

University Senate  
September 13, 2010

The University Senate met in regular session at 3 pm on Monday, September 13, 2010 in the Lexmark Public Room, 209 Main Building . Below is a record of what transpired. All votes were taken via a voice vote unless indicated otherwise.

Chair Hollie I. Swanson called the University Senate (Senate) meeting to order at 3:01 pm. The Chair explained the absence of President Todd was due to his attendance at the annual CPE meeting, along with Sheila Brothers, staff representative to the BOT. Dr. Todd typically speaks at the first Senate meeting of the year, however that will be delayed this year. . The Chair introduced Senate Council officers and Administrative staff; the Senate Council; Michelle Sohner – Sergeant at Arms; Kate Seago – Parliamentarian; Lisa Hoinke – Court Reporter; the Faculty Representatives to the Board of Trustees – Everett McCorvey and Joe Peek; SGA Representatives - Ryan Smith and Kyle Kirk; and Associate Provost for Undergraduate Education – Mike Mullen. Introductions were concluded with her request for the thirty-one new Senators to stand and be recognized.

The Chair reminded everyone to give their name and affiliation when they speak during the meeting and urged them to communicate with their constituencies. She also explained that more than three absences could result in that Senator’s seat being declared vacant and the Dean of their college notified to find a replacement.

Call for the quorum - more than 45 present.

1. Minutes from April 12, 2010, Minutes from May 3, 2010 and Announcements

Grossman **moved** to approve the minutes from April 12, 2010 and May 3, 2010 and O’Hair **seconded**. There being no discussion, a **vote** was taken and the motion **passed** with none opposed.

Announcements:

The Chair announced that:

- the Senate Council (SC) had approved the September 2009 list of KCTCS (KY Community and Technical College System) list of candidates for credentials, on behalf of Senate and explained that due to clerical oversight, it was not placed on a Senate agenda during the fall.
- the SC voted to allow distance learning (DL) approval via web transmittal so long as the required DL form, etc. are included with the proposal.
- the Chair provisionally approved UK 090 for fall 2010; already had UC approval; will get SC/Senate approval this semester.
- the Senate will hear a report from faculty Athletics Representative (Joe Fink) in February.
- the Oral Communications suspension ended with the incoming class of 2009 (last year). The suspension did not need to be renewed, so this semester’s incoming freshmen DO have an oral communications requirement.
- the Senate Council is keeping a running list of Action Items. Among these items is a plan to create an ad hoc committee to identify a faculty member to advise the SC/Senate on legal issues. Those interested in serving can email Mrs. Brothers.

- the SC had considered additional charges for many of the Senate's committees, particularly those committees that have not met in years. The Chair will convene all these committee, assist in the identification of a committee chair, and share the charge (if applicable) from the SC. The Chair urged those Senators who are not on a committee to notify her and not be "left out".
- the SC also recommended changing the name of one committee and will bring that recommendation to the Senate in the near future. ("Admissions Advisory" to "Enrollment Management")
- that this past summer the SC commended the Associate Provost for Undergraduate Education, Mike Mullen, and Professor Susan Carvalho for their commitment to joint faculty-administration collaboration with regards to GenEd.
- that Lee Edgerton (AG/Animal and Food Sciences) has been reappointed for one more year as Ombud.
- that in process of improving communication, there is a listserv for the SC that is being set-up, moving to a listserv format for sending out Senate-related emails. Please send possible concerns to Mrs. Brothers.

Continuing with announcements, the chair explained

- that "provisional approval" is when an action is needed that normally requires Senate action but circumstances compel that the action is completed before the normal Senate approval process can be completed, then the SC is authorized to act for the Senate to: 1. vote to waive the rule requiring prior academic council action; and 2. vote to waive the 10-day posting rule; and 3. vote to directly approve the new course, and so inform the Senate.
- In turn, actions that the SC by circumstance has asserted its authority to perform can, by the vote of the SC, be delegated to the SC Chair, who when performing those actions shall inform the SC (and Senate).
- The Chair drew the Senators' attention to the *Senate Rules* which has an absence policy that allows no more than three absences for Senate meetings. The SC will be revisiting this rule in Sept/Oct.
- The Chair added that SC has approved parallel 10-day postings for web transmittals (as opposed to *sequential* 10-day postings) for the 2010-2011 academic year.
- The Chair introduced the new Staff Senate Chair, Jann Burks (4-H Extension), and included that they are working on getting together joint listening forums.
- The Chair reported that the Rules and Elections Committee will conduct an election this fall to identify three faculty senators to serve on the Presidential Search Committee (see *GR VIII*). Faculty senators will each have an opportunity to nominate up to three nominees. There will be a campuswide election for the top six highest votes. However, there may be no more than two nominees from any one college. Eligible campus-wide voters are those faculty who are eligible to vote in their respective college election of senators. She added that as it occurs Senators will be kept up to speed.
- The Chair introduced and welcomed Armando Prats, the faculty representative to the Work-Life Advisory Council, for a brief announcement regarding the Work-Life survey. Prats announced the survey would be online from October 5th – October 29th. The data from the survey will be compared with the baseline data in collected in 2005-2006 surveys. Staff and faculty complete separate surveys covering both professional and personal concerns. Prats assured Senators that the information is kept confidential. The Council's goal is to see >50% participation. He recognized the good that has come from previous surveys and encouraged Senators to support it through participation and

urging others to participate as well. If Senators would like a presentation to their department, please contact Robynn Pease.

## 2. Officer and Trustee Reports

### Chair's Report

#### *President's Evaluation*

The Chair gave an update on the President's evaluation and the comments received regarding the timing of it. She assured Senators that she had no control over the timing; the SC was asked to submit responses addressing the 10 BoT established criteria for evaluation by July 8<sup>th</sup> and, realizing it would not work for 9-month faculty, asked to delay it and obtained an August 3<sup>rd</sup> date. She thanked Senators for their participation in the survey and discussed the order of events in that process.

In response to inquiries from Senators about obtaining the content of the letter to the BoT from the SC, the Chair said that SC had sought counsel from Barbara Jones of Legal Counsel regarding placing the faculty comments and the resultant letter in the SC office for Senators to come and review, however Legal Counsel advised against that as the letter and evaluative comments are a personnel evaluation and thus confidential. McCorvey added that the report was actually made and signed by the SC, who had asked for input from Senators along with other faculty throughout the campus, and as such is not a representation of the Senate, rather of the SC.

Bob Grossman pointed out that it is for questions like this that SC would like to have a legal advisor; McCorvey added that SC has looked into that possibility.

The Chair said that they would like to move the survey for administrative evaluations online for better access to and increased faculty response to the survey, noting that she is in the process of surveying benchmarks regarding how they evaluate their presidents.

The Chair referred to a book that describes the evaluation process for university presidents. Nadel **moved** that the University provide the book. Wasilkowski **seconded**. The vote was taken and the **motion passed** with none opposed.

Regarding the President's evaluation, Jones asked if there was any situation where the faculty opinion seemed to lean strongly in one direction and the SC had reported contrary to that. The Chair assured the Senators that she believed every issue reported by the SC was consistent with the response from Senators and that the report reflected it well across the board. Major issues had to do with Undergraduate Education.

Joe Miller (CIS) was told that 45 faculty of 3,000 participated across campus. Miller remarked that perhaps having the survey broadcast to all faculty, and not highlighted as a University Senate function, would increase the numbers of faculty who participate in the evaluation process.

Prats commented that it seems rather suspect that faculty were contacted to fill out the survey early in the summer, although the Board meeting was in the future, scheduled after faculty were back on campus. The Chair explained that it is due to how the Board handles their business and that the President has to provide his report at the end of June. Discussion continued regarding the timing of future evaluations and the possibility of the Senate conducting their own with different criteria.

Chair reported various concerns and solutions as discussed by the SC, including better communication with the Senate, improved communication between Senators and their colleges, committee structure and goals.

#### *Senator Absences*

Connie Wood asked for further clarification on the absence policy and the role of “excused” absences. Grossman responded that whether it is explained or not, it still counts for one of the three allowed per year. Steiner commented on the need to make excused absences not count as one of the three. The Chair said that the SC would work on the motion and bring it back to the Senate.

#### Parliamentarian Kate Seago’s Report

Kate Seago stood for her report and gave a brief overview of motions and the need for specificity of words. She also spoke of amendments and offered use of a book on Robert’s Rules if anyone was interested to know more.

#### 3. “State of Financial Affairs”

Frank Butler, Executive Vice President for Finance and Administration, and Angie Martin, Vice President for Financial Operations and Treasurer, presented an overview of the University’s financial state. Speaking of the state of the economy and the unlikelihood of its improving soon, Butler discussed the resultant decrease in endowments and a decrease in state support of the University as well as ways it could and would affect employees. He noted that nearly 800,000 people in Kentucky are on Medicaid, which accounts for 25-30% of the state’s budget. As that rises, fewer dollars will be available for education, which Butler said was in his opinion one of the biggest threats to the University funding. Other issues included tuition, health insurance, and retiree health benefits, among other things. Martin continued the presentation with specific dollar amounts, appropriations history and forecasts.

Questions followed:

Senator Nadel asked a multi-faceted question of how much money was spent on new hires this year and where that money is coming from, along with the athletics’ program’s earnings and contributions. Martin responded she was uncertain of the numbers and responded to clarify if Nadel was referring to new hires that are filling vacant positions or new positions. Nadel asked for information about the number of new hires that were made last year along with where the money came from to fund those positions. Martin said she would try to provide that information by the next Senate meeting. Conversation continued with additional questions regarding faculty salaries and requests that Martin find the specifics. Martin responded to Nadel’s previous question adding that athletics had contributed \$1.8 million from their \$80 million budget in addition to the service assessment charges, utilities, and athletic scholarships. Nadel requested they find out how that 2% of the \$80 million budgeted compared to the benchmarks, to which Martin agreed to find out such information if available. Senator Thelin commented that in years past Athletics used to give \$1.5 million when they made less and it seemed that the percentage given had therefore decreased. The UKAA is also a private corporation yet does not have to pay rent for the use of the University’s land or facilities. Martin said that in years past the UKAA was assessed at \$1.5 million for services rendered. Additional unrestricted scholarship money over and above the assessment did not start until 2005-2006. Additionally, she confirmed that they do not charge rent on the land for athletic facilities. Discussion continued regarding charging rent for athletic facilities, hospital facilities, and ag research farms.

Grossman said that Butler's comparing Athletics to Agriculture and the Hospital was very disingenuous and that Athletics does not fall under research, teaching or service. Butler disagreed, stating that only 14 programs in the US that have a self-supported athletics department.

Prats inquired where a 51% raise would come from for the President, to which Martin explained they have budgeted non-recurring funds for the bonus that was in the contract. Todd would be getting a salary increase instead of the bonus. But, any increase in a new president's salary would be a drain on the University. His bonus for 2009-2010 was \$200,000 plus benefits and was not spent and therefore carried over to 2010-2011.

Butler answered additional questions regarding retirees saying that they would likely have to pay more and there would have to be more cost sharing.

Thelin pointed out that customarily with TIAA CREF the faculty member would contribute 5% and the University matches it to 10%. Discussion continued regarding the practice of the University giving 5% more to the retirement of Vice Presidents and above (~20 people) which translates to nearly \$400,000 per year. Thelin added that to stop separating these from the general rule would be a good step to start to reverse the flow. Butler responded that it has been the practice since he has been at UK.

Wermeling asked whether the University has any plans to improve revenue and tuition. Butler answered that the costs of tuition are slightly higher or lower than the nearby states, saying that UK has comparable costs with other institutions. Butler added that there are opportunities for revenue with distance learning and that would have to be balanced with operations as well. Martin further commented that the Provost asked a group led by Graduate School Dean Jeannine Blackwell to look at ways to increase tuition revenue.

## 2. Officer and Trustee Reports (Continued)

### Trustee Report

McCorvey made various announcements and encouraged senators to attend the Board meeting taking place the next day, adding that most of the energy of business was done in the mornings. Liz Debski appreciated the encouragement to attend but, recognizing it as observational, she asked where Senators and Faculty have opportunity to make their views known. McCorvey urged senators to contact Board members to express concerns, especially the Faculty Trustees.

### *Presidential Bonus*

Wasilkowski **moved** to hold a straw vote to determine whether the Senate believes that the President deserves the bonus. Grossman clarified "to determine if the Senate endorses the bonus". Nadel **seconded**.

Discussion continued regarding what the straw vote would accomplish. McCorvey said the proposed increase would go to the Board of Trustees and they would vote whether to approve it. The BoT will be voting on his contract and score at tomorrow's meeting. In the past, the bonus seemed to serve as accountability between the President and the BoT. U of L has a foundation, which does not have to reveal the president's bonus. Thelin added that all foundations records and compensations, for other institutions as well, are available on Guidestar.

A **vote** was taken to hold a straw vote to determine if the President deserves the bonus/salary. The motion **passed** with 31 in favor; 23 opposed; and 5 abstained.

Straw poll was taken.

How many of you feel that the president deserves a salary/raise?

3 in favor; 32 opposed; 23 abstained.

McCorvey concluded saying that the next year was going to be challenging, but he hopes that we can look for solutions and come together. It doesn't help the students if the majority of our time is spent in the complaining category.

#### Vice Chair Report

D. Anderson discussed Senate Council's working with IT to streamline the process of curricular review and approval; and will determine the feasibility and implementation of an online method of administration review.

#### 4. Old Business – Winter Intersession Proposal (Second Reading and Vote)

Mike Mullen presented stats regarding the response to Winter Intersession, including the positive response of students who have participated. Senators discussed matters includingayscale options which are generally determined by individual colleges.

Jensen **moved** to approve a permanent Winter Intersession, effective immediately. Grossman **seconded**. A **vote** was taken and with none opposed the motion **carried**.

Wermeling **moved** to approve the 2010-2011 Winter Intersession Calendar.

Anderson **seconded**. Vote was taken and with none opposed the motion **carried**.

#### 5. Ombud's Report for 2009-2010

Ombud Lee Edgerton shared various statistics regarding the number of students who came to the Ombud in the past year. Edgerton reported regarding complaints and academic offense cases along with the trends seen. He added that it is the faculty responsibility to recommend the student talk to the ombud early in the situation. Often it saves faculty from locking themselves into a position from which they can't graciously back away if the Appeals Board doesn't support them.

#### 6. Proposed Changes to Senate rules 5.4.1.3 ("More Than Two Bachelor's Degrees")

Senate had previously, in December 2007, discussed and indicated the desire to allow students to receive more than two Bachelor's degrees. Currently there is one student who will be immediately affected by the outcome of this rule change.

Grossman **moved** to approve the proposed changes to Senate Rules 5.4.1.3, effective immediately. Anderson **seconded**. **Vote** was taken and with none opposed the motion **carried**.

#### 7. August 2010 Degree List

Rules committee chair Davy Jones pointed out a correction in the wording of the recommendation by replacing "credentials" with "degrees".

Jones **moved** that the elected faculty senators approve the UK August 2010 list of candidates for degrees, for submission through the President to the Board of Trustees, as the recommended degrees to be conferred by the Board.

The motion was **seconded**. There being no discussion, a **vote** was taken and with none opposed the motion **carried**.

8. SACS Accreditation – Quality Enhancement Program (QEP) Update

Deanna Sellnow and Diane Snow shared briefly some goals of the QEP and encouraged senators to submit a QEP proposal online, due October 1<sup>st</sup>. There were no questions or discussion.

9. Discussion Regarding Proposal Waiver of Administrative Regulation 2:1-1VII.B.5 (for endorsement)

Wermeling shared the background of this proposal and the inconsistency in process that was discovered. Kirschling asked if the waiver only affected the College of Pharmacy. Wermeling and the Chair explained that the SC had decided the waiver is effective until it is seen if it affects others and the goal is to address the issue in the Governing Regulations. Associate for Faculty Affairs Heidi Anderson added a point of correction that this is not from the Provost but has always been in the Governing Regulations.

David Randall asserted that there needed to be an agreed wording of what the waiver is going to be. Wermeling clarified that what they are asking for is “to not request input from individuals in the department who are members of the college APT committee.”

David Randall **moved** to endorse a waiver of Administrative Regulations 2:1-1VII.B.5 for the College of Pharmacy. Wasilkowski **seconded**. The **vote** was taken and with none opposed the motion **carried**.

Nadel **moved** to adjourn. There being no further business to discuss, the meeting was adjourned at 5:17 pm.

Respectfully submitted by Debra Anderson,  
University Senate Secretary

Invited Guests: Angie Martin, Frank Butler, Jacquie Hager, Deanna Sellnow.

Absences: Adams; Arents; Back; Badger\*; Bausch\*; Birdwhistell; Blackwell\*; Brennen; Campbell; Chappell; Conners; Costich\*; Culver; DeWall\*; Dyer; Ettensohn; Hall; Hayes; Heller; Humphrey\*; Jackson; Januzzi; Jensen; R. Jones\*; Kanga; Kidwell; Kington; Kirk; M, Kornbluh\*; Kwon; Lester; Maglinger; Maynard\*; J. McCormick; McMahan; Mendiondo; Mobley; Mock; Murphy\*; Newman; M. O’Hair\*; Parker; Patsalides; Peek; Peek; Perry; Richey; Ritchie; Robinson; Rohr; Roorda; Rouse; Sellnow; Shannon; R. Smith; Speaks\*; Starr-LeBeau; Subbaswamy; Sudharshan; E. Swanson\*; Thacker; Tick; Todd; Travis; Troske; Turner; Viele; Wells; Wilson; Wiseman; Witt; Yost\*; Zentall; Zhang.

Prepared by Adrea LaRoche on Thursday, October 7, 2010.

---

\* Denotes an absence explained prior to the meeting.