

Senate Council
August 31, 2015

The Senate Council met in regular session at 3 pm on Monday, August 31, 2015 in 103 Main Building. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise.

Senate Council Chair Andrew Hippisley called the Senate Council (SC) meeting to order at 3:06 pm.

1. Minutes from August 24, 2015

The Chair reported that there were a couple of editorial changes to the SC minutes. There being no further edits, the minutes from August 24, 2015 were **approved** as amended by **unanimous consent**.

The Chair had a number of announcements.

- There were three new members of SC. The Chair introduced Sarah Biery and Rebecca Gower, the two student representatives to SC, and Bruce Webb from the College of Agriculture, who would serve the remainder of Alice Christ's term.
- The Chair met with President Eli Capilouto and discussed the faculty disciplinary policy. The President would now prefer to use the October University Senate (Senate) meeting to discuss the possibility of an Honors College at UK, although he is willing to answer questions about the faculty disciplinary policy during that meeting.
- The President has invited all senators to a "Welcome Back" reception at his home in mid-September.
- The Chair and others have begun meeting about the practical aspects necessary to convert the Office of Undergraduate Education to a college of undergraduate studies; at its June retreat, the SC voted to ask the Senate's Academic Organization and Structure Committee (SAOSC) to review that issue. The SAOSC and others will have an opportunity to meet with Associate Provost for Undergraduate Education in the near future.
- A number of SC-named nominees have been appointed to the strategic plan implementation committees. The Chair reviewed the roster of each implementation committee.
- There is still time to make plans to attend a seminar on higher education in Louisville towards the end of September. The Chair noted that Brown and Kraemer had committed to attending. The Chair said the SC office could support the necessary travel expenses.

Moving to the next agenda item, the Chair asked permission to rearrange the agenda, as the contact person for the next agenda item could not arrive until 4 pm. There were no objections from SC members

2. Degree Recipients

b. August 2015 Degree List (second of two)

Grossman **moved** that the elected faculty senators of the SC approve UK's second August 2015 list of candidates for credentials, for submission through the President to the Board of Trustees, as the recommended degrees to be conferred by the Board. Brown **seconded**. A **vote** was taken and the motion **passed** with none opposed.

c. Late Addition to the Degree List (as per *Senate Rules 5.4.1.1.D.1-2*) (Student AC-41)

Guest Anna Bosch, associate dean for undergraduate programs in the College of Arts and Sciences, began by apologizing for coming to SC twice for the same student. In spring 2015, Bosch requested the SC and Senate rescind the student's double major and replace it with two individual degrees, as the student had satisfied all the requirements for two separate degrees. Bosch explained that when the

College of Arts and Sciences (A&S) made the request of SC in spring 2015, A&S requested the student's date of graduation be December 2014; A&S was under the impression that it could not ask that the student's two degrees be conferred as of May 2014, her original graduation date. Student AC-41 subsequently contacted A&S and specifically asked that her two degrees be conferred as of May 2014. Therefore, Bosch was present to request that student AC-41's two individual degrees be added to the May 2014 degree list and removed from the December 2014 degree list. There were a variety of comments and questions from SC members.

The Chair explained that the motion would be to recommend addition student AC-41's two degrees to the May 2014 degree list and subsequently deleting student AC-41's two degrees from the December 2014 degree list. Grossman **moved** the **motion** and Bailey **seconded**. After additional comments, a **vote** was taken and the motion **passed** with none opposed.

3. Request to Waive *Senate Rules 5.2.4.8.1* ("Common Examinations") for CHE 532-001

McCormick **moved** that the SC waive *Senate Rules 5.2.4.8.1* ("Common Examinations") for CHE 532-001 and Brown **seconded**. SC members discussed the request and the rationale behind it. When there were no further questions, a **vote** was taken and the motion **passed** with none opposed. The Chair clarified that the waiver was for the fall 2015 semester.

4. Changing Times of December Commencements - Proposed Change to *Senate Rules 5.2.4.7* ("Final Examinations")

The Chair invited Guests John Herbst (executive director of the Student Center and chair of the Commencement Committee), Sean Cooper (director of student services), and Drew Crawford (graduate assistant, Commencement logistics) to the table. Herbst explained the request from the Commencement Committee. Attendance at December Commencements has grown substantially – at the December 2014 Commencement ceremony, all the undergraduate seats on the floor were filled and it was standing room only. Up until now the graduate and professional ceremony has begun at 1 pm and the undergraduate ceremony at 6 pm, but there have been concerns about the evening ceremony – families, guests, and students who attend the evening ceremony (and who may also be moving out of their dorms) have to leave the campus area and drive home after dark, and at a time when inclement weather is likely. Herbst said the proposal to SC involves moving the December Commencement from Memorial Coliseum to Rupp Arena and changing the times of the ceremonies for graduate and professional degrees to 10 am and undergraduate degrees to 3 pm. Because of the proposed time change, however, it was possible that some students who wish to participate in the ceremony will have a scheduled final exam in the afternoon, creating a conflict with the December Commencement ceremony. Cooper commented that he and others in the Registrar's office reviewed the course enrollments for seniors and graduate/professional students and the number of students who potentially could be affected was small.

The Chair explained that the request was for a change to *Senate Rules 5.2.4.7* ("Final Examinations") to allow students with a conflict between a final exam time and their Commencement ceremony to reschedule their final exam time by adding the text below¹ as the new third paragraph under "Students" in *SR 5.2.4.7*:

Any student that has a conflict with a University sanctioned commencement ceremony may reschedule their examination with consultation with their class instructor, for another time during the final examination period. The notice to reschedule must be given to the class instructor no later than two weeks prior to the scheduled examination.

Porter **moved** the motion and Brown **seconded**. There were a number of questions for Herbst and the other guests. Those SC members expressing an opinion were sympathetic regarding such conflicts, but believed that academics needed to come first and students whose final exam times conflict with the changed December Commencement times simply would not be able to attend the Commencement ceremony.

¹ Underline formatting denotes added text.

Brown **moved to amend** the motion as noted below.²

Any student whose name is on the approved degree list who has a conflict ~~with~~ between a final exam scheduled by the Registrar and a University-sanctioned commencement ceremony may reschedule their final examination for another time agreed to by the Instructor of Record during the final examination period. The notice to reschedule must be given to the class instructor no later than two weeks prior to the scheduled examination.

Webb **seconded**. A **vote** was taken on the amended language and the motion **passed** with one opposed.

There was discussion about putting the request on the Senate agenda for September, but without a recommendation from the SC. Grossman **moved** that the SC send the amended proposal to the Senate without a recommendation and Bailey **seconded**. A **vote** was taken and the motion passed with one opposed.

5. Ombud Michael Healy

a. Report for 2014-2015

The Chair invited Guest Michael Healy, the student ombud, to share his 2014-15 report with SC members and he did so. Healy noted that the numbers of contacts were divided into two groups – issues that were resolved in an hour or so and issues that took well over an hour to address. Healy noted that the vast majority of issues were resolved quickly. There were a few questions from SC members. Porter **moved** to accept the 2014-15 Ombud's report and Bailey **seconded**. A **vote** was taken and the motion **passed** with none opposed.

b. Academic Issues for University Senate Consideration

The Chair explained that contrary to the posted tentative agenda for the September Senate meeting, the item on academic issues did not need to be presented to the Senate. Healy explained the two issues. First, regarding absences and the *SR*, the *SR* are clear that if a student has excused absences in excess of one-fifth of class contact hours either the student can withdraw or the instructor can require the student to withdraw. In practice, however, faculty tend to interpret the *SR* in one of two ways – either a student can withdraw/be withdrawn for excused and unexcused absence in excess of one-fifth of contact hours, or if a student has absences exceeding one-fifth of the contact hours the instructor can fail the student. Healy explained that many syllabi are written with one or the other of these two incorrect applications of the *SR*. Although an issue of this type has not yet been the cause of a student's request to appeal a grade, Healy explained that he has extensive communications with faculty about this matter. He noted that one section of the *SR* explicitly says that students shall not be penalized for excused absences, but the one-fifth rule seems to contradict that.

Grossman **moved** to send the issue of the contradiction in *SR* 5.2.4.2 regarding excused absences ["A student shall not be penalized for an excused absence..." and "If attendance is required by the class policies...and if a student has excused absences in excess of one-fifth of the class contact hours for that course...the Instructor of Record may require the student to petition for a "W" or take an "I" in the course."] to the Senate's Admissions and Academic Standards Committee (SAASC) for review and McCormick **seconded**. A **vote** was taken and the motion **passed** with none opposed.

Healy then explained that the second issue he was bringing to SC pertained to the standard of evidence required for academic offenses. While the recent policy endorsed by the Senate regarding faculty disciplinary action included a specific standard of "clear and convincing evidence," the *SR* have no standard of evidence for academic offenses. Although Healy was not sure if giving students the same standard of evidence would make any practical difference in cases of academic offense charges, he noted that some cases with major penalties were fairly significant. He wondered if Senate might want to consider having the standard of evidence in academic offense cases mirror the standard of evidence in

² Underline formatting denotes added text and strikethrough denotes deleted text.

faculty disciplinary cases, as a matter of principle. During discussion, it was established that the standard of evidence is whatever the University Appeals Board (UAB) applies. Healy noted that a review of the language in the subsequent section of the *SR* involved a preponderance of evidence for cases arising in colleges with honor codes.

Porter **moved** to send the issue of the standard of evidence in academic offense to the Senate's Admissions and Academic Standards Committee (SAASC) for review and Grossman **seconded**. A **vote** was taken and the motion **passed** with none opposed.

6. Tentative Senate Agenda

SC members began discussing the tentative Senate agenda for the September 14 Senate meeting. The Chair noted that agenda item 6b ("Academic Issues for University Senate Consideration") could be removed and there were no objections.

Interim Dean of the Graduate School Susan Carvalho arrived and the Chair suggested returning to the item on honorary degrees. There were no objections.

2. Degree Recipients

a. Two Honorary Degree Nominees - Interim Graduate School Dean Susan Carvalho

Guest Carvalho, chair of the University Joint Committee on Honorary Degrees (UJCHD), presented the two nominees for honorary degrees, to be conferred at the December 2015 Commencement ceremony. There were a few questions from SC members.

Wilson **moved** that the elected faculty senators of the SC approve the recommendation of an Honorary Doctor of Engineering for honorary degree candidate MC for submission to the University Senate and then through the President to the Board of Trustees, as the recommended honorary degrees to be conferred by the Board of Trustees. Grossman **seconded**. A **vote** was taken and the motion **passed** with none opposed.

Grossman **moved** that the elected faculty senators of the SC approve the recommendation of an Honorary Doctor of Letters for honorary degree candidate NW for submission to the University Senate and then through the President to the Board of Trustees, as the recommended honorary degrees to be conferred by the Board of Trustees. Wilson **seconded**. A **vote** was taken and the motion **passed** with none opposed.

6. Tentative Senate Agenda

SC members continued discussing the Senate agenda. Because there was a possibility that SC's agenda item number eight could result in another agenda item for the Senate meeting, the SC opted to review the tentative Senate agenda after the discussion on matters of faculty privilege.

7. Graduation Composition and Communication Requirement Advisory Committee - 2015-16 Activities

Guest Ben Withers, associate provost for undergraduate education, offered SC members some background information on the history of the Graduation Composition and Communication Requirement (GCCR) and its associated advisory committee. Withers explained that the two individuals who recently served as co-chairs for the GCCR Advisory Committee were unable to serve in that capacity for 2015-16. Withers had spoken with two faculty members about serving as co-chairs this year and both individuals agreed. One of them, however, was not a member of the GCCR Advisory Committee, although she had been active in that area. Because committee chairs typically come from the pool of members, Withers asked for SC's approval to appoint Jane Jensen (ED/Educational Policy Studies and Evaluation) to the GCCR Advisory Committee. McCormick **moved** to appoint Jensen to the GCCR Advisory Committee and Mazur **seconded**. A **vote** was taken and the motion **passed** with none opposed.

Withers then requested the SC's blessing to name Jensen and Scott Yost (EN/Civil Engineering) as co-chairs for the GCCR Advisory Committee. Grossman **moved** the motion and Mazur **seconded**. A **vote** was taken and the motion **passed** with none opposed. In response to a question from the Chair, Withers

said that the GCCR Advisory Committee could give a report on its activities at a time convenient to the SC.

8. Discussion on Senate's Role in Matters of Faculty Privilege

Bailey presented a resolution to SC members that he suggested be sent forward to the Senate:

Whereas, The University Senate has the responsibility to advise the administration on matters of privilege and tenure; and

Whereas, The deliberative actions taken by the administration may preclude a faculty member from directly requesting consideration by the Senate, Senate Council or Senate Advisory Committee on Privilege and Tenure; and

Whereas, Failure of the University Senate to provide effective advice may have adverse consequences for the University of Kentucky; therefore,

Resolved, The University Senate acknowledges and encourages that University of Kentucky employees share the responsibility of identifying cases needing consideration by the Senate Advisory Committee on Privilege and Tenure under S.R. 1.4.4.2. Specifically, petitioners may be any employees of the University and need not be those directly involved in the question.

There was extensive discussion among SC members about the resolution itself, if the resolution would accomplish what it was intended to do, and if there were other options available to SC to accomplish the sense of the resolution. Grossman **moved** to send to the Senate's Rules and Elections Committee (SREC) the idea for a proposed rule change to address the potential issue of an administrative ban on a faculty member using email/contacting colleagues that results in a faculty member being unable to access the Senate's Advisory Committee on Privilege and Tenure. Bailey **seconded**. After additional discussion, Grossman **called the question** and Bailey **seconded**. A **vote** was taken and the motion to cease debate **passed** with one opposed.

A **vote** was taken on the motion to send to the Senate's Rules and Elections Committee (SREC) a proposed rule change to address the potential issue of an administrative ban that results in a faculty member being unable to access the Senate's Advisory Committee on Privilege and Tenure. The motion **passed** with none opposed.

6. Tentative Senate Agenda

Bailey **moved** to approve the revised Senate agenda [removal of agenda item 6b] and Mazur **seconded**. A **vote** was taken and the motion **passed** with none opposed.

The Chair noted that agenda item number nine would not be discussed during the day's meeting. Watt **moved** to adjourn and Porter **seconded**. A **vote** was taken and the motion **passed** with none opposed. The meeting was adjourned at 5:17 pm.

Respectfully submitted by Andrew Hippisley,
Senate Council Chair

SC members present: Bailey, Biery, Brown, Gower, Grossman, Hippisley, Kraemer, McCormick, Mazur, Mullen, Porter, Watt, Webb, and Wilson.

Invited guests present: Anna Bosch, Susan Carvalho, Sean Cooper, Drew Crawford, Michael Healy, Ben John Herbst, Ben Withers, and Connie Wood.

Prepared by Sheila Brothers on Wednesday, September 2, 2015.