

Senate Council Minutes
September 29, 2003

The Senate Council met on September 29, 2003 at 3:00 pm in The Gallery of the W.T. Young Library and took the following actions:

The Chair called the meeting to order at 3:00 pm.

1. Approval of the Minutes from September 22, 2003:

The Chair asked for comments on the Minutes. Tagavi requested to have his lack of comment or correction on the Minutes included in these Minutes. The Minutes were **approved** without dissent.

2. Changes to Faculty Assignments

The Senate Council members discussed some of the assignment changes recently experienced by some faculty in the Medical Center. The Chair informed the Council that some Deans have changed faculty appointments from 12 months to 10 months. Tagavi expressed concern over the methodology used and the possible lack of due process involved. Jones noted that changing appointments sets an uncomfortable precedent for all faculty who hold 11 or 12 month appointments. The Chair offered to send a non-confrontational letter to the Provost expressing the Senate Council's concern. Cibull suggested mentioning the specific cases involved so they might be addressed and noted the academic nature of an issue like salary support. Bailey voiced his concern for faculty morale. Debski noted the poor timing of these assignment changes since faculty retention is already an issue at the University. Cibull suggested obtaining releases from the affected faculty so the Provost could discuss the specifics of the cases with the Chair. The Chair will send a letter to the Provost to inform him of the Senate Council's concern.

3. Program Termination Guidelines

The Chair thanked Kate Chard for attending the meeting while on sabbatical. Chard described her findings regarding program termination procedures at the benchmarks and local universities of size in the area. Of schools that have such guidelines in place, many are in the Administrative Regulations to make them more binding, as opposed to merely being guidelines. Cibull said this should be noted when the Guidelines are presented to the Senate. Saunier asked what ramifications there would be if this became a Senate Rule and the Guidelines were not followed by the Administration. Chard said the Senate could ask why its Rule was broken. Jones presented some materials in support of his suggestion to put this forward as a Senate Rule, noting preexisting schemes and precedents for Rules like this in the Senate Rules. Tagavi asked if there are Administrative Regulations (AR's) that are similar in nature to the proposed

Guidelines. Jones noted the Administrative Regulations' are subject to being changed and interpreted by the President, whereas the Senate Rules would not. Debski worried that, if the Guidelines were presented as potential AR's, the Administration might not act on them since nothing would compel them to act upon the Senate's recommendation.

Kaalund asked what opposition existed to putting the Guidelines forth for inclusion in the Governing Regulations, noting they would then not be subject to the same sort of revisions or interpretations as AR's. Jones replied that GR's are more policy oriented while the Guidelines are more procedural. Kaalund said the Guidelines would be more effective as Senate Rules than as AR's if including them as GR's was not an option.

Cibull expressed similar concerns. He recommended sending the Guidelines to the Administration for their input before sending them to the Senate as a proposed Senate Rule, believing the President's interest and support would be forthcoming.

The Chair asked if he should send a copy to each of the administrators involved. Cibull requested a cover letter from Chard to accompany the Chair's letter. Chard agreed. Saunier suggested a deadline for feedback from the Administration. Ms. Scott said the document needs to be approved at the October 27th Senate Council meeting in order to make the November Senate agenda. Jones suggested setting a feedback deadline of October 22nd, which would give the Administration three weeks to respond. Cibull requested that responses be sent to Ms. Scott who would in turn send them to Chard.

The Chair asked for a formal motion. Cibull so moved. The **motion** follows:

The Program Termination Guidelines, which are the product of the Special Committee on Creating Guidelines for Discontinuation of Programs, shall be considered as a Senate Rule. The proposed Senate Rule shall be sent to the President and Provost for their review and input. Feedback is due in the Senate Council office to Rebecca Scott by October 22, 2003 to accommodate the incorporation of changes to the document prior to the October 27, 2003 Senate Council meeting. The proposal will appear on the November University Senate agenda as a discussion item and the December agenda as an action item.

The motion was **seconded** by Kaalund and **passed** without dissent.

4. Agenda for the October 13, 2003 University Senate meeting:

The Chair reminded the Senate Council members of the upcoming vote on the Faculty Representation on Search Committees item, which went to the floor for discussion at the last meeting. If passed, it will be recommended to the

Administration for inclusion in the AR's. The Chair asked if anybody from Agriculture was working toward presenting a memorial resolution for Joe Davis. Edgerton thought Loys Mather might be. Tagavi asked who would present one for Singletary. Saunier suggested Charles Roland. The Chair will contact Roland. The Chair noted the presence of a held-over item from the last meeting of the spring semester. The proposed name change for Ophthalmology will be on the agenda. Kennedy asked if the Faculty Trustees should present their reports at the October meeting. The Chair responded in the affirmative.

Other discussion:

Kennedy asked Edgerton to report briefly on the progress of the LCC Task Force. Edgerton explained that only one meeting had occurred, adding that more data was being gathered to help the committee make an informed decision. Jones asked when the committee's report was due. Saunier said it was due December 31, 2003. The Chair asked if either Saunier or Edgerton would like to make a progress report at the next Senate meeting. Edgerton suggested contacting Ben Carr to see if he would like to present. The Chair will do so.

Jones reported that the Board of Trustees was beginning to broach the topic of benefits for domestic partners and asked if the Senate Council members would like to begin talking about that subject at this time, noting that the Staff Senate was already discussing it. Cibull felt it was not yet time to begin discussing the subject. Kaalund asked where the President stood on the issue. Jones noted the President's recent address to the UK Lambda chapter in which the President discussed the financial barriers involved. Kaalund suggested the timing was right to look at the issue from a budgetary perspective, given the state and University fiscal issues. Cibull expressed concern over tremendous legal and financial ramifications. Kaalund suggested that having a rough idea of soft numbers would be beneficial to the Senate Council since this issue repeatedly comes up. Tagavi suggested looking to other Universities to see how they have managed this issue. Cibull suggested the Senate Council should not be proactively involved in this issue right now since there are other pressing issues regarding retiree benefits, prescription drug costs, and increasing co-payments. Cibull recommended not commenting until being asked to do so.

5. Administrative and Governing Regulation issues:

Jones presented a recent problem that surfaced with the proposed revisions to the AR's and GR's. The AR/GR Committee made a recommendation to include language in the section pertaining to tenure that read "When an individual under consideration for appointment to an administrative position is also proposed to receive a faculty appointment, the two respective appointments shall be considered independently on their respective merits in accordance with the respective established review procedures". Jones expressed concern over David Watt's attempt, in conjunction with the Deans, to remove this statement. After discussion the Senate Council was divided on the importance of the statement,

with some members feeling that the faculty appointment is already separately considered while others felt that it would usually be approved as part of the recruitment process.

Jones also noted Watt's and the Deans' intention to remove proposed wording in the Resignation section that reads "The number of resignations of regular, full-time faculty members by college shall be annually reported to the Board of Trustees". The second part of the proposal said "Non-renewal decisions concerning regular, full-time faculty members shall be reported to the Board of Trustees". Jones indicated the original proposed wording requested the names of those who resigned, but it had been changed to just the number as a compromise. Jones said the Board members wanted the statement included. The Senate Council members agreed these two statements should be included in the proposed changes.

Jones third concern pertained to wording in the section under Department Faculty Functions regarding "the preparation of budget requests". Jones informed the Senate Council members of this statement's presence in the document for roughly thirty years. After brief discussion, the Senate Council members agreed this statement should not be removed from the document.

The Chair thanked the Senate Council members and reminded them of Brad Canon's upcoming report on retiree health benefits at the next meeting.

There being no further business, the meeting adjourned at 4:26.

Respectfully submitted by Jeffrey Dembo
Chair, Senate Council

Members present: Ernie Bailey, Mike Cibull, Liz Debski, Jeff Dembo, Lee Edgerton, Davy Jones, Brafus Kaalund, Michael Kennedy, Peggy Saunier, Kaveh Tagavi, Ernie Yanarella.

Guest present: Kate Chard

Prepared by Rebecca Scott on Tuesday, September 30, 2003.