The Senate Council met in special session at 9:30 am on Monday, May 24, 2021 in the Brockman Senate Chamber in the Gatton Student Center. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise. Senate Council Chair Aaron Cramer called the Senate Council (SC) meeting to order at 9:30 am.

The Chair instructed SC members attending in-person how to use the microphone when speaking and noted refreshments were in the back of the room.

1. Minutes from April 26, 2021 and Announcements

The Chair reported that no edits were received for the set of minutes from April 26, 2021. There being **no objections**, the set of minutes from April 26, 2021 were **approved** by **unanimous consent**.

The Chair explained that he served as an ex officio member on the Regulations Review Committee and reported that revisions to *Administrative Regulations (AR) 5:4* (“Enrollment of Graduate Medical Education Residents and Fellows (House Staff)”) and *AR 5:5* (“Grievance Procedure for House Officers”) related to Graduate Medicine Education (GME) were requested. The Chair explained that in his opinion, the changes were not substantive enough to require further Senate input.

The Chair reported actions that were taken on behalf of SC and Senate, which included:

* On May 19th, the Chair approved changes to K Week dates, making it one day shorter for Fall 2021. He noted that the academic calendar was updated to reflect the change.
* On May 20th, at the request of the College of Pharmacy, the Chair approved a waiver of the language in *Senate Rules (SR) 5.5.2.2* regarding the calculation of GPA for degree honors for the PharmD 2021 cohort. Specifically, the standard historical calculation method involving earned hours versus quality hours be permitted for the purposes of determining honors status for the 2021 PharmD cohort. The Chair asked the faculty of the College of Pharmacy to develop a proposal to the Senate to resolve this issue.

2. President Eli Capilouto, University Senate Chair (9:30 – 10:30 am)

The Chair welcomed President Eli Capilouto and SC members introduced themselves.

President Capilouto shared that the Chair recently stood beside him at all ten UK commencement ceremonies with over 4,000 students who graduated. He commended the logistics team for their attention to safety and thanked everyone for coming together to make the day possible. He noted that although it was a different way to hold commencement, it was still a very powerful experience.

President Capilouto shared the recent success of the UK women’s softball team and noted how good it was to see people assembling safely together. He explained how student athletics are funded and noted how sports transform the lives of these student athletes.

The floor was opened for conversation which included:

* Grossman (AS) asked if there were updates about revising the textbook policy. He commented that the current policy is unfair in some circumstances and encouraged administration to look at the regulation. Vice Provost Larry Holloway responded that there were several rounds of discussion about the policy, but he would need to follow up about where they are in the process. Grossman expressed his willingness to serve if there were to be a committee looking at the issue. President Capilouto asked Grossman to elaborate on what is unfair to faculty. Grossman responded that the policy does not make any distinction between an instructor writing up notes to sell to students versus having a textbook published. He noted the difficulty in calculating proceeds that the textbook policy requires the instructor to give away.
* Bird-Pollan (LA) recognized that several people in various parts of administration are in acting positions and expressed her hope that the process of making these positions more permanent would continue to involve faculty. She noted that despite the difficulties of Covid, there have been impressive candidates for provost and president searches at other major research universities recently. She expressed her hope that UK will also see this in their searches this fall. President Capilouto expressed that he expects good candidates when they launch a national search in the fall. He noted the importance of listening to many voices in the process.
* The Chair asked the President if he could speak about the next steps of the Vice President of Institutional Diversity search. President Capilouto explained the process which included identifying and interviewing candidates recommended by the search committee, candidate interviews with the President’s administrative team (Including the SC Chair, Staff Senate Chair, and Student Government Association (SGA) Chair), debriefing both groups, and then following up with the candidates to invite them to campus.
* Cantrell (ED) asked the President to elaborate on how he plans to fulfill his commitment to be more involved with the Senate. President Capilouto explained that in his role as Senate Chair, he will be present more often at SC and Senate meetings. He and his administrative team will be paying more careful attention to matters that SC and Senate addresses. He also emphasized the importance of healthy relationships and the work it takes to cultivate them.
* Trustee Blonder (ME) asked the President about what the plans for the next academic year are for Covid surveillance and mitigation and if Health Corps will remain operational. President Capilouto explained the University’s intention for the Fall 2021 class schedule be similar to Fall 2019. He expressed the University’s belief that contact and connection in a safe environment is important to students’ wellbeing. He also explained that they will be turning to the Start Team for their expertise about mitigation testing and noted the consistently low positivity and high vaccination rates on campus. He elaborated on how vaccination boosters might be implemented
* Duncan (ME) requested more specific information about the Fall 2021 semester. College of Medicine Dean Robert DiPaola reported that they are having discussions about the fall and explained that additional safety precautions may be required as they monitor the environment. Duncan also commented on the importance of protecting students’ family members and patients that students interact with.
* Hall (GS) asked if there has been any discussion about mitigation to the wider external community. President Capilouto explained that UK Heath Care protects and mitigates thousands of people each day who are treated at and visits their facilities. He emphasized the importance of getting the community vaccinated and noted the mass vaccination site set up by UK had administered 247,000 does. He explained the importance of using extension centers run by the College of Agriculture, Food and Environment as another avenue for vaccine distribution.
* Vincent (BE) commented on the importance of getting information about the return in the fall out to faculty to alleviate some of their concerns and anxieties. President Capilouto expressed his hope that anxiety is reduced with each passing day. He noted the importance of delivering curriculum in a way that is expected by students and their families and maintaining fairness and consistency in making decisions.
* Oltmann (CI) asked about the development of UK’s next strategic plan. President Capilouto explained that although much of the work on the next strategic plan was suspended with the onset of Covid, that some components continued. He expects that there will be work done over the summer and there will be advancement this fall. He noted many parts of the plan presented by Vice President for Research Lisa Cassis can be integrated into the next strategic plan. He shared some of the feedback from his listening tour that should be considered for the next strategic plan including educational trends, changing revenue models, holistic health, diversity, and the work life survey.
* Grossman (AS) thanked and congratulated President Capilouto for raising the minimum wage to $15 an hour. The President commented on the positive response he has received and the impact it will have for families.
* Collett (HS) asked for more information about how the new performance measures will be implemented with the proposed budget. President Capilouto expressed his willingness to come back and present the details and emphasized the importance of sharing this information to make sure everyone understands. He noted that only a small fraction of the budget fluctuates, and they are working to introduce ways to recognize values and drivers of the University.
* Hawse (SGA) asked the President if he expects raises in tuition and fees to stay low going forward. President Capilouto explained that there is very little flexibility when it comes to the price of traditional education.
* Oltmann (CI) asked how the University is working on diversity through recruiting and retention of students and faculty of color. President Capilouto recognized that everyone’s actions create the community. He noted the use of retention funds used to retain faculty, increases in student enrollment, and college level efforts. He also responded to Oltmann about being more intentional about developing opportunities and recourses for the advancement of faculty of color.
* Hall (GS) explained that students are savvy shoppers who research diversity when selecting a university and noted that the University of Tennessee has been successful in the recruitment of faculty and students of color. He emphasized the importance of rethinking, reimagining, and being more aggressive in recruitment. President Capilouto agreed.
* Duncan (ME) expressed concern about targeted faculty hires of opportunity in the College of Medicine acting against diverse applicants. College of Medicine Dean DiPaola agreed that they need to continue working to standardize processes.
* Bird-Pollan (LA) asked for an update about the mural in Memorial Hall. President Capilouto explained that the commitment to remove the mural stands but they desire not to destroy it. The building is not currently being used.
* Grossman (AS) asked if UK might reconsider how hate speech is handled. President Capilouto explained that it depends on the context. Grossman asked if there was any movement on changing the policy to address hate speech in a more satisfactory way. The President explained that there is a workstream responsible for speech and shared some of their preliminary findings. There was discussion that included regulation of student speech at other universities, transparency of bias incident reports, actions taken as a result of previous discussions, and faculty disciplinary actions. The President commented that there is still more work to be done.

The Chair thanked President Capilouto for joining the SC for a productive conversation.

Break (10:30 – 10.45 am)

3. Update from Senate Rules Workgroup (10:45 – 11:30 am)

The Chair explained the purpose of the SR Workgroup and recognized its members. He noted issues the workgroup has considered which include:

* Broadening SR understanding and authority.
* Making SRs more accessible.
* Including a more complete glossary of terms and style guide.
* Better defining processes that handle Senate business.
* Using active voice.
* Using terminology that doesn’t depend on specific technology or administrative arrangements.

The Chair opened the floor for conversation about the direction of the workgroup. SC offered some comments, listed below.

* Overall approval of the workgroup’s direction.
* Some references in the SRs are moving targets. Not all administrative titles can be removed.
* It is hard to predict technology in the future, but outdated technology in the SRs should be addressed.
* Streamline updates by creating an index to the SRs referring to specific administrative positions.
* Italicize words in the SRs that appear in the glossary.
* Use hyperlinks for cross-references, glossary words, etc.
* SRs should be more of a constitution documenting the guiding principles. It should be no more than 20 pages.
* The University generally finds the SRs unhelpful and unproductive.
* What will the Senate’s role be in the oversight of non-credit-bearing education?
* The SRs could become two documents which include a constitution and governing codes.
* Too much time is spent by the Senate approving SR changes. Some changes, like apportionment, should be approved at the committee level. There was concern expressed about maintaining checks and balances if committees were empowered in this way.
* Change the SRs from a Word document to a html website.

The Chair reported that work on the SR would start in the summer and invited SC to share their feedback.

4. Aspects of Senate’s Curricular Approval Process

a. Suspension/Closure and SACSCOC Requirements (11:30 – 12 pm)

Assistant Provost for Strategic Planning and Institutional Effectiveness Annie Davis Weber reported that the SRs recognize a program closure when admissions have been suspended for a year, but the Southern Association of Colleges and Schools (SACS) only recognizes openings and closures, not suspensions. Therefore, for external purposes, suspensions need to be identified as closures. In order to remain in compliance, her office will need to send teach out plans to SACS before admissions are stopped. She clarified that eliminating a modality/completion option will require a teach out plan that includes an explanation of how faculty and students are notified and involved in the decision-making process. There was discussion about what it means to close one modality when the degree is still offered by another modality. There was a suggestion to require new programs to include a teach out plan. There was some discussion about if closures need to be considered by Senate Committees and if using a transmittal system is an appropriate way to determine if a committee needs to review it. SC agreed that the main issue is to make sure that no one is blind-sided by a closure. There was a suggestion that Senate’s Academic Planning and Priorities Committee could review these suspensions/closures. The Chair confirmed with Weber that it is okay to wait until early fall for Senate to decide.

Lunch (12 – 1 pm)

b. Senate’s Discussion on Distance Learning (DL) Approvals (1 – 1:45 pm)

The Chair reminded SC of the DL report and Senate discussion during the spring semester. He asked for feedback about possible next steps. SC offered some comments, listed below.

* Have different policies for undergraduate and graduate courses.
* Review of proposals may not be as critical for courses that are already approved and asking for DL.
* Quality control could be set up first and then a pilot program run.
* Undergraduate Council (UG) is concerned because so many proposals are noncompliant.
* Training and oversight in departments and colleges is already an issue.
* It is important to get administrative buy-in.
* An appropriate place to start with training would be with the associate dean in each college that is responsible for communication. If the quality of proposals improves, UC may be more willing to release some of their authority.
* Since feedback only goes to proposers and not the committee that reviewed the proposals, there may be an issue with the feedback loop. There needs to be broader awareness when an issue is flagged.
* DL needs to be defined but policy doesn’t have to change.
* There was Senate support for leaving the approvals in place.
* UC needs to be monitored to make sure that they are following Senate requirements.
* There was concern expressed for the UC workload.
* What is happening between the colleges and Senate apparatus?

The Chair asked if there were any objections to leaving the approval process as it is and promulgating the DL statements. There were no objections. He noted that expectations of the councils may need to be reset.

5. Discussion on Senate Rules 1.2.3.3 (“Agendas and Action Items”) (1:45 – 2 pm)  
The Chair reminded SC of the “10 Senator Rule” which was enacted during the spring and asked for feedback about how it is working. SC offered some comments, listed below.

* There is the potential for political conflict if the rule were to be changed.
* The rule is rarely invoked, but it was invoked appropriately during the spring. It should be left alone.
* This mechanism is important because it allows the voice of the people to be heard.
* Only 10 senators are a low threshold for a body of our size.
* Concern was expressed about the potential for inappropriate content and protecting the limited amount of time that Senate meets.
* A percentage of the Senate would be better than just a set number.
* The issue of a threshold does not seem to be a big enough issue to deal with currently.
* There is a political cost of adding some Senate agenda items.
* It may be perceived that SC is trying to keep some people from speaking.
* There are two, ten senator rules. One stipulates 10 senators (includes deans, ex-officio, elected senators, etc.) to add an agenda item to the Senate meeting. The other rule stipulates 10 elected senators to call a special meeting.
* Some of the discomfort with the item that was added in the spring was because, so few senators understood what it was about. Raising the threshold would require more communication prior to being added on an agenda.
* The Senate should explain that there is a limited amount of time at Senate meetings and items that are out of the purview of the Senate and are not educational policy cannot be added to Senate meeting agendas.
* Does having this rule hurt shared governance?
* It is more democratic to allow more people to speak, but that may hurt the ability of students and faculty to participate in shared governance.
* Both the agenda and special meeting rules should be changed to be 20% of elected senators.
* Concern was expressed about waiting to change the rule. It would be better to make the change before there is an issue.
* SC has the right to engage with individuals but not people as representatives of organizations that are not recognized by the University.

The Chair recognized the importance of having conversations about the rule but noted that no action is needed at the present time.

Break (2 – 2:15 pm)

6. Pandemic-Related Discussions

a. Framework for Fall Modalities (2:15 – 2:45 pm)

The Chair reported that he shared SC’s comment on the document circulated about fall modalities with Vice Provost Larry Holloway. Vice Provost Holloway shared his thoughts on a path forward to resolve SC’s concerns. He explained that if a course goes online, and it is not DL approved, then it will need Senate approval. He noted that they wish to minimize change for students who have already registered for their courses. He asked SC for their help in organizing a process to allow exceptions to take place.

College of Medicine Dean Robert DiPaola addressed some of the complexities of returning to campus in the fall and the asked for feedback about who is the most appropriate people to be making decisions about accommodations. SC offered some comments, listed below.

* Everyone has a different level of risk they are willing to take. Two-way dialog is important in resolving the varied issues.
* Concern was expressed about committees rather than department chairs making decisions about accommodations. There will be varied reasons for accommodations that might be easier to discuss with a chair rather than a committee.
* The preference was expressed that Senate give approval for changes in modality in the fall.
* The Chair asked SC what criteria they would like for approval and what action they would like him to take on their behalf in cases that are allowed.
* While there is uncertainty about Covid, faculty should still be allowed discretion this semester.
* There should be flexibility given to students and faculty to help alleviate anxiety.
* The University should mandate the vaccine.
* Faculty have been encouraged over the last year to submit their requests to teach online. The University has been generous during Covid and it is time to get back to regular processes.
* Student concerns about Covid during the fall need to be addressed.
* It is a disservice to change modality at such a late date. Faculty have different views on the appropriate way to deliver content in their programs.
* Faculty need to be trusted that they are making legitimate concerns.
* The decision of how to best deliver content is best made by the unit.
* There is no appeal process for students who feel uncomfortable about class modality.
* Not all requests to teach online are about fear or safety and are based on convenience.
* There should be flexibility to teach online, but the integrity of the program should be considered. Concern was expressed about allowing just the department chair to make the decision about online instruction.
* Flexibility with students is important.
* Dean DiPaola noted that the University traditionally has a very residential based experience and that it is beneficial for students to have a community. The outlook going into the fall looks safer all the time so how should the University handle requests for accommodation if they start coming in at a higher volume?
* If a faculty member is uncomfortable, they should talk to their chair and consult with the health and safety committee. If that is unsuccessful, then their chair should consider teaching assignments. Beyond that, it should be considered if the person’s course can be changed and the department should vote on it which is a big ask. The person may need to take a leave or change of assignments.
* Student input is needed if switching modality.
* Concern about timing was expressed, especially if getting student input.
* A survey of faculty and students should be done to see what they think.
* There was concern expressed if faculty were to have to go in front of their peers to ask for an exception. It could make them vulnerable.
* The Chair noted that the document sent to them described having the department chair decide on behalf of the faculty.
* Concern about crowded classrooms was expressed and it was suggested that masks be required.

Dean DiPaola expressed his appreciation for everyone’s thoughtful input. He noted that there needs to be work done to help department chairs have discussions with faculty seeking accommodation. He invited anyone with more comments to reach out to him.

The Chair asked SC if they were broadly comfortable with him continuing the conversation about requiring Senate approval. SC agreed.

b. Managing Fall University Senate Meetings (2:45 – 3:15)

The Chair asked SC for their feedback about modality of Senate meetings in the fall. SC offered some comments, listed below.

* Prefer meeting in-person because dialog is better.
* Prefer giving people the option to join online/call in if they are unable to attend in person.
* There is a cost associated with reserving rooms in the Gatton Student Center and some other rooms on campus.
* Concern was expressed about the integrity of voting if part of the lectorate is not physically present.
* It was suggested that guests Zoom in to SC meetings so that members can attend in person.
* People were more engaged in online Senate meetings, but online SC meetings were the opposite.
* It is possible to allow people to observe Senate meetings online without participating.
* Bigger spaces with better AV like Kincaid Auditorium or the courtroom in the Law building would be better than the library.
* There seemed to be better attendance and participation using Zoom.
* Senate meetings over Zoom seem to be the only viable option.
* SC should meet in person, but Senate meetings should be hybrid.
* Senate meetings should be either in-person or online only, not hybrid.
* We need to make sure we have appropriate technology for secure voting.

The Chair explained that the SC Office will investigate room and technology options to see what is viable and noted that the Senate’s decision will be scrutinized.

7. Senate Committee Chair Review (3:15 – 3:30 pm)

The Chair reminded SC of the list that was sent to them with current Senate Committee Chairs ask asked for their input. There was discussion about possible candidates to fill vacancies.

The meeting was adjourned at 3:28 pm with **no objections**.

Respectfully submitted by Aaron Cramer,

Senate Council Chair

SC members present: Bird-Pollan, Blonder, Cantrell, Charnigo, Collett, Cramer, Duncan, Grossman, Hall, Hawse, Oltmann, and Vincent.

Guests present: Sheila Brothers, Annie Davis Weber, Robert DiPaola, Joanie Ett-Mims, Larry Holloway, and Davy Jones.

Prepared by Stephanie Woolery on June 25, 2021.