

University Senate
December 10, 2018

The University Senate met in regular session at 3 pm on Monday, December 10, 2018 in the Athletics Association Auditorium of W. T. Young Library. Below is a record of what transpired. All votes were taken via electronic voting devices unless indicated otherwise. Specific voting information can be requested from the Office of the Senate Council.

Senate Council Chair Jennifer Bird-Pollan called the University Senate (Senate) meeting to order at 3:02 pm. She reminded senators to pick up their voting devices and noted that there was a hard copy handout in the back of the room regarding one of the days' agendas items. The Chair noted the length of the agenda and referred to earlier meetings in the semester when the Senate adjourned earlier than 5 pm, asking senators for their indulgence to stay a bit longer if needed to vote on all action items. She commented that there were invited guests in the audience who would be very happy if all items on the agenda were addressed.

The Chair noted the several regular reminders: signing in; actively participating; and following Robert's Rules of Order (Newly Revised). She noted that the attendance slide also served to remind senators about the January 14, 2019 Senate meeting that was now scheduled. The Chair called for an attendance vote and 59 senators registered their presence.

The Chair welcomed University Senate Chair and President Eli Capilouto.

1. President Eli Capilouto, University Senate Chair

[A verbatim transcript of President Eli Capilouto's comments is available [online with the agenda for this Senate meeting.](#)]

President Capilouto acknowledged the number of action items before the Senate, but commented that he wanted to take time to come to the Senate meeting, with deep appreciation and gratitude, to share some of the wonderful things happening on campus. He noted that the most wonderful initiatives are the ones that involve us all.

The President's comments addressed a wide variety of topics, including: the demographics of the fall 2018 freshman class; retention and graduation rates; *Our Path Forward* initiatives across campus to find new sources of revenue; UK's deep involvement in an initiative to significantly help reduce opioid-related deaths over the short term; philanthropy; and dean search committees. President Capilouto wrapped up his remarks by reading an email from a student's parent, who wrote to tell the President about an employee going above and beyond the call of duty to help their child, a student whose car battery had died. The President noted that such efforts went a long way towards reassuring parents that not only are there people at UK caring for their children's educational needs, but that those same people are also looking out for a student's overall well-being. The President thanked the members of his senior staff and noted that many were in the audience to help with answering questions.

The Chair reiterated that the agenda was arranged to allow for plenty of time for questions and answers. She reminded senators to state their name and affiliation and suggested that President Capilouto call on senators to take questions. The President responded to a variety of questions from senators and was assisted in answering by Provost David Blackwell and Guest Eric Monday, executive vice president for finance and administration. Questions from senators included the topics below.

- How will we know the effect of creating new online degree programs on UK's overall financial picture? The President observed that the fact of additional students in tuition-driven programs

will be a measurable change. He then invited Provost David Blackwell to add his thoughts. The Provost noted that the recent online initiative had resulted in twenty-six new program proposals which are focused largely on workforce development and on augmenting current degree programs through certificate offerings. The Provost's office will be monitoring enrollment in these degrees and certificates.

- Retention and graduation rates are multifaceted and complex issues; is there a sense of what specifically drives improvements in those numbers? President Capilouto invited the Provost to reply, and Provost Blackwell noted that his office had focused recently on the effect of unmet financial need on retention, through the UK LEADS program [Leveraging Economic Affordability for Developing Success].
- This past spring, the state legislature failed to include funding for the University Press in the state budget. What are the plans for the University Press going forward? The President invited the Provost to reply, and Provost Blackwell noted that the plan was for institutions of higher education from across the state to collaborate to provide the necessary funding for the University Press. Some smaller universities have not been able to provide funding. The Provost and others are seeking alternate funding sources now, including from philanthropic sources.
- The last time the President addressed the Senate, he provided a description of the anticipated gaps in the budget and how they were being worked on. What is the current status of those activities? The President invited Executive Vice President for Finance and Administration Eric Monday to reply. Monday described the budget plan known as "Our Path Forward," and noted that UK is in the second year of that five-year plan. Monday said the focus has been on generating additional revenue, rather than cutting costs.
- What are the specific measures being taken to increase the diversity of student body? President Capilouto noted that there had been a concerted effort to focus on diversity and that focus came both in the form of recruitment and retention. The Provost's office has been involved in reaching out to students as soon as they decide to come to UK, to ensure that all students have a sense of belonging at UK.
- Given that President Capilouto tends to boldly and proactively address a variety of campuswide issues (budget, bias, etc.), what is the President's plan to ensure a faculty member's continued right to academic freedom [relating to a recent court case involving a faculty member], so that external agencies cannot inappropriately curtail a faculty member's comments? The President responded by saying that universities were imperfect places sometimes and it was unfortunate when things had to be resolved in a legal context. The courts asked the participants to sit down in mediation and UK did so in good faith. President Capilouto said he believed UK moved forward in a way that honored its faculty member and also supported improvements in public health within Kentucky. The President noted that he was unaware of any circumstance in which the current governor or anyone from that office said anything to undermine academic freedom, adding that that part of the case was ultimately not considered by the court. Capilouto said that he served under two governors and he had never heard either one of them, or their staff, say anything related to anyone's employment, nor had he heard any comments about employment being related to an employee's comments. President Capilouto said that faculty sometimes say controversial things and it is his responsibility to defend faculty when those things are said.

- What is being done to increase needs-based financial support for students? President Capilouto noted that the administration has focused in particular on distributing need-based support effectively and in a way that it can have the largest possible impact. They have focused on unmet need and tried to close the gap, and this has also been a focus of fundraising efforts.
- Given the intent to increase the number of students on campus, what models or predictions are being used to help determine UK's maximum capacity, in terms of classroom space, amount of faculty, student body size, etc.? The President indicated that the administration makes reference to benchmarks around the country to anticipate what changes might be required based on changes in enrollment. This explains work done at the university-wide level, but there is also work done at the level of department or program to determine the needs at that level. Those closest to those departments and programs are in the best position to help with that evaluation.

After about 40 minutes, when there were no further questions or comments, President Capilouto again offered his deep gratitude to senators for all their work on behalf of the University. He wished them safe and joyous holidays with family and friends and said he looked forward to seeing everyone at Commencement. He thanked senators again for the opportunity to meet with them and senators responded with a warm round of applause.

2. Minutes from November 12, 2018 and Announcements

The Chair reported that no edits to the minutes had been received. There being **no objections**, the minutes from November 12, 2018 were **approved** as distributed by **unanimous consent**. The Chair offered a series of announcements to senators.

The Senate will hold a meeting on January 14, from 3 – 5 pm in White Hall Classroom Building Room 106. The W. T. Young Library Auditorium was already booked, hence the irregular location. The Chair urged senators to try to attend. She added that an "Update on Campus Security" presentation was planned for the January meeting.

The President and Senate Council (SC) worked together to create a Work Group on Sexual Assault and Sexual Harassment Policies, which is likely to be composed by early January.

Regarding the *Our Path Forward* initiative from the Provost's office regarding online delivery of programs, the Chair explained that over 48 proposals were received and over 20 were funded. An update on this initiative will be on the January Senate agenda. The Chair noted that the SC office was collaborating with the Center for Enhancement of Learning and Teaching, Office of Strategic Planning and Institutional Effectiveness (OSPIE), and UK Online.

OSPIE and the SC office are collaborating on a new process regarding changes to a program's CIP (classification of instructional program) changes. Occasionally, the Council on Postsecondary Education (CPE) will not permit a UK-approved CIP, or a program wants to change their CIP (without changing courses). OSPIE will work with the affected unit to establish the new CIP. Annually, OSPIE will also report to Senate (beginning in September 2019) about changes in CIPs from the past academic year. The Chair noted that if there was any proposed change beyond just the CIP, the changes would need to move through the Senate approval process.

The Connect Blue Reception is scheduled for tomorrow, Tuesday, December 11. It is an opportunity for members of the Staff Senate and University Senate to mingle and chat with members of UK's Board of Trustees. The Chair described the event details and said that while RSVPs had originally been solicited, everyone was welcome to attend.

Currently, neither staff nor faculty employees may serve as a senator or trustee while on phased retirement. There was a request from the Senate's Rules and Elections Committee (SREC) for the SC to consider changing relevant rules to allow faculty on phased retirement to serve as senator or as trustee. At SC's request, the Chair presented the issue to President Capilouto. In response, the President suggested gathering broader feedback before any specific action were to be recommended. The Chair met with Staff Senate Chair Jon Gent and they plan to develop a list of major issues and then share the list with each Senate's respective executive committees and solicit input. Based on the issues developed and the input from executive bodies, a survey will be developed to incorporate input broadly from members of both Senates. The Chair said that subsequent steps will depend on the survey results; senators can expect to see an email about the survey in January or February.

The Chair reminded senators, as she has done so in all previous meetings, about the Senate's curricular proposal deadlines. If faculty are seeking a fall 2019 effective date, curricular proposals must be reviewed by the appropriate academic council(s) (Graduate Council, Health Care Colleges Council, and Undergraduate Council) and received by the SC office by:

- February 11, 2019 for new degree program proposals.
- March 15, 2019 for other proposals requiring committee review (new certificates, transfers of a degree, new department, change to credit hours required for graduation, significant program changes, etc.).
- April 15, 2019 for courses, all other program changes, and minors.

The Chair encouraged those with curricular proposals to ask questions early and often.

3. Officer and Other Reports

a. Chair

The Chair reported that the SC deliberated the prior week on honorary degrees, including a request from the University Joint Committee on Honorary Degrees (UJCHD) to waive *SR 5.4.2.3.C.1* to allow an additional honorary degree to be awarded this academic year. The Chair explained that in addition to the one honorary degree scheduled to be awarded in December 2018, the Senate Council (SC) voted to recommend that there be five additional honorees at the May commencement ceremonies, bringing the yearly total to six. The rule waiver was also requested to allow five honorees at one ceremony – the *SR* caps the number of honorees at one ceremony to four. Therefore, the SC waived *SR 5.4.2.3.C.1* ("Circumstances for Award of Honorary Degrees") on December 3, in response to the request from the University Joint Committee on Honorary Degrees (UJCHD), so the Senate could consider six candidates during this academic year, as well as to allow more than four awardees per commencement ceremony. The Chair noted that more information about this action would come in the Parliamentarian's report.

The Chair was invited by President Capilouto to attend senior leadership's annual visit to Washington, D.C. earlier this month. The Chair attended presentations on the future of higher education, healthcare, and anticipated legislation and met with legislators and legislative staffers at reception in the evening.

The Chair asked Brown (AG), chair of the Elections Subcommittee of the Senate's Rules and Elections Committee (SREC), to review the recent election results with senators. Brown reported that the three senators elected to terms on the SC that begin January 1, 2019 were DeShana Collett (HS), Aaron Cramer (EN), and Gregory Hall (GS). Brown also announced that Tagavi (EN) was elected to serve as vice chair with a term beginning June 1, 2019 and ending May 30, 2020.

The Chair commented that there would be no report from the faculty trustees, as they were attending Board of Trustees-related meetings.

b. Provost

Provost Blackwell indicated he had no additional report.

c. Vice Chair

Osterhage (AS) said she had no report.

d. Parliamentarian

Parliamentarian Michael (LA) explained to senators that the Senate cannot and need not “waive” its rules because it does not enforce them, it only writes them. The Senate is permitted to waive its rules and it does so by implication when it knowingly acts in a manner inconsistent with an existing rule. Michael noted, however, that it should be made clear to the Senate if an action involved a violation or waiving of a particular SR. If the Senate Council or Senate are of the opinion going forward that a rule needs to be changed, it/they should follow the rules for doing that.

Michael explained that for purposes of the honorary degree discussion, it was reasonable to first solicit a motion to waive the pertinent SR, after which the final candidate could be discussed on their own merits, separately from a discussion about waiving the rule.

4. Degree Recipients

a. December 2018 Degree Recipients

The Chair reported that three undergraduate students and one master’s student were added to the list circulated last week. The Chair said that the **motion** from the SC was a recommendation that the elected faculty senators approve UK’s December 2018 list of candidates for credentials, for submission to the President to the Board of Trustees. Because the motion came from committee, no **second** was required. Jones, D. (ME) asked that the motion be modified to reflect that the list of credentials would be submitted through the President, not to the President. The Chair said that she could accept that change on behalf of SC as a friendly amendment. There was no discussion. A **vote** was taken and the motion to approve UK’s December 2018 list of candidates for credentials, for submission through the President to the Board of Trustees **passed** with 62 in favor and none opposed.

b. Late Addition to December 2015 Degree List (per Senate Rules 5.4.1.1.D.1-2)

i. College of Arts and Sciences Student TM-98

The Chair explained the request and said that the **motion** from the SC was a recommendation that the elected faculty senators amend the December 2015 degree by adding the BA in Anthropology for student TM-98 and recommend through the President to the Board of Trustees that the degree be awarded effective December 2015. Because the motion came from committee, no **second** was required. There were no questions of fact or debate. A **vote** was taken and the motion **passed** with 63 in favor and one abstained.

c. In Memoriam Degree Recipient

i. College of Social Work Student PJ-37

The Chair welcomed Guest Kalea Benner (SW), who described the In Memoriam degree recipient. The Chair asked if there were any questions of fact but there were none. The Chair stated that the motion from the SC was a recommendation that the elected faculty senators approve College of Social Work student PJ-37 as the recipient of an In Memoriam honorary degree, for submission through the President to the Board of Trustees. Because the motion came from committee, no **second** was required. There was no debate. A **vote** was taken and the motion **passed** with 65 in favor and none opposed.

d. Honorary Degree Recipient(s)

Noting that the names of honorary degree recipients was embargoed, the Chair asked that the names of the honorees not be mentioned outside the Senate meeting. She explained that if the Senate approved the honorees, the President would reach out to them. The Chair welcomed Dean Brian Jackson (GS) to present the honorary degree nominees. The Chair noted that senators would be voting on the nominees as they were presented, not at the end.

Jackson presented the first nominee [SBB]. Swanson (PbH) asked about which candidate was the one for which a waiver of the *SR* was sought. The Chair explained that the University Joint Committee on Honorary Degrees (UJCHD) forwarded the names of four honorees, then asked for a waiver, and provided the name of a fifth honoree (five at one commencement ceremony and six total for the year) if the waiver was approved. She clarified that the waiver pertained to having six total awardees in the 2018-19 year, as well as to offering more than four honorary degrees at one commencement ceremony. The Chair added that the fifth candidate would be identified as such. There were a few additional questions of fact. The Chair said that the motion was a recommendation that the elected faculty senators approve SBB as the recipient of an Honorary Doctor of Laws, for submission through the President to the Board of Trustees. Because the motion came from committee, no **second** was required. A **vote** was taken and the motion **passed** with 64 in favor, one opposed, and one abstained.

Jackson presented the next candidate [YG]. The Chair said that the motion on the floor was a recommendation that the elected faculty senators approve YG as the recipient of an Honorary Doctor of Humane Letters, for submission through the President to the Board of Trustees. Because the motion came from committee, no **second** was required. A **vote** was taken and the motion **passed** with 65 in favor and none opposed.

Jackson presented the third candidate [JH]. The Chair said that the motion on the floor was a recommendation that the elected faculty senators approve JH as the recipient of an Honorary Doctor of Humane Letters, for submission through the President to the Board of Trustees. Because the motion came from committee, no **second** was required. A **vote** was taken and the motion **passed** with 57 in favor, three opposed, and five abstained.

Jackson presented the fourth candidate [HLL]. After questions of fact were answered, the Chair put on the floor the **motion** that the elected faculty senators approve HLL as the recipient of an Honorary Doctor of Humane Letters, for submission through the President to the Board of Trustees. Because the motion came from committee, no **second** was required. A **vote** was taken and the motion **passed** with 55 in favor, three opposed, and seven abstained.

The Chair then recapped the information regarding the SC having voted to waive *SR 5.4.2.3.C.1* ("Circumstances for Award of Honorary Degrees"). She explained that although it was not necessary to have two votes to waive the rule and approve the year's fifth nominee, she shared that some concerns had been expressed about using that procedure in this situation. The issue was that allowing Senate to waive its rule and approve the fifth honoree via one motion essentially forced senators who were opposed to the waiver to vote against the fifth honoree in order to oppose the waiver.

The Chair said that she was willing to accept a motion from floor to separate out into two motions. Jones, D. (ME) **moved** that Senate separate the motion into two motions (one for the waiver and one for the candidate) and Brion **seconded**. A **vote** was taken via a show of hands and the motion **passed** with a vast majority in favor and two opposed.

Jones, D. (ME) **moved** to waive *SR 5.4.2.3.C.1* and Kearney (ME) **seconded**. The Chair solicited questions of fact and there were none. She then suggested debate, which went on for about fifteen minutes. As debate wound down, the Chair clarified that the vote pertained to waiving the pertinent *SR* and if the motion passed, the Senate would have a separate opportunity to approve or not approve the fifth nominee. A **vote** was taken and the motion **passed** with 40 in favor, 24 opposed, and one abstained.

The Chair asked Jackson to present the fifth candidate [RST], which he did. The Chair said that the **motion** on the floor was a recommendation that the elected faculty senators approve RST as the recipient of an Honorary Doctor of Engineering, for submission through the President to the Board of Trustees. Because the motion came from committee, no **second** was required. After three statements in support of the motion, a **vote** was taken and the motion passed with 65 in favor and none opposed. Senators commented upon the vote result with a round of applause.

5. University Appeals Board (UAB) Report – Joe Fink, Chair

a. 2016-17 Report

b. 2017-18 Report

Guest Joe Fink (PH/Pharmacy Practice and Science, chair of the University Appeals Board) provided senators with information about the University Appeals Board, its functions and processes, and the numbers of various types of cases from 2011-12 to the present. Fink answered a couple of questions and then thanked senators for the opportunity to share UAB information with them. Senators thanked Fink with a round of applause.

The Chair gently reminded senators that she was counting on some patience and indulgence from senators to get through as much of the agenda as was possible.

6. Committee Reports

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

i. Proposed Changes to *Senate Rules 4.2.1.3* ("Non-Degree Students")

The Chair noted that there was a hand out in the back of the room that described a clerical error in the proposal. She noted that over the weekend it was discovered that some text was deleted but should not have been. She said that after the committee's motion was put on the floor, she would solicit a motion from the floor to restore the incorrectly stricken text. The Chair added that as best she could tell, there had not been any discussion about the incorrectly stricken text and it had not been changed since it was added to the *SR* in 1993. Once the stricken language was restored, the Senate could vote on the revised proposal.

Farrell (FA), chair of Senate's Admissions and Academic Standards Committee (SAASC), explained the proposal. In response to a comment from Farrell, Dean Kornbluh (AS, and contact person) said that UK had a robust priority registration policy to allocate seats and allows faculty, departments, and colleges to continue to allocate courses as they see fit. The Chair solicited questions of fact from senators. Jones, D. (ME) asked if anyone had considered allowing a non-degree seeking student to use a repeat option. After a few comments, Jones, D. **moved** to added language regarding the repeat option to the proposed rule change. Wasilkowski (EN) **seconded**. The Chair called for debate and as it wound down, Jones, D. indicated he could withdraw his motion. The Chair asked if there were any objections to Jones, D. withdrawing the motion and there were none. There were additional questions of fact.

The Chair said that the **motion** was a recommendation that the Senate approve the proposed changes to *Senate Rules 4.2.1.3* ("Non-Degree Students"). Because the motion came from committee, no **second** was required.

Dean Kornbluh **moved** to restore the inadvertently stricken language in *SR 4.2.1.3.2.1* ("or the applicant has been admitted by exception according to IV, 4.2.1.1 [US: 10/11/93]"). Wood **seconded**. There was no debate. A **vote** was taken and the motion **passed** with 58 in favor and one abstained.

The Chair explained that the motion now on the floor was to approve the proposed change to *SR 4.2.1.3.2.1*, as just amended. There were no questions of fact and no debate. A **vote** was taken on the motion to approve the proposed changes to *Senate Rules 4.2.1.3* ("Non-Degree Students") as amended and the motion **passed** with 57 in favor, two opposed, and one abstained.

ii. Proposed New *Senate Rules 5.3.2.8* ("Undergraduate Colleges-Probation and Suspension Policies," "Lewis Honors College")

Farrell (FA) explained the proposal. The Chair asked if there were any questions of fact and there were none. The **motion** was a recommendation to approve the proposed new *SR 5.3.2.8* ("Undergraduate Colleges-Probation and Suspension Policies," "Lewis Honors College"). Because the motion came from committee, no **second** was required. There was no debate. A **vote** was taken and the motion **passed** with 56 in favor and two opposed.

iii. Proposed Change to Master of Health Administration

Farrell (FA) described the proposal. There were no questions of fact. The Chair said that the **motion** on the floor was a recommendation that Senate approve the proposed changes to the Master of Health Administration. Because the motion came from committee, no **second** was required. There was no debate. A **vote** was taken and the motion **passed** with 56 in favor and none opposed.

The Chair noted that there were two items remaining on the agenda and she again expressed her appreciation for those who were able to stay after 5 pm.

b. Senate's Academic Programs Committee (SAPC) – Aaron Cramer, Chair

i. Proposed New Graduate Certificate in Child Welfare Practice

Cramer (EN), chair of the Senate's Academic Programs Committee (SAPC), explained the proposal. There were no questions of fact. The **motion** on the floor was a recommendation that the Senate approve the establishment of a new Graduate Certificate in Child Welfare Practice, in the College of Social Work. Because the motion came from committee, no **second** was required. A **vote** was taken and the motion **passed** with 50 in favor.

ii. [significant change] Reopening of Master of Science of Nursing (and changes to requirements)
Cramer (EN) explained the proposal. There was one factual question. The Chair then said that the **motion** on the floor was a recommendation that the Senate approve the reopening of Master of Science of Nursing and accompanying changes. Because the motion came from committee, no **second** was required. There was no debate. A **vote** was taken and the motion **passed** with 46 in favor and one abstained.

The meeting was adjourned by general consensus at 5:13 pm

Respectfully submitted by Jennifer Osterhage,
University Senate Secretary

Absences: Arnett; Atwood; Bernard; Birdwhistell; Blonder; Brady; Brennen; Brown; Bruckner; Carver; Cofield; Collett; Collins; Cox; Cross; DiPaola; Donohue*; Dziubla; Feist-Price; Flaherty; Frierson; Gent; Giancarlo; Griggs; Grossman; Hall*; Hamilton; Hampton; Harley; Harmon; Harper; Heileman; Huang; Jackson; Jacobs*; Kelley; Kim; Kirk; Kyrkanides; Lane; Lauersdorf; Lephart; Lovan; Mardini; Mark; Martin; McGillis; Mitchell; Murray; Musoni; Obute; Pauly*; Quinn; Raissi; Richey; Roch; Runyon; Scaggs; Sheather; Sheehan*; Stevens*; Thomas; Vernon; Vosevich; Walker; Ward; Wilcock*; Wilson, K.; Wilson, M. *; and Wittkamp.

Invited guests present: Kalea Benner, Karen Butler, Czar Crofcheck, Debra Hampton, and Douglas Michael.

Prepared by Sheila Brothers on Wednesday, Thursday, December 13, 2018.

* Denotes an explained absence.