

UNIVERSITY OF KENTUCKY

SENATE COUNCIL MEETING

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SEPTEMBER 8, 2008

3:00 P.M.

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DAVE RANDALL, CHAIR

STEPHANIE AKEN, VICE-CHAIR

KATE SEAGO, HONORARY PARLIAMENTARIAN

SHEILA BROTHERS, ADMINISTRATIVE COORDINATOR

LISA E. HOINKE, COURT REPORTER

PRESIDENT TODD: Call your attention and open this meeting. It turns out in our regulations, I am the president of the Senate, so Kaveh's probably remind me of that at times, so he said when you're there, it's

your responsibility to open the meeting, so I will do so. I want to start by thanking your new Senate Council Chair, Dave Randall, for inviting me to come at the beginning of the session. I met with Dave -- Kaveh and I actually started meeting, shocker, at least once a month. And if anything else came up, he would come down to the office. But in the last three or four meetings, Dave attended so that we could keep a dialogue going, and we'll certainly continue that this next year. Welcome back to campus. It's changed a little possibly if you went out of town. There's a lot going on. I'm going to give you some past, present, and future comments. Then I'll take your questions after that.

I do want to just comment on one thing about Kaveh was that he made a couple recommendations last year which I was appreciative of which allowed us to further recognize the faculty's role and responsibility in the operation of the University. If you were at the ceremony this year for commencement, the Chair of the Senate hands out the degrees now rather than someone from the Registrar's Office, and I think that's a very appropriate change. One thing we haven't implemented yet, but we will be doing is naming classrooms in the Whitehall classroom building for the outstanding professors that are elected each year. So for that whole year, a classroom will be named for each of those six professors, and I think it further gives recognition to how important those teaching awards are. So I want to thank him for that and ask you as you think about things that we can do to enhance this academic feel of this institution just to bring forward your recommendations. I'm not sure if very many of you went to the induction ceremony that we started this year, but I encourage you to think about going next year. It's -- it really grew out of a group of students -- students that went to a leadership summit about three years ago. They surveyed other universities to see what they did at the beginning of the school year. We had started things like Move-in-Day and FUSION already, but they found that at some institutions instead of having kind of open

convocation like we did where everybody came in and just we covered information with them, that the faculty and administration wore their caps and gowns, made a nice entry, gave a lot more of a academic feel to the opening ceremony. The Provost actually has the incoming freshmen to stand and issues a challenge to them to behave responsibly during their period of time, to attempt to graduate on time, and they take that pledge and say, I do. We'll see if they do.

But that is kind of neat. I think the students picked this up from Ohio State. I may be wrong, but they -- they're given an envelope when they walk in. They're told not to open that. But after they take the pledge, then they're told that they can open the envelope. And in that envelope is a graduation tassel. And they're asked to take it, hang it in their dorm room, hang it on their computer, hang it on their lamp, but that's what we want them to be wearing four years from now. So just keep that as part of their focus. The parents really like that. You have to understand, as many of you do, that a lot of the parents that bring their children here never went to college, and they will hang around for every ceremony we do that early part. We had a better turnout of faculty this year, but it is impressive to those students to see them come in.

One interesting thing that happens, Patsy speaks to the parents mainly, and to the students about some of their responsibilities and she makes the comment that, you know, and if you have any problems, you know, and you can't get anybody to answer them, call me. Well, this last Friday afternoon, she was at Maxwell Place and two young men came knocking on the door. One of them had already registered in Arkansas but realized he did that because his girlfriend was there. And after he got down there, he really didn't want to stay. So he had come back, and his friend had registered at Jefferson Community College in Louisville, and he felt that it wasn't really the college experience he wanted. So they both came up to Lexington last Friday to register at UK, but they couldn't get a room. And they were talking to some of

their friends, and they said, well, we heard this lady at the convocation say if you had a problem, just go to her. So she calls me at the office and said, I've got two young men here, said they really want to enroll at Bluegrass Technical Community College, but then transfer to UK. And so she called Ben Crutcher. Ben got them a couple rooms, and so they're now attending class. But the point that we try to make during that induction ceremony is that we are a big institution, but we try to make ourselves feel as small as possible.

If you've never participated in Move-in-Day, we had 700 faculty staff volunteer this year to help move in. We had 400 volunteers from fraternities and sororities and church groups to be there. So when the parents pull up to the complex; that's where Patsy and I are most of the time, you've got four people on either side -- two people on either side of the car. They open the doors. Everything is unloaded. This year Sam's Club gave us 700 grocery carts to use. The parents take the car back to the football stadium and park. And by the time they get back, most of the time, the stuff is already in the dorm room. And we have -- we gave out 10,000 hot dogs this year. But it's just a very positive experience for us, and it's fun to participate in that. And the staff that has been doing it now have gotten it down to a science. So try to participate if you can in that induction ceremony next year. I think you will find it to be a refreshing afternoon, although it's hot as it can be in there with those lamps and those, but it points out the wisdom of moving our services down to Rupp Arena where we've got air conditioning for commencement.

Let me give you some thoughts on what has happened. When I stood here last year it was pretty exciting because I was talking about the momentum that I felt because we had written a plan for the Top 20 challenge. The legislature had given us a base increase. Recurring base increase of 20 million dollars. It allowed us to create 60 new faculty positions. It created either eight or twelve new advising positions. I'll tell you more about that in just a few minutes. We had turned lose about 8.7 million dollars that we had built

up in reserve to improve some of the classrooms and the Office Tower lobby which looked like a dungeon, and the concrete, some other maintenance things because we finally felt they were going to fund us, and we had a chance to use some of the reserves.

However, in late December after the change of administration, and it happens every time a new Governor comes in, but say, oh, my Lord, it's a lot worse than I ever thought it was. It's just that repetitive four-year cry. We were told in December that we were going to have a three-percent budget cut. And you know, it's tough when you've already -- half the year has already gone by. And that was ten million dollars which we basically had to pull out of reserves and just send it to the State. And then in January we had the Governor's presentation for the budget. And there had been a rumor out there that we should prepare for a worse case of a 12-percent cut. Now, this was in addition -- people forget about it, but in addition to the three percent, because the three percent, we had to send them ten million that month in December, but that three percent was recurring. So that took ten million out of this year's budget before even presented a budget. If you look at twelve-percent cut on top of that, that would have been a 50-million-dollar cut out of budget. We get a little over 300 million from the State of Kentucky. Turns out that, at the next two -- after the next two years, if we operate under the budget that they passed, I will have then been here nine years, when I came in, our state budget was 300 million, and in nine years, it will be 313 million. They gave us 13 million increase over the base in nine years, and yet they tell us to be more efficient. We have well over 2,000 more students than we had when we started this process. We've made great strides, in that our revenue has gone from 1.2 billion in 2001 to 2.2 billion. I asked them to tell me any company in the State of Kentucky that's doubled their revenues in this tough period of time. It's due to -- 100 million of that is increased tuition. Had we not increased tuition, we would have really been pretty miserable. I was on an

interview today with a magazine about some of the things that have happened. And in the first five years, our budget was cut 72 million dollars if you look at the cumulative effect. We have cut costs 65 million. We increased tuition quite a bit. But it's not been a pretty sight. But I sat there and listened to the Governor speak, and he said, we'll cut higher education 12 percent, which was the upper limit. The next sentence was they were going to put 150 million dollars into Medicaid. The next sentence, they were going to increase Corrections six percent. Well, that didn't sit very well. I mean, we're throwing money down two very deep black holes. And we had been meeting with some of our faculty, some in this room, Bob Lawson from Law, talking to the Administration and the House and the Senate about how they could save Medicaid -- some Medicaid expenses and how they could cut Corrections' costs because we could see the budget wasn't doing very well. Well, even while I was sitting on the floor, there were Senators and Representatives came up and said we're not going to let this happen, you know, you can't be cut this much. I still think it was part of a strategy to get gaming passed. And so we had to work through that legislative session. People often wonder what I do. And when the budget sessions are in place, it's a miserable life because you have to compete, you know, with all the paid lobbyist that are down there. I'm a paid lobbyist too, I guess, although I can't call myself that. But you have to really sell what you're trying to change and try to -- have to put responsibility on those who ask us to achieve this mission. When the House came out with its budget, they put some tax revenue in, and it got us to zero. We had been asking for another 20 million dollar increase. Zero felt pretty good after, you know, 12-percent cut. It then went to the Senate, and it was hard to see what was going to come out of the Senate, given that we had a Democratic Governor, a Republican Senate. They could sit there and say, well, you know, he asked for a 12-percent cut, let's give it to him, you know. It was unclear when they went into conference.

If you don't know how this works, the Governor puts his budget together, and then passes it to the House. And then the House ignores his budget or modifies his budget and does a budget of their own which they pass to the Senate. The Senate does what they want to do and pass it back to the House, and they generally disagree. And so then after they realize they're not going to agree, then they go into conference, and that's where the leadership of the House and Senate and get together, typically, in a closed room. They opened it some this time. And they hammer it out. And if you're not there -- if you haven't made your message by the time they go into conference, you're in trouble. We went into that conference committee with the potential of a 12-percent cut. After about four days, it looked like it might be nine percent. It finally got to six percent on the very last day. That's where we ended up. Which is about a 20-million-dollar cut on our 300-million-dollar base. There are agencies that were cut 12 to 15 percent in State Government. They did not pass a cigarette tax. I was -- I strongly objected to backing the gaming bill. I don't think it's a University's president's responsibility to get involved in controversial issues because you'll get your head lopped off on one side or the other because you've got half the people believing in one thing; half in the other; it's a no-win for us.

Our responsibility, as I told our Legislators and our Governor, is that we need to lay out what it takes. We need to be willing to do the work. We committed to covering 40 percent of this plan that we put together, but it's their responsibility to figure out where the revenue comes from. Well, I don't really feel badly about backing the cigarette tax because -- and they should have done that. Eighty percent of the people were okay with that. The tobacco lobbyist are not anything like they used to be. There's a possibility that now that they'll be an election in November, when the January session comes up if we're still in miserable financial shape, they'll either cut again, or they could pass a tax then because it's far away from the next election cycle. The challenge for us at

that point is to make sure they don't throw that money into those places that were cut 12 to 15 percent. And so that's the kind of job that this turns out to be. People ask me a lot of times how much time do I spend on athletics and fund raising. It pales in comparison to how much time you spend with the Legislators between sessions and during sessions to try to get them to understand what they've asked us to do. I often tell them, I sit in the room with Presidents of Michigan, Ohio State, Illinois, and I'm sitting here saying, I'm trying to catch these folks. And you know, they don't get it; they don't understand. Some of them do. And they did help us in this process, but it's an ever going battle. And so when I look at the response -- I sent out several e-mails to the campus during all this process, especially when the 12-percent cut was being discussed. And basically, the first e-mail I sent out I asked you not to worry about it because it was still in, you know, we were still 90 days before the finish line. I really didn't think we'd be cut 12 percent. That was just absolutely ridiculous. There are universities being cut that much right now, but they started with a bigger base than we did, and they're not being asked to do what we are doing, what we've been asked to do. But the response to that e-mail and the response on this campus by people who just kept on working was just so incredibly positive, and I appreciate that. We have a role to do in this State, and a lot of that is leadership. If we don't convince people in the State why they need a very top university, nobody else is going to do it. The best way for us to do it is keep on doing what we're doing. And the facts and figures are ones that I can continue to use to beat on these leaders to say despite what has been provided, we have been making progress, and we have. It is great credit to the faculty and staff of this institution.

One of the things that also happened last year that didn't get nearly as much publicity is that -- and I know you all have enjoyed the SAP changeover process. Thought I'd throw that out there. But when we were going through our admission cycle last year, we weren't

getting really good data. And on top of that, we had a very big drop in transfers. Transfers have been dropping ever since the community colleges were taken away from the university because we don't have the same relationship we used to have. We were down about 300 transfer students last year, and we were shooting for 4,000 freshmen, and we thought we'd accepted enough in order to get the 4,000, but we missed that number by about 300. The net result is we were down nine million in revenue at a time when the State was cutting our budget. Well, this year, that's not happening, but there -- actually there's a meeting going on right now looking at enrollment. We've had a record number of applications this year. We've had a record number of African-American applications this year. We're trying, though, to hold the freshmen class to 4,000 because our commitment to the faculty was we're going to increase faculty before we increase the size of the student body because we'd already ruptured that student-faculty ratio number previously when we did go from three to four thousand freshmen, and we were not able to hire faculty. And so I would hope that we'll come out somewhere slightly north of 4,000 for undergraduates. The transfer numbers were up. We made some special efforts this year to recruit in cities where we had traditionally gotten some good out-of-state students, Cincinnati, Columbus, Nashville, and Indianapolis. We've done some TV ads; we've done some recruiting. All we know right now is that the applications from all four of those communities are up, but we'll have to see how many of those that we convert because those are, you know, those are out-of-state students that will pay out-of-state tuition and it will help us close the financial gap or increase our financial position. So I feel that the efforts that we put forward are significant because every time that people at CPE or other places try to beat us up on tuition increases, and I don't like increasing tuition, we have -- each year we've increased tuition, we have put money toward need-based scholarships, and so we're giving a lot more need based, but the \$7,000 cost for an education, for a lot of

families in Lexington it's a break when their kids get out of nursery school or they get out of private school. \$7,000 here is not that much now. Now, dorm fees come in and so forth. It's still a heck of an education. But the fact that we've raised tuition probably five out of the seven -- seven out of the seven years I've been here, and we still have a record number of applications, indicates that we're getting to the quality point. What I keep trying to give people at the State level to hope for, is that if and when we get to the point where we become an academic draw rather than a low-cost draw for out-of-state students, it's like found money. If you look at North Carolina-Chapel Hill, or you look at Michigan, they have tons of outside applications that want to go there. And their out-of-state tuition is three times what the in-state is. And so it's like a spicket they you turn on to bring money in. Also, when you look at the states that have had research funding for years and years, because they began the game longer than we did, the institutions finally have enough indirect cost and enough strength and positioning in the foundations and the institutions out there that fund research, that they can afford to pay for half of their research building. In Texas, the state pays the first 10 years of the capital costs for a research building, and the last 10 years the university has to pick it up. We could do that too, once we catch up. But we've got to have a couple more buildings to generate that kind of research income so we'll have the indirect cost to do it. That's the promise. If you ever looked at the plan we wrote, there's a break at about 2012 where we say we would increase tuition by nine percent up to that point, but after that, all things went the way we had planned, we would only have to increase it four percent. And then also for the capital side, we'd be able to start carrying some of the load to pay for buildings. So those, I think, the quality that we're sensing and the quality of the faculty we're bringing in, and the word is getting out there because the applications are up. The medical school, I may get this slightly wrong, but in 2003, I think we had

about 900 applications for 103 positions in medical school. This year we had 2,300 applications for those positions. And they're -- from the people that are on those admission boards, they're saying they're just outstanding, sterling applications, and we'd like to take all of them. Pharmacy is over-wrought with them as well. So one of the things that we're trying to do in addition to doing some outside recruiting is to do a better job of differentiating ourselves. We offer a very different opportunity with students getting an education here than any place else in the State. I had an interesting conversation at dinner with a lady last night who's with one of the private schools here in Lexington, and she admitted that their valedictorian from that private school was coming to UK this year. And she said, we all asked him, why are you doing that? And she's a Centre graduate. She said, why aren't you going to Centre? He said, well, the research opportunities at UK are so much richer than what Centre has to offer. Well, why aren't you going out of state? And he said, I want to have a real college experience. I've always, you know, liked the athletics. I've gotten to meet some of the professors, they're engineering professors, it turns out; they're doing some stuff that's really neat. I think I'll get more attention at the University of Kentucky, get closer to that faculty member than I will if I go to Harvard or MIT or Cal Tech. And she said, you know, it made an impression on me. I said, well, thank you, I'm glad it did. But we need to be making that impression ourselves. We have about 150, 160 valedictorians that have come here this year, and we need to be getting them to go back and tell that same story to their counselors of why they came here. But the student body has been super.

We have -- an announcement you may have heard. I'll steal it from the Provost, but if you remember last year he made a real focus on attrition. He declared war on attrition. Any child in this state that particularly raises their hand nowadays and says, I want to go to college, we don't need to weed them out. We need, within the quality that we

require, to help them, especially those who are still developing their self esteem and their self confidence in trying to gain their way into an educational environment. I'm proud to say that our retention for the first to second year went up four-and-a-half percent this year. So we're at 81 percent, freshmen to sophomore retention, the highest we've ever been. We looked at the GPAs of the incoming students this year over last year, identical. We looked at the ACT averages for the incoming, and there's less than a point difference. So it looks as if some of the things we're doing with extra counseling, with mid-term grades, with some intervention strategies, that that's working. Last year, our African-American retention first to second year exceeded our overall retention because we put some things -- we had placed some things in position to improve that number, and we have done it. So I really applaud you for what you have done. What impresses me is that the last time we were in the 80s range was 1999; we were at 80.4 percent. We only had 3,000 freshmen at that point. Now, we've got 4,000 freshmen and we've changed our application process, so we look more broadly so we fit the Michigan legal decision. And yet, though, we increased the retention rate four-and-a-half percent. So there's a lot being done right. Our graduation rate of 61.2 percent is the highest in the State among public universities. Our target, if we want to be Top 20, is 72 percent. What I continue to tell fathers and mothers and legislators, is that they complain a lot about our tuition, but the best thing we can do for their child is to get them out four years. And the best thing that child can do is come prepared, so they don't have to take remedial courses. They come in with two AP credits which take a little stress off. They might enroll in a winter session. If they graduate in four years, they made money faster, and they don't have to pay that housing cost that other year, plus an extra year of tuition. And so if we can increase tuition but get them out in a shorter period of time, it makes overall sense for everybody involved.

I can't tell you enough about the

Visitor Center and the impact that it has and the way the campus looks. These are kind of soft things, but Patsy and I did kind of an informal survey when we were welcoming these cars as they come up, and this last had a car was from Pittsburgh, Cleveland, Akron, Ohio, right in a row. I said, what are you doing here? Why did you come? And some of our legacy scholars, you know, we now allow our alumni to live out of state and send their children back on in-state tuition, and we have 420 of those. These three cars weren't legacies. All three said the same thing. We were driving down I-75, going on vacation, UK wasn't really on our list, but we decided we'd stop there. We went in to the Visitor's Center, took a campus tour, people greeted us on the sidewalk, got back in the car, and our child said, this is where I want to go to college. There's a kid named Drew Trimble. Does anybody in here know Drew Trimble? Drew's a senior this year. He does what I call the money walk. If Drew takes a kid and parents on the Visitor's Center walk, they sign up, it's just like money in the bank.

UNIDENTIFIED: And we're letting him graduate?

PRESIDENT TODD: Last year I was speaking to a group of honor students, and he's certainly one of those as well, and it was during the Legislative session, and I said, you know, I wish they gave every president an Easy button, so I could hold it down and say exactly what I thought about the Governor and the Legislators, and when I took my hand off, there were no repercussions. Well, the next day he brought me an Easy button. But it doesn't work that way. But the Visitor Center, if you ever pass through there, if you haven't been in there, go in and thank those kids for the job that they do. Because they brag on you all all the time, and they do make a difference to what comes into this institution. So our continued investment in the undergraduate experience is paying off.

This whole thing about being Top 20 could explode on us if we didn't pay attention to the undergraduate curriculum. And that's in your all's hands this year with the reform of that. We're looking at how to globalize it and how to

internationalize it, how to make it more diverse, how to make it more meaningful and holistic, and that's got to come through you all. It's in the process right now, and I urge you all to look at that carefully and get it done because I think it will be another differentiator for us. Some of the freshmen programs over at the College of Business is Global Scholars Program, has people applying for it here in town, and their parents are thrilled when they get in; it's as if they were accepted to a Top 20 school, and they're in a very good program.

The other thing that I think we continue to do is to stress our undergraduate research opportunity. I was in Owensboro, Kentucky, meeting with a group of students at Owensboro Senior in the morning and Owensboro Catholic in the afternoon, and I got the same question when I finished speaking in both cases. It was a comment more than anything else. Said, well, we're being told that we shouldn't come to UK because it's a research university. If we want a liberal arts education, we should go to other schools. So finally I asked one of the counselors, who's using this against us? And I was told who it was. I make it a point now every time I speak to students to talk about undergraduate research. I took a young lady back to Russell High School with me and, you know, didn't know what she'd say till she got up there. But she got up there, she had graduated three years ago, and she said, I've been doing research on Parkinson's disease ever since I've been at UK as a freshman. And she said, I go in and have classes, go into lab without my book, learn something, do it different, get excited and go back to class some more and come back. And we are doing a lot in undergraduate research. Many of you are. There is this undergraduate research conference that takes place every year. And last year we had 20 papers accepted from our undergraduates, and these are competitive papers. The University of Michigan which has twice the faculty that we do had 16. The University of Texas at Austin at 17. The University of North Carolina had 9 at Chapel Hill. These kids, if you talk to them, when they come back,

they say, you know what, we can compete. We were out there with all these other kids and we're right there with them. And so the jobs that we're doing is we've got to tell people why it's important for them to be able to work with some of you all on a hand-to-hand basis to be able to get a different undergraduate experience. We're the largest liberal arts school there is in the State of Kentucky. And so this business about -- we've got to find a way to neutralize that. And so we're working on PRing ourselves in a different way.

I've already mentioned this revised curriculum framework, and I do want to urge you to work on that. As I look at my notes, one thing I failed to mention is that we brought in over 200 new faculty last year; some of you may be in this room. And Swamy made up a book of all those new faculty. If you go through that and you just look at those members who graduated from American universities, public or private, that are in the ranking systems, 56 percent of those faculty were from Top 20s, you know, and that's a mark that indicates that we're attracting the people that we want. What is interesting to me is those who weren't in the Top 20 were probably better than some of the ones we interviewed from Top 20, because about every position had somebody interviewing for the top position. I made it clear to the Governor and Legislators that we had to eliminate 45 positions this year because of the budget issue. And we had people lined up, many of you had done a lot of hard work getting those people interested, getting them to come here, and it's not a good thing when you can't complete those deals. So that's one thing that was very disappointing to me.

I want to go through the world-class research that we're doing. I met some people this summer in this radio show that I do, that clearly indicate to me that we're doing world-class research being funded by the Gates Foundation, being funded by not only NIH, we won contracts from E.ON in Germany, the only institution in America that landed a contract to study energy for storing wind and solar; just doing remarkable stuff on a regular basis. One of our problems from PR, I think, is

we're so broad that we'll publicize something here that's really good, something here that's really good, something here; we don't hang it together. We need to drive something, you know, we've got to figure out how do we best drive some things home.

I will say a couple of things about outreach because I think it's critical. I talked to the new senators about it a moment ago. There's a pragmatic side to us getting busy in Kentucky, and then there's a research angle to it. I said when I first came in that if we built this Top 20 reputation just on research dollars, we fail the State of Kentucky because we need to do research that affects Kentucky. Well, we have a lot going on now, and this is something that's Commonwealth collaborative is what we call most of them. Ernie Yanarella, keeps saying we don't publicize them enough, so we've got to do better. But I was down at Trover Clinic this summer at one of their Foundation Days speaking. And we've been working with them on a low birth rate, pre-term babies. You may have seen some of this. When the gentleman introduced me, he told the people, he said, we've been working with UK for the last two years. At the beginning of this period our pre-term birth rate was 18 percent. It's down to 5.6 now. He said, we feel we've saved 37 pre-term births, which have reduced our Medicaid costs by 1.9 million dollars. That's real stuff, and it's publishable work there, and it's an accomplishment there, both pragmatically, practically, and humanly. I then went to Henderson and spoke at their Economic Development dinner, and I talked about the Henderson project. Henderson is on the river. Dean Michael Speaks is here. He was there the day after -- he was actually there that night, but also he spoke to the Rotary the next morning, I think. Two things we're doing in Henderson. One is that they have two power plants that are on the river, both coal-fired. One of them is shut down now. But we're working with them to make an algae farm. Algae can absorb about twice its weight in carbon dioxide. And so you put it next to a coal-fired power plant that's putting out CO₂, you can absorb it.

You can then use the algae that has the carbon monoxide and carbon dioxide to create diesel fuel, getting the oils, and then the dry powder you can use for animal feed. In addition to that, there's a long story behind it, but Michael and some of his design students have been doing some work to redesign the river front for Henderson. And Michael's vision is that he wants to go up and down the Ohio River, looking at all the river towns because they have the same topography, the same geology, had the same historical businesses, but they all have the same problems now. What I would leave you with that, is that the headlines in the Henderson Gleaner the next morning were, UK is the Key. And that's what we need to get our people to understand. If we're going to change this country's economy, if we're going to change this state's economy, it's going to come out of places like this. If you didn't get a little nervous when you watched the opening exercises for the Olympics this year, your blood wasn't running because those folks aren't waiting on anybody right now. And they're a lot of them. It's a time when I think this state can catch up with other states by being competitive in the intellectual space. By being out there looking at the methamphetamine problems, being out there looking at low birth rate problems, being out there looking at design problems for cities, those are the kind of things that are worthy of being considered for tenure, and that's something else we're looking at to try to incorporate some of these engagement and outreach activities in the tenure process because they are publishable and they do have impact. If solve some of the problems that this state faces, we can help solve problems that other states in the country face. And so I think that that's the position we're going to have to continue to work on, and I can't tell you how proud I am of the work that people are doing because I was concerned when I first started talking about this that everybody would say that's for somebody else to do, but we've got a lot of you that are involved in it right now.

We had a provost retreat that the provosts did with the deans this last year, and it was another one of those experiences

that I had that I really felt positive about. They had been meeting for a day and a half, and I was going to go down and hear the summary of what their inputs were. I already announced we wouldn't have any raises. I already announced that everyone had to face some budget cuts. I will tell you that we do take administrative cuts higher than the academic cuts. We try to do anything we can do to soften the blow as much as possible on the deans. So I go in there with my armor on ready to get beaten up. Steve Cay who is a local gentleman who was the facilitator had made a list of the priorities that the deans had come up with. The first priority is that they wanted to continue to enhance the undergraduate education at this university. Nothing more pure than that, I don't think. The second was they wanted to continue to do the outreach across the State of Kentucky to solve the problems that they were encountering. And I can't disagree with that one either because -- we've got to do still do the world things; the Stephen Dobson things to get rid of mosquitoes in the South Pacific; the things that Brent Seales is doing to look at the scrolls and the ILLiad and things that engineers don't typically understand but some folks with some computer science do; the work that we're doing with the World Bank looking at high risk insurance for Mongolia and Ethiopia that Jerry Skees is doing. Those are things that really position us to be global-impactors. But the other things that these deans are saying they want to do is we've got to make ourselves better right here. And then we've got to make the state better. And then we can make the country better. At the same time, we always will have people out there looking at things that are way beyond most people and out in the world where we have impacted will eventually migrate its way back. But the dean's retreat, I walked away with three very, very impressive -- well, several impressive points, but those first two really, really stuck with me. The other one had to do with diversity. I don't know if you've met JJ Jackson yet or not, but you've probably seen her if you didn't know her. But she was our very first vice president of diversity. Just to tell you

some of her stories, her parents were sharecroppers in North Carolina. There were seven girls in her family. All seven got college degrees. She was the only one that did not go to a historically black university. When she graduated after a year or so, she ended up working at MIT for 10 years. The first person she worked with was Dr. Art Smith who was my favorite professor, a great human being, and he was great to her as well. Because after she had been here for a while, she told him, I'm going to quit this job because I'm going to go to Harvard to get my Ph.D., studying women in minorities in the technical fields. That's her Ph.D. area. Dr. Smith told her, well, before you quit go talk to the Provost who is now the President at Wash U down in St. Louis, Mark Wrighton. And when she went in to see Mark, said she was going to quit, he asked what she was going to do, and she told him; he said, well, we need that too. Why don't you just stay here and work as much as you can and go ahead and get your Ph.D.? So she said her got her Ph.D. from Harvard in that area. She was then at NYU, Cornell, and when we hired her, she was vice -- she was the dean at Vassar. I called the President at Vassar to tell her that I was going to hire one of her people. I don't think that the lady ever thought she'd lose anybody in Kentucky. She said, well, we'll make her a counter offer. I said, well, I'm glad to hear that. But she came. The reason she came largely, and you'll have to ask her this yourself, is because she wanted to be in a land-grant institution. She wanted to be in a state institution. She -- not a state institution like -- She wanted to be in an institution that really touched the people. And the MITs and the Harvards and the NYUs and the Vassars don't quite reach around the population. And so I told her, I said, there's some areas we're about as mean and green as you're going to get. And, but she is here. She's delightful, and she's got a pretty open book from Swamy and myself to make that position what we need it to do. What is interesting to me is the search committee came to us and said, you know, we really don't have any good candidates. We checked a few of them out, we agreed. And

so then we went proactively looking for people who weren't looking for a job, going for people we didn't think we could get. But, of course, then we were able to get her. And she not only brings us somebody that has life experiences that value diversity; they know the rights and wrongs of things that have not been done in their lives, but she has a professional academic background that has studied these situations. The President of Norfolk State, an African-American woman with a mechanical engineering Ph.D. from Georgia Tech was at lunch the other day, and when JJ came in, they knew each other because when JJ wrote her thesis, there were only two African-American women in technical fields in leadership positions in the country, and she was one of those. And so she -- she's quite a catch for us, and I think that, along with some work that we've done in the past, will help us build on the diversity that the deans said, you know, in their list that they were committed to.

Let me close, this next session coming up is not a budget session. Every other year it's a budget session. This one is not. But as I've mentioned earlier, there is the chance that the state revenues aren't getting better right now. They won't get better until we change our economy. Ken would agree with that. We're working on it. But there is a chance that they could pass a tax. They have to have a super majority in a nonbudget session to do that or the Governor can offer aside and call a special session and possibly do it. But I think everybody agrees that tobacco tax is the way to bring in some money. It's not the total solution, though. If we don't fundamentally deep down change the way we think about education, pre K in this state, it's not going to long term change. That money that they'll bring out of the tobacco tax, and they better do seventy cents, because Helen tells me that if we do 25 percent, the cigarette companies just kind of reduce their wholesale price by a third and then another third and another third, and nine months later, everybody is still smoking. You jerk it up to 70 cents, then it'll be so high they can't absorb all of that, so they'll put the price at the retail outlets, and it will stop some

people from smoking. But that's a short-term solution, but I'd take short-term right now, we're not having any funding. So I can't tell you what's going to happen. I will tell you that we'll be out there fighting for it, trying to -- to do right by you all to do what we can do to support you and to help you in any way to support this institution. I think if you look at the people that have come here, the people that stay here, the students that we're bringing in now, we ought to be extremely proud of accomplishing some things at a time when we haven't had as much help as we could have had. So thank you. I'll be glad to answer some questions.

CHAIR: This is your chance.

PRESIDENT TODD: I wore them out so... Yes.

HALLMAN: Could you comment --

BROTHERS: I'm sorry, your name, please.

HALLMAN: Diana Hallman, Fine Art. Could you comment on your position concerning the proposal for a new -- a new basketball stadium in the context of all of these budget cuts that affect academia?

PRESIDENT TODD: Certainly. The question was, can I comment on the new basketball, baseball, and football, I'll put all of them in there, in light of the budget cuts? The way that -- we were not looking for that. ING, who has our marketing rights, came to us. They have done this in Wimberly Stadium in England. They've done it for a couple of soccer fields. They will put up all the money, and then it will not cost us anything. It will not cost the taxpayers anything because they'll get their money back on the future marketing rights and the sale or some distribution from suites that would be in the basketball arena and from other marketing income streams that they think they could get in a new arena. The thing that would happen downtown -- actually the city was looking into it before we were because Rupp Arena -- we played 25 years in the old Alumni gym. We played 25 years in Memorial Coliseum. We've now played 32 years in Rupp, and it's getting a bit dated. But it turns out that Rupp Arena's floor is on the same level as the Heritage Hall. And so the idea would be that they would build a new arena for basketball. They would section Rupp Arena and give half of the space to the

Convention Center so they could increase convention business here in Lexington. And the other half, they would like to be able to build a fine arts theater that would give you the fly space so that you could really accommodate some of the very top shows that would come to down that we can't accommodate now. In addition, you know, they make their money on football and basketball. Baseball, they wouldn't make any money. We need a new baseball stadium so we can give this other stadium to the softball team that's being very -- increasing greatly in competitiveness. And they would build that, and then they would add some suites to the football stadium. So it's a way for us to live off of somebody else's money. If you look at the Reynolds Building proposal that's out there, it's a similar situation. We would sell some land over there. We would have to enter into a relationship with someone who would build a hotel and conference center in that vicinity, not on our land but partially on our land. And they would use some of the -- we would rent the Reynolds Building, renovate it to our standards back from them over a period of time. And at the end of a certain period, it would come back and be our own building again. So we're having to look for deals like that where we use other people's money because we don't have the cash to put into it ourselves. So I think it's -- if you look at the arena they're talking about in Louisville, I think the state gave them 75 million dollars worth of bonding capacity or maybe 75 million of state money; I don't know the details, but when we're beating them in football, I don't worry about the details. But this won't involve any -- they're going to do a six-month study to see if this is workable, and if it is, then I think it's a very good thing for the city. I will tell you that when they first came to us, the suggestion was that we build the arena on campus and we build it close to the football stadium, we put an atrium between the two, put restaurants in the middle, but I'm very committed to keeping this basketball facility downtown. My first month in office, I signed a 15-year agreement with Rupp Arena because I didn't want to be pressured into building a

new arena at all. But if we're going to do it, we're going to do it downtown because it really does bring a lot of business down there. If we had it on our campus, we would have to program that thing to stay very busy in order for it to cover the overhead, which could be an albatross. So I think this would be the best thing for all of us to do; do something like this. Again, it wouldn't take away from any of the -- any money that would be using for any other purposes.

CHAIR: There's another question, yes.

SNOW: Diane Snow, Medical Center. I was really happy to hear that we have 81-percent retention from freshman to sophomore year. Can you comment on the demographics of that or what percentage of these are women, and in general, how we are doing in retaining women through graduation?

PRESIDENT TODD: Do we know yet? You know, Diane, they're doing -- they're meeting right now. They are reluctant to ever give me any numbers until they feel that they can do it because they know I talk so much. We will get you that information. I'm extremely interested in that detail. You know one thing that --

BLACKWELL: Lee?

PRESIDENT TODD: I'm an engineer as many of you might know -- wait just one second, I'm going to give you the floor because you got the answer. My second year here, we actually dropped two percentage points in retention. And I asked Connie Ray to -- to call all the kids that didn't come back. And it turns out that the number one reason that they didn't come back was they wanted to be closer to home. And so I remember commenting to some of our people, we got to make this place feel a lot more like home; we got to do some things to keep them. We don't keep them that first 30 days, I mean, some of them we lose in 15 days. But we're doing a better job. Jeannine.

BLACKWELL: The demographics on the retention, although I also can't say those numbers yet, it looks like it is a very good retention rate again for African-Americans and other minorities, maybe even better than the regular demographic which would be great, but don't quote me on that. And -- and the

percentage of women who are retained is higher than that of men; that much I can say.

PRESIDENT TODD: Okay. She can give you some specifics. Thank you, Jeannine. Other questions? I know you all have got other agenda items other than this one.

Thank you so much for what you do and for your willingness to serve in this capacity. As I was telling the new folks, you have to sit down and realize that the things that you discuss and pass on here are things that will be present at this institution for the next 15 or 20 years. There are important policy issues, academic policy issues that you are affecting, and it's a big responsibility. I do ask for some speed. I think -- I got in trouble my first year, haven't said it since, so I'll get in trouble again now, I guess, but Andy Grove, when he was the CEO of Intel said there are only two kinds of companies in the future, the quick and the dead. And I think if you look at the for-profit academic institutions that are popping up everywhere, the people who are trying to pick off our profitable side of our business, pharmacy schools and other things, that don't do nearly the job we do, but they move a lot faster, and they snooker a lot of people out there, and they change a lot of lives, I think, in the wrong way. We do need to be conscious of the speed of the marketplace, and change is good if it's done by intellectual people who have the right caring and sensitivity, and I trust that you will do that.

Thank you very much.

CHAIR: All right. Well, a series of introductions here, I am Dave Randall. I'm Chair of Senate Council for this year. My home department is Physiology in the College of Medicine. You will be seeing me here for the next academic year. Sheila Brothers down here in the front table is the gal who runs the office. When you call up there, you'll probably get either Sheila or Adrea LaRoche, both very helpful people. So contact the Senate Council office or get a hold of me directly, but you'll be talking with either Sheila or Adrea. Kaveh is the former chair, and Kaveh, wave, and the current Ombud. Michelle back here is our Sergeant of Arms. Occasionally we take

votes, and she counts the votes, and is very helpful to us. Kate Seago is our Parliamentarian. We're going to try and follow Roberts' Rules. We'll try.

SEAGO: We'll try.

CHAIR: She'll set us straight when we need to be set straight. And Lisa Hoinke over here is recording our every word, so speak plainly, speak so she can hear you, and please give your name and your departmental affiliation when you speak. I am remiss in not having put Bart Miller up here. Bart is the staff -- staff Senate Chair. Bart, where are you? Thank you back here, from the staff senate. Everett McCorvey is our newly elected representative to the board, so he is back there. And Ernie Yanarella is our --

YANARELLA: Try again.

CHAIR: There he is.

YANARELLA: Yanarella.

CHAIR: If you want to have your voice heard at the board, talk to either of these two individuals. Tyler Montell is not here today, but Joe Quinn is here, who's been working with Senate Council, Joe back there. And if you're a new senator, if you would stand up, please, so we can recognize our new senators. Thank you. New blood is good.

Please, again, give your name and affiliation when you speak. And I think that there has been a weakness in the Senate, in how we've been functioning, it is that we've not communicated very well back to our constituency. So please, please keep your people informed of what goes on at the Senate here; that will be very helpful.

So minutes and announcements. The minutes were distributed on the 2nd. The reason for sending these out is for you to look them over and notice any changes that need to be made. If the minutes are incorrect but they stand approved incorrect, that's the way they are. Very important that the minutes be correct. I believe that the minutes from April 14 have no changes. So they are as distributed. I need a motion that the minutes of April 14 be approved.

BOLLINGER: So moved.

CHAIR: State your name, please.

BOLLINGER: Chris Bollinger, Economics.

CHAIR: And a second?

YANARELLA: Second. Ernie Yanarella.

CHAIR: Any discussion? All in favor
aye.

SENATE: Aye.

CHAIR: Opposed?

SENATE: (NO RESPONSE)

CHAIR: They're approved. Minutes from
May 5th, there was one change that was
marked in "track changes" as the meeting
location corrected. I need a motion that
they be approved as changed, as amended.

WILLIAMS: David Williams, Agriculture. I
move that the minutes from 5, May be
approved.

CHAIR: Thank you. A second, please?

STEINER: Shelly Steiner, Biology. Second.

CHAIR: Thank you. Discussion? All in
favor, aye.

SENATE: Aye.

CHAIR: Thank you. They're approved.
All right. Some announcements, in the past
the Senate has met with the Board during
their December meeting. We're going to try
something different this year. Sheila has
done a great deal of work in getting
together what we're going to call the 2008
Annual UK Stakes Reception. It will be
held October 14 from 2:00 to 4:00 in the
Lexmark Public Room. This will be a chance
for the Senate and the Board to mingle.
You know, try some different features, some
different approaches here to make this a
more meaningful communication between the
two organizations. So kind of keep your
eye and your ear open for that. We'll be
explaining to you what's going to be
happening there.

The UCAPP members have been
identified, and the committee is
functioning. This is an important
committee. It's one of those joint
committees. Half of the committee is
appointed by people recommended by the
Senate; half appointed by the Provost, but
in reality we agreed on almost all of those
names. So that is off and running.

There is an attempt going on with
updating the college rules. Dr. Anderson
has been moving that along quite
effectively. Academic approval procedures,
you're all aware there are a number of
things that the Senate has to act on and
has to approve, at least the perception has

been that that process can be a little slow. We've heard the Senate described as a black hole. Procedures or new courses go into the Senate, and people don't hear from them again for a long while. We're doing our level best to deal with that. We're going to try and make this process more effective, more efficient, and quicker, and so we've been meeting to work on that issue.

The Senate Rules and Elections Committee is chaired by Doug Michael, and the Senate elections will be September 30th. And, again, ask you if you would be a conduit of information back to your constituents.

Particularly during the summer period there are times that we simply have to move on issues, and so we can waive the Senate rules, and Senate Council can authorize various issues, or in some cases, the Chair of Senate Council can waive some of the Senate rules and authorize various changes. We are required then to report back to you what those waivers have been. Here is a listing of the waivers, at least the first page of the listing of the waivers of issues that have gone through this process during this summer while most of us were away. If there any questions on an individual item here, I'd be delighted to try and answer anything. And again, another set of issues that have been waived in your absence. We paid particular -- we had a number of issues dealing with distance learning courses that had to have been approved. They had to be approved so we could offer them this fall. We will go through the regular procedures on these now, but this was kind of a bottleneck that perhaps people didn't realize required Senate approval, so we dealt with that.

Our first real item of business today has to do with GenEd. The President referred to this in his speech. We're re-examining the issue of what constitutes an undergraduate education. You'll recall last academic year we passed the outline of what this should look like, the design principles. And the design principles are given, that were approved by the Senate last fall, are in your handout here. A number of our fellow faculty have been working very hard on this during the

summer, and so we're going to update you now. Dr. Susan Carvalho, who has been directing this, is going to update us. This is for information only, but I think it's important that we know where things are going. Susan, thank you.

CARVALHO: Thank you. I'm glad that Dr. Todd stressed the importance of this, and I'd like to start by pointing out that this is not a new conversation, this committee didn't start from scratch, but rather we picked up on the design principles, and for those of you who weren't involved in the formulation and approval of the design principles, those came out of last year's GenEd proposal. A group of faculty got together to decide what was worth keeping so that we didn't have to start from square one again with this proposal. The most important thing I'm here to say today is this is our website, because we are very anxious as a committee to make sure that there is input and transparency all along this process so that it's not your first crack at it when -- when this is presented for a vote. This is summer progress?

BROTHERS: Yes.

CARVALHO: We're pointing out who the members of the committee are. This is a joint committee appointed by the Senate Council and the Provost and has brought representation from across the campus. And I just want to take this minute to thank the members who did work all summer and are working very hard to fall and many of whom are here today. If you would like to stand up and be recognized if you are a member of the GenEd Steering Committee.

And I'll remind you of the charge of the Steering Committee. We were charged to develop a set of learning outcomes and articulate the major components of a revised GenEd curriculum. And if you notice the difference between 1 and 2 and then 3 and 4, that's what I'm here to talk about today. Step 3, after 1 and 2, is to establish curricular faculty teams that will work out the details in terms of what the courses would look like. But the first charge of this committee is to develop a set of learning outcomes that will be the value principles for those courses, and the major components of a revised GenEd curriculum. And what that means is that

one of the design principles is that the new GenEd curriculum will consist of 30 credit hours, which essentially, is ten courses unless we get very creative with the 1 and 2 credit options; a little tricky. So, how would those ten courses be distributed across a set of learning outcomes that articulates not only what we want students to know at the end of GenEd, but what we want them to know commonly at the conclusion of their term of study at UK. So we were -- we used the design principles as a firm foundation on which we built, and I would urge you to read through those even before you think of responding to the design principles because that is the basis on which we started operating. We announced our first draft of the learning outcomes on May 5th with a broadcast e-mail to all faculty. So those outcomes have been posted on the website since May 5th with a comment box for input, but we recognize that it's summer, it was summer, and so this now is the real vetting of those learning outcomes, beginning this Friday and through October 17th. And that timeline is what I'm here to discuss with you. More than the specifics of the design principles, I'm here to talk about the process and get your approval for that. Throughout the summer there were subcommittees formed to address each of the four learning outcomes that we proposed in May, to work on the language, revise, revisit, and also to consult with faculty who were here on campus. And those subcommittees met with about 60 faculty members in different configurations and combinations throughout the summer. So this has had a broader faculty input than just the members that you saw listed. We consulted then two weeks ago with the Senate Council about the process to be followed through this semester. And this is what we would like to propose to you. It was very important to the committee that faculty input -- that we go to the faculty for input rather than asking the faculty to come to us for input. So in contrast to the large faculty fora that were held last year, the committee has very generously offered to visit departments and colleges and carry on a sustained dialogue with the department about a particular learning

outcome and then about another learning outcome, and actually finish a conversation instead of the scatter-shot approach that a wide forum generally involves. So I hope that all of you will be very involved in those department-level discussions and college-level discussions so that we're not only talking about these learning outcomes and this general curriculum here in this room, but rather that this conversation be a follow up to departmental conversations and the response from the committee in terms of revising the learning outcomes. What we would like to bring to you is something that would actually be approved. So that's why we beg for, not only your input, but for you to use your status as a Senator to encourage input from your departments and your colleagues. So our plan now is to go to the faculty. I presented an overview to the Arts and Sciences chair council, and so we do Arts and Sciences' meeting already scheduled that I'll be presenting to the Dean's Council tomorrow morning, and we expect the other colleges to follow suit. We're asking advice from the deans in terms of how to organize those meetings. If a college is relatively small and/or homogenous, we expect that one college-wide forum would cover the issues. If the heterogenous college, such as Agriculture, Arts and Sciences, we're asking the departments to group together in whatever configuration makes sense to them, and we will accommodate whatever time and whatever configuration they present to us so that the dialogue is meaningful. And then we are asking them again and again to review the learning outcomes before that discussion so that these discussions are not everyone's first look at the outcomes, but rather a thoughtful response and input that we can use. Our plan then is to conclude those discussions by October 17th to give us time to meet again as a committee, although we will be meeting again between now and then. But to meet as a committee before the November Senate meeting and make sure that the -- the learning outcomes are in a format that's useful to the later curricular faculty teams and also meaningful to the faculty in terms of how courses would be designed to

address those curricular outcomes. So our goal is, as agreed with the Senate Council, that we would bring the learning outcomes and the division of credits, a broad curricular framework, to the Senate for a first reading at the November meeting and a vote at the December meeting. We think it's a reasonable timeline, but that's why I'm asking for your input now. And after that, these broader faculty groups, faculty teams would meet to discuss exactly what -- what the rubric would be; what would make a course count for learning outcome 2 or for learning outcome 3. And that -- within that, we expect that some courses, as currently configured, might meet those learning outcomes. Once we identify a rubric that would say this course meets the outcome; this course doesn't. We expect that some courses will already fit these learning outcomes. Others, a good many, will fit with some modification. We're thinking very closely about practicality and implementation of what we're designing, and a lot of this involves identifying the core elements of a lot of our first year courses now, what it is that we're doing right and what it is that we need to add in order to address the problems with USP and bring this curriculum up to date. So then we also expect that new courses will be designed. So those are the three categories of courses that we envision the curricular faculty teams would review, some existing courses, some modifications to existing courses and new course proposals. We received advise from Senate Council then that there be a final vote on an implementation plan during the spring semester, once those teams in number 3 have outlined in more detail what the courses would look like and that implementation plan would involve a timeline for implementation of the new GenEd curriculum. So our website contains the learning outcomes. The version that you have in your packet is the one that's on the website with one exception, and that is that we had this broad curricular framework, the division of ten courses outlined at another place in the website under Summer 2008 progress, but that seemed to be hard for some people to find, so we have now merged them, and when you click on

design principles at the top, right there, you'll see not only discussion of the previous reports on which these principles are based but also our proposed division of credits. Please remember that this is not a proposal to be voted on. It's a proposal to be vetted. It's in draft form, and we want your input back on how we have suggested that the ten courses be allocated across the four outcomes. So that's what I'm here to say. And are there questions, comments, discussion? Did you --

RANDALL: No, I'm just going to -- after the questions here.

CARVALHO: Do we ask for approval the timeline? What's the procedure? Now, the Senate Council has discussed that timeline --

RANDALL: What we're interested, I think now, is whether you feel the timeline that was presented to you is reasonable? So you'll have a first reading of the learning outcomes in November-ish. And a second reading in December which would then require a vote. In the interim, are going to be these meetings going on where faculty will have, hopefully, lots of opportunity for input. So I think we want to know whether that's a reasonable timeline? Please.

CALVERT: Ken Calvert, Computer Science. I think I asked this the last time, last spring, but is there going to be -- you mentioned rubrics, so are there going to be rubrics at the time we vote on the outcomes or is that going to come later?

CARVALHO: That would be in the second vote, spring vote because the -- the chicken and the egg issue here is how can the rubrics be developed before we agree on what we're trying to accomplish. So once we develop the rubrics, to keep going back and changing the intended outcomes didn't make sense to us. Rather, we should know where we're headed, and then figure out how the courses should be designed to meet those objectives.

CALVERT: Is it expected there will be one rubric for each outcome or an array of rubrics?

CARVALHO: An array of rubrics. For each course type there will be a rubric. In

other words, if within a learning outcome we would project two courses, there would be a rubric for each of those.

CHAIR: Please.

ELDRED: Janet Eldred, English. I -- I just wanted to clarify that we're -- we're going to be voting on both the learning outcomes and the curricular framework, correct?

CARVALHO: That's right. Numbers 1 and 2.

ELDRED: Right. And so -- so there is a broad curricular framework that the specific rubric would come in the spring, but it is those, you know, those ten courses and how they might be mapped out, which ones you think would be the fall vote.

CARVALHO: Right. And let me add one point which is that we have had assessment very much in mind throughout our discussions. And so when you look at the learning outcomes, you'll notice that we highlighted the verbs, those are assessment oriented verbs, and we would like to hold to the idea that the outcomes we project can also be assessed. And assessment will therefore be incorporated into the courses, so that will be part of the eventual rubric, that the outcomes we project can actually be measured.

CHAIR: Please.

HAYES: Jane Hayes, Computer Science. I think the November-December time frame sounds fine to me, but I wonder if we really can look that far forward into the spring for that part of the plan of action because I'm very curious how it'll go with your meetings with the colleges and the departments. And I think maybe that might give you an indicator -- I think everyone thought it was going to go through last time, and then all of a sudden, wow. So maybe we shouldn't decide on a timeline for the spring until we kind of see how this goes.

CARVALHO: That would be -- that would be up to the Senate, but we'll be working -- paddling furiously under the surface of the water to make sure that we do present something that can be approved. Nobody wants this to stop again. This is a bigger committee that's been involved; heavily invested in the time they've put in, but not necessarily in the ideas they put forth

in the sense that they want broader faculty input at this time, not later. And so we hope that by -- by having these mechanisms for input throughout the process, we will present something approvable, and it will be up to you to see if it's in a state to be approved in March. Also, there is a comment box on the website, so the faculty input is not limited to the department meeting, especially if the department meeting is early, there will be revisions to the learning outcomes. I can promise you there will be revisions to them, so the faculty will want a second look during the month of October. We'll -- we'll keep faculty updated with broadcast e-mails but as Senators, again, it will be helpful if you would tap your colleagues on the shoulder and have them take a second look so that what we bring in November has been seen by an awful lot of faculty.

CHAIR: Here's where we go back to our home department and encourage our people to come to these meetings and to check the web page. The more faculty input what we have now, the less likely we'll run into the kind of problem we had last year. Other questions?

CARVALHO: And we hope you have learned something from last year.

CHAIR: Susan put off a trip to Europe to be here today, so that's the kind of dedication she's had to this.

CARVALHO: We didn't come this far for nothing.

CHAIR: Anything else? Thank you.

CARVALHO: Thank you very much.

CHAIR: One of our jobs is to forward or recommend the names of individuals for graduation. I know it sounds perfunctory, but it's something we have to do. It's one of our responsibilities. So there's a list of students in your handout for BCTC credentials, pages 16 to 20. We don't take amendments, per se, for this from the floor. But if you identify problems -- this is posted on the web, so you will look on the web in advance, if you identify problems, then we'll go back and make sure things are corrected. I need a motion that the list be forwarded to the Board of Trustees. Davy.

JONES: Davy Jones, Toxicology. I move that the elected faculty Senators approve

that this list be forwarded to the Board of Trustees.

CHAIR: I need a second.

WOOD: Second.

CHAIR: Connie. Discussion. All in favor aye.

SENATE: Aye.

CHAIR: Opposed.

(NO RESPONSE)

CHAIR: Motion carries. Thank you. Again, the list of students who's in the handout for the UK August 2008 degree. I need a recommendation as stated here.

JONES: I recommend that this list be approved by the elected faculty Senators for forwarding to the Board of Trustees.

CHAIR: Dr. Jones, Toxicology. I need a second.

AKEN: Second.

CHAIR: Stephanie Aken, Library.

Discussion? All in favor aye.

SENATE: Aye.

CHAIR: Opposed?

(NO RESPONSE)

CHAIR: Thank you. Motion carries. All right. This is an important issue for us. We discussed the Health Care College of student professional behavior code at our last meeting in the spring. That was the first reading. For those of us in the health area, this is an important piece of legislation, as it were, defining the appropriate behavior in our professional students. There were some issues arose in that during the summer. This was sent back, and a number of our people worked very hard on responding to the problems that were raised last time. And we bring it now to you for a second reading and -- and a vote on this issue. Richard Greissman is going to present the issue for us, and then we'll have questions. Richard.

GREISSMAN: Good afternoon. In May we had a robust discussion. And there were lots of comments. Let me say that there are two principal objections; they were both principal and principle. One came from Tom Garrity, the other from Connie Wood. The concern Tom had, and Tom's here, so I'll ask him to jump in if I misrepresent his point of view, was that the prohibited conduct session was too elastic. It basically had lots of specificity, and

then, forgive an old high school Social Studies' teacher for saying this, an elastic clause that said anything else we think is prohibited. And it was an objection we took quite seriously. The other was a concern voiced by several, but Connie Wood in particular, that the academic offenses section didn't specifically -- the jurisdiction section didn't specifically say that academic offenses would be both prosecuted -- investigated and adjudicated under the rules of the University Senate. While I said as much that we would, I felt it was really important to actually have it in here. Connie was absolutely right. If you know me at all, you know the next day I was on the phone with Connie and Tom saying, okay, help me make this better. We have to get this passed. We need this corrected. And I want to thank both of them for their efforts. Tom labored with me much more than anyone would ever want to, but I think as a consequence we may have gotten this right. So what I'd like to do is go through those changes that resulted since May. Since that time, and I know this will shock you, Kaveh has gone through this very carefully. Could we please have an audible shock?

And again, he's just so wonderful at this. He's come up with some other revisions that are right on target. I'd like to discuss his revisions as well, and then leave it open to the floor, of course, to find others. And then, finally, ask the Senate to vote on this. Let's take a look first on page 33, it's the third page of the document, but turn to the packet page 33, if we could look at that. You'll see there's a new number 9, and number 11 is crossed out. Number 11 is what we felt was simply too elastic. It simply gave the code a kind of amorphous purview that didn't seem right. So we attempted to get it right with number 9. The attempt here is to limit the code to the clinical and patient setting. Those things that are done in clinical and patient setting that a reasonable person would say are inappropriate, if not egregious. Joe Fink was kind enough to give me a quick tutorial so I could give examples. I'll give you an example of some years ago where a fourth-

year medical student on rotation was asked to do a patient history. The student was asked to do it over the weekend, failed to do it, and he made one up. Now, that's why we have a code. We have a code to deal with cases where students do things that are egregious in the sense of endangering the life of a patient or doing things that clearly don't represent the strength of the programs involved, and/or finally do things that would likely have the student, once -- once graduated, excuse me, unable to obtain permission to practice from a licensure board, a certification board, or an accreditation board. So we've tried with number 9 to clearly limit the purview to those clinical and patient settings where the code of professional conduct says the patient has simply gone -- the student has gone out of bounds. So that's the first part. You know, Tom was kind enough to come today, even though he's not a Senator anymore. I'm not sure if you have anything you'd like to say, but have we got it better than we did in May?

GARRITY: Yeah, this is Tom Garrity,
College of Medicine.

This is much more explicit. You and I talked about it a lot. It seems very good. Also good, you'll notice at the bottom of the page where there's a change under jurisdiction, where there's the explicit statement about academic offenses such as plagiarism, cheating, and the like. It would be still handled under the existing University Rules. And I think making that explicit is just what was needed. If there's anything that might lead to problems is I think the person who was not involved in our discussion or an Ombud who was not involved in the discussion, there's a possibility that they will look at this group of pages, and they will -- they may make the mistake of believing that any offense that is brought before the Health College Council, Health Care College Council, is covered by everything that's in here. And so, for example, if a person is found responsible for the offense and wants to appeal it, well, I think the naive person would just flip back to the appeals' section and read all of the things that have to be done under the appeal. And they may come to the conclusion that -- that the

Health Care College appeal board will be handling their appeal, or in this case, the offenses I'm concerned about are the academic offenses, such as cheating. And they may -- they may just skim over these changes that we've made which I think a good, sharp reader, a lawyer, perhaps, might say, oh, well, this means that you don't use the Health Care Council appeal board; this would go to the University appeal board. But I think as it is, if it's clearly understood as we understand it now, and it's read carefully, I think the right thing will happen for the student. So I think it's been fixed, but it may be a little bit obscure for those who haven't been involved in the making of it.

GREISSMAN: Which is why we're lucky to have an Academic Ombud Office and hearing officers. So the hearing officers for the HCC could say in a case where an academic offense was appealed to his or her office, that's not the point of jurisdiction. And certainly the Academic Ombud would intervene in the above.

So, Tom, thank you for that endorsement. I appreciate it. I'm really grateful to Tom for all the time he put in. I should not have subjected him to so much time, but thank you.

So those are the two issues that we've dealt with since May. We then -- Swamy sent the Health Care College code to all the academic deans of the six Health Care Colleges, asked the dean to vet the health care code with the faculties of those colleges, and we got back a number of other changes that have been incorporated. So everything you see here so far is the result of the vetting after May and then the vetting in -- in the Health Care Colleges. So I wanted you to be prepared for Senator Grossman when he said, and he would if I didn't say it now, has this been vetted with the faculty of the Health Care Colleges? The answer is absolutely, thoroughly vetted by them, and the feedback incorporated into this version.

That said, Joe Fink weighed in, and I'm grateful for what Joe did. I'd like to go over Joe's comments, if I can find my notes. Here we go. If you could turn to page 35. Joe, as you probably know, has been the UAB hearing panel chair

for 106 years, and knows this stuff. We have told Joe's not just a wonderful College of Pharmacy faculty, but also a trained lawyer. Joe noticed on page 35 under 2b, it says that the chair of the hearing panel will obtain any previous disciplinary record, but not share it with the panel until the conclusion of the hearing. Obviously, we don't want to prejudice the panel. But then he noticed on page 37 that says right at the top, third sentence, second to last word, hearing panel chair. So it says the information obtained shall be shared with the hearing panel chair. Joe, rightfully, says, it's really meant to say the hearing panel. So the change I'd like to suggest is that we delete the word chair because at the point the hearing panel determines that the person under review is responsible, we're using the word responsible, not guilty, it's up to the hearing panel chair to inform the hearing panel of any previous offenses. So I'm recommending that, with Joe's good advice, to strike the word share. Finally, in terms of Joe's keen eye, page 41, under D, Disposition of Cases, second sentence, The HCCAB may uphold the decision of the -- it's the Dean, not the hearing officer -- the Dean makes the decision, based on the hearing panel's recommendation. So please strike hearing officer, and in its place put Dean. Finally, Kaveh's wonderful editorial eye, noticed some things that, frankly, were mistakes I made in trying to keep too many versions straight. If you go to page 39. The principle we try to uphold is that the student representatives on the hearing panel, on the -- and the HCC appeals board would be nominated by students themselves, the students and the colleges. So if you see on page 39, it says, let's see, let me find where I am, right, it says in number 1 under B, that the -- whose names are among those provided by the college's Student Advisory Council or equivalent body. If you go then to page 40. Suddenly we introduce on page 40 in 2c, the Provost shall appoint student members to the HCCAB from the recommendations submitted by the Student Government Association. And Kaveh, rightfully, pointed out, which one is it? After some discussion among the committee

members and others, we realized that the most appropriate thing in the case of professional care -- Health Care Colleges is to involve the Student Advisory Councils or the equivalent body. The SAG does represent professional schools, but frankly, it's not the principal body for students in the Health Care Colleges. So what we're recommending, that may even be here, is that we substitute Student Advisory Council in both places. In C we put Student Advisory Council, and we say at least three names shall be submitted from each college. What we want to do is make sure that there are sufficient number of names such that there can be actually a vetting by the Provost. One could imagine each college submitting one name, and hence we have a nomination that really isn't a nomination, but an election. At least three names is an attempt to recognize that colleges are of different size. So three names give us essentially twice as many names nominated as are appointed. If the College of Medicine, as the -- as the largest of the six colleges wanted to recommend more than six -- three names, of course, they could. So that's the attempt there. So the attempt is to have the Student Advisory Council or an equivalent body be the body that recommends students to the Provost for tenure on the appeals board. Having focused on all the changes, Kaveh found some others. I think they're important. Kaveh, could I ask you to address them?

TAGAVI: Sure.

GREISSMAN: Thank you.

TAGAVI: My intention was to come here, sit down and shut up and enjoy you guys giving David the hard time, but I'm sorry, here I am making some suggestions. If you would go to page 41, the last two lines, it should say the Code of Student Professional Conduct. And then right at the end of that sentence, it should say, comma or I don't know whether you need comma or not, upon the recommendation of the University Senate. This was missed. And the next line, again, it says, Code of Student Conduct; again, it should say Professional Conduct because that's the name of this code. Then if you go to the next page, the second paragraph, the one that starts with,

The committee, you go to line three, it should say -- basically, that sentence should say, The committee shall prepare proposed revisions and forward them to the University Senate and then to the President for their approval -- for approval. And after approval, for presentation, for their approval, because there are two bodies now. So the word their should be added to it.

GREISSMAN: I think Kaveh's point well taken, is that any change in this would have to first be approved by the Senate, as -- as we're doing today, before it goes to the President for transmittal to the Board. This Code of Conduct, like the University Student Code of Conduct has to be approved by the Board, but not before it goes through the University Senate. In fact, both Codes of Conduct has to go to the University Senate. Okay. So what we've done since May is vet this, I think, very thoroughly. I probably missed talking to some custodian in some building, but that might be the only people I haven't contacted since May. I thank all of those who gave input. I reiterate, as I did in May, that this isn't a code that's meant to have a rather finite focus, but a terribly important one in health care settings where the conduct of students has proto-professionals has to be on the up and up. It will affect very few students, but those it affects, it affects for reasons that, as I've given by example, need to be adjudicated. So if there are now questions, I would love to try and answer them. Dave, would you please?

CHAIR: Yes, please, Dr. Anderson.

ANDERSON: Heidi Anderson. Just one question, please. Presently, this particular code is an AR; it's an administrative regulation. Obviously, dated one. How -- since this no longer -- it will no longer be an administrative regulation, what -- what is the provision? How do we get this off of the books so it's no longer an AR?

GREISSMAN: Good question. We're not really sure why it's an AR since the UK Code of Student Conduct isn't. So we'd simply delete the AR.

ANDERSON: Okay.

GREISSMAN: Have this be board promulgated and it has the same status as the UK Code

of Student Conduct in terms of being under the University regulations as approved by the Board.

ANDERSON: Just want to make sure we don't miss that step.

GREISSMAN: Yes. Thank you.

ANDERSON: Thank you.

GREISSMAN: That's a good point, thanks.

CHAIR: Other questions for Richard?

All right. So you accepted these as friendly amendments.

GREISSMAN: I've indeed.

CHAIR: So we'll be voting on this as amended. The President mentioned we're going to do things that will be important 15 years from now. This is one of them. And had it not been for the first reading and the changes that were made there by thorough individuals, it would have been very different than we're voting on today. So I need a motion that this be approved as amended. Dr. Anderson.

ANDERSON: May I make the motion? Am I allowed to?

CHAIR: Are you a Senator? Yeah.

ANDERSON: Yes. I'm voting this year.

CHAIR: We'd be honored if you would.

ANDERSON: Thank you very much. I move that we accept this particular Code -- the amendments to this particular Code of Conduct that has been reviewed by a number of faculty in all of our colleges at the University.

CHAIR: I need a second for that motion.

WOOD: Second.

CHAIR: Connie Wood. Did you get the motion?

BROTHERS: Yes. There was a Senate Council had suggested an earliest possible effective date. Do you want to add that to the motion?

CHAIR: Would you add that, please?

ANDERSON: As early as possible, please.

CHAIR: Thank you. Discussion. Yes.

JOHNSON: Dean Johnson, College of Communications and Information Studies. I -- I just have a question, Richard.

GREISSMAN: Please.

JOHNSON: There seems to be an area that's missing here, and that is in our college, we've had cases of professional misconduct, but we're not a medical college, and they aren't covered in the Code of Student Conduct. So do we need to develop yet

another code for those nonmedical colleges that have professional students?

GREISSMAN: Only after I retire. That certainly is an option. I think that, yeah, this does beg that question because it's -- there are a number -- College of Education has an accreditation board and so it would seem that that, at least in the abstract, David, is a perfectly legitimate thing. In the concrete, we need to wait a number of years, probably 10, by then I'll be able to retire. But seriously, I think so.

CHAIR: Any further discussion?

ZENTALL: Point of information. Tom Zentall, Psychology. When I -- when I heard the motion it said -- the amendment, then I assume that these are friendly amendments, and therefore can we vote on the motion itself?

CHAIR: I believe that they're friendly amendments. We just accept them, and we vote on the motion --

ZENTALL: On the motion.

CHAIR: -- as amended. Please.

PAULY: Pauly, Pharmacy.
Based on what they just said, you might want to think about not knocking out that AR, right?

GREISSMAN: Well, they are both specific HCC so it wouldn't cover Communications anyway. And so the AR doesn't have that broad --

CHAIR: I've worked with Richard through the summer on ARs and everything you can imagine, and the care he's put into these things, we owe him a great deal of thanks. All in favor, aye.

SENATE: Aye.

CHAIR: Any opposed?
(NO RESPONSE)

CHAIR: Abstain?
(NO RESPONSE)

CHAIR: Motion carries. Congratulations.

GREISSMAN: Thank you. May I say one last thing unrelated to this, but at the risk embarrassing of Davy, I'll say it anyway. In the next few days you're going to see the release of a complete revision of the ARs on faculty appointment, reappointment, promotion and the granting of tenure. We owe Davy Jones a thousand thanks. Were it not for Davy, this would never have gotten done. It was a privilege to work with him.

And at the risk of doing something grossly inappropriate, would you join me in a round of applause for Davy? Thank you.

CHAIR: All right. This will not happen routinely. Ernie, please.

YANARELLA: Just one announcement, the Board of Trustees is meeting tomorrow, and the finding -- the HR committee is meeting at 10:15 before the Board meeting. A number of predominantly Medical Center faculties raised serious issues concerning the proposed amendment to the governing regulations relating to family vacation leave, sabbatical leave and the delay of probationary period, specifically relating to accrual of vacation time. I put -- I put a friendly amendment after the first reading that stipulated that the Human Resources' committee would meet on this issue and provide an opportunity for any faculty who had questions or issues relating to this. Seems to me that this is a fairly important issue, particularly for Medical Center faculty. I heard a number of people raise issues. You will have your first and probably last opportunity tomorrow morning at 10:15 at the HR committee, Human Resources committee, to raise any objections. So please -- please do take advantage of that opportunity. Thank you.

CHAIR: All right. Motion to adjourn?

UNIDENTIFIED: So moved.

CHAIR: All right. Thank you very much.

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THEREUPON, the University of Kentucky Senate Council meeting for September 8, 2008 was adjourned at 4:45 p.m.

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STATE OF KENTUCKY)

COUNTY OF FAYETTE)

I, LISA E. HOINKE, 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 under my direction, and the foregoing is a true record of the proceedings which took place during said meeting.

My commission expires: January 26, 2011.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office on this the 18th day of October, 2008.

LISA E. HOINKE
NOTARY PUBLIC
STATE-AT-LARGE
KENTUCKY