

University Senate  
October 8, 2012

The University Senate met in regular session at 3 pm on Monday, October 8, 2012 in the Auditorium of the W. T. Young Library. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise.

Senate Council Chair Lee X. Blonder called the University Senate (Senate) meeting to order at 3:02 pm. The Chair reminded senators to:

- Sign in upon arrival;
- Give name and affiliation when speaking;
- Communicate with constituency;
- Attend meetings;
- Respond to emails and web postings as appropriate;
- Acknowledge and respect others; and
- Silence all electronic devices.

1. Minutes from September 10, 2012 and Announcements

The Chair said that there were a few changes to the minutes, shown in track changes. There were no further corrections. Therefore, the minutes from September 10, 2012 were **approved** as amended **by unanimous consent**.

The Chair offered a series of announcements.

- Please respond to emails requesting nominees for various committees, particularly academic area advisory committees. Area committees make promotion and tenure recommendations and are a very important faculty governance exercise.
- The Senate Council (SC) will ask the Senate's Admissions and Academic Standards Committee (SAASC) to review a variety of definitions (e.g. major, service learning courses, master's degree, etc.). The Council on Postsecondary Education (CPE) requires that the definitions must be in effect as of fall 2013.
- The SC recommended to Interim Provost Tracy that the chair of the Health Care Colleges Council (HCCC) be appointed from the associate deans for instruction in the health care colleges. The SC further recommended that the HCCC position serve for three years and rotate among health care colleges (alphabetically by name of college). The Provost was amenable to the suggestion and is currently working on implementation.
- The SC approved a change to the College of Medicine calendar, which moved the start date for third- and fourth-year medical students forward one month, from starting in July to starting in June, to accommodate deadlines involved in application to residency programs.
- Senator Alison Davis (Agriculture) resigned from the SC. The Chair offered her thanks to Davis for all her hard work. Davis' term will be filled by David Pienkowski (Engineering).

- The SC approved a waiver of *Senate Rules 5.2.4.8.1* (“Common Examinations”) for Professor Robert Grossman. He needed to change the assigned room for a final exam, but no room with necessary facilities was available during the scheduled time.
- Ben Withers (Fine Arts), director of the Honors Program, is also serving as Interim Associate Provost for Undergraduate Education.
- The SC asked the Undergraduate Council, Graduate Council and Health Care Colleges Council to publish by the end of December a specific list of review requirements used during the new program review process. Said criteria will be reviewed by the Senate's Academic Programs Committee (SAPC) for additions, amendments and clarification before consideration by the Senate Council. The SC is planning for possible rewrite of SAPC charge.

The Chair reminded senators on the voting membership of the Senate for 2012-13:

- Ninety-four elected faculty senators representing 18 colleges;
- One emeritus professor;
- Two faculty trustees;
- Eighteen elected student members (includes student trustee/Student Government Association president)
- Provost, Associate Provost for Undergraduate Education, Deans of Libraries, Communication and Information, Dentistry, Design, Education, Engineering, Health Sciences, Law, and Social Work.

The Chair drew senators’ attention to the recent passing of Professor Emeritus Robert N. Bostrom (Department of Communication). Professor Bostrom served as University Senate Council Chair from June 1984 through May 1985. She said he had a distinguished career at UK and was internationally recognized in his field. She said the Senate will offer a memorial resolution in November, but asked those present to acknowledge his passing with a moment of silence. Senators shared a moment of silence for former Senate Council Chair Robert N. Bostrom.

### 3. Officer and Other Reports

#### a. Chair Report – Lee X. Blonder (Medicine)

The Chair explained that the Senate will still hold a discussion on the SC’s memo to President Capilouto on the results from SC’s budget forums later in the meeting. President Capilouto talked to the Chair on Sunday to reinforce his commitment to faculty governance. He asked that his Chief of Staff Bill Swinford be allowed to provide the President’s perspective during the Senate meeting. The Chair invited Guest Swinford to speak to senators.

#### President’s Chief of Staff Bill Swinford

Swinford offered his appreciation for the opportunity to address senators. He recalled that he has attended Senate meetings on a regular basis since President Capilouto arrived at UK. He said that during his conversation with the Chair Sunday, she urged him to spend a little time talking about the current budget process, how UK got to where it is and where UK is going.

To the degree that the President’s Office has not communicated well or not often enough, Swinford took responsibility. He outlined the various meetings and ways in which President Capilouto has met

with faculty to seek input on the budget. The President is committed to seek the Senate's advice and counsel on how to communicate. Swinford commented that he meets regularly with colleagues in the Staff Senate, through their Executive Committee and their Presidential Advisory Committee; he and the President appreciate the open and frank exchanges, which can result in accepting suggestions from the Staff Senate for change.

The President engaged in several months of listening across campus in small meetings with faculty when he first arrived, arranged by Past Chair Hollie I. Swanson. The President and Swinford participated in many other additional meetings with faculty, staff, students, and other constituents. Swinford said the President heard some recurring themes from multiple constituencies. He explained how the appropriation from the state has decreased and how that affected UK's financial planning. The President recognized that UK needed to begin working on how to develop a better way to budget. As a result, President Capilouto decided to in April 2012 to begin discussions about the budget for 2013-14 to give units additional planning time. UK is currently in the middle of those discussions right now. The President has established a set of tentative budget markers; these are used for discussions that Interim Provost Tracy has with deans, and for discussions the President and Treasurer Angie Martin have with administrative units. The proposed cuts disproportionately affect administrative units, although talks are ongoing. The Provost has met with all deans to discuss preliminary plans based on the established markers. They are being asked to detail how they can absorb cuts of that magnitude and what the implications may be. The Provost will continue discussions into October; no final decisions have been made. Discussions with colleges, administrative units and shared governance groups are ongoing.

Swinford said that they were committed to communicating reasonably, honestly and fairly. The President reviewed the memo from the SC and looks forward to opportunities to continue discussions with the Senate and with colleges. He said he was happy to take questions.

Swanson asked for additional information about how the budget cuts are impacting the academic portion of the University. Swinford replied that the President reviews notes from all meetings with faculty; information regarding impact of the budget cuts on professional, graduate and undergraduate education, engagement, etc. will be shared with the Senate on a regular basis.

Edwards referred to degrees of variation between colleges on what information is presented. He commented that his dean was pretty transparent but it was not the same in other colleges. He asked if there was another way to find out information. Swinford said that the amount of information being shared with college leadership was remarkable in comparison with previous years, although he agreed that the dissemination of information could be uneven. He said he will encourage Provost Tracy to talk with deans to ensure that appropriate information filters down.

Wasilkowski asked a question regarding funds used for facilities and loans. It was clarified that the question pertained to budgeted \$20 million for debt service and the \$87 million loan to the medical center and the interest rate charged to the hospital. Swinford apologized that he did not know the exact interest rate charged, although he knew it was higher than the rate UK would have received if those monies were invested in overnight investments. He added that Treasurer Martin would likely be happy to attend a future Senate meeting to explain the loan, including pace of payback, interest, etc.

Regardless of anyone's wishes, there was a locked in schedule for the budgeting process for fiscal year (FY) 2012-13. The President shared planning numbers related to the debt service pool and discussions continue. Swinford explained that the traditional path for most universities is to have a good idea for a

good academic building and send the request to the state's capital for funding. Frankfort has been unable to offer any capital investment during this and the previous biennium and the earliest possible moment the state can commit to any capital is July 1, 2014. He said that the President and others were not terribly optimistic that there will be future investments in capital. The investment in debt for 2013-14 has not been finalized.

Christ said that she was bothered by the lack of input from faculty below the level of department chair. She encouraged Swinford and the President to more fully utilize the Senate as a university-wide communication point. Swinford said it was a good suggestion. He replied he was somewhat puzzled that when the President attended the September Senate meeting, there were not many questions communicated to the President about the budget. He wondered if there was a joint faculty-staff budget committee that could be reconstituted, which could be a regular participant in budget discussions. He said that he and President Capilouto were willing to attend Senate and committee meetings whenever invited to share in a dialogue that includes reasonable mechanisms to increase and strengthen dialogue.

Wilson expressed his appreciation for many members of higher administrations' commitment to flexibility in meeting budget guidelines. He asked if there was any data yet available to illustrate that flexibility in the cuts ultimately given to units in the first year. Swinford replied that it was not until mid-April 2012 that the state confirmed that its appropriations to UK would decrease by \$13 million. Therefore, the budget process was necessarily truncated. The very last thing the President is interested in is across-the-board cuts to UK, primarily because it is not very strategic. President Capilouto decided that the best approach was to begin discussions on the FY 2013-14 budget at the same time. Swinford said he sympathized with the desire to see data regarding the 2012-13 budget cuts. He added that there is some confusion regarding the transfer to a different budget model, which is much more decentralized than the current system. It is very important for the Senate to discuss those details when they are available.

Berry stated that many saw the administration's comments on budget cuts from the state as being misleading – the state cut UK's budget by \$19 million, but Swinford and President Capilouto have referred to \$50 million in cuts since 2007. He asked if it was safe to presume that the large portion of that cut was taken in other budgets. Swinford replied that in December 2007, state appropriations were at \$336 million; today state appropriations are at \$284 million. Although the state reduced its appropriations by bits and chunks, the largest portion was the \$19 million cut for 2012-13. The \$40 million cut is not being absorbed during this year. He shared that he was present during discussions about decisions made in previous administrations; when the economy worsened so drastically a few years ago, people at UK had a false hope that the economy would rebound in two or three years. There are a lot of growing challenges for Frankfort and other state governments, particularly funding Medicaid, pensions, etc. Many other universities assumed the economy and state appropriations would rebound. The ARRA (American Recovery and Reinvestment Act) funding UK received was intended to prop up the state's unfulfilled portion of funding for higher education until the economy picked up, but that pick up did not happen. Many of the fixes were short-term fixes and can no longer be sustained.

The Chair thanked Swinford for his comments. He said he appreciated the time to speak and the dialogue. He said he and the President were committed to continuing conversation on the budget. It does not serve UK well if the discussions are had through the newspaper. Swinford said he appreciated that friends and colleagues can have disagreements during discussions.

The Chair noted that there was no Vice-Chair report.

c. Report from Faculty Trustee John Wilson (Medicine)

Wilson said he intended to be brief. He offered thanks from himself and Trustee Irina Voro for the tremendous level of input received by the faculty trustees. He thanked faculty for caring about the ability to complete the shared missions of teaching, research and service. Faculty will need to continue talking about how much they care about what they are able to do and how the budget cuts will affect the tri-fold mission. He encouraged senators and faculty at large to continue to contact him and Voro via the phone or email.

3. Committee Reports

a. Senate's Academic Programs Committee (SAPC) - Andrew Hippisley, Chair

i. Proposed New Master of Arts in Arts Administration

The Chair explained that the proposal for a new Master of Arts in Arts Administration came to the Senate with a positive recommendation from the SAPC in April 2012. There were some questions at that time about the graduate faculty body and home academic unit. The proposal was revised over the past few months and is now ready for consideration by the Senate. Hippisley suggested that senators treat the proposal as a brand new proposal before the Senate. He said that the **motion** from the SAPC was that the Senate approve, for submission to the Board of Trustees, the establishment of a new Master of Arts in Arts Administration degree program, within the College of Fine Arts. Because the motion **came from committee**, no **second** was required. Hippisley described the proposal to senators. There were no questions from senators. A **vote** was taken and the motion **passed** with none opposed.

The Chair suggested that the Senate move to agenda item number seven, to accommodate individual's schedules. There were no objections.

7. Ombud's Report for 2011 - 2012 - Ombud Sonja Feist-Price

The Chair invited Feist-Price to offer her Ombud's report for 2011 – 2012 and Feist-Price did so. There were a couple of questions and comments. Grossman asked that the next year's report also include a description of whether students came with appeals of guilt or appeals of punishment meted out. Feist-Price said that was feasible.

3. Committee Reports

b. Senate's Academic Organization and Structure Committee (SAOSC) – Herman Farrell, Chair

i. Proposed Name Change of Department of Merchandising, Apparel and Textiles (to the Department of Retailing and Tourism Management) and Transfer of BS in Hospitality and Management Program from the Department of Dietetics and Human Nutrition to the Proposed New Department of Retailing and Tourism Management

Farrell explained the proposal to senators. He referred senators to the motion on the screen, that said the **motion** from the SAOSC was that the Senate (1) endorse the proposed name change of the Department of Merchandising, Apparel and Textiles to the Department of Retailing and Tourism Management; and (2) endorse the transfer of the BS in Hospitality and Management program from the Department of Dietetics and Human Nutrition to the proposed New Department of Retailing and Tourism. Butler asked if the word "Management" was missing from the end of the motion – it was. He suggested that the word "Management" be added to the end of the motion by **unanimous consent**. There were **no objections** so the motion was revised so that the SAOSC was that the Senate (1) endorse the proposed name change of the Department of Merchandising, Apparel and Textiles to the Department of Retailing and Tourism Management; and (2) endorse the transfer of the BS in Hospitality and Management program from the Department of Dietetics and Human Nutrition to the proposed New

Department of Retailing and Tourism Management. There were no additional comments, or questions. A **vote** was taken and the motion **passed** with none opposed.

#### 4. Associate Provost for Faculty Advancement G. T. Lineberry

The Chair invited Associate Provost for Faculty Advancement G. T. Lineberry to offer a brief report to senators. Guest Lineberry explained his lengthy employment at UK and his vision for the Office of the Associate Provost for Faculty Advancement. He said he intended to concentrate on being the interface between faculty and educational units and administrative officers. The overarching responsibility is to support the full range of faculty career progression at UK. Lineberry plans to meet with relevant offices – Human Resources, Legal Counsel, etc. When there were no further questions, the Chair thanked Lineberry.

Because agenda item number five involved the position of Senate Council Chair, the Chair asked Vice Chair Robert Grossman to preside over the meeting.

#### 5. Proposed Changes to Senate Rules 1.3.1.2 and Senate Rules 1.3.1.3 (Pertains to Election of Senate Council Officers)

Vice Chair Grossman explained the proposal and some background information. The SC was concerned that there were insufficient opportunities for senators to offer input into officer elections. Although the President is the Chair of the Senate, the Senate Council Chair is the acting Chair of the Senate when the President is not present to carry out those duties. The sense of the SC was that there should be more than eight or nine faculty members involved in the election of a SC chair. The proposed revisions to *Senate Rules 1.3.1.2* and *Senate Rules 1.3.1.3* seek more input from faculty senators on their opinion of who would be a good SC chair. Another change involves a new requirement that candidates tell senators what they plan to do as SC chair. If the SC cannot come to a decision on who should be the next SC chair, the Senate will resolve it. The Vice Chair asked for questions.

Referring to *Senate Rules 1.3.1.3.C.*, the last (proposed) sentence, E. Bailey asked why the chair-elect was identified as a non-voting member of the SC, since language earlier in the section identified the chair-elect as a voting member. Jones, chair of the Senate's Rules and Elections Committee (SREC), clarified that if the chair-elect's term on the SC has not ended, that person is still a voting member of the SC. It is possible, however, that a member of the SC could be elected to the position of chair at the end of their three-year term. In that instance, there is a five month gap between the end of their SC term and the start of their term as SC chair and the person in that situation is non-voting during that five-month gap. The Vice Chair wondered if the language correctly captured D. Jones' explanation. After additional discussion, Bailey **moved** to delete the last line of *SR 1.3.1.3.C*. Wood **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

The **motion** from the SC was that the University Senate approve the proposed changes (including the deletion of the last (proposed) sentence of *Senate Rules 1.3.1.3.C*) to *Senate Rules 1.3.1.2.A*, *Senate Rules 1.3.1.3.A*, and *Senate Rules 1.3.1.3.C*, effective immediately. Because the motion came from committee, no **second** was required. There were no further questions from senators. A **vote** was taken and the motion **passed** with none opposed.

The Chair again presided over the meeting.

#### 6. Proposed Change to Name of UK Core Committee (to UK Core Education Committee)

The Chair explained in May 2012, the Senate approved establishment of a new standing committee, known as the UK Core Committee (UKCC). Concerns were raised over the summer that the acronym is too easily confused with the acronym for the UK Computing Center (UKCC). Therefore, there was a **motion** from the Senate Council that the Senate change the name of the UK Core Committee to the UK Core Education Committee. Because the motion came from committee, no **second** was required. There were no questions from senators. A **vote** was taken and the motion **passed** with none opposed.

#### 8. Discussion on Faculty Response to UK's Financial Situation and Anticipated Budget Cuts

The Chair explained that she and other SC members were approached by faculty, department chairs and other administrators expressing alarm about the proposed budget cuts. As a response, the SC scheduled forums for a campuswide discourse, as opposed to inviting various individuals to SC meetings, which occurred on Tuesday, September 25 and on Friday, September 28, 2012. Comments were collected via an anonymous comment box on the Senate's website; the comments are visible to everyone and no log in is required. The forums focused on the impact (on the University's academic mission) of the first and anticipated second round of budget cuts, including but not limited to UK Core; undergraduate and graduate education; and the ability of faculty to fulfill research, teaching, clinical and/or service missions. The comments and opinions from the forums were summarized in a memo from the SC to President Capilouto and Interim Provost Tracy; senators also received a copy. The memo also identified themes and made several recommendations:

- Halt the second round of budget cuts to academic units.
- Consult with an Advisory Committee selected by the Senate Council to provide viable, informed, and mutually acceptable budgetary guidelines for future decisions as they impact the teaching, research and service missions of this University.
- Promote the values espoused in our Governing Regulations – particularly “mutual respect and human dignity” and “diversity and inclusion” in all future personnel actions.
- Direct that, in the spirit of shared sacrifice, the highest paid administrators take salary cuts. For example, top administrators at UC Riverside sustained voluntary 5% salary cuts during the budget crisis of 2009.
- Eliminate the current practice in which UK contributes the entire 15% of the annual retirement benefit for select “executives,” the discretionary authority of which is granted in AR 3:1, IV.C. Instead, require these administrators to contribute 5% of annual salary to their retirement plan out of pocket.
- Provide a point-by-point response to faculty, staff, and students regarding the concerns expressed in the memo.

Wood **moved** that the University Senate endorse the recommendations contained in the Senate Council's letter of October 4, 2012 to President Capilouto, request that the President take action on each recommendation, and ask that the President report to the University Senate on the actions taken to implement the recommendations. Brion **seconded**.

There was extensive discussion among senators. Grossman **moved to amend the motion** to add at the end of the second phrase, "...or explain his rationale for not approving any recommendations." Wasilkowski **seconded**. There being no discussion on the amendment, a **vote** was taken and the motion to amend the main motion **passed** with none opposed.

Brion **moved to amend the motion** to add "in the spirit of shared governance" after the first instance of "President." Christ **seconded**. There being no discussion on the amendment, a **vote** was taken and the motion to amend the main motion **passed** with none opposed.

Dietz **moved to amend the motion** to divide the sentence into two sentences, after the first instance of, "recommendation." C. Fox **seconded**. There being no discussion on the amendment, a **vote** was taken and the motion to amend the main motion **passed** with none opposed.

Grossman suggested that the words, "his rationale" be added prior to "...not implementing..." That change was approved by **unanimous consent**.

Durham wondered if the resolution was necessary – the President had not yet had time to respond to the memo. There was some discussion about adding a timeline to the resolution, but it was generally agreed that the SC was responsible for ensuring a timely response. When there was no further discussion, a **vote** was taken on the following resolution: "The University Senate endorses the recommendations contained in the Senate Council's memo of October 4, 2012 to President Capilouto and requests that the President, in the spirit of shared governance, respond to each recommendation. Further, the University Senate asks that the President report to it on the actions taken to implement, or his rationale for not implementing, each of the recommendations." The motion **passed** with three opposed.

A **motion** and **second** was made to adjourn. The meeting **adjourned** at 4:50 pm.

Respectfully submitted by Robert Grossman,  
University Senate Secretary

Absences: Adams, I., Adams, M., Allison, Anderson, H. \*, Anstead, Atwood\*, Bailey, Ballard, Bathon, Bayliff\*, Bilas, Blackwell, D., Bland, Brennan, Bruzina, Capilouto, Childs, Crampton\*, Davis, Dawson\*, de Beer, Deep, Eckman, Effgen\*, Ferrier\*, Finkel\*, Geddes, Goldstein, Hazard\*, Jackson, Kaplan, Kilgore, Kirschling, Kornbluh, Kraemer, Latham, Leahy\*, Martin, McGill\*, McNamara, Mock, O'Hair, MJ, Osborn, Rabel, Richey, Rieske-Kinney\*, Smith, Speaks\*, Stanley\*, Thyne, Tracy ,J., Tracy, T., Truszczynski, Turner, Walz, Wells, Wiseman, Withers, Witt,

Invited guests present: Michael Braun, G. T. Lineberry and Bill Swinford.

Prepared by Sheila Brothers on Friday, November 2, 2012.

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\* Denotes an absence explained prior to the meeting.