

Senate Council  
April 6, 2009

The Senate Council met in regular session at 3 pm on Monday, April 6, 2009 in 103 Main Building. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise.

Chair David Randall called the Senate Council (SC) meeting to order at 3:05 pm. He said that Kelly, Piascik and Steiner had reported their absence.

1. Minutes and Announcements

There were no minutes ready for review. The Chair invited Davy Jones to share an issue of interest with SC members. Guest Jones explained that the Graduate School serves as the educational home unit for a number of graduate centers, as well as the educational home unit for a few graduate certificates, including the Graduate Certificate in Earth Sciences. The Dean of the Graduate School has decided that the Graduate Certificate in Earth Sciences will receive no further funding.

Jones opined that this action was a de facto termination of a graduate certificate, a termination which was not conducted in a proper manner. The *Senate Rules* do not outline a process for dissolution of a graduate certificate outside the process of a six-year review. If the SC so desired, the Senate's Rules and Elections Committee could describe the process for codification. The Chair thanked Jones.

Provost's Liaison Greissman thanked SC members for discussing and endorsing the proposed changes to *Governing Regulations VII (GR VII)* at the SC's previous meeting; however, he was chagrined to report that someone had identified a flaw in the language that theoretically allowed departments in a large, heterogeneous college to create different descriptions of dossiers. The resulting concern was that external reviewers could be troubled by different processes and dossiers. As a result, Greissman reported that the proposed changes to *GR VII* would not be submitted to the SC for endorsement at the present time, due to a desire by the Provost for a more deliberate conversation with the Senate. Greissman thanked SC members for their input.

Those present introduced themselves.

2. [Proposed Changes to Administrative Regulations 3:14 \(II-7.0-1\) \("Faculty Practice Plans"\) – UK Legal Counsel Harry Dadds and Marcy Deaton](#)

The Chair invited Associate General Legal Counsel Harry Dadds to explain. Guest Dadds explained that the proposed changes to language in the ARs addressing faculty practice plans had been under review for about three years, and he had been involved for the last two years. In 2007, Dadds was asked by Executive Vice President for Health Affairs Michael Karpf and Provost Subbaswamy to assist the ad hoc *Administrative Regulations* review group with a review of various colleges' practice plans and come up with a better, more modern plan, and one that was also consistent with the current provost-organizational of the university. He then gave a presentation regarding the proposed changes.

After the presentation, Dadds and Associate Legal Counsel Marcy Deaton were asked a variety of questions by SC members. Below are a few of the answers.

- The proposed changes to the ARs give colleges wide latitude (within specific parameters) to customize the plans, via “Addenda,” which are and will be specific to each college.
- There will be conflict of interest questions in the practice plan, asking about service on boards of directors, service as expert an witness, etc.
- All the variables required for an NIH disclosure are included in the practice plan – faculty will not have to input the same information into multiple forms.
- It is within reason that a similar AR will be created for non-healthcare colleges.
- College addenda will be approved by college faculty committees, made up of elected faculty and the dean as an ex officio, in accordance with college nuances. In some cases, college bodies that currently perform similar efforts will also be included.

After additional discussion, Wood commented that her knowledge of the current policy and proposed language was not such that she felt comfortable endorsing the proposed changes. She thought that it should go to the Senate for discussion and input.

Ultimately, Jensen **moved** to place the proposed changes to *Administrative Regulations 3:14* (formerly *II-7.0-1*) on the Senate agenda. Swanson **seconded**. A **vote** was taken and the motion **passed** with none opposed.

Chappell opined that the presentation to the Senate take the form of a brief introduction of the major points, to help senators better understand the proposal as a whole. After additional comments, the Chair summarized general consensus – the proposed changes to *AR 3:14 (II-7.0-1)* would be presented to the Senate as an informational item, with the opportunity for discussion, only.

### [3. Ethics Committee Ruling on Faculty Textbooks and Royalties](#)

Greissman explained that the recent ruling by the Ethics Committee meant that it was perfectly acceptable for a faculty member to accept royalties received as a result of textbook use in the faculty member’s class as a result of a departmental decision (as opposed to a decision made solely by the faculty member). Greissman said that the Provost hoped for a codification of the ruling because of a perception of a conflict of interest. In no way did the ruling effect royalties received from other sales.

Citing a possible conflict of interest, the Chair asked Vice Chair Aken to take over responsibility for the duration of the discussion. SC members then engaged in a lively discussion of the matter. It was clear that the Provost intended to use the Ethics Committee ruling as a basis for a future policy, but that the Provost wanted input from the SC beforehand.

SC members also discussed if the policy would be mandatory (“may” vs “must”) and discussed where a faculty member’s royalties (stemming from the faculty member’s decision to use the

textbook in his or her class) could be donated – Greissman said the default could be UK's scholarship fund, but he anticipated that the as-yet-undrafted policy language would leave it at a requirement that the royalties received (by a faculty member by virtue of the faculty member's decision to use the textbook in his or her class) be surrendered.

A few SC members were concerned that if the problem was also a perception of a conflict of interest, any new policy should also address the tax deduction that could be claimed for donating the portion of royalties, etc. Wood wondered if requiring the "donation" would no longer make it voluntary and would therefore not be tax deductible.

After additional brief discussion, Chair Aken surmised that the most effective plan of action would be to request that Greissman bring some draft language for the SC to review; until that time, no action would be taken.

Chair Randall indicated that he was comfortable with regaining the chairship.

The Chair indicated that in the interests of time, he would skip agenda item number eight.

#### 7. Continuing Discussion on SGA Dead Week Proposal

Guest Joe Quinn explained that the comments received during the last meeting were incorporated into the section on final exams and lecture/lab courses. He added that a new section G was incorporated to address concerns that the revisions might be interpreted as preventing the teaching of material, new or otherwise, during Dead Week.

Greissman noted that Wood, who had stepped out briefly, asked him to let SC members know that she thought the revised language to be perfectly acceptable. The Chair asked if Steiner had looked over the revised language, and Quinn replied that he had emailed it to Steiner, but had not yet heard back from him. In response to another question from the Chair, Quinn replied that the new section G. was created, in part, to allay concerns that the revised language would decrease academic instruction during Dead Week.

Anderson explained that in her course, she assigned a paper that was due prior to Dead Week; students were then required to present their paper during a subsequent class period, which often falls during Dead Week. Jensen opined that under G, class participation grades were allowed – if the presentation was not formal, and did not require a lot of preparation, then basically the requirement of presenting the paper meant the student merely was coming to class prepared. The content had been finished earlier and turned in. Jensen added that there would always be times when faculty members have to decide if something is participation or assessment. Guest Kara Sutton said that if the paper grade were combined with that of the presentation, it would not be conflict with the proposed revised language. Chappell and Yanarella expressed some concern with the proposed new language.

Sutton and Quinn departed.

The Chair noted that it was imperative that the degree lists and tentative Senate agenda be approved prior to the meeting's end. There was brief discussion about the degree lists.

SC members then discussed if the SGA proposal regarding Dead Week should be placed on the Senate agenda. Jensen **moved** to send the proposal to the Senate with a positive recommendation. After some additional discussion, Swanson **seconded**. A **vote** was taken and the motion **passed** with five in favor and two opposed.

5. UK May 2009 Degree List

Swanson **moved** to approve UK's May 2009 Degree List and send it to the Senate with a positive recommendation. Ford **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

6. UK August 2009 Degree List

Anderson **moved** to approve UK's August 2009 Degree List and send it to the Senate with a positive recommendation. Yanarella **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

Due to the time, the Chair indicated it would be best to move to agenda item number 12345.

9. [Tentative Senate Agenda for April 13](#)

SC members discussed possible agenda items for the Senate meeting. SC members ultimately opted to place the proposed AR changes on the agenda for the May Senate meeting, but include them as announcements for April, to give senators sufficient time to digest the proposed changes.

The meeting was adjourned after 5 pm.

Respectfully submitted by David Randall,  
Senate Council Chair

SC members present: Aken, Anderson, Chappell, Ford, Jensen, Randall, Swanson, Tagavi, Wood and Yanarella.

Provost's Liaison present: Greissman.

Invited guests present: Harry Dadds, Marcy Deaton, Davy Jones, Joe Quinn, Kara Sutton.

Prepared by Sheila Brothers on Friday, April 17, 2009.