

Senate Council Minutes
December 19, 2005

The Senate Council met on Monday, December 19, 2005 at 3:00 pm in 103 Main Building. Below is a record of what transpired.

The meeting was called to order at 3:05 pm.

1. [Minutes from December 5](#) and Announcements

There being no changes to the minutes other than those previously incorporated, the minutes were approved as amended.

The Chair announced that Staff Senate Chair Kyle Dippery invited the Chair and any other Senate Council member (Council member) to attend a presentation by President Todd regarding the Top 20 Business Plan. The presentation will be on Wednesday, December 21, 2005, at 2:00 pm in the Lexmark Public Room, 209 Main Building.

The Chair referred to a recent Herald-Leader article by Art Jester that erroneously characterized the University Senate as unanimously supporting the Top 20 Business Plan. [The Senate Council and University Senate both approved a motion to support reconciliation of the Top 20 Business Plan with the new Strategic Plan, but it was not intended as unequivocal support of either document, nor was it unanimous.] In addition, the inclusion of a quotation from the Chair was misleading. Senator Rory Remer noticed the discrepancy and called the Senate Council Office. Mrs. Brothers sent the Chair an email summary of Remer's concerns. After speaking with Jester, who was aware of the incongruity, and taking time to explain to Jester the magnitude of the error, as well as provide him with a background of the issue and the impetus behind the motion and its basic content, the Chair felt Jester understood the basis of his and others' concerns.

The Chair sent a lengthy email to Remer indicating Remer's appropriate understanding of the motion and summarized the conversation with Jester. Remer had requested he be included on the February University Senate agenda but the Chair hoped it could be resolved informally. He added that any outcome would be reported to the Senate Council. The Chair stated his conversation regarding the motion with President Todd correctly interpreted the motion's intent.

Prior to the Board of Trustees' December meeting, its Academic Affairs Committee voted to table the College of Agriculture name change. There is a dispute about the faculty trustees' supposed characterization of the Senate being divided on the issue. After being asked about any official re-involvement, the Chair stated that the votes of both the Senate Council and University Senate were a clear manifestation of both bodies' support of the name change. He stated it was likely he and the faculty trustees [Dembo and Moore] would sit down and compare notes for further actions when the name change undergoes further consideration in the Academic Affairs Committee.

Grabau asked if Jester offered any indication about a subsequent article to clarify the erroneous statement Jester authored. The Chair shared that Jester seemed contrite and thought he had been chastised by his editor. The erroneous phrase stemmed from notes written by Jester regarding Moore's comments; Jester admitted not having his tape recorder to supplement his notes.

Lesnaw stated her belief that a retraction could be more damaging, since the motion's intent was to try to signal some type of support of the Top 20 Business Plan, even though the motion only supported reconciling the Top 20 Business Plan with a new Strategic Plan. A retraction could imply the University Senate was at loggerheads with President Todd. The Chair noted that the Administration understood the motion and its intent. He added that he had met with both Connie Ray [Vice President for Institutional Research, Planning and Effectiveness] and Angie Martin [Vice President for Planning, Budget and Policy] and discussed avenues to pursue. In addition, the Senate's Research Committee would be meeting with Martin to offer an overview of the Research Committee and discuss implementation processes. The Chair also stated his intent to discuss the issue with the Senate's Academic Planning and Priorities Committee Chair, Mary Duke, to see about being a part of the process. He said he would keep the Senate Council abreast of any developments.

2. Nominations for Senate Council Officers

Two officer positions were open. Grossman **nominated** Yanarella (current Chair). The Chair asked for other nominations. In response to Tagavi's statement about unsuspending the nominations, Grossman **moved** to untable the election process. Lesnaw seconded. As there was no further discussion, a **vote** was taken and the motion **carried** unanimously.

Grossman reiterated his support for his nomination of Yanarella. The Chair noted two other nominations, Grabau and Tagavi, from the nomination process begun and halted at the December 5 Senate Council meeting.

It was established that the nominee receiving a majority of the votes would win. Lesnaw suggested limiting voting to those nominated and to close nominations. The Chair asked for confirmation from Grabau that he was withdrawing his name. Grabau affirmed. Lesnaw **moved** to close nominations. Cibull **seconded**. The Chair called for discussion. Jones asked about the consequences of the motion. The Chair stated that it meant that no one else could be nominated. A **vote** was taken and the motion **carried** unanimously.

Lesnaw **moved** to restrict voting to the two names formally nominated. Grossman **seconded**. There being no discussion, a **vote** was taken and the motion **passed** unanimously. Lesnaw suggested submitting votes by secret ballot to Mrs. Brothers, who would then tabulate the votes.

For the election of Senate Council Chair, the votes were as follows: four in favor of Kaveh Tagavi and three in favor of Ernie Yanarella. Kaveh Tagavi was thus elected to the post of Senate Council Chair for the period June 1, 2006 through May 31, 2007.

Jones stated that under the Open Meetings Law, a final vote must be in open session. He thought a unanimous vote would send a clear message of support for the chair-elect. He believed the vote taken was merely a straw poll. Dembo wondered why, under the current circumstances of a fair vote, another vote would be required. Jones stated he could not speak to the logic of the Open Meetings Law, but said the requirement was for the benefit of individuals in the public forum who were not present for the vote. The technicality was noted. After more discussion, the Chair ruled the vote was appropriate and legitimate, and that the Senate Council had rendered its decision for the position of Chair.

Jones nominated Grabau for the position of Vice Chair. Lesnaw expressed a desire to articulate the duties of the Vice Chair, similar to a previous Council discussion regarding the qualities of the next Chair. The Chair suggested it would be more productive to discuss the issue at a later meeting, in part due to the ambiguity of the *Rules* regarding to duties of Chair and Vice Chair. Tagavi stated his belief that the Council had already created an ad hoc committee to consider the role of Chair, and thought the same committee

would also consider the duties of Vice Chair. Grossman corrected him, stating the ad hoc committee created was to review Senate Council office operating procedures.

The Chair called for additional nominations. There being none, Cibull **moved** to close the nomination process. Lesnaw **seconded**. The motion **carried** unanimously. The Chair noted a paper ballot would be required and indicated he would entertain a motion to approve by acclamation. Cibull so **moved**. Lesnaw **seconded**. The motion **carried** unanimously. Grabau was elected to the office of Senate Council Vice Chair for the period June 1, 2006 through May 31, 2007

It was announced by the Chair that the Senate Council had officially voted in two new officers for the coming academic year. Dembo asked if the Council had addressed the fact that the chair-elect would be holding two administrative offices at one time. The Chair stated it had not yet been discussed. Jones stated the chair-elect must have faculty status. The Chair suggested that the chair-elect reflect on the issue, make his views known to the Council and engender discussion on the same. The chair-elect (Tagavi) agreed.

4. Farewell to Departing Senate Council Member, Mike Cibull

The Chair offered his special thanks to Cibull for his service on the Senate Council. The Chair stated he had depended upon Cibull to define and stake out positions on important issues. Cibull's comments were always weighty and thoughtful, and his talent of cutting to the chase had been an asset to the often profound deliberations of the Senate Council. The Chair, on behalf of the Senate Council, wished Cibull all the best. By applause, the Council members concurred.

Cibull stated his appreciation of his time on the Senate Council, and deemed it educational. As a Medical Center faculty member, he stated that it was sometimes difficult to appreciate the workings of the University as a whole. He expressed best wishes to the remaining Council members, and hoped for a successful term of office for the chair-elect.

The Chair ended by saying he had enjoyed his tenure as Chair, and would continue to do so during his remaining time. He stated the importance of trust as Chair, and added his belief that the chair-elect would act in the best interests of faculty as past chairs have done. He stated there was also an element of trust in the office of Chair and trust in the office-holder as well, and

thanked those who placed their trust in him. The Chair stated he spent approximately 80% of his time on University Senate- and Senate Council-related business. He stated he was doubly blessed to work with such a fine group of people. Jones added that the Chair had also been working behind the scenes in ways invisible to many, and that the University was being positively impacted by such work and would continue to be for decades to come.

There being no more business, the meeting was adjourned at 3:47 pm.

Yanarella,

Respectfully submitted by Ernie

Senate Council Chair

Members present: Cibull, Dembo, Lesnaw, Grabau, Jones, Grossman, Tagavi, Thelin, Yanarella.

Prepared by Sheila Brothers on December 20, 2005.