

University Senate
May 4, 2009

The University Senate met in regular session at 3 pm on Monday, May 4, 2009 in the Auditorium of the W. T. Young Library. Below is a record of what transpired. All votes were taken via a voice vote unless indicated otherwise.

Chair Dave Randall called the University Senate (Senate) meeting to order at 3:00 pm.

1. Announcements

The minutes from April were not ready for approval. The Chair offered a variety of announcements:

- The chairs of the SEC schools' faculty senates would be meeting at UK in early October.
- When the Senate approved the changes to Dead Week (*Senate Rules 5.2.4.6*), the effective date was not included in the motion. Therefore, the Chair determined that the effective date would be fall 2009.
- The Academic Approvals Workgroup was continuing to document and develop formalized procedures for curricular approvals. The work group will continue to meet over the summer and have a report prepared for the Senate in the fall.
- The Senate Council (SC) reviewed proposed changes to *Governing Regulations VII*, which they endorsed on behalf of the Senate. More about the changes would be forthcoming during discussion on agenda item number 13.
- A number of senators' terms were ending and they were rotating off. The Chair asked that they stand to be recognized.
- Tagavi's SC term as immediate past chair would end at the end of May; the Chair said he did not know what he would have done without Tagavi's help over the past year, but noted that any mistakes were not learned from Tagavi! The Chair thanked Vice Chair Aken, whose term also ended May 31, for her contributions, as well.

2. [Memorial Resolution for Mr. Russ Williams, Employee and Staff Trustee](#)

The Chair asked Staff Senate Chair Bart Miller to read a memorial resolution in honor of Russ Williams, longtime UK employee and staff representative to the Board of Trustees, which he did.

WHEREAS, Russell Glenwood Williams, II, staff representative of the University of Kentucky Board of Trustees, passed away April 8, 2009, and

WHEREAS, he was elected to four consecutive terms of the Board of Trustees by his fellow staff members, and

WHEREAS, he boldly took issues impacting staff to the Board of Trustees and represented all staff with unwavering dedication, and

WHEREAS, he was instrumental by working many hours with a small group of staff helping to organize and implement the Staff Senate as the official body representing the staff to the administration in July 2002, and

WHEREAS, his willingness to share his knowledge and wisdom helped develop countless leaders within the University Staff, Student, and Faculty communities, and

WHEREAS, he was a beloved mentor, friend, and staunch advocate for countless employees, and

WHEREAS, he was a valued member of the campus community, working as Senior Training Specialist for Human Resources, and

WHEREAS, he sought to communicate with each and every staff member by maintaining a listserv, launched a website for blogging, and always made himself available to staff and their concerns, and

WHEREAS, he was a UK alumnus, earning his bachelor's and master's degrees in social work,

NOW THEREFORE BE IT RESOLVED, that the University Senate of the University of Kentucky mourns the passing of a dear friend and colleague, offers condolences to his family and friends, and orders that this resolution be made a part of the Minutes of the meeting.

Bollinger **moved** that the Senate stand for a moment of silence in honor of Russ Williams. McNeill **seconded**. A **vote** was taken and the motion **passed** without dissent. Senators stood for a moment of silence.

The Chair mentioned that a concern had been raised regarding voice voting. He reminded those present that no one is to vote except voting senators during a voice vote.

3. [Proposed New Degree Program: PhD Epidemiology and Biostatistics](#)

The Chair invited Professor Richard Kryscio to share some information regarding the proposed new PhD in Epidemiology and Biostatistics. Guest Kryscio began by saying that it was a joint program between both disciplines, with 50% of the curriculum and 50% of the electives from each area; committee assignments would also be split. There were an insufficient number of faculty in either department to offer separate degree programs, hence the idea of a joint program. It was a unique idea, not found elsewhere in the country.

Seegerstrom **moved** that the Senate approve the creation of a PhD degree program in Epidemiology and Biostatistics, effective summer I 2009. Snow **seconded**. There being no further discussion, a **vote** was taken and the motion **passed** with none opposed.

The Chair noted that all curricular proposals came from the SC with a positive recommendation.

4. [Proposed New Degree Program: MS Epidemiology](#)

Kryscio said that the proposed new MS in Epidemiology was a fail-safe for students who enter the doctoral program but cannot complete it. Students would not be directly recruited into the MS degree program. There were no questions from senators.

D. Williams **moved** that the Senate approve the creation of an MS program in Epidemiology, effective summer I 2009. Houtz **seconded**. There being no discussion, a **vote** was taken and the motion **passed** unanimously.

5. [Proposed New Degree Program: MS/PhD Reproductive Sciences](#)

Professor Doris Baker said that the Division of Clinical and Reproductive Sciences was offering this interdisciplinary doctoral degree with an *en passant* MS degree. Guest Baker explained that the degree focused on basic research, which would prepare graduates in a growing field facing shortages; students will be prepared to direct reproductive laboratory sciences and work in such fields as genetics, reproductive sciences, and therapeutic stem cell research. The proposed new degree program will be the first PhD program in the country with a clinical option that will provide education for individuals directing complicated laboratories, as well as train clinical embryologists.

The degree program will focus on integrated biomedical sciences in the first year, and then move to a clinical reproductive sciences curriculum. Baker went over the number of faculty involved, noting that all are funded or have a history of funding with well-equipped laboratories and active research programs. College of Health Sciences Dean Lori Gonzalez agreed to provide funding for four fellowships for the first class, and no other resources were being requested.

Baker noted that the creation of the *en passant* MS degree was recommended by Graduate School Dean Jeannine Blackwell. Students would not be recruited directly into the program, but would be able to earn an MS if unable to complete dissertation research. To earn the MS, a student must complete the first two years of the PhD program and pass the qualifying exam, but under no circumstances would a student be able to receive the MS with less than 30 hours.

English **moved** that the Senate approve the creation of MS/PhD programs in Reproductive Sciences, effective summer I 2009. Aken **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

The Chair noted that he had neglected to note that Tagavi volunteered to serve as parliamentarian for the day's meeting, which he greatly appreciated.

6. [New Degree Program: MS Clinical Research Design](#)

Professor Richard Kryscio explained that many students with a Masters Degree in Public Health often came to the College of Health Sciences for more education. The proposed new degree program would emphasize clinical research skills. It will be a 30-credit hour, thesis-oriented program with 24 hours of course work. Those who have earned the Graduate Certificate in Clinical and Translational Science may choose to enroll.

D. Anderson **moved** that the Senate approve the creation of an MS in Clinical Research Design, effective summer I 2009. R. Jensen seconded. There being no discussion, a **vote** was taken and the motion **passed** without dissent.

7. [Proposed Changes to BS Nursing \(RN to BSN Option\)](#)

Professor Gina Lowry explained that the College of Nursing (CON) proposed to modify the BSN Nursing degree program, but only that portion applying to RNs earning the BSN; there are students who are registered nurses (either a graduate from an associate's degree program or as a diploma graduate) and want to get a bachelor's degree. Guest Lowry said that the first proposed change involved removing the requirement of being a registered nurse, which is being suggested because the KY Board of Nursing requires that students put in 120 hours of precepted experience after graduation before being eligible to be licensed. That may interfere with students being registered nurses first thing, in August, when the semester begins. The proposed change would require that students be registered nurses before entering the clinical portion of the program.

Lowry explained that the second change had to do with diploma nurses, those lesser numbers of nurses who were trained in hospitals, not universities. The current requirement is taking a test for nursing credit. Essentially, that test no longer exists and CON has decided upon a preference for granting credit based upon a portfolio of licensure and professional experience. Lowry added that there was originally a modification to delete the requirement for a letter of recommendation, but it was ultimately left as is. The last change was removing the interview requirements.

Sellnow **moved** that the Senate approve the change to the BS in Nursing (RN to BSN option), effective immediately, and send the changes to *SR 4.2.2.1* to the Senate's Rules and Elections Committee for codification and Yanarella **seconded**. There being no discussion, a **vote** was taken and the motion **passed** without dissent.

8. [Proposed Change to BS/BA Telecommunications](#)

Professor Jim Hertog explained that he was present to explain the proposal to change both the BS and BA in Telecommunications. Guest Hertog said that the primary changes involved removing one pre-major requirement and adjusting the required pre-major GPA. In addition, some of the required Telecommunications classes were being modified, especially those in the social sciences. As time passed, business-oriented classes were added, and students were not taking as many social effects courses. One of the proposed changes would require students to take at least a couple of social science classes as part of the major.

Bollinger **moved** that the Senate approve the requested changes to the BS/BA in Telecommunications, effective summer I 2009 and Case **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

9. [Proposed New Graduate Certificate in Maternal and Child Health](#)

Professor Jim Cecil explained to senators that the proposed Graduate Certificate in Maternal and Child Health would be comprised of 15 credit hours, of which six were required courses and the balance were selected existing courses. The entrance requirements were typical Graduate School requirements, with the additional requirement of an essay for consideration by the director of the graduate certificate. The proposed certificate was intended to enhance training and educational opportunities for students with an interest in the field. Students would have five years to complete the certificate upon admission to the Graduate School. During the certificate's review process, a couple of Nutrition courses were added to the list of recommended courses.

D. Anderson **moved** that the Senate approve the Graduate Certificate in Maternal and Child Health, effective summer term I and Aken **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

10. [2009 – 2010 Winter Intersession Calendar](#)

The Chair first offered senators some background information. During the April 2007 Senate meeting, the Senate approved a three-year pilot of the Winter Intersession (for 2007-2008; 2008-2009; and 2009-2010), so long as the courses involved were included in the Provost's learning outcomes assessment and that such data will be provided to the Senate Council and Senate in time for re-approval. The mentioned report is expected in fall 2009, and the Senate was presently being asked to approve the last pilot session, for 2009-2010.

D. Williams **moved** that the Senate approve the 2009 – 2010 Winter Intersession Calendar. Yanarella **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

11. [Proposal to Change Foreign Language Requirement \(second reading and vote\)](#)

The Chair noted that the proposal would change the method by which UK's foreign language requirement would be satisfied. He invited Assistant Provost for International Affairs Susan Carvalho to explain the proposal. Guest Carvalho explained to senators that the proposal in front of them was identical to the proposal seen during the first reading in April. The proposal helps to clarify the place for language in the proposed new Gen Ed.

The vast majority of Kentucky high school graduates and those students coming in from other states have two years of language study as required for entrance, which duplicates the requirements for foreign language in the University Studies Program (USP, current Gen Ed program), amounting to an empty line in USP. The proposed changes would modify the entrance requirements in simple but significant language. Students will be required to demonstrate competency, as described after consultation with the Kentucky Department of Education (DoE), which hopes to have testing for foreign language instituted across the Commonwealth by the time of the high school graduating class of 2016. Implementation of the test in more districts will be encouraged this year in spite of some state funding issues, but the DoE hopes that UK will endorse it.

It is typical to see improvement in scores in districts when tests are given. Early tests were somewhat disappointing, but Carvalho noted that two factors should be kept in mind: the rate of failure drops to 20 - 30% after two to three years of giving the test, hopefully due to improved foreign language instruction; and that a large percentage of incoming freshmen have three to four years of foreign language and do not have much trouble meeting the requirement. The level of competency will be set at mid-novice, which is the next category above the one that involves a capacity of about 20 words; even mid-novice is characterized by the impossibility of communicating with an unsympathetic native listener. The KY World Language Association encouraged UK to set the bar at novice high, which they hope will be the statewide requirement by 2016, but the UK group proposed beginning with a novice-mid requirement. Once the KY DoE moves their testing bar to novice high, UK can do the same. Carvalho explained that the proposal includes language that provides for testing to begin in 2010, with remediation beginning in 2012, when results will be reported back to districts.

Rohr asked about what UK's benchmarks required. Carvalho replied that all benchmarks have liberal arts requirements, but many do not have a campuswide language requirement; if they do, it is customarily two semesters. Most do not have a proviso that allows for satisfaction of the requirement via two years of high school and testing out.

Janacek **moved** that the Senate approve the new requirement for satisfying the foreign language requirement, with implementation of testing in fall 2010 and implementation of remediation in fall 2012. Snow **seconded**. D. Anderson asked about the initial level of required competency – she thought it was too low. Carvalho replied that a new, higher standard could be brought back to the Senate for approval in 2010, but at the current time, a lower standard was acceptable for starting out.

There being no further discussion, a **vote** was taken and the motion **passed** with none opposed.

12. [Curricular Teams' Course Templates \(second reading and vote\)](#)

The Chair read two statements from the PowerPoint presentation:

1. The SC expects that prior to 2010, the Senate must be satisfied that all necessary resources, etc. are available for a new gen ed, with attention paid to a tentative implementation date of fall 2011.
2. The SC expects that the process for forming a group to vet proposed gen ed courses will be approved by the Senate.

He explained that senators will hear a report on the ten templates, particularly the one ["Composition and Communication"] that was changed, which would be followed by open discussion. He noted that only senators were allowed to comment during the open discussion. The Chair then invited Erica Caton, director of advising for the College of Arts and Sciences, to share information about the eleventh, or Co-curricular Team.

Guest Caton first asked members of the Co-curricular Team to stand and be recognized. She reminded senators of the overview given last month, and said the purpose of the day's presentation was to share some highlights of recommendations. Caton introduced Tony Liquori-Grace (advisor from the College of Nursing).

Guest Liquori-Grace explained that the Co-curricular Team first looked at the question of "who are we and why are we here and what does a Gen Ed curriculum have to say about that?" They decided that having a common vision and mission and shared goals is the answer, and that three elements create a unified identity and a standard by which things can be assessed: 1. without values, assessment cannot be performed; 2. without purpose, goals cannot be set; and 3. without vision, nothing much can be achieved.

Liquori-Grace then offered a presentation. Subsequently, Caton went over four recommendations:

1. A workgroup must be charged to see if students connect with the See Blue campaign. How does UK connect those images to UK's goal, and what are the academic expectations?
2. The use of myUK should be emphasized and encouraged to communicate individually with students and catalyze interactions with academic departments.

3. There should be further enhancement of living/learning communities and further collaboration with Student Life on campus.
4. There is a suggestion to pilot an E-portfolio experience in UK 101 in fall 2009, to tie what is learned in the classroom with outside activities.

Caton ended by saying that the complete set of 15 recommendations was available on the Gen Ed web site.

The Chair noted that there were a few typos in the course templates and [appendices](#), which would be corrected. Carvalho added that valuable suggestions on style continue to be offered. She said that the only significant change since April pertained to the “Composition and Communication” templates. Important input was received about clarifying what was intended regarding visual communication, and that the group clarified in the section on assessments what was the intended content for students to have. Explicit reference was made to critical thinking, and the presence of training in mechanics – grammar and style – for oral and written communication was strengthened. In addition, there was a great deal of substantive input in the appendix. A new center is referenced (page three of the pertinent appendix), which will manage the two courses and invite participation of graduate students from various colleges. Carvalho noted that the Department of English pointed out that such a creation went beyond the purview of the curricular teams, so language about such a center being a suggestion by the curricular team was added.

Carvalho went on to talk about the second part of the appendix, which discusses, in part, the teaching load of graduate students (12 hours per year, well above standards). She said that it may be difficult to train all the necessary graduate students given this heavy teaching load, but opined that the training received will be marketable and beneficial to graduate students. She said that because of this, an additional recommendation is that graduate students’ course loads be no more than three courses per year, for a total of 66 students per year.

Nadel said that he was puzzled by the separation of course load, and outcomes and objectives as a part of the document. He said it was not possible to vote on outcomes without knowing class size and the amount of work that needed to be done. Carvalho replied that the charge from the Senate to the curricular teams was to use scholarly expertise to put forward needed objectives for achievement; the curricular teams were not the group to make resource determinations or final decisions on teaching loads, hence the suggestions in the appendix. She noted that there were various expectations outlined throughout the appendix, but that those items were beyond the purview of the day’s Senate vote. Nadel acknowledged that information, but stated that it was difficult to vote on the objectives aspect without knowing resources information.

Provost Subbaswamy noted that he made a presentation in April regarding rough resource estimates based on available information. He reminded senators that there was an explicit agreement that the SC will bring a full resource proposal to the Senate prior to the Senate approving an implementation date. There were still multiple steps left in the process – assuming the Senate approves the curricular templates, some faculty can immediately begin to develop courses, try them out, modify existing courses, etc. He emphasized that the Senate’s authority to either retain USP or implement a new Gen Ed was a failsafe. In response to a question from Nadel about whether or not the Senate would (in a future vote on resources) be able to vote on

discrete sections, or would have to vote the entire package up or down, the Provost said that it was not his position or within his purview to impose a certain class size or workload on TAs or faculty, due to the collective and national standards to which UK aspires. He acknowledged the heavy teaching loads for English TAs and noted that a new gen was an opportunity to reexamine certain practices – UK’s mission includes research, graduate education, professional education, undergraduate education and engagement, so he thought it could be a good thing if certain TA-related practices were brought to the forefront and looked at more closely.

Nadel again asked if the Senate would be able to hold a line-item vote on budget issues, and the Provost responded by saying that while it might be micromanaging available resources, he just did not know how such a vote would be framed. The Chair stated that how the Senate would vote on resources was within the purview of the SC, but that it was reasonable to think that everyone would work together to bring the most effective proposal forward when the time came to do so.

Yost referred to his previous comments regarding budget issues and wondered if the Provost had had an opportunity to revamp his resource information subsequent to the April presentation. Provost Subbaswamy replied that the primary change pertained to Composition and Communication, which, he said, was ironed out on Friday, and he had had a chance to see on Sunday. He said that the pertinent issue was going from four hours to three hours, and that the workforce was already in place. The Provost acknowledged that their workload was too high. He said that he needed to add that information, but said it would not present a major change to his previous calculations.

Professor Roxanne Mountford said that in the Department of English, 30% of introductory courses are taught by TAs, and the remaining are taught by full-time lecturers. Guest Mountford added that one great benefit of the change in required credit hours would benefit TAs and lecturers alike. The Provost noted that those changes regarding TAs with lower loads and better pay had been included in his April resource presentation.

Perry said he felt duty bound to echo some concerns already expressed regarding when the Senate will know the real cost of the proposed changes to Gen Ed. He said that he understood and appreciated the difference between design templates and implementation, but reiterated that he wanted to know when the Senate would know the cost of a change to a new Gen Ed. The Chair said that the Senate would only vote on implementation once the costs were also known. Provost Subbaswamy added that he stood by his figure of an approximately \$4.4 million minimum cost; those numbers were available online, along with his assumptions. He opined that the estimated cost was manageable. In response to Bollinger, the Provost said that he stood by the number of \$4.4 million as the minimum amount necessary for a new Gen Ed.

Wood **moved** that the Senate approve the 10 course templates with an intended implementation date of fall 2011, subject to final confirmation by the University Senate of: 1) the implementation date; and 2) the process of vetting Gen Ed courses for inclusion during fall 2010. Yanarella **seconded**.

Yost asked for clarification – if either of the two parts were not satisfactory, would that stop the entire process? The Chair replied that in order for a new Gen Ed to be implemented, the Senate would hold a separate vote to do so. Wood commented that that was her intent. Currently,

students are still being admitted under USP, and a firm implementation date was needed to work towards. She said that although the Provost had given firm cost information, there was still the issue of whether or not the \$4.4 million would be available; in addition, there was still a discussion to be had regarding the process by which courses would be vetted. Wood said that her motion required funding and course proposal vetting to be satisfactory before the Senate could approve a firm implementation date.

Yost said that the entire process required a lot of trust, from the requirements of USP to accreditation issues. He said that even if everything falls into place and a group is put together to vet the curriculum, no one knows for sure whether the new courses that will be approved will create a hardship for programs who are subject to external accreditation issues. Yost wanted the Senate to look at what would happen if implementation of a new Gen Ed had an adverse impact on programs and how such issues could be resolved. He suggested that a process be outlined to allow a substitution of courses, to prevent a situation in which the required number of credit hours for a program increases due to Gen Ed. He said he generally approved of the proposed new Gen Ed, but wondered about possible adverse accreditation effects, and asked if the SC had discussed such issues. The Chair commented that such discussions had taken place, and that if a new Gen Ed fatally injures an academic program, such a situation must be addressed.

Carvalho said that questions of whether or not certain courses counted or did not count were complicated – some departments want certain courses to count toward a new Gen Ed, or perhaps one department was reliant upon a course from another department. She said that everyone wants students to graduate in a timely fashion and that such conversations will happen, but a course vetting group should first be in place, conducting dialogues with departments, before Yost's question could be fully answered.

Provost Subbaswamy said that apart from the goodwill of departments offering courses, it was important to make sure accredited programs remained accredited. He referred to his resources presentation from April, and noted that one part of the remaining steps involved departments reviewing their major programs, documenting how a new Gen Ed would affect the program, and offering possible solutions if problems are foreseen. He said it was possible that there was a major somewhere on campus that could not function under the proposed new Gen Ed, but said it was unlikely due to the decrease in credit hours from USP to a new Gen Ed. He said that in the event such a situation was encountered, discussions would have to be conducted within his office, and that such discussions are routine when a university's Gen Ed undergoes major changes.

Nadel said that he wanted the minutes to document that he had found many grammatical and punctual errors in the 800 words describing Composition and Communication. He said that the issue concerning him was not necessarily the writing errors, but rather the fact that attempts to make the language more grammatically correct were voted down by the curricular team. He wondered if the as-yet-undefined course vetting group(s) will have the same problem of being able to vote down something that should be approved. Carvalho explained that while editorial suggestions were welcome, some of the proposed changes would have changed the meaning, and it was within the purview of the curricular teams to articulate meaning. Nadel countered that if what should be said could not be done with proper English, it was a major problem.

Bollinger spoke to Yost's concerns about possible accreditation problems that could arise as a result of a new Gen Ed. Bollinger commented that he was a member of the Statistical Inference Reasoning team, which engaged in similar discussions. He opined that the only logical movement was continued forward movement, which was not something he said lightly. Bollinger said that there were a tremendous amount of resources involved, particularly faculty resources, long before UK will be required to invest any money, which perhaps summed up the trust issue. He opined that in the current situation it was appropriate to put the horse before the cart and lay out details prior to voting on implementation. He supported the failsafe language in the motion and hoped the Senate would take its responsibility seriously.

Yost commented that he was generally in favor of moving forward. However, if Gen Ed is approved, resources are found and everything else in place, he wanted to know what recourse a program will have if it turns out that in order to satisfy the new Gen Ed requirements a program's required credit hours increases.

The Provost replied that in general, accrediting bodies were trying to cut back on the total number of hours required for graduation. If such a situation as described by Yost occurred, there would have to be an adjustment on the Gen Ed side. Provost Subbaswamy said it was a hard question to answer in the abstract, but that ultimately people would have to be pragmatic and sit down, affected major by major, and determine how to manage the problem and find a resolution.

There being no further discussion, a **vote** was taken on the **motion** that the Senate approve the 10 course templates with an intended implementation date of fall 2011, subject to final confirmation by the University Senate of: 1) the implementation date; and 2) the process of vetting Gen Ed courses for inclusion during fall 2010. The motion **passed** in a show of hands with none opposed and one abstaining.

The Chair suggested it was appropriate for a round of applause to be offered to those who have done so much work thus far, and senators did so.

[13. Proposed Changes to Administrative Regulations II-1.0-1 \(Combined Version\) \(for endorsement\)](#)

The Chair invited Provost Subbaswamy to present the proposed changes to *Administrative Regulations (AR) II-1.0-1*, which he did. Referring to the next agenda item (number 14), the Provost noted that both sets of revisions had been circulating around campus for at least two and a half years, both initiated by the Provost.

Provost Subbaswamy explained that the proposed changes to *AR II-1.0-1* began with a whitepaper he authored on faculty tenure and promotion and title series. While there was some disagreement about the title series issues, there was general consensus on procedural issues pertaining to promotion and tenure, so those aspects have moved forward. He offered an overview of the changes that to him seemed substantial.

The Provost explained that the proposed comprehensive tenure review changes (on page five of the proposed changes) ensured that all faculty would be entitled to one comprehensive tenure review, up through the level of the Board of Trustees. As the language currently reads, a dean has the authority to stop a review, but there was no rationale for giving more deference at the

decanal level for negative opinions than positive ones, so both should have equal weight. Also within that same section is new language about considerable deference to college judgments. The Provost opined that such language was a maturation of an institution past the point when area committees tended to be seen as policing over departmental and college decisions.

The Provost noted that one point of disagreement during vetting pertained to an early tenure review. The Provost opined that the anxiety was more about the changes than practical consequences. Many in the vetting process supported different language that would allow an early tenure case to be pulled if it seemed that a positive decision was not likely. Provost Subbaswamy said that the notion of early tenure was an antiquated concept – a faculty member should go up for tenure when deemed ready. An additional change (inclusion of a time frame) was added to existing language on page seven of the proposed changes, pertaining to promotion and tenure for assistant professors.

The Chair asked senators if there were any questions or comments. Jones stated that he was asked unanimously by the faculty council in the College of Medicine (COM) to read a letter pertaining to the early tenure review. He noted that COM faculty make up approximately one-third of all tenured and tenure-track faculty at UK. The text of the letter is below.

The College of Medicine Faculty Council has studied the Provost's draft changes to tenure policies that was circulated to the college faculty councils by the University Senate Council.

The COM Faculty Council recognizes and is strongly supportive of several positive features in the draft language. The new guarantee that each untenured candidate will have an occasion for their case to be considered all the way to the President's level for final decision is an improvement from the current policy in which the case might never be considered above the college level. The Faculty Council also expresses its appreciation to the positive response of the Provost to an earlier suggestion arising from the Faculty Council, that the language be clarified to fully secure the availability of the appeal processes.

The Faculty Council is very concerned, however, about several features that could have long-term harmful effects on the growth and strength of the academic programs of our University and the College of Medicine. One new feature is that if a department advances a candidate for an 'early' consideration for tenure, that candidate will be placed on terminal reappointment if the proposal for early tenure is denied (instead of the individual receiving another 'reappointment' until the later guaranteed consideration at typically the 6th year). As we aspire to attract faculty that increase our competitiveness to achieve "Top 20," the prospect of an early tenure consideration unlinked to termination is an important recruiting tool. We are not aware of any data that there is a 'downside' to the current procedures for early tenure consideration that warrant newly linking unsuccessful early tenure to terminal reappointment.

The Faculty Council is especially concerned about the draft provision that affects untenured faculty who 'waive' tenure consideration during the required (typically 6th) year and who agree thereby to have a terminal reappointment

during the following year. The proposed language denies to these candidates the guaranteed 'comprehensive' review all the way to the President's level that would have otherwise been available to them had they not waived consideration during the required year. There are many legitimate reasons that an untenured candidate may seek to waive consideration until the terminal year. In many of the disciplines in our College of Medicine, it is necessary for faculty members to obtain extramural funding to fuel their creative productivity. In times of national economic stress that is outside the control of the candidate or the University, it takes longer to demonstrate securing of that extramural funding. In such cases, it is to the benefit of both the candidate and the University that the candidate be able to waive consideration until the terminal year, but without the punitive loss of that candidate's guarantee for the same comprehensive review that is available to faculty in other disciplines that do not have extramural funding pressures.

In summary, we appreciate the Provost's invitation for the college faculty councils and Senate to recommend the best improvements in our University's tenure procedures. We are supportive of the significant improvements that have been proposed. We also strongly urge the Senate Council to work with the Provost to enable further modification of the areas of remaining concern that are described above.

Provost Subbaswamy commented that many universities and/or disciplinary fields had moved to an eight- or nine-year probationary period for faculty, and that such discussions should be informed by the current funding environment and expectations. He noted that it was almost impossible to gather data as suggested in the COM faculty council's letter – there is no way to track situations in which a college or department solicits letters and determines that they are not positive. He said that the proposed change, as implemented elsewhere, has not prevented other universities from hiring high-quality faculty members.

Yost said that he was unclear as to the motivation for not allowing a comprehensive review if a faculty member voluntarily waives going up for tenure. Provost Subbaswamy replied with a question of his own – what would be the motivation for waiving that right in the first place – testing the waters? He said that if language were changed to allow a waiver with no penalty, it amounted to an extension of the probationary period. He offered a second point; if a faculty member goes through the entire process and then appeals, receiving an extension toward the end of the appeal period, this explains why a terminal year is offered after the tenure consideration. It ends up harming the faculty member, and there is too much at risk during the seventh year – tenure decisions should not be made at the last minute by faculty members.

Wood said that it was her pleasure to serve on both the SC and the Executive Committee of the College of Arts and Sciences and said the latter group unanimously voted to have her read some of their concerns into the minutes. The text of the letter is below.

The College of Arts and Sciences Executive Committee has reviewed the Provost Office's proposed changes to the Administrative Regulations and offers the University Senate the following feedback:

The Committee agrees that the review that all tenure-track faculty are entitled to undergo in no later than the sixth-year of their probationary period should be a so called “comprehensive” one.

The Committee expressed deep concern about the proposed change to limit to one the number of times a probationary faculty member can undergo a (comprehensive) review prior to the seventh year of his or her probationary period. The Committee believes that this limitation will dampen the willingness of outstanding untenured faculty—who often undergo tenure review prior to the sixth year—to go up “early.” Out of caution and the fear of receiving a terminal contract in case the tenure application is declined, such faculty are likely to delay their promotion and tenure review. This delay might prompt some of them to look for jobs elsewhere. The limit might also cause highly qualified job candidates to hesitate accepting offers from UK once they learn of this policy. The Committee strongly encourages allowing faculty to undergo more than one review prior to the seventh year of the probationary period. Perhaps all probationary faculty could be guaranteed one comprehensive review to take place in the sixth or seventh year, and the option of an earlier “noncomprehensive” review could be left open (i.e., a review that could be stopped by the college dean).

Perry said that he had served both as department chair and also on the Senate’s Advisory Committee on Privilege and Tenure and appreciated the many aspects of the proposed revisions to streamline tenure. He gave his absolute support to the language of the letter read by Wood and said that department chairs, those who recruit and those who go out into the field with UK’s recruiting and standing among academic institutions universally expressed reservations about the early review language and the ability to recruit outstanding faculty.

The Chair suggested that a motion be made to facilitate continued discussion. Nadel **moved** that the Senate endorse the changes to *AR II-1.0-1* and recommend that these revisions apply to all probationary faculty in tenure track lines. The Chair commented that the proposed motion would incorporate both endorsement and the application of the changes to all faculty. Jones asked for clarification, and the Chair said it would apply to all non-tenured employees. Provost Subbaswamy interjected and said that there was a time-honored rule that individuals who entered under previous rules remained under those previous rules. Thus, the proposed changes would only apply to those faculty hired after July 1, although existing faculty would be allowed to opt in. By law, existing faculty would fall under the rules in place at the time of their hiring. He noted that he did not take objections to the proposed changes lightly, although he said he saw such policies work at other universities without harm. The Provost said that if an early tenure review is stopped after negative outside letters were received, the early letter writers may be avoided at a future tenure review process date. It was not fair to bother them with letter writing on a “trial basis” for an early review. Bollinger **seconded** the motion.

Nadel said he supported the recommendation from the College of Arts and Sciences and said the most cost-efficient way to recruit faculty is to bring in tenurable assistant professors from other institutions. Getting people to delay going up for tenure due to fear of a bad review, whether rational or not, would allow potentially good faculty members to be picked off by other

institutions. Nadel supported the option to allow faculty to go up early for tenure and promotion without negative consequences.

Zentall, who stated he had served on numerous college promotion and tenure committees, said he had seen a bias against early tenure, because of the option for normal review at the end of the tenure process. He said he had seen senior faculty argue that a faculty member needs to demonstrate superior abilities to be able to go up early. He thought the proposed change would eliminate that issue and allow judgment to be offered via the regular process, rather than impose requirements for extraordinary performance.

Perry asked about the possibility of revising the motion. Parliamentarian Tagavi stated that the language of endorsement could be changed. The Chair opined that it was not within the Senate's purview to change the language of the document. Perry replied that if changes were not made, he would not support the motion and suggested that a friendly amendment be added so that a faculty member would be entitled to an early tenure review without prejudice prior to the sixth year. Provost Subbaswamy said that because of the nature of the *AR*, Senate endorsement was solicited, and senators could choose to not endorse it if so desired. At the present time, there had been over two years of discussion and the endorsement would serve as a recommendation to the Provost; he was not sure what purpose would be served with an amendment.

Segerstrom asked if it were possible to endorse certain changes to the *AR*, but not others. The Provost said that was an interesting question regarding administrative matters and where to draw a line; the Senate has responsibility for academic matters. He said he would take the advice of the Senate and do as he saw fit with respect to recommendations to President Todd. He did not think that picking and choosing aspects to endorse were appropriate for administrative matters. In response to a question from Nadel, the Provost said that senators could choose to not endorse the changes if this one aspect was potentially bothersome.

The Chair said that Perry's suggested language could be placed in the motion, but that such language would change the intent of the original motion. He asked Perry to officially make his comment. Perry **offered a friendly amendment** to include the following language at the end of Wood's motion: "and recommend that a probationary faculty member is entitled to an early tenure review without prejudice prior to the sixth year." Both Nadel and Bollinger **accepted** the friendly amendment.

Parliamentarian Tagavi stated that a friendly amendment was only valid if everyone agreed to the amendment. Since that was not the case, the amendment had to be voted upon. A **vote** was held on adding amendment language to the end of the motion: "and recommend that a probationary faculty member is entitled to an early tenure review without prejudice prior to the sixth year." The outcome of the voice vote was unclear, so a vote by show of hands was conducted. The motion **failed** with 19 in favor and 26 opposed.

A **vote** was taken on the original motion to endorse the changes to *AR II-1.0-1* and recommend that these revisions apply to all probationary faculty in tenure track lines. Senators understood that the proposed changes would only apply to faculty hired after July 1. By show of hands, the motion to endorse **passed** with 26 in favor and 23 opposed.

14. [Proposed Changes to Administrative Regulations II-7.0-1 \(3:14, "Faculty Practice Plans"\) \(informational presentation\)](#)

The Chair invited Harry Dadds, associate legal counsel at the Medical Center Legal Office, to explain the proposed changes. Guest Dadds began by saying he and others had been working on the revisions for the past two years, which had been vetted extensively among the health care colleges and the University Health Service. Affected faculty in the colleges had a level of comfort now with the proposed revisions, and the changes would likely go to the Board of Trustees for approval at their June meeting. Dadds then offered a brief presentation on faculty practice plans and the proposed changes.

Snow said it seemed that some faculty would lose privileges as a result of the proposed changes. Dadds said that there were instances of faculty with large consulting arrangements outside of faculty practice plans, and those individuals would be grandfathered in. In response to a question from Snow about percentages of faculty affected by big changes, Dadds replied that it depended upon the college. The College of Medicine would see a change of requiring a report of consulting arrangements. Other colleges could see more substantive changes. He noted that the College of Dentistry has a large number of faculty with consulting arrangements that have existed for years, and who would also be grandfathered in. Snow asked about salary reimbursement, and Dadds said that there would be none.

Provost Subbaswamy explained that the impetus for changes was increasingly stricter federal requirements on the disclosure of conflicts of interest. Currently, UK does not know what faculty are engaged in, so because of the revisions, some things will be brought under the faculty practice plans and will receive new scrutiny. He offered an example: a faculty member doing a lot of expert witness testifying could create a conflict of interest for UK as a whole. Such activities will be clarified. He ended by saying that if one defined a loss of privileges as moving from being outside of scrutiny to being scrutinized, then yes, some loss of privileges may be felt.

There were no further questions from senators.

15. [Provost's State of Academic Affairs Address](#)

Provost Subbaswamy offered a presentation on the state of academic affairs at UK. Afterwards, he answered a few questions from senators.

The meeting was adjourned shortly before 5:30.

Respectfully submitted by Stephanie Aken,
University Senate Secretary

Absences: Adams; Anderson; Arnold; Atwood; Badger*; Barnes; Bernard; Bishop; Blades; Brown, J.; Brown, S.; Campbell; Cantagallo*; Chappell; Crofford; Denison*; Desormeaux; Diedrichs*; Enlow; Ettensohn; Ford; Fox; Graham; Griffith*; Hallman; Hardesty*; Hardin-Pierce; Heller; Hoffman; Hopenhayn*; Huberfeld*; Hughes; Jackson, J. Jackson, V.; Jung; Kalika; Kidwell*; Kirschling; Leibfreid; Lester; Lorch; Luhan; Marano; Martin; McCormick; McCorvey; Mehra*; Mendiondo*; Miller; Mobley; Moise; Montell; Montgomery*; Nardolillo; Nieman; Parrot; Patwardhan; Pauly*; Perman; Richard; Rieske-Kinney*; Roberts; Sandidge; Sawaya; Seales; Shay;

* Denotes an absence explained prior to the meeting.

Smith, M.S.; Smith, W.; Sottile; Speaks*; Stenhoff; Suarez*; Subbaswamy; Sudharshan; Telling; Terrell; Thompson; Todd; Tracy; Troske; Turner; Waterman; Watt; Webb; Wermeling; Williams; Wiseman; Witt, D.; Witt, M.; Woods; Wyatt; Zentall.

Prepared by Sheila Brothers on Tuesday, September 8, 2009.