

UNIVERSITY OF KENTUCKY
SENATE

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Regular Session

October 11, 2004

3:00 p.m.

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

Dr. Ernie Yanarella, Chair

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ERNIE YANARELLA, CHAIR

GIFFORD BLYTON, PARLIAMENTARIAN

REBECCA SCOTT, SECRETARY TO SENATE COUNCIL

ROBYN BARRETT, COURT REPORTER

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1 CHAIR YANARELLA: Good afternoon. I'd
2 like to call to order the October
3 11th meeting of the University
4 Senate. Our first order of business
5 is approval of the minutes. Are
6 there any corrections that any
7 Senators would like to make in
8 regard to the minutes? Yes, please
9 identify yourself for the benefit of
10 the court reporter.

11 GESUND: Hans Gesund, Engineering. On
12 the fourth page, the second line,
13 there's a word missing: Nash
14 provided an update date on the
15 status of the IRIS project, which
16 will be attached here. It should
17 say "will not be attached here,"
18 obviously, since it isn't attached.

19 SCOTT: I'm sorry; those are attached on
20 the Web site via hotlink.

21 GESUND: Oh, well, then it should have
22 said "which will be on the Web
23 site."

24 SCOTT: Okay. Thank you.

25 GESUND: It should be corrected since it

1 wasn't attached.

2 CHAIR YANARELLA: Thank you.

3 BURKE: Burke, student representative.

4 On page 3, second paragraph, fourth
5 line: The president -- I believe it
6 should be "relayed" that those
7 funds.

8 SCOTT: I'm sorry?

9 BURKE: Relayed. I believe, it says
10 "relied."

11 SCOTT: Okay.

12 CHAIR YANARELLA: Thank you. Any other
13 corrections? There being none, I
14 will consider the minutes as
15 approved. I'd like to make a number
16 of announcements before we get into
17 our agendas, agenda items. First is
18 that the Senate Council has put
19 together the Academic Offenses
20 Policy Review Committee with the
21 following individuals, who have been
22 asked and all of whom have accepted,
23 except for the last two names: Tom
24 Foster, who has been invited and has
25 not yet to the best of my knowledge

1 responded, and a student rep who we
2 are still in the process of trying
3 to get. Bob Grossman will serve as
4 chair. I think that the review
5 committee is well represented by
6 these individuals, and I look
7 forward to their making significant
8 progress over the next few months.
9 The second committee, which I
10 mentioned at the first Senate
11 meeting, is the Graduation Writing
12 Requirement Committee. Again, the
13 Senate Council, at its last meeting,
14 put together the list of committee
15 members. To the best of my
16 knowledge, there are still some gaps
17 here. I think it's a representative
18 from the Natural Sciences
19 Department, a rep from the College
20 of Business and Economics, a rep
21 from KCTCS or LCC and the student
22 rep. These will be, I hope, filled
23 in fairly short order. I do want to
24 mention very briefly the president's
25 approval of major support for a

1 liberal arts reform initiative.
2 This was awarded to me as an elected
3 representative of the faculty on the
4 basis of a broad proposal focusing
5 on renovation of general studies and
6 mitigating the impact of increased
7 enrollment levels. The details are
8 still being fine-tuned by the Senate
9 Council, and this initiative will,
10 of course, involve very close
11 coordination among the Senate
12 Council, the Provost's Office, the
13 Associate Provost for Undergraduate
14 Education, and no doubt the Dean of
15 the College of Arts and Sciences. I
16 look forward to this coming forward,
17 and as soon as the finer points of
18 this proposal are thrashed out
19 within the Senate Council, we will
20 have further information on this. A
21 note on upcoming Senate Council
22 elections: Please look for the
23 nomination ballot in your mail over
24 the next couple of weeks. We will
25 be using, as we have in the past,

1 paper ballots, and these will be
2 sent out for the election. I'd ask
3 Senate members to consider your
4 interest in candidacy for those
5 available positions and that you
6 seek to elicit support from your
7 fellow and sister Senate members for
8 your nomination. Again, the
9 nomination ballot will be out in a
10 couple of weeks, so please be
11 attentive for that. The final
12 announcement before turning to our
13 first agenda item has to do with the
14 move of the Senate Council and the
15 Senate Office from Bowman Hall to
16 the main building. This will occur
17 on Wednesday, October the 13th. Our
18 new main office will be in 203 of
19 the main building. Our telephone
20 number will be 257-5871. We may be
21 short on Outlook and Internet access
22 for an indeterminate period of time;
23 I would hope for only a couple of
24 hours on Wednesday. Please bear
25 with us in this move, and we look

1 forward to people dropping by and
2 having an opportunity to see our new
3 suite of offices. Our next order of
4 business is the proposal for
5 reorganization of Orthopedics. The
6 basic gist of the proposal, as
7 indicated here, is to reorganize the
8 Division of Orthopedics, presently
9 residing within the Department of
10 Surgery, into a stand-alone
11 Department of Orthopedics. As the
12 documents which you have had
13 available to you in electronic form
14 indicate, the proposal has proceeded
15 through a fairly lengthy review
16 process, and it has received
17 positive recommendations from both
18 the Economic Council of the Medical
19 Center and Senate Academic
20 Organization and Structure
21 Committee. The Senate Council
22 brings this proposal to the Senate
23 for a determination with no
24 recommendation; that is, we make
25 neither a positive nor a negative

1 recommendation. I should say a word
2 or two about the nature of this --
3 the character of this
4 recommendation. The Senate Council,
5 through its deliberations, was aware
6 and generally impressed by the
7 support received by various bodies
8 from the division faculty on up to
9 the ACMC and the Senate Organization
10 and Structural Committee. On the
11 other hand, it took note of pockets
12 of opposition, including the Chair
13 of the Department of Surgery, the
14 department from which it would be
15 split off, and the apparent lack of
16 direct personal testimony from those
17 sources to higher review bodies
18 during their review and
19 recommendation process. Its lack of
20 a recommendation is basically
21 intended to provide all parties, for
22 or against the proposal, one last
23 forum to raise arguments regarding
24 the wisdom of this particular
25 proposal. It is a very lengthy one;

1 it is fairly detailed. The amount
2 of material that has been put on in
3 electronic form for your reviewing
4 was quite extensive. The overall
5 proposal itself was far too lengthy
6 to make individual copies for our
7 use here. So if we do, indeed, need
8 to refer to any of these documents,
9 they will be available to us through
10 the Internet on our University
11 Senate Web site. So the floor is
12 open for comments, discussion,
13 motions. I should mention that we
14 have a number of guests here: Mike
15 Karpf, Executive Vice President from
16 the Med Center, and also Jay Pearman
17 from the College of Medicine who are
18 here and available for any comments
19 or questions that you might wish to
20 address to them. Hans?

21 GESUND: Hans Gesund, Engineering. It's
22 kind of difficult for us to do
23 anything sensible about this, since
24 we weren't aware that we should be
25 reading the material that's

1 apparently on the Web site before
2 coming here. I didn't know that
3 this material would be available on
4 the Web site and that we wouldn't
5 have any way of addressing it or
6 looking at it while we're supposed
7 to discuss it and then vote on it.
8 In other words, we're voting blind,
9 unless you can throw it up on the
10 screen, the material, as we come to
11 it.

12 SCOTT: I'm sorry; it was circulated as
13 part of the agenda six days prior to
14 the Senate Meeting in accordance
15 with Senate Rules.

16 GESUND: It doesn't say anything here
17 that this is available on the Web
18 site.

19 GROSSMAN: Hans, you're incorrect. It
20 was in the e-mail, perhaps. You
21 need to read the e-mail. It was
22 there, and there was a link. You
23 double-click on the link and all the
24 stuff --

25 GESUND: But we don't have (inaudible).

1 That's the problem. How can we
2 discuss something that we can't
3 see?

4 CHAIR YANARELLA: I don't know if
5 there's much more that I can add
6 from those comments that were just
7 made by Rebecca Scott, my
8 Administrative Coordinator. We
9 didn't provide these materials.
10 They are available. As anyone who
11 has casually gone through any of
12 these electronic documents knows,
13 they are voluminous and we were --
14 we in the Senate Council were not
15 able to photocopy even enough copies
16 for the Senate Council members.
17 Let's see, Jeff and then Kaveh.

18 DEMBO: Jeff Dembo, College of
19 Dentistry. Just to help move it
20 along, I recall one of the sticking
21 points in the Senate Council
22 discussion was that there was
23 voluminous material from the
24 Division of Orthopedic Surgery to
25 justify their moving, but there was

1 not the same degree of detail from
2 the Department of Surgery to justify
3 the harm that would come to that
4 department, nor was any of our
5 Senate Council or committees able to
6 personally interview anybody. I'm
7 curious if anybody from the
8 Department of Surgery is here today
9 to speak to that.

10 CHAIR YANARELLA: Evidently there is no
11 one. Kaveh, please identify --

12 TAGAVI: I'm Kaveh Tagavi, Mechanical
13 Engineering. There's no question
14 that this material was available on
15 the Internet and we were alerted to
16 it in the e-mail, but may I suggest
17 that the agenda and the e-mail and
18 this paper that you give us should
19 have just minimally more amount of
20 information. For example, what is
21 from the order missing is: What is
22 the motion? For example, if you
23 read all of those in the Internet --
24 I tried to read it. I might be
25 wrong, but nobody who read those on

1 the Internet knew that this is
2 coming without a recommendation from
3 the Senate Council. I think that
4 information should be available
5 here. I doubt if your presentation
6 is going to be part of the minutes.
7 The motion is going to be part of
8 the minutes, and the motion should
9 be complete and include the fact
10 that Senate Council did not make a
11 recommendation.

12 CHAIR YANARELLA: I believe that the
13 summary of my remarks will be part
14 of the written record. If you would
15 like to have us include a particular
16 motion that is made by the Senate
17 Council subsequently regarding such
18 proposals, we can certainly do that.

19 TAGAVI: Or please inform the Senators
20 that this came to them without a
21 recommendation. Up to right now, I
22 assume this was not available. I
23 checked the Internet. It was not
24 available.

25 CHAIR YANARELLA: Mike.

1 CIBULL: Not to change the subject, but
2 I'm on the Senate Council and one of
3 the problems that was pointed out
4 was that there was not only a letter
5 from the chairman raising some
6 issues, but also there was a vote
7 among the division chiefs in surgery
8 either disapproving -- or among the
9 various divisions, either
10 disapproving or abstaining from
11 voting on this proposal. There's a
12 letter from Orthopedics and some
13 backup documentation noting that
14 over 70 orthopedic -- I guess it's
15 over 70 orthopedic departments have
16 been formed as separate departments
17 throughout the country and that this
18 is, I guess, generally thought of as
19 a good thing by orthopedics. I was
20 wondering if there was any
21 documentation from any of those
22 places with regard to how it
23 affected the departments that they
24 left; in other words, the surgical
25 departments that those 70-plus

1 departments left. Do you have any
2 information about that, either
3 Dr. Pearman or Dr. Karpf?

4 CHAIR YANARELLA: Dr. Karpf, please.

5 KARPF: I can't give you specific
6 information, Mike. The process we
7 used to try to do this evaluation
8 was to bring in a number of outside
9 consultants to help us think this
10 thing through. The person who
11 chaired this committee is Tate
12 Fawcett (phonetic), who has been
13 here (inaudible). He brought in an
14 individual from Harvard who has
15 responsibility for orthopedics both
16 at Massachusetts General and
17 Brigham, the overall chief. In
18 order to get a broader perspective,
19 they brought in Roger Bulger, who is
20 the Chairman of the American
21 Association of Health Centers, which
22 is essentially the AAC equivalent
23 for vice presidents of
24 universities. I think the number is
25 far north of 70; of 125 academic

1 medical centers, I think it's more
2 like 110 or 115 of departments of
3 orthopedics. So we are by far in
4 the minority in terms of whether we
5 have a department or division. Jim
6 Herndon, the overall chair at
7 Harvard, felt very strongly that we
8 could not make progress in the
9 academic arena in orthopedics, and
10 we've had great difficulty
11 recruiting orthopods just because at
12 those institutions they have the
13 flexibility of being a department.
14 And this has gone on for a long
15 period of time; it's not a new
16 movement in orthopedics. I think
17 it's ancient history at most places.

18 CHAIR YANARELLA: Davy.

19 JONES: Davy Jones, Toxicology. Could
20 you just for the moment play devil's
21 advocate on what is the perceived
22 harm that you've heard articulated
23 that might come to this department?
24 And then what would be your answer
25 to the perception?

1 KARPFF: I'll let Jay Pearman answer
2 that.

3 PEARMAN: I'm Jay Pearman from the
4 College of Medicine and appreciate
5 the opportunity to come. Let me say
6 at the outset that obviously it's my
7 responsibility to be certain that
8 the Department of Surgery is whole
9 and thriving, and that's just as
10 important as a new Department of
11 Orthopedic Surgery, so I want to be
12 fair in representing the old and the
13 proposed new. The harm, Davy, that
14 the Department of Surgery
15 articulates, its chair and its
16 division chiefs, is an economic
17 argument. It's not an academic
18 argument. That is not meant to
19 trivialize the argument, but it's an
20 economic argument because orthopedic
21 surgery, as many of you may guess,
22 is, among the subspecialties of
23 medicine, a reasonably lucrative
24 specialty. And a Department of
25 Surgery supports its infrastructure

1 by essentially assessing and taxing
2 the various divisions. Whether it's
3 a lucrative subspecialty or another,
4 taking one of the siblings out of
5 the department means that the others
6 will have to cover more costs. And
7 that's something that we need to
8 address as a college, but I think
9 that needs to be very separate.

10 KARPFF: Or trim down costs.

11 PEARMAN: Yes. That needs to be kept
12 very separate from whether this is a
13 good thing in terms of our research
14 and education programs. I think I'm
15 being fair to the Department of
16 Surgery Administration in saying
17 that the single objection was
18 focused around the money issues.

19 CHAIR YANARELLA: Did you have a
20 comment?

21 GARRITY: I did. Tom Garrity, College
22 of Medicine. I am on the
23 Organizational Structure Committee
24 and we reviewed this, all those
25 different components, and ultimately

1 voted unanimously to support and
2 approve the proposal. And I think
3 the reasons were -- you've really
4 just heard some of the main ones.
5 All of the current faculty within
6 the Orthopedics Division favors it.
7 The Faculty Council of the College
8 of Medicine reviewed this and
9 supported it, although they raised
10 questions that related to the
11 support issues that Dr. Pearman just
12 talked about for the larger
13 Department of Surgery. Certainly
14 the need to recruit good people and
15 to maintain, you know, a vibrant,
16 vigorous staff within Orthopedics is
17 a growing problem within that
18 division, at least partly because of
19 the tendency of people in
20 orthopedics to want to be in a
21 department rather than in a
22 division, and this is a real
23 problem. I guess the other thing
24 that we noted along the way, which
25 may or may not be strongly relevant

1 here, is that the Division of
2 Orthopedics, as we understand it,
3 does not have a huge academic role
4 in the education of our medical
5 students here at UK. And I'm not as
6 clear on whether or not they have a
7 large role that is played in
8 residency education. So as someone
9 has already said, the academic
10 issues here are relatively minor in
11 terms of students and training
12 programs. The major support comes
13 from the faculty of the program that
14 would become independent, and the
15 resistance is from people who have a
16 very understandable reluctance to
17 lose a financially strong unit from
18 within the department; which, again,
19 is not an academic issue so much.
20 Dave Watt came and answered every
21 question we had and more, and I just
22 would report that the committee,
23 Academic Organization and Structure
24 Committee, is very comfortable with
25 the suggested change.

1 CHAIR YANARELLA: Thank you. Ernie
2 Bailey, I wonder if you would say a
3 word or two about your letter on
4 behalf of the Academic Organization
5 and Structure Committee,
6 particularly in relationship to the
7 recommendation that emanated from
8 the Medical Center.

9 BAILEY: As Tom said, the committee
10 met. We went through all the
11 documents, and there were quite a
12 bit, and I think it would be
13 unfortunate to penalize them for
14 having covered the bases so
15 extensively. There were lists of
16 all the faculty, the roles that they
17 had, documents about the student
18 activities and the teaching. It was
19 really very complete. It was quite
20 impressive. There were letters in
21 there. I think we were impressed
22 that there were letters in there
23 from 1998 from an outgoing chair,
24 who at that time asked about --
25 raised the issue that it would be

1 useful to have a separate Department
2 of Orthopedics. So this is not a
3 recent issue, but it's something
4 that's been long-term and it's
5 something that was generated by the
6 faculty. David Watt spoke to us.
7 Tom Kelly came and spoke to us. We
8 invited someone from Surgery because
9 they had some letters that raised
10 some issues. No one came from
11 Surgery. That's -- I think we've
12 discussed it -- perhaps
13 understandable for a variety of
14 reasons, but the information that we
15 got was that this is a move that is
16 going to move the academic aspects
17 of the Orthopedics Department
18 forward. If everything works out,
19 we should do better in terms of
20 recruiting professionals, training
21 students, conducting research. It
22 should become a stronger unit, and
23 on that basis we feel very
24 comfortable, as Tom says, voting in
25 favor of it. There weren't -- we

1 were concerned about the negative
2 letters. We brought them up in the
3 Senate Council, but we really
4 couldn't get to the substance of
5 them. (Inaudible) and we can't do
6 that.

7 CHAIR YANARELLA: Thank you. Bob
8 Grossman and then Mike Karpf.

9 GROSSMAN: Bob Grossman, Chemistry. I
10 actually read some of these things
11 here. Particularly the letter from
12 the surgery chair referred to the
13 weakness of the research program in
14 orthopedics very strongly, actually,
15 and so, I mean, of all the things I
16 read, that was the thing that made
17 me most hesitant to think this was a
18 no-brainer, because we generally
19 don't reward people for having a
20 weaker research program by giving
21 them their own department. Now,
22 maybe the orthopedics people would
23 say, well, we'd be able to recruit
24 all these stars if we had our own
25 department, but I was just puzzled

1 by your characterization of the
2 opposition as purely economic when I
3 distinctly remember reading about
4 these allegations of a weak research
5 program on the part of orthopedics.

6 CIBULL: Can I respond to that, Ernie?

7 CHAIR YANARELLA: Yes, please.

8 CIBULL: Because we looked at it, and
9 that was a criticism and we were
10 able to compare that information on
11 the documents because they described
12 the productivity of the different
13 departments, productivity of the
14 different units. And if you go
15 through and you look, the
16 Orthopedics Division compared
17 favorably to the departments that
18 exist of their size, perhaps not as
19 strong as some of the programs that
20 are purely academic. They have a
21 large clinical responsibility, but
22 they would fit in very well with
23 other departments in the College of
24 Medicine.

25 PEARMAN: If I may just respond to you,

1 Dr. Grossman. If Bob Mentzer were
2 here, the Chair of Surgery, I would
3 say that's precisely the point. The
4 department or the Division of
5 Orthopedic Surgery has not been as
6 competitive as I would think they
7 should be with regard to scholarship
8 because they have not been able to
9 develop a robust group of people,
10 particularly orthopedic surgeons.
11 And you might guess that there are
12 not a lot, particularly the kind of
13 orthopedic surgeons that have a
14 research background. They are
15 generally going to, if they're
16 recruitable, join a department of
17 orthopedic surgery as opposed to a
18 division. The Orthopedic Surgery
19 Division has sat in the Department
20 of Surgery for an extended period of
21 time. There's been ample
22 opportunity for the Department of
23 Surgery to mentor, to provide the
24 kind of leadership and environment
25 to grow research, and it's not

1 happened. And our judgment,
2 including the judgment of the
3 outside consultants, is that one of
4 the principal reasons it has not
5 happened is because of the way
6 orthopedic surgery sits. So I take
7 no issue with Dr. Mentzer's
8 intention, but it's an issue of
9 cause and effect.

10 CHAIR YANARELLA: Mike, did you want to
11 add anything?

12 KARPF: Yes, just a couple of issues:
13 One, not very many students go
14 through orthopedics, so it's not all
15 the medical students go through
16 orthopedics. And it has a very good
17 track record of student teaching.
18 It has a very strong residency
19 program. Different than sort of
20 common wisdom, to be an orthopedic
21 resident, you have to be AOA, which
22 is the honor society for medical
23 students. So there is a certain
24 amount of brawn involved, but there
25 is also a certain amount of brains

1 involved. I would just echo what
2 Jay has said. The letter from 1998
3 was from a professor who left who
4 actually had a national reputation.
5 He left because he wasn't going to
6 stay without departmental status.
7 The division understands its
8 deficiencies in research, and the
9 division has voted unanimously to
10 put up \$500,000 of their own money
11 to be matched by RTPF funds to
12 establish a research professorship
13 and vice-chairman positions if they
14 can, in fact, address the issues of
15 their deficiencies in research. And
16 they are clearly to looking to
17 collaborate (inaudible) on campus,
18 so I do think it's a chicken/egg
19 phenomenon; until they have adequate
20 respect on campus, we're not going
21 to (inaudible) all three missions of
22 the institution. But I do think
23 there's a chance that, should we not
24 allow this to go through, we're
25 likely to lose several of the young

1 promising people and we're back to
2 starting from square zero.

3 CHAIR YANARELLA: Okay. Are there any
4 new or additional comments that
5 people would like to make, or are we
6 close to a motion?

7 DEBSKI: Liz Debski, Biology. There was
8 another issue raised, and that was
9 basically the size of this
10 department in terms of the faculty
11 members that are presently on board
12 and the -- I don't know -- idea that
13 a number of other division chairs
14 said that this would lead them to
15 seek departmental status in the near
16 future. And I'm wondering if you
17 could comment how you feel about
18 that.

19 PEARMAN: Would you like me to comment?

20 CHAIR YANARELLA: Yes.

21 PEARMAN: As you look at the national --
22 thank you for the question. As you
23 look at the national scene among
24 departments of surgery, it is true
25 that in many colleges of medicine,

1 some of the major subspecialties of
2 surgery have evolved into
3 departments. They include
4 otolaryngology, urology,
5 neurosurgery, and certainly
6 orthopedic surgery. So the notion
7 that faculty within our current
8 Department of Surgery might raise
9 the possibility over time that they
10 too should be vested with department
11 status, that's a reasonable
12 possibility, that they might raise
13 this, and I think we would address
14 it as it came. There are any number
15 of arguments why, in our current
16 situation, many of the other
17 divisions within the surgery
18 department are probably not
19 reasonable candidates to become
20 departments. But I'm not sure, and
21 I say this with the greatest amount
22 of respect, why that possibility
23 should be an argument against
24 considering this on its own merit
25 and not sure why they made that

1 argument.

2 KARPf: Was it just a size issue, Jay,
3 the size requirement?

4 PEARMAN: Not sure what you're thinking.

5 KARPf: The question was, is this
6 small -- when you take a look at
7 clinical departments, Surgery is the
8 second largest department, with
9 Orthopedics about a third of
10 Surgery, probably equivalent to some
11 of the smaller departments within
12 the College of Medicine.
13 Orthopedics is likely to grow
14 substantially under departmental
15 status, so it'll be, by national
16 levels, a moderate substantially
17 large Department of Orthopedics when
18 all is said and done if they're
19 successful in accomplishing what
20 they'd like to accomplish. So it's
21 not unusual to have departments of
22 10 or 15 people.

23 CHAIR YANARELLA: Hans.

24 GESUND: Hans Gesund, Engineering. Has
25 anyone thought of changing the

1 structure so that there's a school
2 of surgery with departments? That
3 would give the status of department
4 to whoever needs it, and you
5 wouldn't have this problem that you
6 presently have. You could have a
7 school of surgery with departments,
8 whatever departments seem
9 reasonable.

10 GROSSMAN: Point of order: This is not
11 a part of the question under
12 discussion.

13 CHAIR YANARELLA: Are there any other
14 comments? We do not have a motion
15 on the floor. This was simply
16 brought forth to the Senate without
17 recommendation. Do I hear a motion?

18 BERGER: Rolando Berger of Medicine. I
19 move for approval, that we approve
20 the proposal.

21 CHAIR YANARELLA: Is there a second?

22 GARRITY: Second.

23 UNIDENTIFIED SPEAKER: Second.

24 CHAIR YANARELLA: Tom Garrity, others.
25 Is there any discussion on the

1 motion itself? Seeing none, let's
2 brings this to a vote. All in favor
3 of the motion to approve the
4 proposal of reorganizing Orthopedics
5 from a division to a stand-alone
6 department, please indicate by
7 raising your hands.

8 UNIDENTIFIED SPEAKER: Do you want me to
9 count?

10 CHAIR YANARELLA: Yes, please.

11 UNIDENTIFIED SPEAKER: 42.

12 CHAIR YANARELLA: All opposed?

13 UNIDENTIFIED SPEAKER: Zero.

14 CHAIR YANARELLA: Any abstentions? The
15 motion carries.

16 TAGAVI: I have a question.

17 CHAIR YANARELLA: Kaveh.

18 TAGAVI: (Inaudible.) Maybe it's a few
19 seconds too late, but is this
20 effective immediately?

21 KARPF: It goes to the Board of
22 Trustees, I think.

23 TAGAVI: Our recommendation is that this
24 would take effect, what, January,
25 next July (inaudible) Board of

1 Trustees? Because we had this
2 problem in the previous one; I
3 forgot what proposal it was. So
4 maybe it's not too late; we can
5 amend it or whatever, but I just
6 want to mention to you that we did
7 not say effective when.

8 CHAIR YANARELLA: Is it too late to
9 amend the motion?

10 BLYTON: Yes.

11 CIBULL: Excuse me, it already passed.
12 Everything from here on is like
13 writing regulations.

14 UNIDENTIFIED SPEAKER: A point of order:
15 Is the 42 and five vote reflective
16 of a quorum?

17 CHAIR YANARELLA: Get your
18 clarification, Jim? Okay.

19 KARPF: Thank you very much for allowing
20 us to participate.

21 CHAIR YANARELLA: Thank you, Mike, Jay.
22 Our third and last agenda item today
23 involves an update from the NCAA
24 Steering Committee. As some of you
25 are aware, the committee and

1 subcommittees began their work in
2 December of 2003 as part of the
3 year-long process to evaluate UK's
4 athletic program. This self-study
5 is a requirement of NCAA
6 membership. It's designed to insure
7 that an institution meets or exceeds
8 the standards of established
9 criteria set by the NCAA for
10 certification. The self-study home
11 page is indicated here, and we have
12 the pleasure of John Piecoro, who is
13 faculty representative to the NCAA
14 and the Southeastern Conference and
15 Professor of Pharmacy, who will
16 provide this update.

17 PIECORO: Thank you, Ernie. On behalf
18 of the members of the Self-Study
19 Committee, we appreciate the
20 opportunity to address this body
21 with the process, initial findings
22 of the Athletics Department
23 Self-Study. As he mentioned, this
24 is mandated by the NCAA. The
25 purpose of the study is to conduct

1 an accurate and complete review,
2 evaluate the progress since the last
3 review. For your information, this
4 is the second self-study that was
5 mandated by the NCAA. They
6 initiated the process about 15 years
7 ago, and we were probably one of the
8 middle groups to do the first
9 self-study. Another purpose of the
10 self-study certainly is to insure
11 broad-based participation, and I
12 might just -- I know a couple of
13 members of the Self-Study Committee
14 are here. Anyone from the
15 self-study, would you mind standing,
16 please, so we can recognize you? I
17 would say there's in the
18 neighborhood of 50 or more people
19 who participate in the self-study
20 from across campus: Students,
21 administrators, faculty, certainly.
22 And the main purpose, obviously, is
23 to demonstrate compliance with the
24 NCAA principles. The NCAA does not
25 use standards; instead of standards,

1 they use principles. So if you're
2 familiar with SACS, as they evaluate
3 organizations, substitute the word
4 "principle" for "standards." I want
5 to give you an idea of the makeup of
6 the self-study; and incidentally,
7 I'm pinch hitting for Connie Ray,
8 who's chair of the steering
9 committee and who's out of town
10 today. The self-study has a
11 steering committee and three
12 subcommittees, being Governance and
13 Rules Compliance, Academic
14 Integrity, and Equity in Student
15 Athlete Welfare. The Self-Steering
16 Committee is made up of Connie Ray,
17 who was appointed. Connie is the
18 Vice President for Institutional
19 Research Planning and
20 Effectiveness. She was appointed by
21 President Todd. There are a number
22 of individuals on the steering
23 committee by virtue of their
24 position within the university; the
25 NCAA mandates that they be on the

1 steering committee. In addition to
2 the president, his designee in this
3 case, Doug Boyd, who's the acting
4 Chief of Staff; the faculty athletic
5 representative; Mitch Barnhart, the
6 Director of Athletics; Micki King,
7 who's the Senior Women's
8 Administrator; Mary Marchant, who's
9 in the audience who's a professor in
10 the College of Agriculture. And
11 incidentally, you'll see on the
12 slides how these people ended up on
13 the committee. They're recommended
14 by various groups or, in this case,
15 the Provost. William Daugherty,
16 who's a local dentist, is the Alumni
17 representative. Barbara Young,
18 who's a member of the Board of
19 Trustees; Antoine Huffman, who's a
20 student athlete. Antoine is the
21 past chair of the Student Athlete
22 Advisory Council. This is a group
23 of student athletes that meets every
24 two weeks and makes recommendations
25 to athletic administration. Jessica

1 Burke is the student-at-large. Carl
2 Nathe from the Public Relations
3 Office is the Chief Report Writer
4 for the committee, and Lisa Peterson
5 from Athletics is the liaison. Lisa
6 actually is the one that has to do
7 all the running around, getting all
8 the reports and things that are
9 required. In addition to those
10 people, the chairs of the various
11 committees: Darrell Jennings, who's
12 in the audience, is chair of the
13 Academic Integrity Subcommittee.
14 He's also Associate Dean for
15 Academic Affairs in the College of
16 Medicine. Lionel Williamson, who's
17 Chair of the Equity and Student
18 Athlete Welfare Subcommittee, and
19 he's an Assistant Dean for Diversity
20 and Professor in the College of
21 Agriculture. And then Ken Roberts
22 is the chair of the Governance and
23 Commitment to Rules Compliance, and
24 he's the Dean of the College of
25 Pharmacy. Now, let's take a look at

1 the various subcommittees and the
2 kinds of things that they're
3 involved with. First of all,
4 Governance and Rules Compliance. As
5 we started into doing the
6 self-study, some of the rules
7 changed and Principle 1.1, which
8 dealt with admission statements, was
9 deleted, and so it's no longer
10 applicable. But Governance and
11 Rules Compliance is concerned with
12 institutional control, presidential
13 authority, and shared
14 responsibilities. They're also
15 concerned with rules compliance. We
16 might take a look at some of their
17 findings. One of the things they
18 did in the area of control and
19 authority is, for a three-year
20 period, they took a look at the
21 minutes of the Board of Trustees and
22 at University of Kentucky Athletic
23 Association Board of Directors
24 minutes and identified 55 items that
25 were involved with either discussion

1 or decision-making at 27 different
2 meetings. And to give you an idea
3 of some of the things that -- some
4 examples of those were budgets and
5 transfers, so the Athletics
6 Department budget has to be approved
7 ultimately by the Board of
8 Trustees. Project funding and
9 leases, pledges and gifts, awards to
10 eligible student athletes for
11 participation in sports, coaching
12 hires and contract extensions,
13 staff -- just to give you an idea,
14 coaching hires, the UK Athletic
15 Association hires the Athletic
16 Director and the men's and women's
17 basketball coach and the head
18 football coach. The Athletics
19 Director then hires all other
20 coaches. Staff (inaudible)
21 Department and Compliance Reviews.
22 In the area of rules compliance,
23 some of their findings was that
24 there was assigned accountability.
25 Ongoing educational efforts were in

1 force, both inside and outside of
2 Athletics. There was clear,
3 unambiguous commitment and there was
4 periodic evaluation by outside
5 authority. In fact, the
6 Southeastern Conference in late
7 spring conducted a compliance review
8 of the Athletics Department.
9 They're using the same group of
10 consultants to do it at all 12 of
11 the Southeastern Conference
12 schools. The next committee is the
13 Academic Integrity Committee, and
14 they're concerned with academic
15 standards, academic support, and
16 scheduling. And their strategy in
17 the self-study was to review the
18 academic structures and policies,
19 study ACT scores in relation to
20 college graduation rates, to conduct
21 a student athlete survey. They
22 interviewed students, coaches, and
23 staff, and they reviewed athletic
24 structure and policies. One of
25 their interesting findings dealt

1 with graduation rates. And
2 graduation rates, they used the
3 graduation rates that's pretty much
4 mandated by the federal government,
5 which is a six-year time window, and
6 so they looked at the cohorts from
7 1995, '96 and '97. And you can see
8 here, they compared the entering ACT
9 scores with graduation rates. They
10 had -- they looked at students in
11 three different ways. They looked
12 at the athletes in the revenue
13 sports. That's the red line, and
14 revenue sports would be men's and
15 women's basketball, although I don't
16 know if women's basketball is truly
17 a revenue sport, but they looked at
18 men's and women's basketball as well
19 as football and compared those
20 students. They looked -- the blue
21 line depicts the students who are in
22 the Olympic sports: Gymnastics,
23 tennis, golf, sports of those
24 natures. And then they looked at
25 all the other students on campus.

1 And you can see this obvious
2 disparity between the graduation
3 rates here between the students who
4 were either Olympic student athletes
5 or students on campus versus the
6 revenue sports. And you can see
7 that essentially, looking at the
8 Olympic sports student athletes
9 versus other students on campus,
10 these curves are essentially the
11 same. One other thing I might add,
12 that in this time period, '95, '96
13 and '97, the graduation rates for
14 all student athletes as a group was
15 ten percentage points below the
16 rates on campus. In previous years,
17 I think at least in my tenure as
18 Faculty Athletic Rep, I have seen
19 that the student athletes were a bit
20 higher than the other students on
21 campus, but certainly in this time
22 period they were not. In the survey
23 of student athletes in which they
24 had a 36 percent response rate, they
25 asked the students to rate various

1 academic support services, and here
2 are the preliminary findings. And
3 you can see that the students rated
4 several areas or many areas either
5 good or excellent in terms of
6 academic advising, tutoring,
7 provision of success skills, study
8 hall, monitoring of academic
9 progress, provision of learning
10 assessments, orientation of
11 freshman -- or orientation for
12 freshmen and mentoring. One of the
13 things Athletics would like to do
14 and has not been able to do, because
15 of scheduling, is require all the
16 incoming freshman student athletes
17 to take UK 101. It's my
18 understanding that that figure maybe
19 in percent is enough in number that
20 actually do take 101. One of the
21 things that Athletics does that's
22 certainly not depicted in that
23 slide, but almost all incoming
24 student athletes are given various
25 tests to see their writing skills,

1 reading skills, et cetera. Some
2 other findings that had to do
3 with -- when we looked at
4 scheduling, and you might expect
5 this, certainly, but 36 percent
6 reported often or always
7 experiencing scheduling conflicts
8 between class times and athletics.
9 When you take a close look at this
10 and know that some of our teams play
11 during the week and the Southeastern
12 Conference goes -- we're the
13 northernmost school and Florida
14 being the southernmost school. So
15 with travel times and what have you,
16 and particularly for some sports,
17 like golf, for instance, where they
18 may have a three-day trip, tennis
19 may have a several day trip, that
20 they do miss a fair amount of class
21 time. Twenty-seven percent reported
22 often or always experiencing
23 conflicts between exams and
24 athletics. I think one of the big
25 problems here, if you take a close

1 look at it, is common-hour exams.
2 And it's difficult to make up a
3 common-hour exam; some people won't
4 let you do it, is my understanding.
5 Eight-seven percent reported that
6 they knew what to do if they had a
7 conflict between academics and
8 athletics. The coaches furnish,
9 through the Center for Academic and
10 Tutorial Services for Athletics,
11 furnish the student athletes a
12 letter to take to their instructors
13 informing them that they will have
14 some problems due to scheduling of
15 contests and what have you. Taking
16 a look at equity and student athlete
17 welfare, they look primarily at
18 gender issues, minority issues, and
19 student athlete welfare. Their
20 self-study strategy was to review
21 gender and minority plans, and what
22 the NCAA has done or what they've
23 asked institutions to do and the way
24 they look at the self-study is to
25 take the previous self-study and see

1 what plans you have in place and
2 then go forward and examine those,
3 and so that's what this committee
4 did. They interviewed students,
5 coaches and staff. They
6 conducted -- actually there was one
7 student athlete survey that I've
8 already referred to, and they've
9 also analyzed the Equity in
10 Athletics Disclosure Act, which
11 is -- annual reports, which is
12 required by the feds. And they also
13 analyzed racial and ethnic group
14 data. And some of their findings
15 dealing with gender, this was over a
16 three-year time period; and
17 incidentally, that's the time period
18 of the self-study basically from
19 2001 to 2003. Female participation
20 was up 1.6 percent. Women's
21 operating expenses per capita, as a
22 percent of men's, was up 10, almost
23 11 percent. Women's recruitment
24 expenses per capita as a percent of
25 men's was up 32.4 percent.

1 Full-time head coaches, female head
2 coaches was up 4.4 percent. And
3 there's one downer, so to speak:
4 Full-time female assistant coaches,
5 as a percent of the total, was down
6 3.3 percent. That last figure deals
7 with, in some of the women's sports,
8 male assistant coaches were hired in
9 place of women assistant coaches,
10 and that had to do with availability
11 and expertise, et cetera. The
12 committee also looked at equity in
13 the treatment of female versus male
14 athletes, and the blue bar
15 represents male athletes and the red
16 bars are -- I'm sorry, red; green
17 bar represents the female athletes.
18 And, again, this information came
19 from the survey of student athletes
20 where there was a 36 percent
21 response rate, and you can see for
22 practice facilities, competitive
23 facilities, equipment and supplies
24 and locker room, male athletes gave
25 a good or excellent response, more

1 so than did female athletes; whereas
2 in housing and dining facilities,
3 the females gave it a higher rating,
4 although the dining facilities, for
5 the most part, are the same for
6 males and females in places on
7 campus, so I don't understand that
8 one. A snapshot -- with regard to
9 minority issues, they took a
10 snapshot of the number of student
11 athletes on campus in 2003, and 23.1
12 percent of student athletes were
13 black and 72.7 percent were white.
14 Actually I think I brought a number;
15 there were 82 black student athletes
16 and 240 white out of 331 student
17 athletes in 2003. So you can see
18 that 23 percent of our athletes are
19 black, whereas five percent of our
20 students are black on campus, just
21 to give you an idea about that.
22 Looking at the time period from 2001
23 to 2003, black personnel in the
24 Athletics Department were up 55.6
25 percent. White personnel were up 13

1 percent. Black assistant coaches
2 were up 100 percent. Actually it
3 went from five to ten black
4 assistant coaches. And white
5 professionals in the department was
6 up 32.5 percent. Some other
7 findings with regard to student
8 athlete welfare: 67 percent of the
9 student athletes reported that they
10 did not know how or were not sure
11 how to file a grievance or an
12 appeal. That's interesting, in that
13 in UK 101 -- and I participated in a
14 UK 101 class the other day and we
15 did talk about that sort of thing.
16 And with 80 percent of the student
17 athletes taking UK 101, I think this
18 may give you an indication: In
19 previous years, not as many students
20 took UK 101. Transfer students
21 probably -- well, certainly wouldn't
22 be in 101. They may not even have a
23 formal orientation to the
24 university. 77 percent reported
25 being injured in practice or

1 competition, and you would expect
2 over a four-year period that quite a
3 few people would be injured, and
4 that's not an alarming figure.
5 That's everything from scratches
6 that might -- or not a scratch, a
7 laceration that might require
8 sutures to a broken bone or a blown
9 ACL or something of that nature. Of
10 those reporting injuries, 85 percent
11 rated the quality of medical care as
12 good or excellent, and I might add:
13 One of the things I do as Faculty
14 Athletics Representative is I
15 conduct exit interviews with
16 athletes who have completed their
17 athletic eligibility. I do this
18 along with Sandra Bell, who is the
19 Associate Athletic Director for
20 Compliance. And we have a series of
21 questions we ask all students, and
22 this is a question that comes up
23 that we ask every student. And very
24 few, if any, say that they did not
25 receive quality care. I'd like to

1 give you an idea of the current time
2 table for the self-study, just so
3 you know where it is and where it's
4 going. In late October, so -- which
5 is coming up fast, the preliminary
6 report will be on the Web site for
7 your review and input, and it will
8 be a fairly large document. I have
9 the preliminary report with me,
10 which is about 140-something pages.
11 But in any event, it will be there
12 for your input and review. November
13 the 9th, Connie Ray, Dr. Ray is
14 going to make a presentation to the
15 Provost Council. And on November
16 the 11th, there's going to be a
17 community forum at the ES Goodbarn
18 from 7:00 to 8:30 p.m. in the Weldon
19 Suite, and this is open to the
20 campus community and the
21 public-at-large, or the general
22 public. The report will go to the
23 Board of Trustees for their final
24 approval on December the 11th; and
25 once their approval is granted, then

1 we'll submit that to the NCAA. And
2 then in April of 2005, and the dates
3 are not yet established, but they're
4 working on those, it will probably
5 be a two -- more than likely a
6 two-day event, maybe a three-day
7 event. I think the site teams vary
8 in size from three to five
9 individuals. The chair will be a
10 president or chancellor of another
11 comparable school to ours. And what
12 I'd like to leave you with is our
13 Web site. And if we have time,
14 Ernie, I'd open up for questions and
15 Mary and Darrell and some of the
16 others may help me with any
17 questions that I can't handle. I'd
18 be glad to go from there. Thank
19 you.

20 CHAIR YANARELLA: Thank you, John. Are
21 there any questions you'd like to
22 address to Professor Piecoro? Yes,
23 please identify yourself.

24 MARTIN: Cathy Martin, College of
25 Medicine. Is there any measure of

1 community service?

2 PIECORO: Mary, have we looked at that?

3 MARCHANT: No, I don't think that was
4 one of the required items.

5 PIECORO: That's -- I can tell you,
6 there is a lot of community service
7 that Athletics does. It's not one
8 of the principles or standards, so
9 to speak, that the NCAA looks at,
10 but I'm on a committee of the
11 faculty reps of the Southeastern
12 Conference, and we have an award for
13 community service where one
14 individual from each school, one
15 male and one female individual from
16 each school is put forward. And
17 what some of these kids do is
18 incredible. It is so difficult to
19 select the best one from that group,
20 best male, best female, because
21 they're involved in so many things.
22 Some of them do it just because
23 that's their nature. They're in
24 education or whatever they're in, or
25 they feel like, because of their

1 stature as a student athlete, they
2 need to give something back. Some
3 of them do it as a team. Antoine
4 Huffman, who's a student athlete, is
5 an incredible individual. He
6 probably has done more community
7 service than anyone I've been
8 associated with in my tenure as
9 faculty rep. So they do a lot of
10 it. Also, for athletes who've
11 completed their eligibility but have
12 not yet graduated and are still in
13 school, through the Cats Program
14 there are several programs where
15 they can maintain their scholarship
16 if they will work 25 hours a week
17 providing community service. That
18 could be at a school, working in
19 helping teachers or whatever the
20 case might be. Good question.
21 Thank you. Darrell?

22 JENNINGS: The emphasis on this study
23 seems to me to be more looking at
24 whether the university is meeting
25 its obligation to the student

1 athlete rather than what the student
2 athlete is doing back for the
3 community and the university.

4 CHAIR YANARELLA: Mike Cibull.

5 CIBULL: I was just wondering, during
6 the study period, were any sports
7 terminated?

8 PIECORO: No. I've been associated one
9 way or another with Athletics,
10 either through the Athletics Board
11 or as faculty rep for 11 years. And
12 in my time, and in fact, I think in
13 my entire time at the university, UK
14 has not dropped a sport. They are
15 constantly looking at adding sports.

16 CIBULL: Were any added?

17 PIECORO: Yes. The most recent one
18 added was women's softball, and I
19 think men's soccer, I think, was
20 added, probably the one before
21 that. Several sports are coed, like
22 rifle is one that's coed.

23 CHAIR YANARELLA: Tom Garrity.

24 GARRITY: The response rate was pretty
25 poor.

1 PIECORO: Yeah, we were disappointed; I
2 can tell you that.

3 GARRITY: Is that going to be a problem
4 for the review?

5 PIECORO: I don't think so because I
6 think they conducted the interviews
7 with the Student Athlete Advisory
8 Committee, and the Student Athlete
9 Advisory Committee or Consulate, I
10 should say, is made up of two
11 representatives from each of the
12 teams. And I know they met with
13 them on several occasions, so I
14 think they've got a good handle on
15 things.

16 CHAIR YANARELLA: Mike Kennedy.

17 KENNEDY: You said there were 331
18 student athletes. That's not the
19 numbers responded; that's the total
20 number of substitute athletes?

21 PIECORO: That's the total number of
22 scholarship student athletes. There
23 are more -- there are nearly 500
24 student athletes, those that are
25 walk-on status.

1 KENNEDY: Okay. Thanks.

2 CHAIR YANARELLA: Steve Yates.

3 YATES: Steve Yates, Chemistry. A
4 couple of things caused me concern.
5 One of them was your comment about
6 departments in common examinations
7 not accommodating student athletes.
8 I think this is completely foreign
9 to university policy. We're
10 required to, so I think that is
11 inaccurate.

12 PIECORO: That's a statement I made on
13 my own, and I probably should not
14 have made that. But in dealing with
15 student athletes in exit interviews,
16 that's something that's come forward
17 a lot to me.

18 YATES: I think that's completely
19 inaccurate. You should check on
20 that. The second concern I had was
21 you showed some employment figures,
22 increases in staff in 2001 to 2003.
23 I think this is the same interval
24 that we've seen faculty decline at
25 the university, seriously. I really

1 wonder how this report will play to
2 the public, seeing that the
3 Athletics Department and athletics
4 at the university is on the rise
5 while the faculty and academics is
6 on the decline.

7 PIECORO: That's a good point.

8 YATES: Just a comment.

9 PIECORO: I understand. Good point.

10 CHAIR YANARELLA: Chuck, did you have a
11 comment?

12 STABEN: Yes, (inaudible) in the fact
13 that the student forum and other
14 responses, we have received many --
15 much input from the students that
16 common-hour exams in particular
17 departments are a major problem for
18 them and that they are not
19 well-accommodated, so that is a
20 reasonably well-supported statement.

21 YATES: Then, if there are complaints,
22 they should be taken to the
23 Ombudsman. This needs to be
24 handled.

25 CHAIR YANARELLA: Thank you.

1 HAIST: Steve Haist, College of
2 Medicine. I was a little -- I'm not
3 sure -- taken aback by the ACT
4 scores on the revenue generating,
5 that it was almost a straight line,
6 the graduation rate, and what the
7 thoughts were. Somebody ought to
8 bring that up because it ought to
9 be -- it ought to be a little bit
10 higher correlation between increase
11 in ACT and graduation rate. And I
12 don't think it's all the players
13 leaving for the NBA early.

14 PIECORO: I'll let Darrell handle that.
15 I've got some comments on that too,
16 but Darrell, go ahead, since that
17 was under your committee.

18 CHAIR YANARELLA: Darrell, would you
19 state your name for the court
20 reporter?

21 JENNINGS: Darrell Jennings, College of
22 Medicine.

23 SCOTT: Okay. Thanks.

24 JENNINGS: That's a very complex issue
25 that we could spend quite a bit of

1 time on. I will give you the
2 general responses that are out
3 there. The cohort years here were
4 '95, '96, '97 because the NCAA
5 requires the use of a six-year
6 graduation window. Transfers out
7 count against you as a failed
8 graduation. Now, the response on
9 the part of the coaching staff is
10 that '95, '96, '97 crosses the Hal
11 Mumme, Guy Morriss, Rich Brooks
12 era. And so there was a feeling on
13 the part of the coaches that there
14 had been an inordinate number of
15 transfers during that time period
16 that adversely affect those rates.
17 Certainly, all schools suffer from
18 that same problem: The transfers
19 count against. Our committee looked
20 at where our rates were, both raw
21 rates and then the difference
22 between all students and athletes
23 versus the SEC, and we were clearly
24 near the bottom of the SEC. And
25 certainly you can go back a certain

1 number of years here at UK, and most
2 people would say back to the Jerry
3 Claiborne era in football, and our
4 numbers were not there. And I
5 think, you know, at this point that
6 kind of remains an open debate.
7 Roger Sugarman from Connie Ray's
8 office did these figures, and there
9 was a lot of pressure to try to go
10 back in and redo those graphs and
11 see what they look like if you
12 factor out transfers. The problem
13 is you can't get that data for the
14 nonathletes. Bob Bradley can come
15 up with it for athletes, but there
16 isn't any good way to get it for all
17 students. And there's actually a
18 fair number of transfers, even among
19 the regular student body, so it was
20 felt that that couldn't create a
21 statistically accurate or
22 appropriate draft doing it. In our
23 written comment, we noted it was 17,
24 I think, athletes during that period
25 were transfers. Now, several of

1 them transferred out and were in
2 good standing and such. Now, the
3 graduation rate for football for
4 this next year will be 60 percent,
5 according to Bob Bradley, but then
6 the next year it's going to fall
7 back down and such. So I think for
8 our committee, that issue remains
9 kind of an open debate, you know.
10 And we are interested in feedback
11 from the rest of the university. We
12 stratified by ACT scores because if
13 you just look at raw, there's about
14 a ten percent gap. However, when
15 you -- and there's also a gap for
16 Olympic sports as well. And that's
17 because if you look at entering
18 scores, you have a skew to the left,
19 towards lower scores for athletes,
20 both Olympic and revenue sports.
21 But what we did show in the graph is
22 for Olympic sports, those students
23 graduate as predicted when
24 stratified by ACT score, which I
25 think says the university is

1 providing appropriate support for
2 the Olympic students. Now, one
3 other item here: You lose them to
4 the pros and you lose them to
5 transfer. Another argument that's
6 been made is that when you look at
7 revenue sports, you may be looking
8 at a subgroup of students who may
9 not enter the university with the
10 intent to graduate. But that's,
11 again, something that's subjective,
12 and there is not really any way to
13 quantify that. All of these
14 athletes do meet NCAA Clearinghouse
15 Standards for Admission, and then
16 they are either admitted under the
17 University's Automatic Admission
18 Policy or they're admitted under the
19 Competitive Admission Policy. Only
20 one student athlete in that
21 three-year cohort was actually
22 admitted through the appeals
23 process, through the University
24 Senate Admissions Appeals Process.

25 PIECORO: One thing I might add to

1 Darrell's comments: The new way
2 that NCAA is going to look at
3 graduation rates; they're going to
4 take into account transfers: Were
5 they in good standing when they
6 left? Or somebody who would go to
7 the next level, let's say, and go to
8 the pros, were they in good standing
9 when they left and could they have
10 come back to the university? And
11 there's a point system, and so I
12 think you're going to see some
13 different figures. One other thing,
14 just as an aside: 85 percent of the
15 student athletes who complete their
16 athletic eligibility graduate.

17 So --

18 CHAIR YANARELLA: Mike Kennedy.

19 KENNEDY: I understand that the new NCAA
20 rules tend to raise the -- to lower
21 the bar for admissions and to raise
22 the bar for retention.

23 PIECORO: Exactly right.

24 KENNEDY: I wonder if you'd comment on
25 what kind of impact that might have

1 on it.

2 PIECORO: I think the students who were
3 admitted a year ago are under the
4 new NCAA requirements for
5 eligibility, continuing eligibility;
6 and for instance, next year before
7 they can participate, they have to
8 have 40 percent of their major work,
9 whatever their major is, 40 percent
10 of their curriculum has to be
11 completed at that point in time in
12 order for them to participate.
13 Under the old rules, it was 25
14 percent. So I think what you're
15 going to see is you're going to see
16 a fair amount of athletes, both here
17 and elsewhere, who won't meet that
18 40 percent. And where the NCAA is
19 coming from with allowing poorer
20 students, if you will, to enter
21 college and then raising the bar, I
22 don't know.

23 KENNEDY: It puts additional pressure on
24 the faculty.

25 PIECORO: Sure.

1 JENNINGS: Is Victor still back in the
2 back? I think it was Victor, had a
3 specific comment about the NCAA's
4 new regulation in light of that
5 graph that's up there. Was it you
6 or was it Chuck?

7 HAZARD: I think it was Chuck.

8 STABEN: Well, I don't think it was
9 Chuck.

10 JENNINGS: Someone on the committee said
11 it was fairly ill-advised on the
12 part of the NCAA, if you look at our
13 data, and say that's talking out of
14 both sides of the mouth.

15 STABEN: Yeah, it is, and there's no
16 doubt. It is always -- since I got
17 picked on, it is worth pointing out
18 that that 23-24 ACT point with the
19 Olympic sports above all other
20 students is also statistically
21 robust. The athletes graduate at a
22 higher rate than our other students
23 in that particular cohort, and I
24 think that's actually interesting,
25 speaking to the fact that they are

1 probably very well-supported for
2 academic success or very motivated
3 or something else, but they are a
4 different group.

5 CIBULL: It should have a 25 cutoff.

6 CHAIR YANARELLA: Can I ask one
7 question?

8 PIECORO: Surely.

9 CHAIR YANARELLA: Given the concern
10 about graduation rates, are there
11 any programs that are currently in
12 place that help to support student
13 athletes who leave the university
14 and then wish to come back to finish
15 their degrees? And if there are,
16 could you say who funds this?

17 PIECORO: Right. One of those, if
18 you've been around Kentucky for any
19 length of time, you're familiar with
20 the name Cawood Ledford. The
21 university established -- Athletics
22 Department established -- I guess
23 the university established, really,
24 The Cawood Ledford Fund. And for
25 those athletes who left the

1 university and want to come back and
2 pursue their degree, that's what the
3 Cawood Ledford Funds are used for.
4 The NCAA allows five years, in some
5 cases six years, for support for
6 athletes to complete their academic
7 pursuits. So if it goes beyond that
8 time period, then the Cawood Ledford
9 Funds kick in. I'll mention an
10 individual name because there was an
11 article about him in the paper this
12 past year. Dale Brown was a
13 basketball player on the 1993 team,
14 the Final Four Team that had Jamal
15 Mashburn on it. And he dropped out
16 of school, I think, at the end of
17 the NCAA Tournament, never completed
18 that semester, and finally came back
19 and graduated. Was it in August,
20 Steve? Do you know?

21 PARKER: Yeah.

22 PIECORO: I think he graduated in August
23 and is now into coaching, I believe.

24 PARKER: Yes.

25 PIECORO: So that's what -- and we've

1 had other individuals that I'm aware
2 of that have been out 20 years and
3 have come back. So the Cawood
4 Ledford Fund does that.

5 CHAIR YANARELLA: One or two more
6 questions. Bob Grossman.

7 GROSSMAN: Bob Grossman, Chemistry.
8 That sounds like an excellent
9 program, as are some of these
10 special academic support programs
11 that you have for the athletes. Why
12 aren't these made available to all
13 students?

14 PIECORO: That's a good question.

15 GROSSMAN: I don't -- you know, someone
16 leaves the university and comes back
17 ten years later, good for them, but
18 because they played whatever ten
19 years before, they should have some
20 special program? I mean, I don't
21 get it.

22 PIECORO: I don't have a good answer for
23 you, other than the fact that -- do
24 you want to tackle it?

25 JENNINGS: Well, when we met in the open

1 forums with students, we asked them
2 what were their biggest issues,
3 being a student athlete at the
4 University of Kentucky. The first
5 biggest issue was parking. The
6 second biggest issue was balancing
7 their time, and they said that for
8 all the athletes, not just revenue,
9 learning and trying to work that out
10 and balancing their time. And I
11 think they as a group felt that
12 provides a unique and difficult
13 problem for them and that they bring
14 some added measure to the
15 university.

16 PIECORO: Just to follow up on that and
17 give you an idea of what's expected
18 of a student athlete, it's a
19 12-month commitment. During the
20 summer, almost every football player
21 was on campus, either taking -- if
22 he wasn't taking classes, he was
23 involved in weight training and
24 running and what have you. And if
25 that person misses, one of those

1 guys misses, he gets a phone call
2 saying, "I guess you're not coming
3 back." So it's that kind of thing
4 throughout their tenure here that
5 makes it difficult to be like an
6 ordinary student.

7 CHAIR YANARELLA: Well, maybe one
8 question. Mike Cibull.

9 CIBULL: Yeah. I was just wondering if,
10 given this and the fact that we're
11 near the bottom of the SEC in terms
12 of graduation, I mean, I guess from
13 my naive standpoint, that's likely
14 to be questioned. And I was
15 wondering if you were also
16 developing plans to address this so
17 that when they do question it, we
18 have some plans to correct this,
19 apart from statistical manipulation,
20 I mean.

21 PIECORO: I think we'll have something
22 in the report about that when it
23 comes out. Our committee's
24 meeting -- the steering committee's
25 meeting next Monday, and we're

1 reviewing the draft that we have and
2 we'll probably have a recommendation
3 in that area.

4 KENNEDY: Just a very quick question.

5 CHAIR YANARELLA: All right, Mike.

6 KENNEDY: The Ledford Fund, is that just
7 for revenue sports?

8 PIECORO: No, that's for all student
9 athletes.

10 KENNEDY: Okay. Thanks.

11 CHAIR YANARELLA: John, I'd like to
12 thank you very much for your
13 presentation. Before the meeting
14 began, John referenced his
15 availability for future updates with
16 the Senate Council and the Senate.
17 We look forward to those
18 opportunities again. Before we
19 close, you know most of the folks up
20 front; I introduced them at the
21 first meeting. We do have one new
22 person, Robyn Barrett, who is the
23 court reporter, and I would like to
24 thank her for her labors today. If
25 there is no further business, then

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we stand adjourned.

(PROCEEDINGS CONCLUDED AT 4:20 P.M.)

1 STATE OF KENTUCKY)

2 COUNTY OF FAYETTE)

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

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

16 My Commission Expires: November 24, 2007.

17 IN TESTIMONY WHEREOF, I have hereunto set my hand
18 and seal of office on this the 4th day of November,
19 2004.

20

21

22 _____
23 ROBYN BARRETT, CERTIFIED SHORTHAND
24 REPORTER, NOTARY PUBLIC, STATE AT
25 LARGE, KENTUCKY