

***University Senate Agendas, 2014-2015***

All meetings are from 3:00 - 5:00 pm in the Auditorium of W. T. Young Library  
unless otherwise noted.

**Monday, September 8, 2014**

1. State of the University Address - President Eli Capilouto, University Senate Chair
2. Minutes from May 5, 2014 and Announcements p. 2-11
3. Officer and Other Reports
  - a. Chair
  - b. Secretary
  - c. Parliamentarian
  - d. Faculty Trustee
4. Proposed Changes to *Governing Regulations XI* ("University Appeals Board") p. 12-16
5. Honorary Degree Recipients - Susan Carvalho, Interim Dean of the Graduate School
6. Other Business

***Next Meeting: October 13, 2014***

University Senate  
May 5, 2014

The University Senate met in regular session at 3 pm on Monday, May 5, 2014 in the Auditorium of W. T. Young Library. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise.

Senate Council Chair Lee X. Blonder called the University Senate (Senate) meeting to order at 3:00 pm. She introduced Chair of the University Senate President Eli Capilouto.

1. President Eli Capilouto, University Senate Chair: End-of-Year Remarks

President Capilouto gave senators a presentation which included an overview of UK's activities in Frankfort during the spring semester. [Please see the Senate meeting agenda for May 5, 2014 for the entire presentation.] He began by thanking the members of his administration and their respective staffs.

The President explained that the state government introduced a budget that would have reduced UK's operating revenue by \$7.1 million. What was ultimately adopted was a 1.5% cut, for a total cut of about \$4.3 million to UK. State dollars are important because of their flexibility. President Capilouto explained that UK originally requested funding for a research building in the amount of \$45 million, with UK planning to pay for the remaining portion. The state House of Representatives included funding for the building (as well as the budget cut), but the Senate dealt with the matter by cutting all capital funding in order to restore as much of the operating revenue as possible. Regarding capital projects, while there were some discussions in Frankfort about state funding for capital building projects, ultimately all new capital project funding was removed. President Capilouto described the funding for current and future building projects, as well as projects that were requested but not included in the budget.

- College of Law Building renovation and expansion: UK is responsible for raising \$35 million and the state will provide the remaining \$35 million in bonds.
- Bucks for Brains and Bricks: began with \$33 million in funding, but was not included in the final state budget for UK.
- Capital renewal pool of \$25 million: not included in the final state budget for UK.
- Student Center renovation and expansion: \$165 million total cost, which was approved by the state.
- Facility renovations at Chandler Hospital: \$150 million total cost that will be self funded, which was approved by the state.
- Additional parking structure on campus: not included in final state budget for UK.

President Capilouto summarized by saying that during the last three years, with philanthropy and other partnerships UK is financing \$1 billion in construction projects, of which only \$35 million (College of Law Building renovation/expansion) will come from the state. The President added that the Council on Postsecondary Education (CPE) reviewed tuition prices and set a two-year tuition ceiling of 8% total, which allowed universities some flexibility in setting tuition prices for 2014-15 and 2015-16. The President then turned the presentation over to Executive Vice President for Finance and Administration Eric Monday for additional information regarding UK's budget.

Guest Monday started out explaining that the budget, tuition, and fees were established as three overall principles were kept in mind: UK must continue to offer competitive salaries for staff and faculty employees; there should not be any across-the-board reallocations; and affordability concerns and student mix must be at the forefront in setting a moderate tuition and fee increase. Monday gave senators a detailed breakdown of the proposed budget, tuition, and fees for 2014-15, as well as some history regarding state support for UK. Monday then turned the presentation over to Provost Christine Riordan.

Provost Riordan explained that she and others in her area worked with colleges on strategies for program fees. She said that differential pricing would be presented to the Board of Trustees for only four programs: Medicine, Pharmacy, Dentistry, and the Executive MBA program with the University of Louisville. The Provost said that conversations with colleges will continue regarding graduate programs and market pressures. Course and program fees were capped at 3% for 2014-15. The Provost then turned to Vice President for Financial Planning Angie Martin.

Martin spoke to senators about tuition and financial aid and stated that her portion of the presentation dealt with affordability. She discussed the slowing trend of increasing tuition rates, scholarships, financial aid, and out-of-pocket costs. Martin emphasized that the average debt load for UK's graduates was essentially in line with others in KY, but was a little higher. The percentage of graduates with debt was somewhat lower, which could probably be attributed to adjusted gross income of families.

Monday returned to the podium and talked about student housing, including rates for various room designs, new residence halls, and the growing demand for UK's on-campus housing among undergraduates. He also discussed the proposed increases to UK's dining plan rates, but he stated that actual rates could be lower if UK successfully negotiated a Dining Services partnership with an outside, external entity. President Capilouto finished the presentation with some closing remarks and asked if senators had any questions.

Debski asked if the increase in entering class enrollment was included in the final numbers. The President responded that the final number for 2013-14 was 4,650 freshmen; the projection for 2014-15 is 4,800 freshmen. There were fewer acceptances than expected last year, which resulted in fewer students than planned; a reserve fund has been put into place in case that happens again. The Provost has brought new energy and ideas into the area of student recruitment and the President believed the number of freshman will increase for 2014-15. As a part of tuition adjustments, UK reduced the Patterson Scholarship and Otis A. Singletary Scholarship awards due to cost constraints, but increased the William C. Parker Diversity Scholarship awards, which target a more diverse student population.

Truszczynski said that two years ago senators were given a budget outline for the subsequent two years with an explanation that it aligned with the state's budget. He asked if similar details for 2015-16 would be forthcoming soon. The President explained that UK and other universities were a little uncertain because the CPE set the two-year percentage recommendations at the last minute. The percentage tuition increases that UK established were only finalized a few weeks ago. He added that UK will have more information soon on exactly what size the entering class will be for 2014-15, as well as retention numbers, and will share that information with senators during the coming year. He said that no final budget plans had been made for 2015-16 although he had already asked members of his administration to be anticipating what will need to be done in 2015-16.

There were no further questions from senators. The President noted that it was the time of year for graduation and it was with great emotion that students shared their experiences with him. He said he was the beneficiary of the beautiful stories students told about their interactions with faculty. President Capilouto thanked senators deeply and said faculty were making a difference in lives in small ways that turn into large impacts. President Capilouto departed shortly before 4 pm.

The Chair reminded senators to:

- Sign in upon arrival;
- Give name and affiliation when speaking;
- Attend meetings;
- Respond to emails and web postings as appropriate;
- Acknowledge and respect others;
- Silence all electronic devices; and
- Communicate with their constituencies.

## 2. Minutes from April 14, 2014 and Announcements

The Chair stated that no corrections were received. There being no revisions, the minutes from April 14 were **approved** as distributed, by **unanimous consent**. She offered a variety of announcements.

Regarding the faculty trustee election, the nominating round and first round of voting is over. The top three vote getters are: Robert Grossman (AS/Chemistry); Paul Kearney (ME/Surgery); and Sidney ("Wally") Whiteheart (ME/Molecular and Cellular Biochemistry). The second and final round of voting is open through noon on Friday, May 9. The Chair urged all senators to vote.

The Senate Council (SC) approved a minor non-standard calendar change for MA 109, MA 111, WRD 110, and UK 090 (one-time request).

The SC also approved a non-standard calendar for all courses offered through Education Abroad (EA) for summer 2014. The SC suggested EA return to SC in the fall with a proposal that would prevent EA from having to annually request non-standard calendars for study abroad courses.

The SC conducted a campuswide survey of faculty again to evaluate President Eli Capilouto and provide input to the Board of Trustees (Board). The Chair explained that Vice Chair Connie Wood would give more information on the survey during the Vice Chair report.

The SC met with Board of Trustees Chair Britt Brockman. Topics discussed included: communication and consultation; Dining Services decision and process; campus Infrastructure and Living Learning Programs; and UK's future.

The Chair noted that congratulations were in order for faculty members who won Provost Teaching Awards in 2014.

- Phillip Harling (AS/History)
- Pearl James (AS/English)
- Leon Sachs (AS/Modern and Classical Languages, Literature, and Culture)
- Brian Adkins (ME/Emergency Medicine)
- Andrea Friedrich (AS/Psychology)
- Tammy Stephenson (AG/Dietetics and Human Nutrition)

The SC approved an expedited process to change undergraduate programs so they could comply with the new Graduation Composition and Communication Requirement (GCCR). The Chair added that about 100 GCCR program changes will be on a web transmittal in the next few days.

Two web transmittals are currently posted – the Chair asked senators to please review them.

Finally, the Chair reported that SC will hear an update soon from the committee working on UK's foreign language requirement.

## 3. Officer and Other Reports

### a. Chair

The Chair said that it was her privilege to honor Assistant Provost for Faculty Advancement Richard Greissman, who will retire June 30. She said that Greissman served as the SC's liaison to the Provost from 2003 until 2014. Greissman performed invaluable service to faculty and to the Senate in that role and in his past and current position. His deep understanding of the principles of the academy, including shared governance and academic freedom, his knowledge of and contribution to UK's *Administrative Regulations* and *Governing Regulations*, and his unmatched ability to negotiate successful solutions for both faculty and the administration have made a positive impact on the lives of so many and on the University of Kentucky. The Chair turned to Jones, chair of the Senate's Rules and Elections Committee (SREC).

Jones said that he worked with Greissman over the past 20 years and saw firsthand that faculty are truly indebted to Greissman for all he has done, much of which he did behind the scenes. Jones stated that Greissman's work with the faculty resulted in codification of the faculty's muscular governing role over academic content. The current wording in UK's regulations would not be there now if it had not been for Greissman's guidance over the years. The Senate is indebted to Greissman for the Senate's current governing posture as well as for the safeguards in regulations and policies that are there because of Greissman's efforts. The safety net that is currently in place would have many holes if not for Greissman's tireless efforts. Jones recalled phone calls late on a Sunday evening about thorny issues and requesting Greissman's assistance for a soft landing on Monday morning. In all situations Greissman could navigate to a good resolution. Jones ended by saying that he deeply appreciated Greissman's friendship over the years and his ability to debate contentious issues and end the discussion with a collegial word and a friendly handshake.

The Chair invited Greissman to come to the front of the room so she could present him with a plaque. She read the wording to senators.

On behalf of past and present members of the University Senate Council, University Senate offers our deep appreciation for Richard's unwavering support of the University Senate. We will long remember Richard's wisdom as well as his efforts to promote faculty governance, academic programs, and the success of UK students.

Senators honored Greissman with a sustained standing ovation.

Greissman said he would keep his comments short, knowing the length of the day's agenda. He said the provost's liaison position was a one-year experiment and he was thankful that ten years later he was still welcome in the position. He thanked senators for the privilege of serving them and commented that, as they say in Kentucky, it had been a good ride. The Chair wished Greissman the best of luck during his retirement.

#### b. Vice Chair

Wood, the vice chair, said that for the last two years, the SC has conducted a survey of all faculty on that year's performance of the President. The survey that SC sent to faculty this year was essentially the same as last year, but had been updated. There were 710 faculty who responded to the survey, for a response rate of 28%, which is slightly lower than last year, but not significantly so. Wood said that the results have been analyzed but will not be discussed publicly until the information is shared with the Executive Committee of the Board and the Board takes final action, which will likely be in September. In addition, the results will be posted on the Senate's website. Wood thanked all those who participated in the survey.

Wood said her next action was to present the Outstanding Senator Award to someone with a virtually encyclopedic assimilation and application of UK's *Administrative Regulations*, *Governing Regulations*, and the *Senate Rules*. This senator's nearly unparalleled historical perspectives placed him head and shoulders above all others in helping UK maintain quality educational standards and fairness among all stakeholders in shared governance. Wood stated it was her pleasure to award the 2014 Outstanding Senator Award to Davy Jones. Jones was honored with a round of applause and he thanked senators for the award.

#### 4. UK's May 2014 Degree List

The Chair stated that there were a handful of degree additions, primarily at the graduate level. The **motion** from the SC was that the elected faculty senators approve UK's May 2014 list of candidates for credentials, for submission to the Senate and then through the President to the Board of Trustees, as the recommended degrees to be conferred by the Board. Because the motion came from committee, no **second** was required. The Chair reminded senators that only elected faculty senators could vote.

There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

#### 5. UK's Early August 2014 Degree List

The Chair stated that a couple of additions at the undergraduate level were received. The **motion** from the SC was that the elected faculty senators approve the revised early August 2014 degree list, for submission through the President to the Board of Trustees, as the recommended degrees to be conferred by the Board. Because the motion came from committee, no **second** was required. The Chair reminded those present that only elected faculty senators could vote.

There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

#### 6. Committee Reports

##### a. Senate's Academic Programs Committee (SAPC) - Andrew Hippisley, Chair

##### i. Proposed New Master of Science in Information Communication Technology

Hippisley, chair of the Senate's Academic Programs Committee (SAPC), explained the proposal for a new Master of Science in Information Communication Technology. The Chair said that the recommendation (positive) from SC was that the Senate **move** to approve the establishment of a new Master of Science in Information Communication Technology, within the College of Communication and Information. Because the motion came from committee, no **second** was necessary.

Nagel asked if the proposal had been reviewed by the Department of Computer Science and Hippisley explained that the Department of Computer Science had seen the proposal in detail and was okay with it. Jones asked if the proposed new degree would actually be housed in the College of Communication and Information, as opposed to in a specific department. Hippisley replied that the intent was to house the degree within the School of Library and Information Sciences.

Jones **moved** to amend the motion so that the degree would be in the School of Library and Information Sciences, within the College of Communication and Information. Brion **seconded**. There being no additional discussion, a **vote** was taken on the motion to add the School of Library and Information Sciences as the home department. The motion **passed** with none opposed.

There being no further discussion on the main motion, a **vote** was taken on the motion to approve the establishment of a new Master of Science in Information Communication Technology, in the School of Library and Information Sciences, within the College of Communication and Information. The motion **passed** with none opposed.

##### ii. Proposed New Bachelor of Public Health

Hippisley explained the proposal for a new Bachelor of Public Health. The Chair said that the recommendation (positive) from SC was that the Senate **move** to approve the establishment of a new Bachelor of Public Health, within the College of Public Health. Because the motion came from committee, no **second** was necessary. Jones asked if the degree would be homed at the college level and the Chair answered affirmatively.

There being no further discussion, a **vote** was taken on the motion and the motion **passed** with none opposed.

##### iii. Proposed New Dual Degree Program: PharmD and MS Pharmaceutical Sciences

Hippisley explained the proposal for a new Dual Degree Program between the PharmD and MS Pharmaceutical Sciences. The Chair said that the recommendation (positive) from SC was that the Senate **move** to approve the establishment of a new dual degree program between Doctor of Pharmacy and MS in Pharmaceutical Sciences in the College of Pharmacy. Because the motion came from committee, no **second** was necessary.

There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

##### iv. Proposed New Undergraduate Certificate in Leadership Studies

Hippisley explained the proposal for a new Undergraduate Certificate in Leadership Studies. The Chair said that the recommendation (positive) from SC was that the Senate **move** to approve the establishment

of a new Undergraduate Certificate in Leadership Studies in the College of Education. Because the motion came from committee, no **second** was necessary.

There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

v. Proposed New BA in Health, Society and Populations

Hippisley explained the proposal for a new BA in Health, Society and Populations. The Chair said that the recommendation (positive) from SC was that the Senate **move** to approve the establishment of a new BA in Health, Society and Populations, within the College of Arts and Sciences. Because the motion came from committee, no **second** was necessary.

Butler noted that the name of the degree on the agenda did not include the Oxford comma, yet the motion in the PowerPoint presentation did include the Oxford comma. He asked for clarification. After brief discussion, it was determined that the name of the degree should include the Oxford comma. Butler **moved** to amend the motion by adding the Oxford comma to the motion and Brion **seconded**. Hippisley supported the use of the Oxford comma but stated it should be determined by someone affiliated with the program. College of Arts and Sciences Dean Mark Kornbluh suggested deferring to Hippisley's preference. There being no further discussion on the amendment, a **vote** was taken and the motion **passed** with none opposed.

There being no further discussion, a **vote** was taken on the motion to approve the establishment of a new BA in Health, Society, and Populations, within the College of Arts and Sciences, and the motion **passed** with none opposed.

b. Senate's Academic Organization and Structure Committee (SAOSC) - Greg Wasilkowski, Chair

i. Proposed Name Change from Department of Theatre to Department of Theatre and Dance

The Chair commented that Wasilkowski could not be present, but had asked Brown, a member of SAOSC, to present the proposal. Brown explained the proposal to change the name of the Department of Theatre to the Department of Theatre and Dance. The Chair said that the recommendation from the SC was that the Senate **endorse** the change of the name of the Department of Theatre to the Department of Theatre and Dance, in the College of Fine Arts. Because the motion came from committee, no **second** was necessary.

There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

c. Senate's Admissions and Academic Standards Committee (SAASC) - Greg Graf, Chair

i. Proposed Change to College of Health Sciences Probation and Suspension Policy

Graf, chair of the Senate's Admissions and Academic Standards Committee (SAASC), explained the proposal to change the College of Health Sciences Probation and Suspension Policy. The Chair said that the recommendation (positive) from SC was that the Senate **move** to approve the proposed change to the College of Health Sciences Probation and Suspension Policy. Because the motion came from committee, no **second** was necessary.

There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

d. Senate's Rules and Elections Committee (SREC) - Davy Jones, Chair

i. In Memoriam Honorary Degree Diploma Language

Jones, chair of the Senate's Rules and Elections Committee (SREC), explained the proposed new language in the *Senate Rules* regarding *In Memoriam Posthumous Degrees*. He reminded senators that the Senate had already recommended to the Board that it approve a new category of honorary degree, which the Board did. The Senate has purview over diploma language, so all that remained was for the Senate to determine the diploma wording for an *In Memoriam Posthumous Degree*. The Chair stated that the recommendation (positive) from SC was that the Senate **move** to approve the proposed language of the *In Memoriam Honorary Degree* diploma. Because the motion came from committee, no **second** was necessary.

Butler **moved** to amend the language on the diploma from “Chairman of the Board” to “Chair of the Board” and Grossman **seconded**. There being no discussion on the amendment, a **vote** was taken and the motion **passed** with none opposed.

There was no further discussion on the proposed *In Memoriam Posthumous Degree* language, so a **vote** was taken on the motion to approve the proposed language of the *In Memoriam Honorary Degree* Diploma with the change from “Chairman of the Board” to “Chair of the Board.” The motion **passed** with none opposed.

ii. Proposed Revision to Governing Regulations XI ("University Appeals Board")

The Chair said that Grossman, a member of the SREC, would present the proposed changes to *Governing Regulations XI* ("University Appeals Board"). Grossman offered senators some historical context.

From 1970 to 2005, *Governing Regulations* and *Administrative Regulations* clearly stated that the authority of the University Appeals Board (UAB) was regulated by the Senate, specifically through the *Senate Rules* (SR). For example, the minimum penalty for a cheating offense was an “E” for the class – that was a rule the UAB had to follow. In 2004-5, there was an unrelated dispute about a Student Government Association (SGA) election in which the UAB was involved. It ultimately went to court and the court ruled that there was no authority in the SR for the UAB to make a decision about an SGA election. *Governing Regulations XI* was revised to give the UAB authority to decide on procedures to follow during SGA elections. At the same time, a change was made to the provisions that authorized the relationship between the Senate and the UAB and new language was added. The pre-2005 language described the UAB as having appellate jurisdiction. In 2005, however, the administration proposed changes to *GR XI* which would say that when a student contests guilt from an academic offense, or when a student contests a violation of their academic rights, the UAB had original jurisdiction. At that time, a number of administrators, including representatives from Legal Counsel and the Provost’s office, assured SC that the proposed language did not affect the authority of the Senate to set rules within which the UAB would operate. With that understanding, the SC and Senate approved the revisions to *GR XI*.

Grossman explained that UK’s current Legal Counsel, Bill Thro, recently issued an opinion regarding the term “original jurisdiction,” which was different from what SC and Senate understood to be the case in 2005. At that time, SC and Senate believed that changing to “original jurisdiction” only meant the UAB could hear new evidence. Thro has determined that “original jurisdiction” means that the UAB can hear new evidence, as well as completely disregard the SR when it comes to sanctions. Grossman said that the SR state that if a student is guilty of cheating, a record is placed in the student’s file so faculty can know that the student is a repeat offender. According to Thro’s recent ruling, however, the UAB has no obligation whatsoever to require that documentation of a cheating offense is put in the student’s file. Furthermore, under the recent ruling, even though the SR state that a grade change can only occur if it is proven that the grade was given as anything other than a good faith assessment of the student’s performance in class, the UAB could change the grade for any reason it wants. So, a student could claim that a bad grade would prohibit admission into a medical school and the UAB could change the grade based on that reasoning.

The SREC is very concerned about the new interpretation by Legal Counsel Thro and in response has proposed a simple solution, which is to revise *GR XI* so that the reference to “original jurisdiction” is changed back to the 2005 language of “appellate jurisdiction.” Grossman said this would restore the authority of the Senate to set the rules by which the UAB operates. Appellate jurisdiction is more restrictive than original jurisdiction. Through the SR, the Senate can still expand the jurisdiction of the UAB to more than appellate jurisdiction, such as to say that the UAB can hear new information that was not presented previously. Grossman opined that the proposed new language could not possibly be misinterpreted by anyone in the future. Grossman added that the language regarding original jurisdiction as it pertains to student affairs was not changed.



The Chair said that the recommendation (positive) from SC was that the Senate **move** to endorse the proposed language to *Governing Regulations XI* ("University Appeals Board"). Because the motion came from committee, no **second** was necessary.

Debski said that Grossman's presentation to SC involved him saying that there was nothing in the revised language that would prevent new evidence from being introduced to the UAB. She contrasted that with Grossman's description of the language to the Senate, in which he said that the Senate could give such authority, but it was not included in the proposed language revision presented to the Senate. Grossman replied that there is nothing to prohibit the UAB from hearing new information and there is nothing that prevents a student from offering new information. However, if the UAB explicitly wants that authority placed in the *SR*, the UAB should specifically request that. Debski said she understood that, but wanted confirmation that there was nothing to prohibit hearing new information now. Grossman said that nothing would prohibit hearing new information and turned to Marcy Deaton, associate general counsel, for additional comments. Guest Deaton said that even if all the original jurisdictions were changed to appellate jurisdictions, Legal Counsel would have a problem with any *SR* change that violated a student's rights, such as language that prohibited a student from appearing in their own defense.

The Chair asked if there were any further questions or comments. Provost Christine Riordan asked for additional information about the original language. Deaton replied that prior to the change in 2005, the language used "appellate jurisdiction" everywhere, but now the language has "appellate jurisdiction" for some instances in *GR XI* and "original jurisdiction" in others. "Original jurisdiction" means that a court can hear new evidence and is as if the case had never been heard before. With true "appellate jurisdiction," the court looks at evidence from the original trial court and cannot hear new evidence or ask any questions of the student or the faculty member. The University Legal Office does not want the UAB to have strictly appellate jurisdiction – students should be heard and the UAB should be able to question them, which moves into the realm of original jurisdiction. Deaton opined that the disagreement was largely confined to the sanctions allowed at the end of the process and not about the way the UAB conducts its hearings. Grossman said the problem was that the Senate had always set the rules by which the UAB conducted business, but with the change in 2005 to original jurisdiction and the recent opinion from Legal Counsel, the UAB would not have to follow any part of the *SR*. Jones clarified that the UAB would not have to follow any *SR* on sanctions resulting from cases in which the UAB has original jurisdiction. Deaton said that the UAB cannot make up a new grade, do something as ridiculous as rule that a student's hand should be cut off, or otherwise make up new sanctions. She explained that Thro's opinion said the UAB sanctions must be consistent with *SR* on grading systems, circumstances for suspension, etc. True original jurisdiction is legally defined and means the case is treated as if it had never gone to court.

Brion asked for confirmation that the change before the Senate would reinstate the intent in place prior to the change made in 2005, which would give the UAB appellate jurisdiction and also the ability to hear new arguments from students and hear new information. Deaton replied that Brion seemed to be asking about a blend of original and appellate jurisdiction. Brion asked for confirmation that the change before the Senate would correct the action in 2005 that was undertaken without a full understanding of the definitions of "original" and "appellate" jurisdiction. Jones agreed, saying that it was a result of the previous general counsel's interpretation being different from the present General Counsel's interpretation. Deaton commented that if a future SREC proposed changing the rules to be more restrictive, at some point the UAB will be placed in a position where it can only make a decision that had already been made, which essentially eliminate due process.

Wood commented, for the record, that *SR 6.4.4* currently includes a statement that states the UAB sits as a fact-finding body and can call witnesses on its own initiative, etc. That ability is already extended to the UAB. Debski asked for confirmation that the UAB could either uphold a penalty for a plagiarism offense given by a professor or the UAB could say that the student was not guilty. Grossman said the *SR* set the minimum and maximum penalties which are dependent upon the specific type of case. If a student appealed their guilt, the UAB could say the student was not guilty. If appealing the severity of the punishment, due to language in the *SR*, the UAB cannot give the student a harsher penalty, although with original jurisdiction it could. With original jurisdiction, the UAB could ignore the *SR* language on minimum (and maximum penalties) and could just give a first-time offender a zero on the assignment. With the

restoration of authority of the *SR* through changing the language to “appellate jurisdiction,” the minimum and maximum penalties in the *SR* would still stand and have to be adhered to by the UAB. There were no further comments or questions.

A **vote** was taken on the motion to endorse the proposed language to *Governing Regulations XI* (“University Appeals Board”) and the motion **passed** with none opposed and two abstaining. After a comment from Grossman about next steps, Deaton clarified that the next steps after the Senate’s endorsement were for the language to go through the President’s office prior to moving on to the Board. In addition, it must also be reviewed by the SGA and Staff Senate.

#### 7. Update on Graduation Composition and Communication Requirement

Associate Provost for Undergraduate Education Ben Withers said that when the Senate approved the new Graduation Composition and Communication Requirement (GCCR) in May 2013, it included a request for an update in one year on progress towards implementation. The new GCCR was necessary as a result of changes a few years back to ENG 104 and the old Graduation Writing Requirement (GWR), which was part of the old University Studies Program. The GCCR will require students to communicate in multiple modes; faculty in each department were asked to identify where and how they would achieve the goals of GCCR, or if they would contract with another department. He said the work done by many on campus over the past year was phenomenal. He introduced the Graduation Composition and Communication Requirement Advisory Committee Co-Chairs, Matthew Giancarlo (AS/English) and Deanna Sellnow (CI/Communication).

Guests Giancarlo and Sellnow offered a presentation to senators on the GCCR. Sellnow said that in fall 2013 they identified a broad, cross-sectional representation of campus to serve as members for the GCCR Advisory Committee (GCCRAC). Giancarlo said that the GCCRAC vetted proposals and collected student learning outcomes relating to composition and communication in various modes. Sellnow said a process was put in place in spring 2014 to collect proposals and the GCCRAC reviewed them all. Out of 89 majors, 79 proposals were approved. (There were a few suspended programs the GCCRAC was not worried about.) As a result, 90% of undergraduate degree programs submitted a GCCR proposal and had it vetted by the GCCRAC. There was a soft launch of the faculty fellows program which was the first part of Presentation U!, the Quality Enhancement Program (QEP) initiative started as part of UK’s accreditation process by the Southern Association of Schools and Colleges Commission on Colleges. Twenty-six faculty helped revise and refine syllabi and in spring 2015 the same cohort will work on grading and assessing GCCR artifacts.

Giancarlo said that out of 90 undergraduate programs, about 10 did not submit GCCR program changes – the GCCRAC contacted those programs and was working with them. The GCCR requirement will be effective as of fall 2014, but only kicks in for a student once the student has completed 30 hours of coursework. During the year and a half before the first students can start fulfilling their GCCR, the GCCRAC will establish a review process that will be a normal part of the current course approval process that everyone is familiar with. Sellnow said GCCR will continue to be supported through Presentation U!. There will be a new cohort of 25 faculty every semester that the implementation team will work with. Sellnow and Giancarlo opened the floor for questions.

Grossman complimented the team on all its hard work; Sellnow replied that the GCCRAC met for one to two hours every week and also spent time with unit faculty on individual program changes. She asked that senators should thank their colleagues who spent so much time and effort on GCCR to make it a success.

The Chair noted that it was her last Senate meeting and that it was time to pass the gavel to the incoming SC chair, Andrew Hippisley. The Chair invited Hippisley to the podium and presented him with the official gavel. Hippisley thanked the Chair for her service over the past two years. Hippisley presented both the Chair and outgoing Vice Chair Connie Wood with bouquets of flowers to acknowledge their service.

The meeting was adjourned at 5:05 pm.

Respectfully submitted by Alice Christ,  
University Senate Secretary

Invited guests present: Marcy Deaton, Matthew Giancarlo, Richard Greissman, and Deanna Sellnow.

Absences: Adams; Anderson; Andrade; Atwood; Bailey, E.\*; Bailey, P.; Baker; Ballard; Bellot; Birdwhistell; Blackwell, D.; Brennen; Bugg; Capilouto; Childs; Cox; Day; de Beer; Deep; Dickson; Eckman; Evans; Feist-Price; Fox; Galloway; Jackson; Kaplan; Kirschling; Kraemer; Lowry\*; Martin; McCamy; McCormick; McCulley\*; Mehra; Mock; Noonan; Odom; Palli; Prats; Rabel; Rey-Barreau; Richey; Rogers; Shen; Smyth; Spradlin; Steiner; Sutphen; Tracy, T.; Tracy, J.; Turner; Van Wie; Voro; Walz; Wasilkowski; Wiseman; Withers; Witt; Yelowitz; and Yost\*.

Prepared by Sheila Brothers on August 25, 2014.

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\* Denotes an absence explained prior to the meeting.



UNIVERSITY OF  
**KENTUCKY**  
Regulations

**Governing Regulation, Part XI**

Responsible Office: Board of Trustees

Date Effective: 3/7/2006**DRAFT**

Supersedes Version: 3/7/2006, 6/14/2005

## Student Affairs

### Major Topics

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[Student-University Relationships](#)

[The University Appeals Board - Jurisdiction](#)

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### A. Student Government Association

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The University of Kentucky Student Government Association is recognized by the Board of Trustees, administration, the Staff Senate and the University Senate as the official representative of the student body in University matters to ensure a maximum of self-government and to foster mutual respect, collaboration and cooperation between students and the faculty, staff and administration. It shall develop rules for its composition and procedures, and provide services to the students, staff, faculty, and administration of the University. These rules shall be consistent with the vision, mission and values of the University and shall be governed by the University's written policies and procedures, including those prescribed in the *Governing Regulations*, *Administrative Regulations* and *University Senate Rules*. Copies of the Student Government Association rules and approved changes shall be provided to all members of the student body of the University, the Secretary of the Staff Senate, the Secretary of the University Senate, Vice President for Student Affairs, the President, and the Secretary of the Board of Trustees.

The President of the Student Government Association shall be considered to be the President of the student body of the University as specified in KRS 164.131.

The Student Government Association may have additional responsibilities delegated to it by the President or the Office of the Vice President for Student Affairs. The Vice President for Student Affairs shall have administrative oversight of the Student Government Association in matters pertaining to the expenditure of university funds. The Vice President for Student Affairs shall also ensure that any action taken by the Student Government Association is consistent with University written policies and procedures, including those prescribed in the *Governing Regulations*, *Administrative Regulations* and *University Senate Rules*. An appeal of a decision of the Vice President for Student Affairs in any of the above matters may be made to the Provost. The Vice President for Student Affairs shall assign a university advisor to the Student Government Association, whose duties shall be to counsel and advise the organization and its officers as to their roles and responsibilities. The Student Government Association advisor shall review all proposed changes to the Student Government Association Constitution and By-Laws as well as rules for its

composition and procedures and advise the Student Government Association concerning the consistency or inconsistency with University policies and procedures, including but not limited to the *Governing Regulations, Administrative Regulations, University Senate Rules* and the *Code of Student Conduct*.

Pursuant to KRS 61.810, the meetings of the Student Government Association are open meetings. Through the respective presiding officer, any person may request the privilege of the floor to address all meetings of the Student Government Association.

## B. Student-University Relationships

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The non-academic relationships between University students and the University are articulated in the document entitled, *Student Rights and Responsibilities: Part I - Code of Student Conduct: Rules, Procedures, Rights and Responsibilities Governing Non-Academic Relationships*, which has been adopted by the Board of Trustees and may be amended only by that body.

The academic relationships between University students and the University are incorporated in the document entitled, *Student Rights and Responsibilities: Part II - Selected Rules of the University Senate Governing Academic Relationships*. The rules in Part II have been adopted by the University Senate and may be amended only by that body.

Copies of the document, *Student Rights and Responsibilities: Parts I and II*, shall be made available to all students. The *Student Rights and Responsibilities: Parts I and II* are also available at [www.uky.edu/StudentAffairs/Code](http://www.uky.edu/StudentAffairs/Code). Registration by the student constitutes acceptance of the policies in the *Student Rights and Responsibilities* governing student-University relationships. In no case, however, shall this acceptance preclude legitimate efforts to obtain amendments to this document covering these relationships.

## C. The University Appeals Board - Jurisdiction

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There shall be a University Appeals Board (hereinafter UAB) with specific jurisdiction over student matters. The UAB shall be assigned either original or appellate jurisdiction over various students, as established by this *Governing Regulation*, as follows:

### 1. Disciplinary Offenses

In cases of disciplinary offenses (outlined in the *Code of Student Conduct*, Article II) where the student is sanctioned with social suspension, disciplinary suspension, or expulsion, the UAB shall have appellate jurisdiction.

### 2. Academic Offenses

(a) In cases of academic offenses (outlined in the *University Senate Rules*, Section 6.3) where the student contests guilt, the UAB shall have original jurisdiction.

(b) In cases of academic offenses (outlined in the *University Senate Rules*, Section 6.3) where the only issue is the severity of the sanction, the UAB shall have appellate jurisdiction.

### 3. Violation of Student Rights

(a) In cases where a student claims a violation of student rights (outlined in the *Code of Student Conduct*, Article I), the UAB shall hear any case referred to it by the Dean of Students and may grant the written appeal of any student to hear a case not referred to it by the Dean of Students.

(b) Registered student organizations that receive the majority of their regular operating budgets from allocations of student fee monies and/or University allocation shall have a hearing process which shall include final appeal to the UAB.

(c) The UAB shall have jurisdiction over final decisions of University hearing agencies in which a student alleges a violation of student rights. In a case involving a student election in which a candidate alleges that his or her student rights were violated, the UAB may affirm the decision of the Student Government Association appellate body, refer the matter back to the Student Government appellate body to correct the error identified by the UAB, or affirm or void the election. The jurisdiction of the UAB does not extend to the selection of the President of the Student Government Association.

#### 4. Violation of Academic Rights

In cases where a student claims a violation of academic rights (outlined in the *University Senate Rules*, Section 6.1), the UAB shall have original jurisdiction.

#### 5. College Honor Code Offenses

The UAB shall hold appellate jurisdiction over the decisions of college honor councils or committees, except that if the hearing panel, by majority of those present, decides the student's rights have been substantially violated, the hearing panel has original jurisdiction on the issue of guilt.

#### 6. Cases of Temporary Sanctions

When the Vice President for Student Affairs imposes temporary sanctions on a student, the UAB shall have appellate jurisdiction.

### D. Composition of the University Appeals Board

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1. The UAB shall consist of thirty (30) members, eighteen (18) faculty members and twelve (12) full-time students, and a Hearing Officer who shall be the Chair.
2. A hearing panel of the UAB shall consist of nine (9) members, at least five (5) of whom are faculty members, at least one (1) of whom is a student, and a Hearing Officer, who shall be the chair.
3. A quorum of the hearing panel for the conduct of business will be nine (9), including the Hearing Officer, at least five (5) faculty members (exclusive of the Hearing Officer) and at least one (1) student.

### E. Appointments to the University Appeals Board

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#### 1. The Hearing Officer

The Hearing Officer shall be the Chair of the hearing panel and shall be a person with training in the law appointed by the President of the University for a three-year term, subject to reappointment. The term shall begin on September 1, and end August 31. The Hearing Officer shall convene and preside at all meetings of the hearing panel, but does not vote as a member of the Board or have the authority to cast a tie breaking vote. All questions of the law, either substantive or procedural, and all procedural questions shall be addressed to and ruled upon by the Hearing Officer. The Hearing Officer shall have the authority to exclude any hearing panel member that the Hearing Officer determines has a conflict of interest or the appearance of a conflict of interest with a case. If the Hearing Officer cannot serve when needed, the President or, in the President's absence, the Provost shall appoint a temporary substitute.

#### 2. The Student Members

- (a) The student membership of the UAB shall be appointed to one-year terms, subject to reappointment. Their terms shall begin September 1 and end August 31.
- (b) The student membership shall consist of four (4) graduate or professional students and eight (8) undergraduate students. The undergraduates must be full-time students and either sophomores, juniors or seniors in good standing. The graduate or professional student must be a full-time student, have been in residence at least one year and be in good standing.
- (c) The President shall appoint student members to the UAB from the recommendations submitted by the Student Government Association and the college deans. Six (6) student members shall be appointed from those names submitted by the Student Government Association and six (6) members from those names submitted by the college deans, totaling twelve (12) student members.

### 3. The Faculty Members

Faculty members of the UAB shall be appointed to staggered three-year terms by the President of the University upon the recommendation of the University Senate Council. All terms shall begin on September 1 and end on August 31. To minimize the possibility of a conflict of interest, faculty members with primary administrative appointments (more than fifty percent of their assignment allotted to administration) shall not be appointed to the UAB.

### 4. Temporary Appointments

- (a) If a sufficient number of the members of the UAB are not present or have been determined by the Hearing Officer to have a conflict of interest or the appearance of a conflict of interest at any time when that Board has duties to perform, the President of the University or, in the President's absence, the Provost, shall make such temporary appointments as are necessary to ensure that the required number of members are present. Such temporary appointments need not be preceded by the recommendations otherwise provided herein. However, in no case shall a faculty member replace a student member or a student member replace a faculty member.
- (b) If, at any time, in the judgment of the Hearing Officer, there are sufficient cases pending before UAB that it is unlikely that the pending cases can be processed within the time prescribed, the Hearing Officer shall notify the President of that fact. The President may, in accordance with the above provisions of GR XI Section E, activate additional boards and appoint a Hearing Officer for each such additional board, or appoint additional boards and hearing officers for designated cases and time periods.
- (c) The authority, jurisdiction, and range of possible actions of, and the guaranteed rights of an accused person before any special board or panel appointed or activated under the terms of (a) or (b) above shall be the same as those applicable to the regularly constituted board or panel.

## F. Procedures of the University Appeals Board

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Additional procedures of the UAB shall be those prescribed by *University Senate Rules* for academic cases, the *Code of Student Conduct* for non-academic cases, or by the UAB to effectuate the orderly conduct of its functions.

## G. Disposition of Cases – Authority

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~~The authority of the UAB over the disposition of academic cases is provided in the *University Senate Rules* for academic cases and in the *Code of Student Conduct* for non-academic cases. Decisions of the UAB are final.~~

The University Appeals Board has authority to decide both academic and non-academic cases. With respect to the UAB's resolution of academic cases arising under either its original or appellate jurisdiction, the UAB operates within *University Senate Rules* that define academic offenses, create a range of sanctions to be imposed upon a finding of guilt, and establish the standard of proof, subject only to the limitations imposed by the Constitutions and statutes. With respect to non-academic cases, the range of sanctions and standard of proof are set out in the *Code of Student Conduct*. The decisions of the UAB are final.

## References and Related Materials

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Kentucky Revised Statutes (KRS): 61.820 Schedule of regular meetings to be made available; 164.131 Board of Trustees of University of Kentucky, Membership, Terms; 161.810 Continuance of status in case of annexation or consolidation of schools

University Senate Rules: Sections 6.1 and 6.3

Student Rights and Responsibilities: Part I - Rules, Procedures, Rights and Responsibilities Governing Non-Academic Relationships; Part II - Selected Rules of the University Senate Governing Academic Relationships

## Revision History

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12/11/2001, 6/14/2005, 3/7/2006

For questions, contact: [Office of Legal Counsel](#)