

Senate Council
December 4, 2017

The Senate Council met in regular session at 3 pm on Monday, December 4, 2017 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 Katherine M. McCormick called the Senate Council (SC) meeting to order at 3:00 pm.

1. Minutes from November 20, 2017 and November 27, 2017 and Announcements

The Chair reported that there were a few edits received for the November 27 minutes. She displayed the changes on screen and hard copies of the changed language were shared with the members. Bailey **moved** to approve the minutes from November 27 and Bird-Pollan **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

The Chair offered SC members an update on the search process for a new provost. She also noted that the afternoon's celebration for departing SC members would be at the Tin Roof.

The Chair returned to approval of the minutes from November 20. She noted that there were no edits submitted. There being **no objection**, the minutes from November 20 were **approved** as distributed by **unanimous consent**.

2. Old Business

a. Non-Degree Seeking Students and Enrollment in Undergraduate Certificates (*Senate Rules 4.2.8* ("Undergraduate Certificates"))

The Chair asked Grossman to explain his suggestion. Grossman alluded to topics discussed at the October 30, 2017 special Senate meeting and President Eli Capilouto's comments on innovation and disruption. Grossman explained that currently, the *Senate Rules* prohibit a student from earning only an undergraduate certificate – a student must be in degree-seeking status in order to also earn an undergraduate certificate. Grossman suggested that allowing a student to enroll as an undergraduate and solely be seeking an undergraduate certificate could be beneficial to many individuals already in the workforce. There was lively discussion among SC members, who all indicated support for the possibility of allowing a student to not be in a degree-seeking status but be eligible to earn an undergraduate certificate. During discussion, SC members brought up a handful of aspects of such a change that would need to be addressed, such as how students would be charged tuition and what the admissions process would look like.

Grossman **moved** that the SC ask the Senate's Admissions and Academic Standards Committee (SAASC) to consider the possibility of changing *Senate Rules 4.2.8* ("Undergraduate Certificates") to allow non-degree seeking students to pursue an undergraduate certificate. During discussion, SC members thought of a variety of issues that would need to be addressed, such as how tuition would be charged and what the admissions process would be. Grossman suggested he **amend the motion** so that the charge to the SAASC would include evaluating what barriers would need to be overcome. The Chair suggested that after the SAASC's deliberations, the SC could discuss the results at the summer retreat.

Bird-Pollan **seconded**. There being no further discussion, a **vote** was taken and the motion **passed** with two opposed and one abstained.

3. Degree Recipients

a. December 2017 Degree List

Wood **moved** that the elected faculty members of SC approve UK's December 2017 list of candidates for credentials, for submission to the President to the Board of Trustees. Mazur **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

4. Committee Reports

a. Senate's Admissions and Academic Standards Committee (SAASC) – Herman Farrell, Chair

i. Proposed Change to PhD Music

Guest Herman Farrell (FA/Theatre), chair of the Senate's Admissions and Academic Standards Committee (SAASC), explained the proposal. There were a few questions from SC members. A **vote** was taken and the motion **passed** with none opposed.

5. Tentative Senate Agenda for December 11, 2017

The Chair reviewed each proposed agenda item for the December Senate meeting. Both Grossman and Blonder intended to participate in Board of Trustees-related committee meetings during the time when Senate would be meeting. The Chair invited them to send in comments she could share with senators on their behalf, or she could simply let senators know the faculty trustees were attending to Board-related meetings.

There was a brief sidebar about details pertaining to the provost search, candidate forums, and when an announcement is expected about the chosen candidate.

Bailey **moved** that the SC approve the tentative Senate agenda for December 11, 2017 as an ordered list, with the understanding that items may be rearranged to accommodate guests' schedules. Cross **seconded**. A **vote** was taken and the motion **passed** with none opposed.

6. Officer Elections

a. Incoming Chair (term of June 1, 2018 – May 30, 2019)

The Chair welcomed Guest Roger Brown (AG/Agricultural Economics, chair of the Elections Subcommittee of the Senate's Rules and Elections Committee (SREC)). She suggested that the process begin with the candidates having five minutes to address comments or thoughts. She indicated that Cross, the parliamentarian, was prepared to ask candidates to draw a number from a hat to determine the order of speaking. Tagavi said he was uncomfortable with having five minutes to offer comments and the news that voting ballots would not be secret. He also asked for information on how the order of candidates drawing a number would be determined. Cross stated that the Chair had the authority to determine an appropriate length of time for candidate comments. Tagavi also objected to the candidates' statements having been listed in alphabetical order by last name and asserted that the members of the SC had the authority to set procedures, not the Chair. The Chair noted that the comments were not given to candidates (and SC members) until the prior day [Sunday] and she explained that she proposed at the November 27 meeting that time be set aside for candidate comments and no SC member had objected to that.

Cross apologized for having overlooked the need for SC ballots to be identified by name, stating that it was required by Kentucky's open meetings law. Cross **moved** to amend the originally approved election procedure [that would have been in conflict with KRS chapter 61] by removing "secret" from the first paragraph of the "election procedures" file and also adding to that paragraph "and on the back of the ballot write their own names." Mazur **seconded**.

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Wood asked for clarification that the SC Chair was eligible to vote in the election for chair. Cross commented that the Senate Rules were clear in that all voting members of the SC were eligible to vote for the position of chair. Brown said that the position of chair is always a voting member of the SC, within the provisions of Roberts Rules of Order (Newly Revised) (RONR) and that aspects relating to small bodies and secret ballots were all relevant. Wood stated that the voting could be done by roll call, in which case RONR was clear that the Chair could vote. Blonder concurred, but noted that RONR also stated that the Chair must vote last in a roll-call vote. [Because there were no further comments about the Chair's right to vote in the election for chair, it was presumed that the Chair did indeed have the right to vote in the election for chair.]

Tagavi opined that there was a difference between voting for a motion and voting in an election as it pertained to open records and he asserted that there had never been a way to ascertain who voted for which candidate in past SC or trustee elections. Wood stated that the records from those elections were not secret and if required to, the SREC would be obliged to report details of electronic votes. Cross asserted that the SC is a public agency and that Kentucky's Attorney General, whose opinions regarding open meetings and open records carry the force of law, has made it clear that votes must be identifiable. Cross clarified that trustee elections may not be subject to this type of openness because the faculty at UK are not regarded as a public agency, unlike the SC, which is considered to be a public agency. Tagavi again asserted that during one election process that he participated in, there was no way to tell who voted for what candidate, although it was feasible to know if a person had voted. Blonder opined that the Senate had historically made some mistakes in this area. For example, there was no record of how individual senators voted until the voting clickers were purchased and put into use. Blonder asserted that past practices were not a justification for not complying with state law. Tagavi stated that RONR differentiated between votes for motions and votes for elections. Cross explained that the SC was governed by state law and the content of individual votes must be identifiable to the public. Discussion continued. The Chair commented that she checked with Deputy General Counsel T. Lynn Williamson, UK's open records expert. The Chair reported that Williamson confirmed that the planned procedures (having identifiable voting ballots) was the correct and appropriate procedure. She noted that just like any other action occurring on campus, the votes would be saved by Ms. Brothers and accessed only if someone requests them.

The Chair reminded SC members of the **motion** to amend the originally approved election procedure [that would have been in conflict with KRS chapter 61] by removing "secret" from the first paragraph of the "election procedures" file and also adding to that paragraph "and on the back of the ballot write their own names." There was no further discussion. A **vote** was taken and the motion **passed** with none opposed and one abstained.

Cross wrote the names of the candidates on slips of paper and placed them into a hat. He asked Ms. Brothers to draw names and the order of the names drawn would dictate the order of candidates' comments. Tagavi, Schroeder, and then Bird-Pollan all offered comments within the five-minute time frame. When Bird-Pollan was finished speaking, Brown asked for confirmation that the Chair was allowed to vote and those present affirmed the Chair's right to vote in the election. Brown asked for assistance counting the ballots and Grossman volunteered, noting that he was not a voting member of the SC. Ms. Brothers handed out blank ballots and Brown explained the voting process. SC members then each wrote the name of their preferred candidate on their ballot. There was a two-minute break while Brown and Grossman departed the room to count the ballots.

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When Brown returned, he announced that Tagavi received two votes, Schroeder received three votes, and Bird-Pollan received seven votes. He declared that Bird-Pollan was elected as the incoming SC chair.

b. Incoming Vice Chair (term of June 1, 2018 – May 30, 2019)

Grossman **nominated** Schroeder to serve as vice chair and Schroeder **accepted**. There was general discussion about who was eligible to vote and Brown noted that the *Senate Rules* explicitly limited the candidates for vice chair to the elected faculty members of SC. Below is the list of duties generally prescribed to the vice chair, although some activities were customary and not codified in the *SRs*.

- Preside during meetings if the chair is absent.
- Review Senate minutes prior to their distribution to senators.
- Oversee the Outstanding Senator Award process.
- Serve as one of the three members of a subset of the SC on the [second] Reinstatement Committee.
- Serve on the Committee on Committees.
- Oversee the SC's survey of faculty in regards to the President's annual performance evaluation.

After a question from Lauersdorf, Brown explained that if the chair's position became vacant, the vice chair would fill the remainder of the chair's term. Blonder added that a chair might consider asking their vice chair to participate in one or more commencement ceremonies.

Lauersdorf **nominated** Blonder. Blonder **declined** the nomination. Cross **moved** to cease nominations and elect Schroeder by acclamation. Grossman **seconded**. A **vote** was taken and the motion **passed** with none opposed.

c. Vice Chair (Replacement for Bailey, term of January 1, 2018 – May 30, 2018)

The Chair explained that Bailey would be on sabbatical during the spring semester and that the SC needed to identify a replacement for him. Cross **nominated** Bird-Pollan to serve as vice chair in Bailey's place and she **accepted**. There was minimal discussion. The Chair asked if there were additional nominations to serve as Bailey's replacement. Cross **moved** to cease nominations and elect Bird-Pollan by acclamation. Grossman **seconded**. A **vote** was taken and the motion **passed** with none opposed.

7. Items from the Floor (Time Permitting)

Lauersdorf suggested that SC codify the election process for SC officer elections. SC members discussed the pros and cons of codification of voting processes. Lauersdorf commented that the duties of the vice chair should be laid out more specifically in the *SRs*, too.

Cross **moved** to charge the SREC with codifying the officer election procedures in the *SRs*, along with the responsibilities of the chair and vice chair. Lauersdorf **seconded**. A **vote** was taken and the motion **passed** with none opposed and two abstained.

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Mazur said she wanted to thank Brown for his work regarding elections and ensuring the process was on the straight and narrow path.

Childress asked to give a brief update on the proposal for a fall break. He said that there was a written proposal, but he wanted to have the endorsement of the Student Government Association (SGA) prior to bringing it to the SC. He said the proposal will be reviewed by the SGA in early spring, hopefully in January, and it can come to SC immediately thereafter. The Chair commented that Childress had done a good job of soliciting input and support from the administrative units that would be most impacted.

Bailey asked about the status of the Blue-Ribbon Committee on Graduate Education. The Chair said it was her understanding that the group was sticking closely to its proposed timeline but that no details had yet been shared with the Chair. The Chair added that she thought the report would be presented to either Provost Tim Tracy or to the next provost. The next provost would likely present that report to SC and Senate in early spring. The Chair said that the Committee's final report was due December 11 for Committee members to review. It will be shared with faculty councils, deans, students, and others on or around January 8, and there would be campuswide forums on January 22 and 26.

SC members then chatted about a variety of issues, including: necessary, Honors-related changes to the *Senate Rules*; reviewing the Advisory Committee for Graduation Composition and Communication Requirement (ACGCCR) and its recommendations that Senate tabled well over a year ago; and the current federal-level activities regarding tax plans.

Cross **moved** to adjourn and Schroeder **seconded**. SC members departed and the meeting was adjourned at 4:37 pm.

Respectfully submitted by Katherine M. McCormick,
Senate Council Chair

SC members present: Bailey, Bird-Pollan, Blonder, Childress, Cross, Grossman, Lauersdorf, McCormick, Marr, Mazur, Schroeder, Tagavi, and Wood.

Invited guests present: Roger Brown, Jonathan Glixon, and Herman Farrell.

Prepared by Sheila Brothers on Friday, December 8, 2017.