minor. And as long as you're reorganizing the department or the major, it makes sense also to be absolutely specific as to what a minor requires. So, again, the committee found no problem with this and we present it as a motion.
- SWANSON: The motion on the floor, would be anybody like to argue in favor or against?
- TRUSZCZYNSKI: Truszczynski, Engineering. I wonder the one for the hours for minor sounds very high. What was the number of credit hours required for the minor just prior to this change?
- MAURER: I'm sorry, if I could jump in, it's twenty-two hours total. Rick Maurer, Community Leadership and Development. Not a Senator, sorry. It's ten hours of pre-major and then twelve additional for a total of -
- FINKEL: Thank you for that.
- TRUSZCZYNSKI: How many did you have before?
- MAURER: Eighteen.
- SWANSON: Additional questions, comments?  
(No audible response.)
- SWANSON: All right, let's go ahead and vote. All those in favor? Opposed? Abstained? Motion carries. Thank you. Our next committee report is from the Senate Academic Programs Committee. We have Chair, Andrew Hippisley.
- HIPPISLEY: Okay, this is we think very simple. The current situation is first that UK already has a BS in Civil Engineering. Second, that it already has an MS in Civil

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Engineering. And, third, that it already has a University Scholars Program mechanism in place to allow home grown BS students to accelerate through the MS. So this is what the proposal actually is. Because the BS is a collaborative program between Western Kentucky and the University of Kentucky, access to the Scholars Program should now be extended to graduates based at Western Kentucky University. Apart from that, there were no problematic changes proposed at all. Senate Academic Program Committee unanimously recommended this to Senate Council that it be approved and that the University Scholars Program be available already to UK be extended to the Western Kentucky University students and the Senate Council (unintelligible.)

SWANSON: We have a motion from a committee. Would anyone like to speak in favor or against the motion?

(No audible response.)  
SWANSON: All right, let's go ahead and vote. All those in favor? Opposed? Abstained? Motion carries. Thank you. The next item on our agenda is from the Senate Rules and Elections Committee. Our Chair of that committee is Professor Davy Jones. Davy?

JONES: Okay, this action comes, if you will, in response to a recommendation that came out of a report from the SACPT. Dr. Geddes is here. He knows what this is. As a reminder, the administrative regulations that deal with faculty appeal on promotion, tenure, non-reappointment (inaudible) require the Dean to give a formal notice in writing to the affected faculty member of the decision, and that starts a sixty day clock to initiate the appeal to the Senate Appeals Committee on this. And what the Appeals Committee found was that people would submit partial documentation to the committee saying here's some of it I've initiated; the rest of the material will come later. And it sometimes comes in an open-ended manner even months later in such a way that an actual commensurate outcome of the appeal was negatively affected. And so the Appeals Committee has recommended that we modify the Senate rules to

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put a closing book in on that that once you've initiated within that sixty days, you have until the seventy-fifth day from that Dean's notice to get everything in. I mean they have to start the case at some point. And over the past several years it has seemed to them that a seventy-fifth day is a reasonable bookend to put on this. And so that's the language you have in front of you is to add this clause into the Senate rules. I'm not sure if that's the language but it's in your handout.

SWANSON: All right, we have a motion from the committee. Would anyone like to speak in favor or against the motion?

WASILKOWSKI : I just wanted to add that Senate Council - Greg Wasilkowski, Engineering - that the Senate Council recommended that there will be the possibility of exceptions?

JONES: Yeah, I think it has in there that if there are some really mitigating circumstances, a majority of the committee can extend beyond the seventy-fifth day.

SWANSON: Are there any others? All right, let's go ahead and vote. All those in favor? Abstained? Opposed? Motion carries.

JONES: Okay, so as a lead into this, back in 2005 when the governing regulations were provostized to the Provost system and clarifications were made in the governing regulations, that kind of disentangled some decisional processes and made very clear that the academic decisions are made by the faculty body up to the Senate and the managerial infrastructural decisions are made by the administration with each side advising the other toward their final decision, the Senate in February 2006 did an omnibus revision of its Senate rules to reflect that structure except that section three of the Senate rule was never revised, okay, and it's still sitting there five years later now waiting to be revised. And so this year the Rules Committee thought we're going to get this done. We're going to get this revised. So it is now up to date. And so you see here the four areas that are in the section three of the Senate rules. I'm giving you a flavor here of what we have

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today as to what's coming up here.  
We want to complete all of this by  
the end of the present semester.  
So the section 3.1, that's the most  
innocuous set of changes. That's  
what we have today. That basically  
defines what is a one hundred  
series course, a two hundred.  
Certain courses are reserved for -  
certain course numbers are reserved  
for certain purposes. You can't  
use those for any other purpose.  
That's what you have before you  
today. Now, there's actually two  
actions in the packet. We're going  
to withdraw the second action but  
I'll get to you on that in just a  
moment. So the first one, if you  
look at the packet, it's very  
innocuous. Just a few changes  
basically putting in 749 is now a  
new course and there are several  
other courses that are reserved.  
Coming up, the real big one to be  
coming up will be the next three.  
We'll be going next to Senate Rule  
332. This is basically the safety  
net Senate rule that the Senate  
adopted that back in 2003 after -  
those of you who were here you  
remember the situation involving  
the abolition of the College of the  
Human and Environmental Sciences.  
There was a lot of confusion on  
that there. The governing  
regulations have now made more  
clear how something like that ought  
to be handled. But section three  
of the Senate rules currently is  
still pre-2005, and it's got all  
entangled well, who makes the  
decisions on the determination of a  
degree. Who makes the decision on  
consolidation of a unit. Who has  
to be advised on that and how is it  
processed. I think we heard  
earlier to date there's some  
reorganization already started.  
And the President doesn't look for  
just across the board cuts. We're  
- something is going to come down  
here at some point where specific  
units or programs are being  
affected, and we want the Senate  
rules safety net, the process for  
how those proposals are going to be  
handled to be very clear so it's  
clear, you know, who's advising and  
who's making the decision of  
proposals of a certain nature.  
Hollie mentioned earlier today that  
the proposed revisions and updating  
to that to reflect the current

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government structure they're posted on the website right now. They're going to be discussed and fine tuned some between now, and the March meeting is when we hope to bring that. We've got to get that in place here before we reach July 1. So we're hoping by the end of the semester to get this. The other two sections, 320 and 331 all indicate here the procedures for new courses and changes to courses and the procedures for changing - for changing grade, changing programs. Those aren't so much government issues involved in those, but we're trying to reflect how we currently do things. They're language in there still referring to Lexington Community College and still referring to paper copies of course approvals landing in people's physical mailboxes. That's not how we do it nowadays. So in April, May you'll be seeing those sections come. But so today now we're just going to go to the first one here on section 3.1.0 from the Rules Committee that the changes that you see there in your packet be approved by the Senate.

SWANSON:

We have a motion on the floor. Is there anyone who would like to discuss in favor or against the motion?

LEE:

Brian Lee, College of Agriculture. Points of concern from the Department of Landscape Architecture in my college about how this change in numbering would affect our program or that program in particular.

JONES:

That's the second action. I am on (unintelligible.)

LEE:

Thank you, Davy.

SWANSON:

Any other comments?

GROSSMAN:

Bob Grossman, Arts and Science. Davy, I respectfully disagree. I think the first item on the agenda directly leads into the second one. It really changes the eight hundred to - eight hundred, nine hundred courses. That's part of this motion; is it not? The change of adding as defined by the CPE?

JONES:

Yeah, there is a clause in there that I guess that's more intended that we define our professional programs in compliance with CPE and SACS. The second action which I raised the concern, I've talked to some people in the program is in

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fall of 2013 is that's too soon and  
so I told them we would pull that  
back off and move that into - I'm  
kind of getting into discussing the  
section action here in a time table  
they could more reasonably  
incorporate it.

GROSSMAN: I think the gentleman from  
Agriculture deserves an explanation  
of why the phrase as to five CPEs  
is being inserted and what the  
implications are.

JONES: Okay, this phrase is saying we need  
to use the eight hundred and nine  
hundred courses for professional  
programs as SACS and CPE define  
those. Having SACS and CPE have  
changed the definition of what the  
professional program used to be.  
It used to be first professional  
degree. Now it's first  
professional doctorate. That  
caused a number of programs at the  
University that were using eight  
hundred, nine hundred series as  
though they're professional  
programs. They're not professional  
programs anymore. A number of  
those have already renumbered.  
Design is renumbered. Last year  
Health Science renumbered. It was  
actually an undergraduate course  
now according to CPE's definition.  
So several of the colleges have  
already renumbered. There's two  
levels. Nursing and Landscape  
Architecture that have not  
renumbered theirs. But, again,  
it's not the purpose here to cause  
a substantive difficulty to the  
program. And I understand  
Landscape Architecture, for  
example, is undergoing a program  
revision anyway so, and, again, I'm  
getting into the second action.  
We're going to pull from the second  
action a 2013 target date to  
incorporate it into whatever  
process you've got going that is  
the most expedient to you to make  
the transition.

SWANSON: Any other comments?

FINKEL: Raphael Finkel, College of  
Engineering. Now I'm confused as  
to exactly what you are  
recommending. You mentioned 749  
but it's 767, I believe.

JONES: Did I use the wrong - whatever you  
got.

FINKEL: Can you clearly tell us what it is  
that you are moving?

JONES: Whatever is in your packet, that's  
the underlying changes to section

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3.1.0. It's printed in the packet there.

GROSSMAN:  
SWANSON:  
JONES:  
GROSSMAN:

Do you want me to read it?  
Yes, please.  
Yes.

It's on page thirty-one to thirty-three of the packet. The first change is under 800 to 999. We are adding the phrase as defined by the Council on Post Secondary Education to describe professional degrees. And then a little later we are adding a paragraph defining 767 dissertation residency credit. And then we are also adding paragraphs that say that PD099 and MC800 are reserved for enrollment of post doctoral, scholars, fellows, residents, and clinical fellows. And that's all.

JONES:  
DEBSKI :

That's it.  
Liz Debski, A&S. I think that's why it's so confusing. Because only that first part is under 3.1.0. And the rest is under different numbers, 3.1. at least 1 and maybe 3.1.2.

JONES:

Okay, my error. What I mean is the entire section, 3.1.

DEBSKI :  
SWANSON:  
JONES:

Well, that's not what it says.  
So it should be 3.1?  
3.1. My editorial error. I apologize.

SWANSON:

Will the record show we are voting on changes to Senate rules 3.1.

BROTHERS:  
SWANSON:  
KIRSCHLING:

Yes.  
Other comments?  
Jane Kirschling, College of Nursing. (Unintelligible) vote on change to 3.0 section 3 because some of the changes are 3.1.

JONES:

Are they? These are all section 3.1.

SWANSON:

Okay, are we clear? Let's go ahead and vote. All those in favor? Opposed? Abstained? Motion carries. Thank you.

JONES:

Okay, now, the second recommendation which we talked a lot about now we're asking to pull this. This was recommending that the course numbering for the two programs left, the Nursing and Landscape Architecture that are using the professional series but they're not recognized by SACS and as professional programs anymore; that we're going to pull that recommendation fall of 2013 be a target date for the transitioning and we're going to go back and we're going to work with both of those programs with the painless



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way and the best trajectory for each of them to reach the final endpoint that the number system reflects the CPE and SACS.

SWANSON: J.S. is making a motion to table.  
BUTLER: Yes, he's making a motion to return to the committee, not to table. To table means we stop talking about it for awhile.

SWANSON: We won't do that.  
BUTLER: Return to the committee.  
SWANSON: Thank you. Do we need to vote on it?

BUTLER: Yes.  
GROSSMAN: Do we need a second on it?

SWANSON: Pardon, a second?  
BUTLER: Yes, all of the above.

GROSSMAN: I second the motion to return it to committee. Bob Grossman, A&S.

SWANSON: All those in favor of returning this item to the committee? All right, opposed? Abstained? Motion carries. Thank you. Our next item of business is the University Joint Committee on Honorary Degrees, Professor Blackwell.

BLACKWELL: Good afternoon, everyone. The Honorary Degrees Committee - the Joint Committee on Honorary Degrees makes recommendations to University Senate via Senate Council for consideration for the granting of honorary degrees. And this year for the first time we're changing it up a little bit since we now have on the three year basis a December commencement ceremony as well as a May commencement ceremony. I'll get to that at the end of my presentation. What I'm going to be presenting to you today is our two nominations that we have recommended to Senate Council and they have decided to bring forward to you. This is the list of the members of the Joint Committee and they are jointly appointed by the Provost and by University Senate via the Senate Council and so they are your members and many of you are in the room. And I'd like to thank everyone here who is a part of that process. And we have ex officio members who do various kinds of bureaucratic jobs. And a member of the Board of Trustees is also on this. Our first recommended nominee is Vijay Dhir. He is the Dean of the School of Engineering and Applied Science at UCLA, the Henry Samueli School of Engineering and Applied Science. He has his BS from the Institute of

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Technology and Institute of  
Technology and a PhD from the  
University of Kentucky. So he is  
one of our alums. He's a member of  
the National Academy of  
Engineering. Foremost authority in  
phase change heat transfer,  
imported nuclear reactor safety,  
Who's Who in Engineering, a Fellow  
of the American Society of  
Mechanical Engineers, and the  
American Nuclear Society, the  
winner of multiple awards. And he  
is a member of the UK College of  
Engineering Hall of Distinction  
already. A member of the NRC  
Aeronautic and Space Engineering  
Board and led UCLA to win seven  
competitive research centers for  
Federal government and private  
industry. Let's hope he wasn't the  
competition for us. And he is  
recommended by the committee and  
the committee recommended him  
unanimously for the honorary degree  
of Engineering. Our second nominee  
is Sally Mason. She's the  
President of the University of  
Iowa. BA in Zoology from the  
University of Kentucky, 1972. MS  
from Purdue, PhD from the  
University of Arizona. She was -  
has served in various professorial  
and dean-like capacities at the  
University of Kansas. She was the  
Provost at Purdue University prior  
to taking on her presidency.  
President of the Pan American  
Society for Pigment Cell Research.  
Board member Executive Committee of  
the APLU and American Council on  
Education, ACE, and has served  
three terms on the National Medal  
of Science Election Committee and  
is current chair. She's Chair of  
the Council of Presidents, former  
Chair, and I think that's the AAU  
University. I should have checked  
that a little bit more closely.  
Former Chair of the Advisory  
Committee to the NSF for the  
Director of Education in Human  
Resources. Former Chair of the  
AAAS and co-chair of the task force  
on national energy policy that  
(unintelligible) competitiveness.  
And Dr. Mason is nominated for the  
Honorary Doctor of Science. So  
those are our two nominees on the  
Board.

SWANSON:

Could I have a motion in support of  
these nominees, please?

JONES:

Yes, you do. I move.

SWANSON: You move. I wanted a word to go with that motion if you don't mind.

WOOD: We move that recommendation of these honorary degrees. We approve them and forward them to the Board of Trustees for their conferral - their consideration and conferral.

SWANSON: Thank you very much. Is there a second?

ANDERSON: Debra Anderson, second.

SWANSON: Is there any discussion for or against?

FINKEL: Raphael Finkel, College of Engineering. Is this for the December commencement?

BLACKWELL: These are for the May commencement.

FINKEL: These are for May, okay. Thank you.

SWANSON: Any questions or comments?

JONES: Davy Jones. Remind me again. How many did we have in December?

BLACKWELL: We have a total of five possible nominees and there can be no more than three at any of either the May or the commencement ceremony according to the new Senate rules. So we can have up to five but any one ceremony cannot have more than three.

SWANSON: Are we ready to vote? All those in favor? Opposed? Abstained? Motion carries. Thank you. And did you remind folks that this is confidential?

BLACKWELL: No, I did not. I need to say one more thing. This is confidential. The nominations go to the Board of Trustees and it becomes public after the Board of Trustees vote on it so if you could keep this under your hats until that time. And I'd also like to say in regard to that question about December commencement, the Joint Advisory Committee is planning on holding a second call for nominations for honorary degrees later this spring for possible awards at December commencement. And that would be the possibility of other nominees coming forward that would be awarded at December commencement. And the committee would also encourage some of the nominees that we wanted to encourage possibly to be resubmitted to roll into that and that number would be limited by the Senate rules to three - up to three candidates that could be presented for conferral at December commencement. No, there is not a motion. This is just informational.

SWANSON: This is just informational and to remind you what is our deadline again?

BLACKWELL: We haven't set it yet, but we will soon.

SWANSON: Coming soon a deadline for that. Any questions?

GROSSMAN: Yeah, how many did we have last December honorary?

BLACKWELL: We did not have any.

GROSSMAN: We did not have any last December. Thank you.

BLACKWELL: Davy, remind me when the rules went in.

JONES: That was last year. That was my question. Have we exceeded? We haven't, all right.

SWANSON: No. The other question we had and did we resolve it about the academic year versus the calendar year.

JONES: It's academic year.

BLACKWELL: It's academic year, okay.

SWANSON: Any questions?

SPEAKER: (Inaudible) College of Medicine. Are these only given to alumni?

BLACKWELL: No.

SPEAKER: I noticed they're both alumni.

BLACKWELL: Yeah, they happen to be both alumni this time. The criteria are listed in the Senate rules and it has to do with exemplary performance and accomplishments in the areas of academic and creativity and scientific and research.

SWANSON: And if I may, this is an item that's come up for discussion quite a bit. I think it's preferred Kentucky connection.

BLACKWELL: Some Kentucky connection is preferred but not required.

SWANSON: So if you remember last year, we had the two individuals from South Africa and so in that case it was more of a global stance. So we've had those kinds of discussions, what do we really mean by impact on by Kentucky or Kentucky connection. Other questions?

(No audible response.)

SWANSON: All right, thank you very much. Our last item of business is a preliminary discussion on financial disclosure policy by the Provost. And while he makes his way up here, let me just remind you that this discussion has been going on for quite some time.

SUBBASWAMY: Two years. Not very long at all.

SWANSON: In relative years. But it's gone through at least two faculty groups, the UCAT group and Senate Council. It is not because people

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enjoy writing rules and enforcing them.

SUBBASWAMY: I thought that was the whole objective.

SWANSON: But the point of the exercise is it's a Federal requirement and so there are probably things in here that you won't like. These are Federal requirements. And what we've tried to do in our discussions is we tried to make this whole process as painless as possible.

SUBBASWAMY: There's nothing more to say. Thank you, Hollie. I appreciate that. There are really two starting points for what is to come as yet another administrative regulation. We're just going to talk about the principles that go behind it. But it is to come in the form codified as a form of an administrative regulation. So two points. One is really from a stated core values. If you look at the University of Kentucky strategic plans, all the other documents, our core values contain among other things the very first item is integrity. And one of the items is social responsibility. So let's draw from those two. Combine that with the Code of Federal Regulations known as CFR. Jim, can you give me that number, fifty-seven?

TRACY: 42CFR part F, 45CRF part ninety-four.

SUBBASWAMY: Thank you. That's for those who get Federal grants, Federal money from public health service units and that includes NIH, obviously. But really I would like to appeal to our core values and say how do we, in fact, demonstrate that we all hold ourselves to those core values. In particular this makes itself shown, it manifests itself in the form of how do we - what do we do to make sure we don't have significant financial conflicts of interest in conducting the course of the business and how do we hold ourselves up to those standards and show to the public that we really have high standards when it comes to potential financial conflicts of interest. That's really where it all starts. So the way this is clarified is the principles would be that an employee is responsible for disclosing to the University all significant financial interests, definitions, et cetera.

I won't go into that. It's all available somewhere or even circulated, I think, with outside entities, again, to be defined as whose activities - again, this is the important phrase here, reasonably appear to be related and the most important part in the best judgment of the employee because I have to tell you that as administrators we started out by saying we will decide if there is a conflict or not. You tell us everything and certainly more level headed people such as Kaveh Tagari and others intervened and said why do you go that far. And so we ended up with I think the right level of scrutiny which says the employees make the best judgment about whether, in fact, they interfere with or they may have an impact on the employees and responsibilities. Then the University is responsible for determining when that's disclosed. If the significant financial interest report by the employee represents a financial conflict of interest and, if so, that doesn't mean you have to stop doing whatever you're doing. It just means you have to figure out how best to manage it or eliminate it where it's transparent to the public. That's what comes out of all of this. I'm not going to go through the definitions because I think there is no point in going through some of these things. As I said, the CFR, the Code of Federal Regulations defines some of these things. Let's just talk a little bit about what may constitute significant financial interest. The threshold that the Federal government really imposes is, in fact, that in the previous twelve months you receive remuneration or equity interest in total of \$5,000 or more. That's the threshold. The total is \$5,000. It's modified appropriately if it's not a publicly traded entity and as well for nonprofits. Again, the threshold always is a compensation remuneration of \$5,000 in the previous twelve months. Exempt for things like any income from intellectual property rights. They will be included except they're paid by UK. We know what we're paying so that's not included.

Okay, for public health service investigators, now this is where the Federal government really overreaches and in the opinion of a lot of people. It also includes any occurrence of reimbursed or sponsored travel paid for on behalf of the investigator. Some of this really comes from trips to Hawaii and various other places that investigators might get from vendors and whatnot but also sometimes it catches really silly things like you work for the American Heart Association or something like that. So there's a lot of discussion going on at the Federal level about, you know, trying to curtail this a little bit more. But right now as it stands, it really says that all reimbursed sponsored travel with no minimum amount needs to be disclosed as well. I'm not going to go into - the important thing is when we said equity interest, if you hold mutual funds in which the stock in Pfizer that doesn't count. If you're explicitly holding and trading in Pfizer and you're doing something that's going to purchase stock, pharmaceuticals from Pfizer, that may cause a potential conflict of interest. Okay, the scope of disclosure. Who needs to disclose? First of all, all University employees must disclose significant financial interests as defined for the employee and the employee's family members and that's defined again consistent with the Federal regulation. Why family members? Because I have a conflict, I say my dog will hold the stock. My dog is a family member. My spouse holds the stock. You can play those games. So immediate family members are always included in this way of disclosure. Employee disclosure is limited to outside entities whose activities reasonably appear to be related in the best judgment of the employee. Again, to the employee's institutional responsibilities at the University of Kentucky. Additional scope, faculty employees who are serving in administrative positions. Obviously that includes any responsibilities they may have as a faculty administrator. If you're a department chair, that then means that you're responsible for certain things. For example,

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you may be undertaking the catering service orders and if you happen to have, you know, somebody, family member who runs a catering service, that's something that you need to disclose, that kind of thing. It's all very logical, I think, especially after being appropriately modified by the faculty bodies that have looked at this. Employees who are asked to serve on other University capacities. A simple faculty member minding your own business but you're put on a committee that is to pick the next super computer and your husband happens to be the CEO of IBM. That may - depending on whether you have IBM proposed as submitting a proposal or not may pose a potential conflict of interest. So disclosure, again, that is limited to outside entities whose activities appear to be related as determined by the employee to the individual's additional UK assignment. Again, you're put on a textbook selection committee. You have a significant interest in McGraw Hill. That's something that you may want to disclose. You must disclose and it may or may not cause a conflict of interest. The disclosure process, again, this is what Chair Swanson said about making it as painless as possible hopefully comes in. It will be a secure online disclosure form completed annually. It will be - if a supplemental disclosure is needed during the year if something changes, you happen to (inaudible) the CEO of IBM in the middle of the year, you may suddenly find yourself in a conflict of interest. Initial review of an employee's disclosure will occur within the unit, home college, or administrative unit and that unit will have to report to the Vice President of Research whether or not it is a significant conflict of interest and, if so, how best to manage it. That's, I think, all of it. And, again, the two experts who worked on this one, of course, is Vice President Jim Tracy because he's been closely following the Federal regulations and Kaveh Tagari who serves on the AR Committee and has been looking in detail what other units do and so forth are here as well.



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us can answer any questions you  
have on just the principles and  
what's coming by way of  
administrative regulations.

GROSSMAN: Bob Grossman, A&S. Yeah, in terms  
of the no de minimis reimbursement  
travel, you mentioned you're in  
discussion with the Feds over this.  
And just as a suggestion, I wonder  
if it's possible since that may  
change in the future when you're  
writing the AR not to put that in  
the AR specifically but just say  
consistent with all Federal  
policies on travel reimbursements  
or something like that so if the  
Feds change their rule, then we  
won't have to rewrite ours.

SUBBASWAMY: Jim, do you want to answer?  
TRACY: It's not likely the Feds are going  
to change the rules at this point.  
That's what we're being told.

GROSSMAN: Okay.  
TRACY: The Council on Governmental  
Relations which represents a  
hundred eighty-eight research  
universities including the  
University of Kentucky have  
requested the Federal government to  
reconsider. We are being told now  
it's not likely; don't hold your  
breath. So PHS investigators only  
at this point. So if you don't  
have money from NIH, CDC, FDA, that  
will not apply to you.

SUBBASWAMY: I think we can try to see how that  
can be crafted perhaps in a way  
where we don't have to go through  
change. We all know how painful  
that can be.

SWANSON: Marilyn?  
DUNCAN: Marilyn Duncan, College of  
Medicine. So I'm a little bit  
confused. At present every time we  
submit a grant application or  
(unintelligible) a grant  
application you fill out a conflict  
of interest form with this kind of  
information. Will we still be  
doing this or will this be sort of  
saved someplace online such that we  
don't have to do this again and  
again?

TRACY: This disclosure will be the  
disclosure process that you will  
use. When you submit a grant  
application in the electronic  
internal approval form, there will  
be a certification kick-box that my  
disclosure is current; I don't need  
to amend it.

DUNCAN: So we will have already filled it  
out?

TRACY: You will have already filled it out.

DUNCAN: And then I have another question. So suppose the NIH or another Federal agency invites you to a panel in Washington and they usually pay your travel expenses.

TRACY: Governmental agencies are exempt. Government, Federal, state, local and higher education are exempt.

SUBBASWAMY: In other words, if you go to a study section, that's not covered. You don't have to disclose that.

FINKEL: Raphael Finkel, Engineering. Will this now apply to all University employees on a yearly basis? The janitor has to fill one of these out; the secretaries has to fill this out; the faculty members have to fill this out?

SUBBASWAMY: That's certainly the intent, yes.

GROSSMAN: Only if they believe they have a financial interest.

SUBBASWAMY: Only if they believe, that's correct. Only if they believe that they have a significant financial interest. I'm sorry, yeah.

FINKEL: That means if I don't think I've got any financial interest, then I don't even have to go to this website, don't have to fill anything out and my NSF proposals I can just check -

SUBBASWAMY: NSF is different.

TRACY: Everyone will log in once a year. You'll answer no to five questions and you're done. But there will be a record that you have nothing to disclose. If I could, Mr. Provost, we really intend this for faculty, non-exempt staff - and exempt staff and non-exempt technical staff with fifty percent appointments or greater. So the janitors will not fill these out.

ANDERSON: Debra Anderson, College of Nursing. All of this will go to your office though?

TRACY: It will all roll up to my office on the online review after consulting widely - since most people who will be impacted are investigators in research, they would come to us for consistency. And to save administrative bloat, we wouldn't create another office to do people who are not investigators.

GROSSMAN: What makes you think we're concerned with administrative bloat?

TRACY: I keep hearing rumors.

DEBSKI: Liz Debski, A&S. In your presentation to the Senate Council

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the point was made that post docs  
working on the grant, graduate  
students also have to fill out  
these and do it accurately. I'm  
wondering -

SUBBASWAMY: I think I'm going to turn to Jim in  
terms of the Federal regulations  
because that's what ultimately  
guides how we -

TRACY: Federal regulation says anyone who  
is responsible for the design,  
conduct, or reporting of research  
is an investigator. In discussions  
with NIH, they use the term with  
reasonable independence. All  
across the country universities are  
debating. As of last week some  
universities are including graduate  
students and even undergraduates.  
We have made the decision or  
recommendation post docs because  
they are reasonably independent and  
graduate students are not. So  
graduate students will not disclose  
in our system unless we're told  
differently by the Federal  
government down the line but post  
docs would.

DEBSKI : But my question actually is do the  
families of those post docs have to  
also be reporting financial  
interests of the post docs?

TRACY: Yes, they are investigators and  
either an investigator or a post  
doc scholar who is a university  
employee post doctoral Fellow by  
definition and an investigator by  
definition of their fellowship. So  
spouse and dependent children are  
included.

SUBBASWAMY: But a lot of people are simply  
going to be no, no, no. I mean I  
think, you know, we shouldn't  
overestimate, overstate the burden  
associated with this.

TRACY: The spouse does not have to  
disclose. The employee discloses  
for the family. Now based on -  
just to comment on what Swamy just  
said, we're about the only major  
university that does not do an  
annual disclosure. At my previous  
institution I did one every year  
for twenty-four years. Statistics  
show the majority of employees will  
have nothing to disclose, and of  
those who do disclose, the majority  
of those will not have a conflict  
of interest, and of the few who  
have a conflict of interest, all of  
them are easily managed. So it's  
important to keep in mind that  
disclosure is just that. It's a

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basis for which us to make a judgment. But even if you have something to disclose that's a significant financial doesn't mean you have a conflict. If you have a conflict of interest, it doesn't mean you've done something wrong.  
We do expect you to donate all your holdings to the University.  
Gail Bri on, College of Engineering.  
How will this data be secured?  
Do you want to again respond?  
You'll have to have your university ID and a log in. The only people administratively who will see your disclosure are those who are approved to do it.  
And how will you prevent hacking?  
Right now we have all your data, too. I mean, you know, to be completely candid, is your Social Security number which is locked away somewhere, is it safe? It is as safe as we can possibly make it and we continue to make it as safer and safer. And so the same degree of security applies to the information that is collected.  
Other questions?  
(No audible response.)  
Thank you.  
Thank you very much. And with that, that's the last item on our agenda. We look forward to seeing you in March. And could I have a motion to adjourn? Hearing no objection, the meeting is adjourned. Thank you.  
(Thereupon, the University of Kentucky Senate Council Meeting for February 13, 2012 was adjourned.)

SUBBASWAMY:

BRI ON:

SUBBASWAMY:

TRACY:

BRI ON:

SUBBASWAMY:

SWANSON:

SUBBASWAMY:

SWANSON:

STATE OF KENTUCKY     )  
COUNTY OF FAYETTE    )

I, ANN E. CHASTANG, the undersigned Notary Public in and for the State of Kentucky at Large, certify that the facts stated in the caption hereto are true; that at the time and place stated in said caption, the UK Senate Council Meeting, was taken down in stenotype by me and later reduced to computer transcription by me, and the foregoing is a true record of the proceedings which took place during said meeting.

My commission expires: May 12, 2015.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office on this the 28th day of February, 2012.

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ANN E. CHASTANG,  
NOTARY PUBLIC, STATE-AT-LARGE  
K E N T U C K Y  
ID #442199