

Senate Council
October 1, 2007

The Senate Council met at 3 pm on Monday, October 1, 2007 in 103 Main Building. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise.

Chair Kaveh A. Tagavi called the meeting to order at 3:04 pm.

1. Minutes from September 17 and Announcements

The Chair asked if there were any suggestions regarding the minutes from September 17. Finkel requested that the language documenting the changes to the *Senate Rules (SR)* include the effective date. Mrs. Brothers agreed to do so. With those changes, the minutes from September 17 to be amended were approved.

With regard to the agenda, the Chair said that guests who were attending the meeting to discuss agenda item number five would probably arrive around 4:30 pm. On a separate topic, the Chair reported that Piascik had let the Office of the Senate Council know she would be absent from the day's meeting.

The Chair granted Lesnaw's request to address the Senate Council (SC). Lesnaw referred to recent news reports regarding logging that seemed to be imminent in Robinson Forest. She said that many of her colleagues at UK and at other regional institutions, as well as other groups and individuals in the state, were equally passionate about possible logging in Robinson Forest. Lesnaw said that what was in question was the merit of the proposed scientific experiment that, in essence, called for logging tracts of forest to see the results. She spoke strongly against logging in Robinson Forest and noted that other faculty had asked her if the SC and University Senate (Senate) were planning on taking action on the matter. She asked for input as to whether the issue was appropriate to discuss at a future meeting but opined that the SC would be remiss if it did not at least discuss the issue.

The Chair asked if there were any other comments. Randall stated that if the issue were to be discussed, someone should be invited to give a balanced, objective report. Wood expressed agreement with Randall. She said that it had been many years since logging in Robinson Forest had been a major discussion item and that she had little knowledge of what had happened in the time since. Wood asked that a brief history be included in any presentation.

SC members then discussed bringing the issue to the Senate. The Chair said that when it came time to approve the tentative agenda for the October 10 Senate meeting, the discussion should continue. Dembo arrived at this point.

The Chair explained that he had a number of announcements, beginning with one about the oral communications suspension. At the September 11, 2006 Senate meeting, the Senate voted to extend until Fall 2009 the suspension of the oral communications requirement (meaning the incoming class of 2009 would be the last class for which the requirements were suspended) and to request a report from the University Studies Committee on the progress for a solution, to be submitted to the Senate Council by the end of January 2007.

In reply to a query by the Office of the Senate Council, the Associate Provost for Undergraduate Studies reported that due to the ongoing reform of general education/USP at UK, the oral communications issue would not be reviewed by the University Studies Committee until the reform activities began to involve discussions about specific course inclusion.

Finkel opined that not having a report ready, in light of the revisions to the general education program, was appropriate. If the revisions to the general education program were not instituted, a report could then be requested. Provost's Liaison Greissman concurred.

The Chair then offered an update on possible faculty members who were suggested to serve on the SC's ad hoc Committee on Senate Committee Structure (CSCS). The Chair said he would inquire further with one nominee; the other members would be Finkel, Greissman and Wood. Once a final member was named, the Chair said he would create a charge.

The Chair then shared information about nominees for various administrative committees. After brief discussion, SC members determined it was acceptable to also suggest individuals external to UK. There was additional, brief discussion on individuals to submit as nominees. The Chair noted that he would begin soliciting the names of nominees from senators, as well as from SC members.

The Ombud had asked to postpone the Ombud's report, so it would not be given in October, but rather in a subsequent month.

The Chair said that he had some information to share about college and departmental rules. By way of background, he explained that college and departmental rules ("rules") must be approved by the college dean and Provost prior to becoming effective. The approval by the dean and Provost are to ensure the rules are compatible with existing regulations (*Administrative Regulations [AR]*, *Governing Regulations [GR]* and *University Senate Rules [SR]*) only. In the interest of furthering shared governance, Provost Subbaswamy requested the opinion of the SC on how new rules versions would be reviewed. The Chair said that as a part of his elected position, he was willing to review all new rules. He asked if SC members had any suggestions or comments. He said that Associate Provost for Faculty Affairs Heidi Anderson was amenable to the SC convening a subcommittee to review new rules versions. He said that other options were for

the SC to review new rules during live meetings or via the SC listserv, or that he could bring sensitive or anomalies only to the SC.

The Chair clarified for Wood that the rules to be reviewed would be newly revised rules, not the existing rules that were posted on the SC's web site. He added that then-interim Provost Scott Smith had begun the effort to ensure some level of conformity in the rules. Those present engaged in a lively discussion on possible review process procedures. Greissman suggested that SC first determine what was going to be reviewed in the sets of rules, and then look into how it should be done.

The Chair said that unless he was requested to do otherwise, he would take responsibility for reviewing all newly revised sets of rules that the Provost sends to him. As a part of his review, the Chair said he would contact senators and other faculty in the specific department or college and solicit input and concerns. If anything problematic arises, he would involve the SC as a whole.

2. Senate Committee Preferences, Round 2

After a brief explanation by the Chair, he asked if the SC wished to approve the committee compositions one at a time, or all at once.

Finkel **moved** to approve the compositions as outlined in the handout, as well as the addition of one senator whose preference was indicated, but not included in the committee's spreadsheet. Lesnaw **seconded**. A **vote** was taken and the motion **passed** unanimously.

3. Senate Council Liaison to Graduate Council

The Chair reminded SC members that during the last meeting, it was suggested that last year's liaison be offered the chance to serve as liaison again. The Chair reported that that individual was unable to serve in that capacity again, due to other responsibilities. After determining that the SC members present all had one type of commitment or another that would prevent them from being the liaison to the Graduate Council, the Chair said that he would ask those members who were absent if they were interested. Otherwise, Thelin said he would serve and attend whenever possible – the Chair said he would attend when Thelin was unavailable.

The Chair noted that since he was unable to identify as liaison to the Undergraduate Council a SC member whose term was not ending in December, he accepted Harley's offer to serve as liaison to the Undergraduate Council.

4. Revisiting the Family Education Program

The Chair explained that he had received a possible resolution from a faculty senator that proposed expanding the Family Education Program (FEP) to include graduate-level courses. He asked SC members to offer input on how to proceed, not on the merit of the proposed resolution.

There were a variety of comments. Dembo reminded SC members that the Work-Life Subcommittee on the Expansion of the EEP Program came up with a recommendation that FEP should include graduate-level courses, but did exclude professional courses. He added that a separate section of that committee's report suggested a consideration of including professional courses in FEP, at a future date. Dembo said that the proposal was changed at some point after it left the subcommittee, but before it was presented to the Board of Trustees (BoT); the BoT was not aware that the proposal it viewed was different from the proposal put forth by the subcommittee in their final report. Dembo opined that someone should be made to explain why the proposal was changed.

In response to Thelin, Dembo said he thought the change occurred at the level of the President's Cabinet. After additional discussion, the Chair said he would invite Executive Vice President for Finance and Administration Frank Butler and Vice President for Planning, Budget and Policy Angie Martin to a near-future SC meeting.

Moving to the next agenda item and invited guests, the Chair suggested that those around the table introduce themselves.

5. [Revisions to Administrative Regulations II-4.0-4 \("Research Conflict of Interest and Financial Disclosure Policy"\) \(input only - possible endorsement\)](#)

The Chair invited Associate General Counsel Marcy Deaton to offer some background on the proposed changes. Guest Deaton explained that there was a committee charged with reviewing the *Administrative Regulations (AR)* to bring them into compliance with the provost-model at UK. Due to a need to comply with human subject research accreditation rules, the review of *AR II-4.0-4* was pushed forward. She also noted that the Chair had suggested a change so that the membership of Research Conflict of Interest Committee (RCOIC) would be jointly suggested by the Vice President of Research and the Senate Council. (Membership previously was selected solely by the Vice President of Research.) She then suggested that Office of Sponsored Project Administration Director Debbie Davis offer her comments.

Guest Davis said that while the *AR* on research conflict of interest had been around for some time, it needed to be updated and would then reflect the models at most research universities. One major change involved the current distributed model for the associate deans for research to review research conflicts of interest; the proposed language would enact a change to a central committee to review conflicts and management plans for dealing with conflicts. While college and associate deans would still be involved in the processes, there will be a central committee doing the reviewing to increase consistency. The intent will be to have a majority, if not all members, be faculty, with some non-faculty ex officio members.

Davis went on to explain that to receive accreditation from the Association for the Accreditation of Human Research Protection Programs (AAHRPP), changes had to be made to include specific references to human subject research in the *AR*.

The Chair reminded SC members that the SC had neither the power to approve or disapprove, but because it would affect so many faculty it was important to send it to the Senate for a review. He said he would ask for a motion towards the end of the discussion.

Theilin asked if the proposed changes would address other kinds of conflicts of interest, such as the situation in which a faculty member wants to hire an individual to work in his/her start-up company, as well in the UK lab. Davis replied that it did not. She added that it more or less lifted language from federal regulations and placed it into UK's *ARs*.

In response to a query from Finkel, Davis explained that the proposed language about human research subjects was taken directly from the AAHRPP requirements. The current policy includes thresholds defining significant financial interest, such as \$10,000 received per year – anything below that will not need to be disclosed. She said there was a national movement over the past several years to set more stringent standards for research involving human subjects. As proposed, the new language would essentially set a zero threshold for human subjects research – even if someone received no money from a company but still had some type of relationship with the company, it would mean there was a conflict that must be disclosed. She added that disclosures were required so that the researcher can manage, reduce or eliminate the conflict. Those actions would be specific to the various conflict situations that arise.

In response to Wood's question about members of data safety monitoring boards, Davis said that whether or not a conflict existed would depend upon the details of any given situation.

Theilin raised the question of extending the zero threshold beyond human subjects. Regardless of the research issue, it should not be limited to humans but should be expanded. A variety of SC members agreed that there should be a zero threshold across the board for all research, not just that involving human subjects.

Finkel did not support such a change. He opined that if the threshold were lowered that far, there would be many more conflicts and much more effort would need to be expended to manage, reduce or eliminate the conflict. He added that if a faculty member applied their research in such a way that led to a money-making enterprise in which royalties from research were received, there would automatically be a conflict if the threshold were at zero for all research, not just that involving human subjects. Randall agreed, noting the big push for

translational research. He said that he supported the restrictive but manageable limitations in the proposed language.

Davis noted that the area of human research subjects and potential conflicts of interest were areas in which UK tried to keep abreast of national trends and other institutions.

Finkel asked for a definition of what was meant by a “public entity.” Davis said it referred to a governmental entity – the language was taken from federal regulations.

Finkel then **moved** to send the proposed language change to the Senate with no recommendation – he thought there had been too little time to examine the changes. Aken **seconded**. A **vote** was taken and the motion **passed** unanimously.

[6. Tentative Senate Agenda for October 8](#)

The Chair reminded SC members that the Ombud’s report would need to be removed, per the Ombud’s request.

He explained that the agenda was somewhat light due to the Office of the Senate Council having worked tirelessly during the spring 2007 semester to ensure that as many proposals as possible could be approved by the end of the spring semester, without having to wait and approve them in the fall.

Finkel asked about adding a discussion on the Robinson Forest to the agenda. He said that if appropriate speakers could be found to give the pros and cons on the proposed experimental logging, then it would be a good time to hold the discussion. He opined that it was not necessarily within the purview of the Senate, but that it was appropriate to allow an informational opportunity.

The Chair requested that the names of possible guests be sent to Mrs. Brothers as quickly as possible.

Michael said that the mention of third bachelor’s degrees did not need to go to the Senate and requested it be removed.

Thelin **moved** to approve the tentative agenda as an unordered list, with the following revisions: 1. remove Ombud’s report; 2. remove “Third Bachelor’s Degrees”; and add a discussion on Robinson Forest so long as appropriate speakers could be identified and were able to attend. Harley **seconded**. A **vote** was taken on the motion, which **passed** unanimously.

There was a very brief discussion about the timing of the annual memo on guidelines for tenure and promotion that was sent to deans. Greissman stated that the Senate should give whatever feedback it felt necessary on what would

best serve faculty in terms of the timing of the memo. He said such a suggestion would definitely be considered, and likely responded to positively.

There being no further business to attend to, the meeting was adjourned at 5:04 pm.

Respectfully submitted by Kaveh A. Tagavi,
Senate Council Chair

SC members in attendance: Aken, Dembo, Finkel, Harley, Lesnaw, Michael, Randall, Tagavi, Thelin, and Wood.

Provost's Liaison present: Greissman.

Invited guests present: Debbie Davis and Marcy Deaton.

Prepared by Sheila Brothers on October 4, 2007.