

Senate Council Minutes  
December 5, 2005

The Senate Council met on Monday, December 05, 2005 at 3:00pm in room 103 Main Building. Below is a record of what transpired.

The meeting was called to order at 3:07 pm.

1. Minutes from November 28 and Announcements

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

The Chair noted the campus visits for the two individuals whose names were put forward by the Provost Search Committee. The Senate Council was invited to participate in the interview processes of Dr. Terry S. King (from 1:30 pm to 2:00 pm on Wednesday, December 7) and Dr. Kumble R. Subbaswamy (from 9:45 am to 10:15 am on Tuesday, December 13), both in 203 Main Building. Grossman, Jones and Lesnaw stated they would attend both meetings. He asked them to come ready to ask questions of the candidates.

The Senate Council meeting schedule for December and January was discussed. The Chair noted the December 12 meeting of the University Senate and asked if the Senate Council members (Council members) wished to meet on the 19<sup>th</sup>. He noted receipt of the updated and amended Anatomical Sciences certificate as a possible agenda item for that date. Tagavi expressed willingness to attend if necessary but noted concern with achieving a quorum, due to the Winter break.

After establishing there would not be a meeting on December 19, the Chair asked the Council members to consider the first January meeting date. The Council members decided to hold the first meeting of the Spring semester on January 9, 2006. Tagavi asked Jones to make sure that new Council members were told of the date.

The Chair then asked for comments on the start time of the University Senate meeting on December 12. The time of the open forum for Subbaswamy would last until 3:30 pm on December 12. He stated the Provost would not be addressing the University Senate on that date. Thelin asked if the Senate Council had made an official statement regarding the Top 20 Business Plan ("Business Plan"). He expressed concern that there would be no official position stated. In response to Grossman, he stated that the Business Plan's

information had been offered six to seven weeks previously. He believed that of many central and unifying issues, he would have been hard pressed to name one as important as weighing in on the Business Plan.

Lesnaw asked about the possibility of Council members meeting later to discuss input on the Business Plan. She noted that President Todd had asked for input; there would be little value in offering input to him the night before the Board of Trustees meeting. Duke asked if the members could discuss the Business Plan during the meeting and expressed interest in hearing opinions. The Council members opted to discuss the issue of the Business Plan later during the meeting.

The Chair referred to recent Senate Council listserv traffic about minor changes to the Academic Offenses proposal as previously approved by the Senate Council. He asked if there was concurrence by the Council members that small changes could be incorporated into the document for deliberation by University Senate members at that meeting. Lesnaw asked if he needed a motion. Jones **moved** thusly. Tagavi **seconded**. There being no more discussion, a vote was taken. The motion **carried** unanimously.

The Chair noted that Liaison Greissman had not attended the meeting because he did not think the issues under consideration required his presence.

## 2. Board and Senate Degree List

The Chair asked Jones for some background information regarding the degree lists, specifically the LCC degree list. Jones said that much care had been taken to ensure the appropriate UK information appeared on degrees for LCC students. In addition, he noted that the list of degree honors from LCC was simply a list of the honors approved by the LCC faculty. The official, final list would be subject to the individuals all having completed their respective requirements. The list would be sent by the Kentucky Community and Technological College System, and not by LCC. He stated he had received attestation from the Registrar that the appropriate individuals would have UK honors. Regarding the regular degree list, he stated that Don Witt, Registrar, had agreed to provide the list broken down by college in the future.

Lesnaw **moved** to approve the list. Jones **seconded**. Thelin expressed concern that Council members might not be reading the entire list. He noted that two candidates on the degree list had not yet defended their thesis. Duke stated that being on the list was simply a reflection of the individual's eligibility

to receive the degree, not an automatic granting. The Chair added that the persons on the list would be subject to conditions relating to the individual degree requirements. Grossman asked about the reason behind some names being listed twice. Moore thought it was a simply typographical error. Jones asked Mrs. Brothers to contact Don Witt regarding this issue. She agreed.

A vote was taken, and the motion **passed** unanimously.

The Chair suggested the Council members discuss the Business Plan before deciding upon an agenda for the University Senate meeting on December 12. Grossman stated he did not want discussion on the Business Plan to cut short the discussion on Qualities of the Next Senate Council Chair. The members agreed to spend approximately twenty minutes discussing the Business Plan, ending around 4:00 pm.

#### Top 20 Business Plan

Lesnaw had many reservations about the top 20 Business Plan (“Business Plan”), including a perceived separation of the Business Plan from the Strategic Plan, and concern about the numbers of faculty members truly involved in the process of putting the Business Plan together. She believed the bottom line involved the necessity of growth, and noted a large increase in the numbers of faculty and students that had initially been suggested by the Business Plan, compared to the numbers reflected in the presentation delivered earlier in the day. Thelin noted that Doug Boyd stated the numbers had altered, but there were questions as to exactly why.

Lesnaw went on to explain about the length of time spent on discussing growth, in terms of faculty and students and buildings, contrasted by an almost afterthought of a reference to staff employees. In response to a question at the President’s presentation of the Top 20 Business Plan on December 5 regarding possible cuts in staff employees, the President replied that cuts were a possibility and that there would certainly not be increases in the numbers of staff. He stated repeatedly the need for fewer people who would be better paid and better trained. Lesnaw was concerned that the primary criterion for excellence was growth. In addition, she wondered how enormous increases in faculty and students would help UK. She said no attention was paid to providing facilities for new faculty and students. She reiterated her concern that there was not enough integration of the Business Plan with the Strategic Plan. Lesnaw expressed her distress that the Senate Council was not involved in the process when it began.

The Chair responded to her statements, saying the issue of growth had been keenly debated and refracted through the calculations and assumptions of the [Stillwater Group](#) [the company retained by the Administration to support development of the Top 20 Business Plan]. The President is growth-oriented, and the merits of growth are well outlined in the document prepared by the Stillwater Group. The Chair also stated that the requirements for teaching and research facilities were explicitly laid out.

In reference to Lesnaw's concern about the actual input given by faculty, the Chair explained that the process began in Fall 2004 with the Top 20 Steering Committee, of which at least half the members were faculty employees, including the Chair. According to the Business Plan, UK would close the gap between UK's faculty salaries and the median income of faculty at UK's benchmarks by 2012. He noted his insistence in many forums that upon implementation, careful concern would be used to create a salary system fair to both current and future faculty members and one that addressed serious salary inequities within full professor and associate professor ranks.

Grossman stated that the document would be used internally and externally, especially by legislators in Frankfort, to illustrate what is required financially by UK (from Frankfort) in order to attain top-20 status and to become an engine for economic growth in the Commonwealth. The Chair noted the document must be digested with an understanding that it was created for multiple constituencies. He shared his continuing concern with the use of the term "business" and said he advised the President to refer to it as a financial plan, which would offer a more overt linkage to the academic policy. The President responded, rightfully so, that the academic policy was in the domain of faculty. The Chair added that the process by which the Business Plan's lofty goals are translated into academic plans must involve the University Senate. He also stated that due to heavy faculty involvement in the Business Plan, the hiring of more faculty employees would precede the next balloon increase of student enrollment.

Cibull stated that the President was first and foremost business oriented, and that the President was most definitely putting forth a business plan, not an academic one. He stated the curriculum would follow the money, and wondered what part of the Business Plan would rely upon funding from Frankfort. The Chair responded that the Business Plan requests approximately \$17 million more per year from Frankfort, which is a small percentage of what UK has in the past received from Frankfort. He noted that

some legislators have already commented that this would be a modest or moderate request for regular increases. If Frankfort is unable to provide the financial support requested in the Business Plan, the Business Plan includes other mechanisms for funding, primarily from tuition increases.

Jones stated that he had regularly requested information from the President regarding the amounts of grant funding that were available, yet untapped by faculty members. He expressed annoyance that those numbers were included in the President's explanation of the Business Plan. The Chair replied that the numbers were likely projections from the Stillwater Group. Lesnaw also weighed in, stating the numbers shared in the presentation of the Business Plan were not derived strictly from federal grants but also included monies from entrepreneurial activities. In response to the Chair's comments, Lesnaw also wondered about how many of the additional faculty hired would be involved in undergraduate education. She also asked about the student/faculty ratio for that time period. The Chair replied that the ratio would slightly improve, according to the statistics, and stated that UK currently shines among benchmarks with respect to the current ratio. He added that the baseline for comparison is the present time, and not any periods in the past when UK received higher funding from Frankfort. He stated the Business Plan would drive the Strategic Plan. The Chair relayed comments he made to the University Senate's Research Committee, saying that UK also needs appropriate numbers of staff employees and appropriate infrastructure to support the proposed growth.

Theilin offered comments surrounding the cost of graduating undergraduate students and his concern that the Business Plan would not offer sufficient funding for undergraduate students. He suggested UK focus on improving graduation rates, which would enhance enrollment. He also stated the Business Plan had not been received well by private and public university presidents in Kentucky.

Lesnaw stated her belief that the current discussion would not have much impact in the short time frame available. She suggested the Senate Council refer the issue to the University Senate to make a positive statement pointing out how firmly the Senate Council felt that Business Plan must be reconciled with the new Strategic Plan, and the desire for very close faculty interaction in execution. Grossman added that the Business Plan was likely finalized already, but noted the University Senate must be involved in deciding into which college the mass numbers of faculty are hired.

At the request of the Chair, Lesnaw **moved** that her statement be taken to the University Senate meeting on December 12. Jones suggested a **friendly** amendment to include “with Administration” as a reference to who the faculty would interact with. Lesnaw **accepted**. Grossman offered another **friendly** amendment to change “faculty interaction” to “interaction with the University Senate.” Lesnaw objected, not wanting to restrict interaction to the University Senate. Grossman clarified his suggestion, expressing concern that an afterthought lunchtime forum for faculty could technically be construed as faculty interaction. Lesnaw agreed and **accepted**. Cibull suggested the motion be also carbon-copied (“CC’ed”) to the Provost and President.

Grossman suggested the motion not be conveyed as a missile aimed at the Business Plan, and the Chair offered to ensure the motion would be framed as a reiteration of the appropriate faculty role in academic policy and implementation. Duke asked if the motion should also be shared with the Board of Trustees. The Chair stated that if an assumption could be made that the motion carries both the Senate Council and the University Senate, it could go to the Board of Trustees via Roy Moore (Board of Trustees’ faculty representative and member of the BoT Academic Affairs Committee) as a reaffirmation of a strong faculty role. Lesnaw expressed concern that the motion could be taken as a strong endorsement of the Business Plan, instead of the intent to signify acceptance of the Business Plan and a focus on how to reconcile the Business Plan with academic curriculum planning.

It was decided that the Chair would attend the Board of Trustees’ Academic Affairs Committee meeting, but that the voice of the motion should be Moore. Tagavi stated the motion should be sent officially to the Board of Trustees members, the Provost and the President, from the Senate Council. A vote was taken, and the motion [“The Senate Council moves the following: that the University Senate go on record as urging that the new Strategic Plan be reconciled with the Top 20 Business Plan, and that process occur through close interaction between the University Senate and the Administration.”] **passed** unanimously.

### 3. University Senate Agenda for December 12, 2005

The Chair noted a request by Tagavi to discuss the situation in which a committee chair (who is presenting a proposal with a positive recommendation) is permitted to speak about the proposal. Tagavi stated that a proposer should only be allowed to speak twice on the proposal, similar to the restriction on any other senator. He thought that allowing the proposer to rebut each negative comment was unfair. Lesnaw stated her belief that many

comments about proposals are in the form of a question, and should be responded to by a committee chair or committee member. She was uncomfortable restricting the proposer's ability to speak. Tagavi clarified, stating that he was not opposed to infinite clarifications, but was opposed to rebuttals. Cibull asked if Tagavi was clarifying his point or rebutting.

Tagavi stated that an unlimited number of rebuttals to negative comments was not fair, and could bias the Senate for or against a proposal. The Chair stated that he thought there were reasonable responses given in the last University Senate meeting. He felt then and still believed it was appropriate for a committee chair, who has successfully negotiated a proposal through the committee and through the Senate Council, would be the basic point person to whom questions should be addressed. The Chair noted he was not attempting to bias a proposal in one way or another, but was continuing the common University Senate practice of allow a committee chair to respond to any and all comments. He stated he would continue to do so unless directed otherwise by the Senate Council. Tagavi stated he was not concerned with a committee chair answering questions, but rather with a committee chair rebutting negative comments made by Senators. He stated that parliamentary procedure prohibited a committee chair from speaking more than twice, except in instances where a committee chair would be clarifying a point. Tagavi said he would alert the Senate to this at the Senate meeting December 12.

The Chair stated he had openly indicated his position on this issue. He went on to say he presumed common ground had been found regarding the positive recommendation regarding the Academic Offenses proposal that the Senate Council would send to the Senate. If the issue of a proposer speaking more than once were to be raised, he would consult with the Parliamentarian and honor Robert's Rules.

The Chair noted that due to the full agenda, two informational presentations would necessarily be postponed until a later date.

The Senate Council unanimously **approved** the following list of agenda items for the December University Senate meeting:

- Statement from Senate Council Regarding Top 20 Business Plan;
- Graduate Certificate in Nursing Studies;
- Minor in Quantitative Financial Analysis;
- Graduate Certificate in Clinical Research Skills;
- Academic Offenses;

- Board and Senate Degree List; and
- Honorary Degrees.

#### 4. Discussion on Qualities of Next Senate Council Chair

The Chair left, making Tagavi 'Acting Chair.' Lesnaw began the discussion, stating that it was a critical time in the history of the institution due to a new, incoming Provost, the first business plan, and the strong imperative to reconcile the Top 20 Business Plan with the academic strategic plan. She stated her belief that the next Chair should have a very strong understanding of campus in its entirety and of the history of the institution. She said the next Chair must bring continuity to the Senate Council, the University Senate and the Administration.

Grossman agreed, also pointing out the presence of a new Senate Council Administrative Coordinator. He stated that Council members should be mindful of training issues going on in the background. He hoped the incoming Provost would receive sensitization and guidance on issues critical to the institution. Grossman stated that the Senate Council should ask the University Senate to waive the two-term limit for the Senate Council Chair and ask the current Chair, Ernie Yanarella, to serve another term. Grossman added that the one-year term was too short, and that it took approximately one year to learn the job. He thought a two-year term was better, with an allowance for two consecutive terms.

Cibull prefaced his statements by acknowledging he would soon depart from the Senate Council. He stated that the Chair should be centralist and able to work with all groups of faculty and administrators. He said he had not thought of waiving the term limit, but agreed with the idea since current Chair Yanarella filled the criterion discussed. Progress would be hindered if the next Senate Council Chair were to polarize faculty against the Administration. Cibull stated that the current Chair would be able to continue to bring people together.

The Acting Chair noted the time (4:44 pm) and the other Council members decided to continue the discussion for another six minutes before turning to nominations. Duke asked what would be involved for the Senate Council to waive the *Senate Rule* limiting the Senate Council Chair to two consecutive terms. Grossman stated that it would require an emergency for the Senate Council to waive that *Rule* but that the University Senate could vote to waive any section of the *Rules* at any time. Grossman **moved** to ask the Senate at the next meeting to allow the current Senate Council Chair to serve another



term. Lesnaw **seconded**. The Acting Chair **did not accept** the motion. Lesnaw stated the right of the Senate Council to ask the Senate to waive the section of the *Rules* regarding the two-term limit for a Senate Council Chair. The Acting Chair explained that the Council members should have been discussing nominations.

Cibull **nominated** Ernie Yanarella for Senate Council Chair. Lesnaw **seconded**. The Acting Chair noted that a second for a nomination was unnecessary, and that the nominations were not an integral part of the election, but was a process to facilitate the election. He stated that Council members could vote for anyone who was eligible to run for office. Grossman asked for clarification regarding who would be voting. The Acting Chair noted it would be those individuals present at the meeting, unless there was a motion to vote by ballot. In that case, everyone receiving a ballot would be able to vote. He again called for nominations.

Lesnaw stated she sensed a strong sentiment among the Council members present to acknowledge the nomination on the floor. She suggested the Acting Chair ask for additional nominees, adding that she thought there would not be any. She went on to say that if a vote were held regarding the one name thus far brought forth, the Council members would express their sentiments by electing that person. The Acting Chair stated that in order to finish the meeting in a timely manner, the meeting must proceed in an orderly fashion and that nominations were needed. Lesnaw responded by suggesting the Acting Chair ask for further nominations. The Acting Chair stated that the one person nominated was not eligible to run.

Grossman said that the current situation of no nominees constituted a pressing urgency, which would allow the Senate Council to waive the two-term limit *Rule*. Jones nominated Tagavi (Acting Chair). The Acting Chair nominated Grabau. In response to a question from Cibull, the Acting Chair stated that there were two nominations on the floor, since one nomination involved a person ineligible to serve. Cibull asked about what would occur if the current Chair (Yanarella) were elected, understanding that the Chair was not eligible to serve. The Acting Chair replied that Yanarella was not eligible to be nominated or voted for. A vote for an ineligible candidate would be an illegal vote and would be set aside. Cibull acknowledged that the Senate would need to waive the *Rule* regarding a two-term limit. The Acting Chair reminded the Council members that if the election failed to take place, the University Senate would be in a constitutional crisis.

Moore offered a suggestion that a Council member could move to postpone the election until after the Senate met on the 12<sup>th</sup>. Cibull **moved** thusly. Grossman **seconded**. The Acting Chair questioned the correctness of allowing a motion during discussion of nominations. Moore proposed the Council move to suspend nominations. If that motion passed, then the motion to postpone the election could be heard.

The Acting Chair asked for clarification regarding the motion on the floor. Grossman stated there was a motion on the floor to suspend the voting for the election until after the Senate meeting on the 12<sup>th</sup>. Moore added that nominations could be taken at that time. Cibull noted this would change the Senate agenda. The Acting Chair reminded the Council members that the agenda had already been voted on and approved. Grossman stated the agenda could be revisited. The Acting Chair asked about when it would be addressed. Grossman said that soon as the motion on the table was voted upon, the agenda items would be addressed. Grossman restated the motion to suspend the election. The Acting Chair expressed concern that nominations had begun, but some Council members were suggesting the nominations and election be suspended. Grossman wondered if there should be a mechanism to “unsuspend” the nominations and election. Cibull suggested that it be “unsuspended” on Monday December 19. The Acting Chair noted that the Council had already decided not to meet on the 19<sup>th</sup>. The Council members suggested that also be changed.

A vote was taken on the motion to suspend the election for Senate Council Chair until after the Senate meeting on December 19. The motion **carried**, with six in favor and one against. The Acting Chair did not vote.

Grossman **moved** to modify the Senate agenda to ask the Senate for a one-time waiver of the *Rule* that limits the Senate Council Chair to serving only two consecutive terms. Cibull **seconded**. The Acting Chair inquired as to where this would be placed on the agenda. The Council members asked that a vote be taken on the motion first. The Acting Chair stated that he was put in a difficult position due to his responsibility to act as Chair, and noted he would not share his personal opinion about the motion. He also wondered about how the motion would be perceived by the Senate. A vote was taken and the motion **carried** unanimously.

Discussion commenced regarding where the motion would be placed on the Senate agenda. Duke noted it would take approximately five minutes to offer background as to why the Council requested a waiver. Grossman suggested

Cibull present the item. Duke advised him to articulate the rationale, and Cibull requested an email outlining the talking points. Grabau asked if the Chair (Yanarella) would have to leave the Senate during discussion on this request. The Acting Chair stated the Chair would have to step down for the discussion. Grabau wondered if the Chair would appreciate offering input as to where on the agenda the request would be. It was decided to put the request on the agenda after the Clinical Research Skills Graduate Certificate. In response to Jones' question, Grossman confirmed the Chair would be willing to serve another term.

The meeting was adjourned at 5:01 pm.

Respectfully submitted by Ernie Yanarella  
Senate Council Chair

Members present: Cibull, Duke, Grabau, Grossman, Jones, Jarvis, Lesnaw, Moore, Tagavi, Thelin, Yanarella.

Prepared by Sheila Brothers on December 5, 2005.