

UNIVERSITY OF KENTUCKY
SENATE MEETING MINUTES

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KAVEH TAGAVI, CHAIR

I N D E X

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MINUTES OF MEETING. 3-110

REPORTER'S CERTIFICATE. 111
...October 9th Senate

CHAIR TAGAVI :

meeting. Let's--the first agenda item is the approval of the minutes. They have been distributed. You have had a chance to make corrections. I just meant to tell you that, if you recall, last time Sheila wasn't here. She was attending an LDI course, and we did not have our usual Court Reporter, and we don't have it here today either. That's another story, but--so we were limited and at a disadvantage regarding the minutes. So with my memory and Sheila's help, we put an abbreviated version of the minutes together. Are there any corrections to those minutes? Hearing none, the minutes are considered approved. Let me make a couple of announcements of new positions which are very relevant to the faculty. The first

one is the position of Associate Provost for Faculty Affairs which replaces the position held by Dave Watt, which was Associate Provost for Academic Affairs. Later on, we are going to have a Senate motion regarding membership in the minutes regard--in the Senate regarding this new position while--I just wanted to mention this because it's very relevant to the faculty. And if I could ask Richard Greissman, representing the Provost, to please introduce our new Associate Provost.

RI CHARD GREISSMAN: Sure. Heidi, where are you? Please. It's my great pleasure, on behalf of Provost Subbaswamy, to introduce Dr. Heidi Anderson, Professor in the College of Pharmacy and now our Associate Provost for Faculty Affairs. The position has been reconfigured, as Swamy mentions it. Heidi's focus will be more tightly conceived as one, oddly enough, in faculty affairs, and in that role she will advise the Provost, Deans, and Faculty generally. She will act both as an advocate for faculty and provide oversight in cases of promotion and tenure and basically be the point person for the Provost's office in all things that relate to faculty appointment, procedures, and advocacy. I've not known Heidi for long, but it has been a pleasure to call her a colleague, and I know you all will feel the same, so I welcome Heidi Anderson.

CHAIR TAGAVI: Okay. The other position which is relevant to the faculty--for example, there are some Senators which are--although educational, they're under the VP for Research. We have had an opening recently, and Chuck Staben is now serving as Acting Head, Office of the Vice President for Research, and I'm assuming--I hope I'm correct--that he's also continuing to be Associate Provost for--Associate VP for Research. A couple of changes on the Senate Council. Davy Jones has resigned all of his Senate activities because he's getting ready to--for his sabbatical. When he called me, he gave me only a few days notice and said, I'm going to stop participating. Immediately, I started hyperventilating and panicked because some of you might know--probably very few of you know the extent of the energy and effort that Davy has put into faculty

government and Senate (inaudible). In fact, right now we finished--Davy and I together--orienting the new Senators. So, for example--I'll give you another example. When Davy became the Chair of the Rules Committee, he basically forced all the members to come during summer every week, once a week, at a one-and-a-half hour meeting, which was astonishing to me. I could never do that when I was the Rules Committee Chair. And he's--also for several months, he has been the Chair of the Nominating Committee for the Senate Council. Very often, almost maybe once a week or once every other week, we receive requests to give names for this committee, that committee, and Davy was the Chair of the Nominating Committee. So after I started hyperventilating and getting really nervous, a few minutes later I actually thought about it. Yes, he does a lot of work, but he generates a lot of that work himself, so I think it's going to be a wash, so I'm not as nervous as I thought I should be.

DAVY JONES: Kaveh, I must say et tu Brute.

CHAIR TAGAVI: Okay. So noted. All right.

We have about 15 new Senators that I saw--that I just met in the other room. If you would just please get up so everybody would see the new Senators. I'm not going to go over the names. There are just too many. We thank you for accepting this challenge and serving on the Senate, so I thank you for being here.

Okay. Our next item, agenda item number two, is a memorial resolution for Associate Professor of Medicine Steve Zimmer presented by Ernie Yanarella, past Senate Council Chair. Please come.

ERNIE YANARELLA: Thank you, Kaveh.

Stephen G. Zimmer, Ph.D., Associate Professor of Microbiology, Immunology and Molecular Genetics and Cancer Center member, died Wednesday, June 14, 2006. He is survived by his spouse, Constance James Zimmer, and two children, Stephen G. Zimmer, Jr., and Courtney Anne Zimmer.

On behalf of the alumni, students, staff, faculty, and friends of the College of Medicine and the wider University community, I offer the following memorial to Stephen Zimmer:

Stephen was born in Trenton, New Jersey, on October 26, 1942. Those who knew him recognized that he was a gentle giant whose love of

family, profession, and religious community were manifested in equal measures of selfless devotion and fond memories.

Stephen's long research and teaching skills in microbiology and immunology were shaped in his early educational pursuits, specifically at The Rutgers University where he earned his Bachelor's degree in natural sciences in 1964 and his Master's degree in radiation sciences in 1966, as well as his Doctoral degree in experimental pathology at the University of Colorado in 1973. After serving as a research fellow at Washington University School of Medicine in 1974 and then again as a National Institutes of Health research fellow there for two more years, he came to the University of Kentucky in the summer of 1976 to begin his duties as an Assistant Professor in the Department of Pathology.

In addition to his research fellowships, he generated a list of impressive professional activities and other honors from various research programs and associations, including service on the editorial board of Anticancer Research and most recently on the Board of Trustees of the Wood-Hudson Cancer Research Laboratory that began in 2005. He was also a member of the American Association of Cancer Research and the Metastasis Society. Described by his chair, Alan Kaplan, as a consummate free-thinker, Stephen Zimmer was a significant contributor to the study of mechanisms of oncogenesis and in the last few years, had the satisfaction of seeing two of the putative oncogenesis blocking agents elaborated through his laboratory moved into clinical trials.

His extensive CV lists nearly a hundred publications in research journals appropriate to his field and external funding from a wide array of government institutes and pharmaceutical companies for cancer research and training grants. It also lists an impressive number of students whom he mentored as postdoctoral fellows, for whom he served as co-director, and who conducted research under his direction.

His students, both past and present, remember his dedication to the work of finding means to understand, treat, and cure a scourge of our industrial society and perhaps human condition,

as well as his wry wit and humor. Besides his own contributions, their continuing work and subsequent success, inspired in part by his example and mentorship, will be the lasting legacy of Stephen Zimmer, teacher and researcher.

If Stephen was an esteemed colleague of high principle, unswerving dedication and scientific integrity, he was also, and not least of all, a beloved husband, parent, and parishioner who somehow found a balance among the extraordinary demands of his personal, family, professional, and spiritual lives. Those attending Stephen's funeral on June 17, 2006, heard his priest advocate, and speaker for the dead, intone some of the recurring themes in his life among the standing-room only audience of friends and family, students and colleagues. These included his profound love for family, his dedication to cancer research, his devotion to the teaching vocation, and his pursuit of peace and justice informed by his Catholic faith and spiritual practice. Even in his gentle and cordial manner towards those whom he touched and often inspired, he was a towering figure who deserved to be recognized for his notable accomplishments and his unflagging dedication to this University and its highest ideals and values.

In his last years, he pursued, with passion and conviction, an academic accolade that he believed he justly deserved and had worked many long years to achieve. Some believed that the achievements and stature of this man of science and liberal learning remained insufficiently heralded. If that honor was not conferred to him in life, it did not in any way diminish his stature and impact among those who knew him well and loved him for his exemplary behavior, his commitment to an ideal, and his lifelong striving for an elusive humanitarian goal that eludes medical science still today.

Dr. Stephen G. Zimmer was an esteemed colleague who will be greatly missed. I ask that this resolution be made part of the minutes of the University Senate and that a copy be sent to Dr. Zimmer's family.

And as is tradition at the University Senate, I ask that we stand for a moment of silence. Thank you.

CHAIR TAGAVI: Ernie being a member of the Senate, I consider this to be a motion. We need a second.

DAVY JONES: I second it.

CHAIR TAGAVI: We need--

DAVY JONES: Davy Jones.

CHAIR TAGAVI: We need names. Yes, Davy Jones. All those in favor of this motion, please indicate so by raising your hand. All opposed? Abstained? Unanimous.

I forgot to mention half of the change on the Senate Council. Davy Jones has stepped down, and the next higher runner-up was Enid Waldhart. Enid, would you please raise your hand so everybody would see you. I think most of us know Enid has being very active in Senate and has been a past member of the Senate Council, at least once that I know of, so thank you for accepting this challenge. Okay.

We already did some list of candidates during the September meeting, so you should be somewhat familiar with this. We have--the statutory responsibility of the University Senate is to approve degree candidates. At this time, we have a list of BCTC candidates for credentials which we would be doing for a few more times. This list has come with a positive recommendation from the Senate Council, and we always check to make sure this is also accurate as far as their Registrar and their Faculty Council at the BCTCS is concerned. To introduce this, why don't I ask Davy Jones to please come and explain this motion.

DAVY JONES: And just as a preface, I resigned from everything except the Senate. I am--

CHAIR TAGAVI: Except the Senate? Okay.

DAVY JONES: Yes. Again, we have the degree list from BCTC, formerly LCC. In brief again, when LCC separated from us, the State law enabled some of the students over there to still obtain degrees that had a UK stamp on the degree; and for that process then, it has to come through the UK apparatus, the faculty apparatus and on up to the Board. Each time, then, that we get from the KCTCS Registrar, we go back and we check with the faculty at LCC, because they do not have a senate--or the KCTCS Senate does not exist for their purposes just short of the Board, the way the elected Faculty Senators here exist for the degrees just short of our Board over here. We have to act on their behalf. And every time we check

back, we find out there's been some errors on that list. And this list that we're going to approve today, for example, there's--19 people have been listed by the Registrar at KCTCS for the wrong degree, and Peggy Saunier and the group over at BCTC spotted that and we've gotten that corrected. They're very sensitive to that. They don't have a Senate apparatus over there helping them, and we're the faculty entity. Kaveh's counterpart, Mike Binzer, over there asked me to thank the group here for the continued diligence in this area on their behalf, and Peggy Saunier, who used to be a member of this body that some of you may know, said thanks for checking with us on this and keeping the faculty role in this process front and center. So it's a substantive thing that we're doing over here. Again, this is one of these items where it's the elected Faculty Senators in this body who will be voting.

CHAIR TAGAVI: Okay. This coming from the Senate Council doesn't require a second. Are there any discussions regarding this agenda item? If not, then all those in favor of this proposal please indicate so by raising your hand. Opposed? Abstained? Unanimous. The motion carries. I was told very gently by our parliamentarian saying okay after a motion is not good enough. You have to say motion carried, and I started doing that at the Senate Council, but then I forgot, so motion carries. Okay.

The next agenda item is change to portions of the Senate Rule VI. I think I'm correct saying this is one of those items that the Rules Committee considered over the summer. And let me just go over a few points. These are--Sheila calls them bookends because it's at the beginning of the section and then at the end of the section. Please don't pay attention to Section 6.4 which was recently--well, a year ago was totally revamped and has been already approved and everything, so please don't pay attention to that part. And basically the changes are mostly editorial. Some of them are substantive, mostly editorial, and they are in Sections 6.1, 6.2, and 6.5, and there are no changes in Section 6.3, which is cheating, or Section 6.6, which is honor code. So once again, I'm going

to ask Davy, as the past Chair of the Rules Committee, to please introduce this and shepherd us through it.

DAVY JONES: This, again, is part of the ongoing activity of the Rules Committee to update the Senate Rules for the new Governing Regulations that were adopted in June 1995--2005, that tweaked and clarified the role of the University Senate in processes and the relationship to the faculties of the colleges and the departments. The Rules Committee here was very adherent that it was not to change anything on its own accord of a substantive manner. We were only to implement into each of these sections the Senate Rules, what was being compelled by the Governing Regulations or that we have a Provost system. So we have--if anything is substantive in there, it's because the Governing Regulations compel it, not because the Senate Rules Committee decided it thinks something should be done differently than what was done. One of the Senators found a few clerical typos for us that--we'll get those corrected. If you see any others, let us know about those, but again, we have done--this body has already acted on Section 1, Section 2, Section 5, Section 8, and this is now 6. Probably at the November meeting, we'll have 5 and 7.

CHAIR TAGAVI: Okay. The proposal is in front of you. Are there any questions? Yes. State your name.

SHELLEY STEINER: Shelley Steiner, biology. I have a question on the contrary opinion section of this.

CHAIR TAGAVI: Okay.

SHELLEY STEINER: Does this mean that if a student doesn't believe in evolution, believes in intelligent design and answers a question in intelligent design, that we have to accept that as an alternative response? I'm just asking for clarification on that. We've had that happen, so it's not just a hypothetical situation.

DAVY JONES: Well, just (inaudible). That's not--that has been in the Senate Rules. That's not anything new that's up for action today. Only the red and blue are the editorial changes.

CHAIR TAGAVI: And maybe the key word is reasoned. That could help to some degree.

SHELLEY STEINER: Well, reasoned to you and reasoned to me, I mean, that's

a...

CHAIR TAGAVI: Yes.

LIZ DEBSKI: Liz Debski, biology. If I could just follow that up for a second so I understand, this is just to make these rules consistent, but where would an issue like that--wouldn't your Rules Committee take that up?

DAVY JONES: That's an example of something that could come to the Rules Committee for an interpretation of what do the Senate Rules intend. The Senate could then react to that interpretation, that we don't like that; we want to change it, or that seems reasonable.

LIZ DEBSKI: And how would we start that? Could we say we would like you to do that now?

DAVY JONES: Yeah, or this body could ask Kaveh to task the Rules Committee for that, or even just one Senator could ask...

LIZ DEBSKI: Well, what Senator could? I think I would like--

CHAIR TAGAVI: What I would like to do is--rather than amend this, why don't we vote on this?

LIZ DEBSKI: Sure.

CHAIR TAGAVI: And then immediately after that, I will recognize you to make a motion.

LIZ DEBSKI: Sure.

CHAIR TAGAVI: Yes.

GREGORY FINKEL: I'd like to know what you plan to do with the places where there are question marks.

DAVY JONES: That's where we're trying to figure out which institutional officer that was referring to, and I've contacted the Provost Office. What used to be called the Affirmative Action Officer is now Associate Vice President for Institutional Equity, and that's what's going to go in each of those places.

CHAIR TAGAVI: Are there any other questions? Okay. Then let's vote. All those in favor of this proposal please indicate so by raising your hands. Opposed? Abstained? The motion carries, and it's unanimous. Would you like to be recognized?

UNIDENTIFIED SPEAKER: (Inaudible) Shelley would like...

SHELLEY STEINER: Okay. So I'd like to make a motion to request the Rules Committee to clarify 6.1.2 on contrary opinion, what is meant by reasoned exception to the data reviews offered in the classroom without being penalized. Do they--I'd like a clarification of that. That's all.

CHAIR TAGAVI: Any second to that?

BOB GROSSMAN: Second.
CHAIR TAGAVI: Second.
BOB GROSSMAN: Bob Grossman.
CHAIR TAGAVI: Bob Grossman. Are there any discussions on that motion?
Hearing none--yes. Name, please.
KEN CALVERT: My name is Ken Calvert for the College of Engineering. It might be useful to the Rules Committee to have a clear statement of what exactly the problem is, and perhaps even an example of something that you fear might come under this clause because one can imagine ways when it--where it might come up or it might not be a--might be a problem or might not be a problem.
SHELLEY STEINER: Well, I just indicated where it could be a problem. If you mean by without being penalized, that I write an answer and it--you know, that's contrasting an untestable hypothesis against what science is teaching.
KEN CALVERT: So which hypothesis untestable (inaudible)?
SHELLEY STEINER: Intelligent design.
KEN CALVERT: And evolution is testable also?
SHELLEY STEINER: Oh, yeah, absolutely.
KEN CALVERT: So one can imagine asking a question in a sense of asking a question about evolution and requiring a student to know about evolution, and asking it that way.
SHELLEY STEINER: Well, the problem we have, if you--the problem we have is that somebody says I don't believe in that and here's my alternative explanation, I should get credit for that answer. We've gotten that on several occasions.
KEN CALVERT: So that seems like a reasonable thing to ask the Rules Committee--
SHELLEY STEINER: That's what I'm asking.
CHAIR TAGAVI: If I could just say something here just as a faculty member, not as the Senate Council Chair. It seems to me being wrong is not--you are not being penalized. If you are wrong, you are wrong in the opinion of the professor. If I had to interpret that, I would say this means you could not be further penalized because you disagreed with the professor.
SHELLEY STEINER: I'm not sure what you're saying. I'd like to (inaudible) what you're saying.
CHAIR TAGAVI: You cannot be retaliated against just because you made an opinion, but if something is wrong,

then in the opinion of the professor, it's wrong. But the motion is here, and we have a second. Are there any other discussions? We don't even need a motion to refer a case to the Rules Committee. Any Senator, any faculty, could make a ruling or interpretation and ask the Rules Committee, so if, by any chance, you could expand on your question by e-mail and send it to our office, I will give it to the Rules Committee.

SHELLEY STEINER: Chair, you asked for a motion, and that's what I did. I'll be glad to do that.

CHAIR TAGAVI: Okay.

GREG INFANGER: Question.

CHAIR TAGAVI: A question has been raised. It's undebatable. We need...

UNIDENTIFIED SPEAKER: (Inaudible).

GREG INFANGER: Greg Infanger (inaudible).

CHAIR TAGAVI: Greg Infanger. All those in favor of the question--we need a 2/3 majority--please raise your hands. Opposed? Abstained? Unanimous, motion carries. Okay. Now, we have to--debate has stopped. Now, we have to vote on the motion. All those in favor of the motion to ask the Rules Committee to interpret 6...

SHELLEY STEINER: Clarify.

CHAIR TAGAVI: Clarify 6.1.2, and perhaps you will receive something from Shelley Steiner in an e-mail further explaining the question. All those in favor of that motion please indicate so by raising your hands. Opposed? Abstained? Also unanimous, motion carries. Okay. The next agenda item is change to Senate Rule 6.4.1.A. This is actually part of the section that we just passed, and I told you please disregard it because we recently passed it. However, with any rule which is totally overhauled, which this was, there are some wrinkles that you would notice later on. One of them is what I'm going to be asking Robert Grossman to tell us about, so, Bob, please go ahead.

BOB GROSSMAN: Yes. Thank you. Bob Grossman, arts and sciences. The particular rule 6.4.1.A regards jurisdiction, and it was formulated in response to a question from Janet Eldred, who--I guess she's--you know, she's not here; she's no longer a Senator--about TAs, should TAs be given--who are instructing a course be given the authority to decide penalties for academic offenses, and the committee--the ad hoc Academic

Offenses Committee was fairly unanimous that TAs should not be given that authority, but--so to encode that, we chose a very--we chose a formulation that we thought was very simple to write up, which was to make a distinguished--to distinguish between faculty employees and staff employees. Faculty employees include the tenure track and tenured faculty, plus instructors, plus lecturers. And staff employees are teaching assistants, laboratory directors, people like that. And in the University rules, it's very clear who is a faculty employee, who is a staff employee, so we made this black and white distinction between faculty employees and staff employees. And this seemed to make a lot of sense until--over the summer, we were contacted by a group of faculty and staff who were in charge of large undergraduate enrollment courses and, of course, we should have thought of this already because we have such people--in my own department, we have two--a Director of General Chemistry Laboratories and a Director of Organic Chemistry Laboratories who are both staff members, but who are long-time staff members who have dealt with many--who have supervised many, many teaching assistants, deal with many, many undergraduates, and we treat them essentially as colleagues when it comes to handling their courses. And in the past, they have had the authority to deal with academic offenses, and we didn't think it was appropriate to take that authority away from these people simply because they were not faculty employees. So to give people who are staff employees, but who are--who have positions in which they are already given a lot of authority over courses and also to handle the sorts of courses where there's a course director who may be a staff employee who supervise a lot of teaching assistants and handle the individual section, to give them the authority to handle academic offenses, we decided to bring this forward to the Senate Council which approved it last week in modification, which is essentially to say that a Chair may say to a staff employee, okay, I give you the authority to handle academic offenses, okay. So we're giving--leaving it to the discretion of the Chair to say that a particular staff employee does

have the authority to handle academic offenses. Now, it's generally understood that a first-year teaching assistant should not be given that authority. However, a seventh or eighth-year teaching assistant who maybe came back to school after 20 years as a high school teacher, you know, maybe could be given that authority. That's up to the discretion of the Chair. We think that the Chair will--most Chairs will--all Chairs will exercise this authority with discretion. Note that the rules, as they are written here, say that the faculty employee, who's the person who signs the grade reports for the course, they need to agree to this delegation of authority. And so--but mostly, it's for people like the director--a director of laboratories in biology or chemistry or, I guess, in communications like there are these very large enrollment courses where you have a course coordinator, the same in English in the freshman writing classes. So that's the--I think that's the motion.

CHAIR TAGAVI: Okay. The motion is in front of you. In fact, that's the middle paragraph that you can see. We would like to amend the 6.4.1.A to read as follows: Essentially do exactly what Bob said would do. Are there any questions? Yes. Name, please.

MR. SAWAYA: Peter Sawaya from the College of Medicine. May I ask what was the opinion of the one in the committee that voted against?

BOB GROSSMAN: I wasn't--

MR. SAWAYA: What was the reasoning before that; was there an issue with this statement that--

CHAIR TAGAVI: Good point. Who was it? Was it Enid?

ENID WALDHART: Yeah.

CHAIR TAGAVI: Enid, please tell us your feeling.

ENID WALDHART: Enid Waldhart in communications. The reason is the first had--the first description had called it staff employee, and what we decided was that calling it employee took care of it, and I had voted against it on an amendment, but did actually end up voting for the whole thing, so it wasn't a disagreement.

CHAIR TAGAVI: So if I--the amended was unanimous, so--

ENID WALDHART: Right.

CHAIR TAGAVI: So let us correct the

record on that. Thank you. Are there any other questions? Let's vote. All those in favor of this amendment please raise your hand. Opposed? Those opposed, one. Abstained? One opposed. Motion carries.

Thank you, Bob. Okay. The next item is approval of existing qualifications for 2006-2007 honorary degree. A very brief summary, just recently there were some new GRs that explicitly gave the authority of approving candidates for honorary degrees to a joint committee of the Senate and the administration, and then the proposal would be made to the Senate. As a result of this new committee, one implication was also the Senate had to approve the qualifications. Unfortunately, the timing was not appropriate. We started this exercise in late September, and the deadline for these nominations would be in October, so even though we have charged appropriate committees to approve, or change, or amend, or come up with a totally new set of qualifications, we would like to ask the Senate to--on an ad hoc basis to approve the qualifications that are on the graduate school website for this year so it would be official and it would be legal to use those in order to screen the candidates. I forgot--Davy, do you want to say something about that?

DAVY JONES: Yes. The--last February, this body approved revisions to Section V of the Senate Rules which was codifying the Governing Regulations that Kaveh referred to from June 2005 that essentially recognized that the State law puts in the hands of the University faculty the recommendation to the Board of Trustees of nominees for honorary degrees and also about the qualifications for honorary degrees. So back in February, we revised--the Senate Rules Committee recommended to this group and this group adopted changes to the Senate Rules that would make the procedures now compliant. The procedures and the Senate Rules shows it's the elected faculty Senators by a certain procedural process receive the nominees from this committee, but we had a line in there saying, okay, qualifications will be done later, and now is later, okay. So this page 19 that you're on right here which is what's been used

under the old system that doesn't exist any more, the--we see one, two, three, and then another one, two, three through nine. Seven through nine have actually already been codified in February, but you can see those are actually aspects of procedure. The person must be present to receive the degree. That's not a qualification; that's a procedure. So seven through nine are already in the Senate Rules. It's this one through three and then one through seven, those--those are all aspects of qualification that--this is what we're asking the elected faculty Senators to now approve this so this is what is authorized to be used in this fall's exercise. Now, I believe Kaveh has tasked the Academic Standards Committee of the Senate to look at this substantively for--you know, over this academic year for whether--now, that this is actually under our control, do we want to change anything on this, and so maybe something this year will come to us to change this for next season's action, but we need to get one through three and then one through seven as qualifications approved right now so there's something lawful to use by the Committee.

CHAIR TAGAVI: Since Davy mentioned it, indeed the Senate Council or the Senate Council Office has charged the Admissions and Academic Standards Committee with reviewing existing qualifications and making suggestions, and to my pleasant surprise, I was told today that they have already done that, and we have their recommendation, which would be going to the Senate Council later in October, and my guess is that by December--or November meeting, it would come to this body if everything goes fine. So we are back to what is considered qualifications which are numbers one through three and numbers one through seven, and in fact, I skimmed--

DAVY JONES: Excuse me. One through six. My mistake.

CHAIR TAGAVI: One through six. I skimmed through their recommendation of the committee. In fact, they recognized the same thing. You know, rather than having get divided in this fashion, they divided it into the fashion that we are actually asking you to approve right now. So are there any discussions on this item? It comes

from the Senate Council unanimously, I think, now that record has been corrected, positive recommendation. It doesn't need a second. We are ready for discussions. Hearing none, all those in favor of this proposal please raise your hands. Opposed? Abstained? Motion carries, and it was unanimous with no abstention. Thank you, Davy, again. Okay. This actually relates to the earlier announcement regarding Associate Provost Heidi Anderson. Just a brief introduction or background, the Associate Provost for Academic Affairs by Senate Rule or perhaps even GR--I can't quite recall, but definitely by Senate Rule--was an ex officio voting and nonvoting alternatively each year. There was a discussion that the change from Academic Affairs to Faculty Affairs is a big enough change that the new position has to be approved by the GRs, and then after that the Senate would approve the statute for that new position. Some argued that the change is so minimal that it's kind of a one-to-one relationship, but there was a very nice out, and the out was the old--the person who had this position, the similar position, David Watt, would not have been voting this year. It also happens that the GR--the Board gives the authority to give ex officio nonvoting to any member of the University. We could--we have the authority to give ex officio nonvoting membership to anybody from our University. So the happy medium is that a proposal went to the Senate Council that this--says the Senate Council moved to recommend that the Senate grant ex officio Senate membership without voting privileges to the Associate Provost for Faculty Affairs, current appointee, Heidi Anderson, effective immediately until 8/16/07, which would--by then, we would have all the GRs ready and a more permanent rule. The motion passed unanimously and comes to the Senate with a positive recommendation. It does not require a second. I'd like to hear any discussion on this item. Is there anything else that, Richard, you want to say from the Provost Office? Okay. I know Heidi wanted--had to leave at 4:00. I appreciate you staying here, and I'm happy that we could do this before 4:00 before you leave. Are there any discussion? Okay.

All those in favor of this proposal please indicate so by raising your hands. Opposed? Abstained? It's unanimous. Motion carries. All right.

The next item is the GERA Final Report. GERA stands for General Education Reform and Assessment. There was a joint Provost Senate Council Planning--Provost Senate Council Planning and Coordinating Committee on GERA. A review of USP was initiated by the Office of the VP for Institutional Research Planning and Effectiveness in 2004, and two committees were formed. One was Self-Study Committee and the other one, External Review Committee. Some of you might recall we went over the reports from the External Review Committee during September meeting. At the same time, a general education was initiated by then Senate Council Chair Yanarella and later this effort was formalized into GERA. And now we are ready to receive the report from GERA. The GERA efforts have been including conducted faculty survey of USP, coordinated campus forums. Many of them maintained a website. Several members of the GERA attended a AAC&U Institute on General Education in Washington, D.C., over the summer. It was, I think, a week-long--or almost a week-long workshop, and here are the motions, but what I'd like to do is--rather than even present the motion, I would like to ask Ernie to come and go over the report, and then we'll present the two motions.

ERNIE YANARELLA: Kaveh, thank you very much. This has been a long, long year of extensive activity by the GERA Committee, and that effort has reached fruition in this final report to the University Senate and to the Provost Office. We're really dealing with three core concepts: the concept of hope, the concept of cynicism, and the concept of opportunity and risk, and I've--I chose a definition of hope from a book which I wrote not too long ago. I could not pass up the opportunity to incorporate Woody Allen's initial remarks in a campus address which he gave, nor could I fail to draw upon E. L. Kirstan's definition of opportunity and risk, which comes from a website called demotivators. And if any of you late at night are beginning to feel depressed, please go to the demotivator website and you'll,

I think, fall asleep laughing, at the very least. Kaveh has already given you a quick thumbnail sketch of the background, and in the final report, we refer to those matters as well. We also found the official title to be an awful lot to spell out, so we called ourselves the GERA Committee for short. We began early in the fall of 2005. We had as our basic and explicit purpose to catalyze campus discussions about reforming USP and to cultivate a culture of assessment. Bear in mind that this effort was occurring in tandem with the official review of the USP--a comprehensive review of USP that had not taken place at all since its inception in 1985-1986. We thought it was a propitious opportunity to look into this and to consider the extent to which general education needed to be renovated, needed to be reformed, needed to have a--an assessment element added to it, and so we proceeded to undertake a number of key activities. First, we had a faculty survey on attitudes towards USP. We then went about the process of hosting a website. We further, in the spring of 2006, coordinated 14--actually 15 campus forums. We did two for the College of Arts and Sciences, and a number of constituent groups that focused on the USP External Review Committee preliminary report. As Kaveh has mentioned, we underwrote participation by an eight-person UK team to the AAC&U general education workshop in Washington, D.C.; followed this up in August, this past summer, with a planning process workshop; then completed our report in early September; submitted that final report to the Senate Council, from whom you have received two recommendations--two motions, and to the Provost Office. In terms of how we approached our work, we saw this as providing us with both an opportunity and a crisis. It was an opportunity for the first time over the course of USP to look into it and to engage in a comprehensive review. We saw it, as well, as a crisis because we thought that with this very lengthy history of USP, we were beginning to get a sense among faculty and, as well, some administrators, that it was beginning to get worn around the edges. Secondly, we worked closely with the External Review Committee

seeing to it that its preliminary recommendations became the focus of the 15 GERA forums around campus. Thirdly, in approaching our task, we underlined the importance of this being a faculty-driven effort. Closely connected to this was its transparency. Virtually everything that we did, certainly every--the minutes from all of our meetings, the summaries from all of the forums, any reports that came from other activities, all of them were, I think, in a relatively quick, brief amount of time, put onto the GERA website. We recognized full well, both those individuals who were faculty members and those who were faculty administrators, that this domain of GERA--pardon me--of general education reform was very much a matter of academic policy making. And finally, I think there was a consensus within the committee that assessment ought to be any general education reforms part. We really felt that way because USP had not gotten the kind of careful and continuing and routine assessment both in terms of the program and in terms of student development within that program that we feel that any new general education program ought to have. In terms of the faculty survey, we found a kind of tepid feeling among faculty generally that USP was not meeting its basic goals. They saw it basically as a kind of a distributional checklist model. They believed that students tended to experience USP as quite scattered, as fragmented and disconnected. Faculty tended to see it as lacking a--lacking coherence. At the same time, there was a kind of counter-tendency among many faculty who said, you know, like an old shoe, it was very comfortable and maybe hard to take off. Still, there was a sense that it was growing antiquated and that we could do better. When we turned to the GERA forums, we learned a great deal. We provided many occasions for faculty to say their piece about various aspects of USP. With regard to some of the more salient points that were raised, I pose these as questions. Who will teach the new curriculum? The faculty worried a great deal about present trends and were concerned that perhaps too much responsibility for the instruction of general education might be put in the hands of graduate

students. Secondly, there was the question about basic skills. Should we really forget about basic skills? I guess I should own up to this, Bill. I kept posing this as an outcome-based approach that was emanating from the External Review Committee, and that really was not quite what they had in mind, and certainly the faculty at many forums underlined the critical importance of basic or, as the final report of the External Review Committee put it, essential skills really ought to be a--an integral element to any new framework. There was also a good deal of discussion at various forums about incorporating forums of literacy, whether it be media, information, design, technological, or environmental literacy into substantive courses as part of the general education curriculum objectives.

A clear theme that, I think, came through these forums was the need to develop a general education program that placed our students within a globalizing world. Along with this, there was, I think, a mounting sense among faculty who attended our forums and voiced their views that our students should be life-long learners. Finally, there was great encouragement given in various college forums--from one college forum to another in trying to break out of the old curriculum structure of three and four-credit hour courses and finding ways that one and two-credit hour courses could be incorporated into the general education curriculum. Those of us who went to the AAC&U Institute on General Education used that as a kind of testing ground for our ideas.

Generally speaking, I think we found that we were, in many respects, a year ahead of most of the teams that went to this forum. Many of them were just getting started or were really mired in the opening stages and searching around for avenues to innovate their programs. We were, by this point, almost a year into this particular effort. What was comforting to us was that much of the thinking that informed the discussions that went on in the college forums that informed the dialogue that took place in GERA and that was also a part of the External Review Committee deliberations were very much in line with national trends. We also found a good deal of discussion at the

Institute about ways in which we could convert to what, in the framework of USP, is a two-year general education program into a four-year general education program by porting over some of the curriculum objectives into the major. And so this theme, almost a mantra that developed at the Institute, encouraging general education in the major was one that we picked up on and discussed not only among ourselves but also at the planning process workshop in August. Beyond this, we found a great merit in thinking about the total student experience at the University of Kentucky and looking to those student affairs, residents' programs, extracurricular activities as part, as contributing to the general education mission of the--of undergraduate education.

Two other themes that emerged and encouragements that came from some of the teaching masters at the program had to do with strategies of blending change agents. Within GERA, we began to bandy about the role of carpenter, quilter, and glassblower, which increasingly became part of our common vocabulary. We even began to self-describe ourselves in these ways as a way of trying to see how we could mesh together people who are basically carpenters, who just wanted to fix and tinker around the house of general education, versus the glassblowers, who wanted to create a wholly new structure, and finally the quilters, who wanted to find the best of both of these worlds. And those I think--these metaphors, I think, were quite useful to us.

And then finally, we were warned of--about avoiding potholes, typical things that oftentimes lead to the ruin of general education initiatives. One very, very important one was, don't take your University Senate for granted. In terms of our August workshop, we were, again, encouraged with the growing support that we saw developing not only among faculty, but also among the Associate Deans of the various undergraduate colleges who were invited to the last day of the forum. One of the real naughty problems that we have had the whole year has been the issue of whether or not pursuing Top 20 status and also pursuing undergraduate excellency can be achieved, and the general answer that we received was--from these

individuals was that both of these two goals could and should be pursued, but within the context and through the special assets of UK as a Research-1 or research extensive university, let us retain our basic identity as a Research-1 institution, but let us utilize that as a virtue and not as an impediment to our effort at renovating general education.

Another strong theme that came through is that there is no free lunch, to put it simply. Participants agreed to support general education reform only if it meant that they would be able to teach differently and with the prospect of freeing up more of their time for research and graduate teaching. We don't want a new general education curriculum that is going to further burden faculty in a Research-1 context, so if indeed this body comes to support the effort to move to the next phase, you can be sure that those agencies that will carry on this--the work of this initiative will be very mindful of this. There was also a strong clarification enunciation of no doing more with less. Most of you have been around here for the last five or six years. Many of you have heard from administrators who have said, well, we've got to do more; we've got to do more with less, and it was very clear that faculty and the Associate Deans concurred that any structural changes in general education would require more resources and a redistribution of those resources among those colleges that were to bear the brunt of those responsibilities.

My basic conclusion is this: As we look to the future, GERA urges the University Senate, the Senate Council, the Provost Office, any bodies that succeed GERA in this important initiative to bear in mind the following things. First of all, we urge the promotion of continuity with the initial phase of this initiative. Whatever comes next, assuming that it does, and I surely hope that it does, those... (tape ends) ...we've got a lot of discussion that has gone on. We've got, I think, a rising interest on the part of both faculty and administration in doing better in terms of undergraduate education. And in particular, general education, I think we need to go forward. As we do, we need to find opportunities for both faculty development and graduate student teacher training. This must

be an integral element of general education reform. And if Heidi Anderson is still here, which I, unfortunately, think she is not--well, I won't try to yell. I'll put a--I'll send her an e-mail about this.

I think it's very important that the new Associate Provost keep this issue in mind.

We urge you, then, to embrace a new phase, one that will perhaps involve the participation of the University Studies Program Committee in advancing this initiative, as well as a steering committee to provide oversight to this process. And finally, we urge faculty administrative collaboration on aligning faculty resources and monetary support for such a general education reform.

I want to, before we turn to these two motions from the Senate Council, thank each of the members of GERA who are listed. They're listed on page 22 of your handout. I won't try to name them. Some of them are here.

On behalf of Phil Kraemer, who was the Co-Chair with me of this committee, I don't think we could have been blessed with a better and more discerning and dedicated group of faculty members. They were there on the ready. They were very much committed to the long-term exercise, and they found opportunities now and again for humor when it was called for. So I want to thank you for this opportunity to bring forth this final report and its summary.

Kaveh, if you would like to take over with these two recommendations, I'd be happy to answer any questions that you might have with regard to the final report itself.

CHAIR TAGAVI: The Senate Council received this--okay. Bear with me, please. Senate Council received this report, and as a result of receiving this report, there were two motions made, which I'm going to discuss here with you one at a time. The first motion was the Senate Council moved that the Senate Council receive the GERA Final Report and forward it to the University Senate for review and consideration, which--this was a Senate Council motion actually, so this is not in front of you. I made a mistake on that. The other--what I wanted you to know what happened in the Senate Council. The Senate Council also moved that the Senate Council, with attention

to general comments offered in the forthcoming University Senate review of GERA's final report, which is today, work with the Provost to take the general education initiative to the next level of examination and articulation. So we have this motion that is recommended by the Senate Council to the Senate. It doesn't require a second, so it's before us for discussion.

BOB GROSSMAN: For a point of clarification, what is the motion?

CHAIR TAGAVI: The motion is the Senate Council moved that the Senate Council, with attention to general comments offered in the forthcoming Senate review of GERA's final report, work with the Provost to take the general education initiative to the next level of examination and articulation. So...

BOB GROSSMAN: The motion is that we ask the Senate Council to do that?

CHAIR TAGAVI: Yes.

BOB GROSSMAN: Okay. Thank you.

CHAIR TAGAVI: It's a little bit convoluted, but--yes?

LIZ DEBSKI: Liz Debski, biology. Just for more clarification, what exactly do you mean by the next level of examination and articulation? Could you be more specific?

CHAIR TAGAVI: I'll have to ask our (inaudible).

ERNIE YANARELLA: In the report and in my final summary, I alluded to the next--what I saw as the agenda for the next phase, which is to look at curriculum models that would be appropriate to the University of Kentucky context, begin to articulate perhaps new courses at different levels that would be appropriate for any new curriculum model that such committees would embrace, and that it also--that the agenda also include a proposal for implementation of such a new curriculum model and course structure. So that is what would be part of this next level of examination and articulation.

LIZ DEBSKI: Would it make sense to actually incorporate that into the motion? I mean, I don't know. It just--the way it's written it seems extraordinarily vague.

ERNIE YANARELLA: (Inaudible) the Senate Council to (inaudible). I understand that.

CHAIR TAGAVI: Well, we can certainly entertain amendments from the floor.

ERNIE YANARELLA: Liz, the essence of an

amendment that would clarify that last phrase would be to--perhaps a parenthetical comment in that which would be, examine curriculum models, generate a new course structure, and establish a plan for implementation. That, it seems to me, would be--those are the three agenda items that GERA believed it was, in effect, passing off to any new agencies that would be involved in this initiative.

LIZ DEBSKI: (Inaudible). Sure. And my only (inaudible) would be why make that a parenthetical comment, as opposed to just putting that in like--just like you said it?

ERNIE YANARELLA: However you would like to do it.

CHAIR TAGAVI: We need a--

LIZ DEBSKI: Can I propose that amendment?

CHAIR TAGAVI: We need an amendment for that, yes.

LIZ DEBSKI: All right. Basically just to replace to the next level of examination and articulation with what Ernie just said--what Mr. Yanarella just said.

CHAIR TAGAVI: (Inaudible).

LIZ DEBSKI: Just--yes.

CHAIR TAGAVI: Do you have that, Sheila?

SHEILA BROTHERS: Yes. To examine curriculum models, generate a new course structure, and establish a plan for a curriculum model...

ERNIE YANARELLA: For implementation.

SHEILA BROTHERS: Oh, excuse me, curriculum implementation?

ERNIE YANARELLA: Yes.

CHAIR TAGAVI: Is that your amendment?

LIZ DEBSKI: That's my amendment.

CHAIR TAGAVI: We need a second for that.

UNIDENTIFIED SPEAKER: So second.

CHAIR TAGAVI: Name?

RICHARD MITCHELL: Richard Mitchell.

CHAIR TAGAVI: Richard Mitchell. Bob.

BOB GROSSMAN: Bob Grossman, arts and sciences. Just a friendly amendment to what Liz suggested. The sentence that she proposed doesn't make sense unless also to take the general education initiative is deleted, so work with the Provost to propose a curriculum model, et cetera, et cetera, et cetera.

LIZ DEBSKI: Sure, and I accept that.

CHAIR TAGAVI: Okay. So it's a friendly amendment to the amendment, and she accepts it. Is it okay with you?

LIZ DEBSKI: Uh-huh (affirmative).

CHAIR TAGAVI: Yes? Name.

KEN CALVERT: Ken Calvert, engineering. Is it propose a curriculum model? Is that the exact wording because

originally--

CHAIR TAGAVI: Sheila, will you please read it one more time?

SHEILA BROTHERS: To examine curricular-- excuse me--to examine curriculum models, generate a new course structure, and establish a plan for a curriculum implementation.

ERNIE YANARELLA: Yeah. I had used the word, generate. Implicit in that is to examine and propose.

KEN CALVERT: (Inaudible) propose. Okay.

SHEILA BROTHERS: I'm sorry. What change would you like me to make?

ERNIE YANARELLA: To examine and propose...

CHAIR TAGAVI: Instead of generate.

ERNIE YANARELLA: ...curriculum models.

CHAIR TAGAVI: Okay. I would like to ask you to discuss the amendment at this point, not to discuss the main motion. Are there any discussions on the amendment? Okay. All those in favor of the amendment please raise your hands? Opposed? Abstained? Motion carries, and it was unanimous. Now, we are back to the main motion, which has been amended. Yes, Connie Wood.

CONNIE WOOD: Arts and sciences. I'm a bit concerned about the convolution of this body moving something that the Senate Council has already moved that they're going to do. Would you be willing to accept a friendly amendment that basically says in part two, be it moved that the Senate Council, because as written it says the Senate Council has already moved this. This is just wording, not substantive.

CHAIR TAGAVI: Okay.

CONNIE WOOD: Be it moved that the Senate Council do something from this body, as opposed to this body moving something that the Senate Council has already moved.

CHAIR TAGAVI: How about just say it is moved?

CONNIE WOOD: Or be it moved sentence?

CHAIR TAGAVI: Be it moved, okay, rather than Senate Council moved...

CONNIE WOOD: Right.

CHAIR TAGAVI: ...because that's kind of (inaudible). I understand what you're saying.

UNIDENTIFIED SPEAKER: Well, aren't we, as the Senate, now moving? Can we just say the Senate be it moved?

UNIDENTIFIED SPEAKER: Yeah, that.

UNIDENTIFIED SPEAKER: The Senate moves that the Senate Council (inaudible).

CHAIR TAGAVI: Okay. Is that okay, Connie?

CONNIE WOOD: Yes. That's exactly what I'm saying. Thank you.

CHAIR TAGAVI: The Senate moves that the Senate Council, and then the rest is the same.

CONNIE WOOD: May I ask another question?

CHAIR TAGAVI: Yes.

CONNIE WOOD: I'll take over where Davy left off. As a point of information, who is the appropriate body to receive the GERA final report?

CHAIR TAGAVI: Since it was a joint committee--in fact, the report has already been received by the Senate Council and by the Provost. It has already been received. These are the appropriate bodies. It was a joint committee to begin with.

CONNIE WOOD: Okay. Between the Senate Council and the Provost?

CHAIR TAGAVI: And the Provost.

CONNIE WOOD: So it's appropriate that the Senate Council receive the report?

CHAIR TAGAVI: And technically speaking, the Senate Council is not here to get your council and get your buy-in because we want the Senate to also agree with what the Senate Council is proposing.

UNIDENTIFIED SPEAKER: Okay. So the intent of the first part of this motion is what?

CHAIR TAGAVI: The first part was-- actually, I was a bit confused. That was just for information, that the Senate Council themselves passed this, just for you to know the background. The motion in front of you is the second motion.

UNIDENTIFIED SPEAKER: Okay.

CHAIR TAGAVI: The first one is just informational, just to let you know what the Senate Council already moved and approved. Are there any other discussions? Yes? Name, please.

JIM HERTOG: Jim Hertog, communications. What is going to be the practical outcome of this?

ERNIE YANARELLA: Well, the practical outcome of this is--and I think everyone in the Senate should be aware of this--is that you are effectively putting your weight behind the idea of moving to the next phase in a general education reform and assessment initiative. Noth--there is no closure here in terms of other avenues being set aside. Rather, what is happening is that a second phase, building upon the first phase of this general education initiative, is being affirmed as going forward. The University Senate is making its voice heard in this in regard to any further actions that might take

place in general education reform.

JIM HERTOGE: Okay. So I'm assuming what's going to happen is some kind of set of proposals for curricular change will come back to this body as a result of this? Is that essentially--

ERNIE YANARELLA: That is--eventually that will be the case. It may be the wish of the Senate Council, should any joint committee--any joint steering or oversight committee be put together, that it be brought to the University Senate for review and affirmation. I think that's an open issue, and it's one that will be decided within the dynamics of the Senate Council. But you can be absolutely sure that any blueprint for a revised or a new general education curriculum will find its way back here and will be voted up or down by this particular body.

GREGORY FINKEL: Gregory L. Finkel, College of Engineering. Why is this the Provost's business?

ERNIE YANARELLA: I think for a number of reasons. I could delegate this to Richard Greissman, but let me make a stab, Richard, and if you would like to add or contradict--

RICHARD GREISSMAN: (Inaudible).

ERNIE YANARELLA: --I'll turn it back to you. One reason I think that this is important is that we now have a University committee on planning and priorities, and it has an undergraduate education domain committee that is involved in the effort to align undergraduate education with the Strategic Plan and, as well, the Top 20 business plan. That involves, it seems to me, the highest administrative officer in charge of academic matters in this. And so I think there is an administrative interest in this in terms of the guiding philosophy and the basic structure. Secondly, I think, when it comes to the issue of funding, this is a domain of administration, and I think it's important that we have this meshing of Senate Council and the Provost in this process so that neither side gets misaligned with the other. You know, many a general education proposal at other campuses have fallen by the wayside because they were not in any way tied to budgetary realities, and so we want to make sure that that alignment takes place. Richard, do you want to add anything?

RICHARD GREISSMAN: I couldn't add to it. That's just it.

CHAIR TAGAVI: Okay. Are there any other comments, questions? I can't--why don't you help me. Did we vote on the amendment or was the amendment...

UNIDENTIFIED SPEAKER: Yes, please. Yes.

CHAIR TAGAVI: We already voted on the amendment?

UNIDENTIFIED SPEAKER: Yes.

CHAIR TAGAVI: Okay. Now, we are ready to vote on the main motion. All those in favor please raise your--indicate so by raising your hands. Opposed? Abstained? One abstain. Zero opposed. Motion carries. Thank you.

ERNIE YANARELLA: Thank you. Kaveh, thank you very much. I want to thank the University Senate on behalf of GERA. We, I think, really feel that our work has not been in vain, and that this effort to bring our general education curriculum into the 21st Century will go forth. Thank you very much.

CHAIR TAGAVI: The next item, in a sense, does not require too much of an introduction. I think a lot of you are aware that over the years this has been an item of interest. Recently, the University of Louisville adopted domestic partner benefits and Northern Kentucky, I think, showed some interest. The Staff Senate has taken this issue and have come up with a recommendation. I see Kyle is here. I apologize for not telling you in advance that I would call on you. Will you please, Kyle, tell us very briefly what happened at the Staff Senate and what was the, if I recall, very simple motion on Staff Senate, correct?

KYLE DIPPERY: I believe you are correct. It was a very simple motion. I did not bring a copy to read in its entirety to you, but it basically states that the Staff Senate supports the University offering domestic partnership--offering benefits to its employees' domestic partners. And the motion passed 55 for, 25 against, with one abstention.

CHAIR TAGAVI: Pursuant to that or parallel to that, this has been brewing at the Senate Council level. One time we had to cancel for a variety of reasons. Eventually last time, we discussed this, and as a result of our discussion, here is the motion that the Senate Council has approved. It says the Senate Council moves that the Senate Council express to President Todd its support of offering benefits to domestic partners, including same sex and

opposite sex partners, and that the University Senate also be (inaudible) as to its position on the issue of UK offering domestic partner benefits. The motion passed with six in favor and one against and comes with a positive recommendation. Again, the way this works is, we are giving part of this as a background to you, that we have already made a motion, not on your behalf, but as an advisory body to the President, and I have already written the letter and informed the President and the HR Committee on Benefits of the Senate Council motion. We are not here today for the Senate to discuss this. And if the Senate wants to make a parallel motion or similar motion to the President in any direction--so now that is open for discussion. Bob Grossman.

BOB GROSSMAN: Bob Grossman. Just to get the discussion rolling, I would like to move that the Senate support that the University offer benefits to domestic partners.

CHAIR TAGAVI: Okay. Thank you for helping me. I was just going to mention that technically there is no motion in front of you until somebody makes a motion because although this looks like--it says move, it's not a motion. We are just informing you of what the Senate Council did. Now, we have a motion. I'd like to have a second before we could...

DEBRA ANDERSON: Debra Anderson, College of Nursing.

CHAIR TAGAVI: Debra Anderson, College of Nursing. Could you please read the motion one more time, please, the one that Bob Grossman made?

SHEILA BROTHERS: Move that the Senate support UK offering benefits to domestic partners.

CHAIR TAGAVI: It has been seconded. What I'd like to ask you is, just in anticipation of some involved discussion, that you please have your comments towards me, and then I'll conduct the conversation. So are there any discussions regarding this motion?

SHELLEY STEINER: (Inaudible) friendly amendment to include the wording--the same wording as the Senate Council, in other words, including same sex and opposite sex partners, and that the University Senate--well, that's good. I'll leave it at that.

CHAIR TAGAVI: Do you consider that a friendly amendment, Bob?

BOB GROSSMAN: Sure. And I don't think it's necessary, but that's fine. If you want to include it--including same sex and opposite sex partners, that's fine by me.

CHAIR TAGAVI: Is that okay with you? (Inaudible).

CHAIR TAGAVI: So now it has been amended to--could you please read that with the amendment, friendly amendment?

SHEILA ANDERSON: Move that the Senate support UK offering benefits to opposite sex and same--or opposite and same sex domestic partners.

CHAIR TAGAVI: Bob Grossman.

BOB GROSSMAN: Yes. I made the motion, so I guess I should say why I support it.

CHAIR TAGAVI: Go ahead.

BOB GROSSMAN: I support it for several reasons. First of all, I am married to my domestic partner, legally recognized by the University--by the State of Kentucky, but not everyone can do that. The benefits are a recruiting and retention tool, and as such, we need to recruit and retain people of all kinds, including people who make decisions about their personal lives that we may agree with or may not agree with, but it's really not relevant to how well they do their job. And just as an example, the University offers benefits for one's children and the benefit is the same regardless of whether one has one child or twenty children. So by this benefit, is the University supporting that people overpopulate the world? No. It's--they do it because there are people who have large families who they want to keep at the University. And I think that similarly we have many high quality employees here who would see these benefits as being important to them wanting to stay here at the University. In terms of the political implications, the fact that Louisville has already moved to do this provides a huge amount of political cover for us to do this now. And I think we ought to take advantage of that. Now is the time to take advantage of this and move ahead on this, which, in my mind, is a simple matter of fairness.

CHAIR TAGAVI: Yes?

CHRIS BOLLINGER: Chris Bollinger, economics. I actually just have a simple question. Is there a legal definition of what constitutes a domestic partner, or is this a relatively vague term and--I'm just

curious if anybody knows.

BOB GROSSMAN: I think the report addressed this matter, which is that it's vague, and it can be defined however the University wants to define it.

CHRIS BOLLINGER: Okay. (Inaudible).

CHAIR TAGAVI: (Inaudible).

JIM HERTO: Jim Hertog, communication.

I was just going to ask who's going to make the determination who a domestic partner is and who's going to make the rules on that, and does it extend to students and stuff like that, too, because I'm wondering whether we should take a stand on that or allow that to be an administrative task that's done by others?

CHAIR TAGAVI: Since--

(SEVERAL SPEAKING AT ONE TIME)

UNIDENTIFIED SPEAKER: We're talking like this is all faculty right now, but it's not going to just be faculty because it says, benefits to domestic partners and/or, you know, faculty and staff, but it could go to--for example, we've extended benefits to graduate students, and things like that. Does that cover them as well?

CHAIR TAGAVI: If they are employees or if they are just a student, as far as I know, this benefit is for employees. Yes. Name?

JODY DEEM: Jody Deem, health sciences. Bob, I think your point is excellent about the political cover. I hadn't thought about that. And along that line, it probably politically is to our advantage to do this expediently because the--that political cover will be lost the longer we dwell on this and the further we get from the University of Louisville's decision.

CHAIR TAGAVI: Polly Swanson.

POLLY SWANSON: Polly Swanson, College of Medicine. I just have a question. Are we limited to one domestic partner?

(SEVERAL SPEAKING)

GUEST JOAN CALLAHAN: Kaveh, excuse me, just--there--

CHAIR TAGAVI: Yes.

GUEST JOAN CALLAHAN: Joan Callahan. I'm a visitor. On page 47, a number of these questions are answered: how a domestic partner should be defined, that it is exclusive, and so on.

CHAIR TAGAVI: Well, technically speaking, that's not part of our motion, and maybe you can call it the beauty of the motion, that it's very short. Once--my guess is that once the HR and the President want to move on this,

then it would be detailed and go into all these permutations, who gets it, who doesn't get it. Jeff Dembo.

JEFF DEMBO: Speaking on behalf--as a member of the Board of--as your faculty trustee on the Board of Trustees and on the Human Resources Committee, I have two perspectives I'd like to add. The first is that operationalizing this is not a difficult matter, because as a university-based committee called the Employee Benefits Committee, this is the same committee that presented to the Senate back in 2003 about proposed retiree benefits and the Senate was very vocal in what it thought, and the committee said, okay, it's not quite ready for prime time yet. I'd like to be able to report to the Human Resources Committee at our meeting tomorrow not only was it discussed, but was there any passion behind it or did the Senate merely affirm yes, we support it. The reason I'm saying that is because I've gotten a sense from the current administration that they are somewhat concerned about political fallout especially after Louisville and legislators claiming that they were going to create some opposition. I'll also point out, too, that regarding benefits, there's been a lot of talk for months, if not years, about setting up a cafeteria plan, which has also happened not very quickly and is languishing. And I would think that even if the Senate came forward with a proposal or a motion to support this, unless there's any passion behind it, it's not likely to result in a lot of forward motion.

UNIDENTIFIED SPEAKER: (Inaudible) the motion (inaudible) expressed.

CHAIR TAGAVI: Yes, please.

DEBRA ANDERSON: Debra Anderson, College of Nursing, and I seconded this motion quickly because I do have a lot of passion behind it, and one of the Senators said--made the comment of equity and fairness, and that is the reason I'm passionate about it, so that might be something to take back.

CHAIR TAGAVI: Ernie Yanarella.

ERNIE YANARELLA: I want to do something that's uncharacteristic of a political scientist and put aside the political reasons. I think--and I've expressed this in the Senate Council when we--where we had a very lively debate over this. As you saw, it was passed by six to one, but there was a very

strong sense among one or two people that this was an issue that we really should not take up, and I will say what I said there, and that is, that this is the morally right thing to do. These are our colleagues; they are our colleagues; they are our friends; they are us, and I think in that sense we simply are asking that part of who we are be incorporated into those benefits, which are part of--which should be recognized as part of the benefits package.

CHAIR TAGAVI: Enid Waldhart.

ENID WALDHART: Enid Waldhart, communications. I think the very vote that we cast at this point should provide the kind of passion, interest, whatever. If we're talking a very close vote, I think that suggests that there are many questions. I think if it's much closer to unanimous, that we have, in fact, indicated that it is a very strong support for this particular motion, and I think that's a strong emotion that we can express.

CHAIR TAGAVI: David Randall.

DAVID RANDALL: Physiology. I opposed this at the Senate Council. The University of Kentucky really belongs, in a larger sense, to the people of the Commonwealth. They have expressed their opinion in this issue. There are certain places where we should be out in front leading the way, but I don't think it's wise to be out in front on this one where we're telling the people that we really do not affirm some of their deepest-held ethical values. I think it's not wise to support this. Someone countered that we don't run the University on plebiscites, and that is absolutely true, but I think there's a certain respect we ought to have for the people of the Commonwealth and their deeply-held ethical values.

RICHARD MITCHELL: Richard Mitchell, dentistry. I think that you could argue that the people of the Commonwealth haven't spoken on that. They have spoken on same gender marriage. Domestic partnership is--when you start to poll on it, it's different, and so I don't think we know, and I don't, frankly, think that the people of the State of Kentucky have had a rea--you know, a reasoned argument put in front of them about this. A lot of places around--urban areas in the State, I'm sure, domestic partnership legislation

could pass city councils. I don't know about rural areas, but I don't think we know.

CHAIR TAGAVI: Just a note that--I try not to go to a person for a second time until everybody who wants to talk for the first time has already talked. Yes.

TRACY CAMPBELL: Tracy Campbell, history. I would suggest that that same kind of philosophy was probably used in the 1940s. If we had submitted to a plebiscite whether Lyman Johnson should be admitted, I would have put my money, if we can bring politics back into this, that it would have lost. But the argument was made then, quite correctly, that people of all races may pay taxes. That's important to the University, and I would say the same thing should be made as well today. I would strongly support the motion. If I've already--I've gotten lost in my motion already that was made to sup--to affirm this.

CHAIR TAGAVI: Anybody else who wants to talk? Yes.

LESLIE CROFFORD: Leslie Crofford, College of Medicine. I had been--I thought about this quite a lot because we heard in the President's Commission on Women that there were political indications that--in the State Legislature that there was quite a bit of opposition to this, and certainly I think it's important to take the pulse of our community. But I have to speak very strongly in favor of supporting the domestic partner benefit for all of the reasons that have been expressed by my fellow Senators, and I actually do think this is an area that we, as members of an institution, that want to lead the Commonwealth into the next phase of development, and this is an absolutely essential thing to support, to let everybody in the university community, but also in the business communities not only in the Commonwealth, but all over the country, that we're stepping up and we're going to be different than we have been in the past.

CHAIR TAGAVI: Yes.

J. W. YATES: J. W. Yates, College of Education. I would point--while it's not the same polarizing issue that--I was at the University of Louisville about 15 years ago when it first proposed a no-smoking ordinance, and at the same time it raised a similar feeling among the legislature. They were going to punish the University of

Louisville because they were going to go with no smoking among the buildings at the university, so I think that while it's not the same issue, I think there are similar ramifications relative to legislative issues.

CHAIR TAGAVI: Any more discussions?

UNIDENTIFIED SPEAKER: Call the question.

CHAIR TAGAVI: Nobody wanted to discuss, so we don't have to call the question. I was going to call for a vote. All those in--we are not voting for the question. We're voting for the motion itself as it has been amended. Would you please read it one more time so everybody knows what we're voting on?

SHEILA BROTHERS: The Senate moves that the Senate support UK offering benefits to opposite and same sex domestic partners.

CHAIR TAGAVI: That's the motion. It has been seconded. All those in favor please indicate so by raising your hands. Opposed? Two. Abstained? One--two. Motion carries. Did I get you?

UNIDENTIFIED SPEAKER: You did. Opposed.

CHAIR TAGAVI: Two. Okay. I did say motion carried. The next item--here is the background on this motion. There is--we were approached by the Dean of the Library so that we recommend to the Provost to be signatory to a letter that has been written by 50 or so universities supporting a House or Senate bill which is going through its motion to become--to be considered. The act goes by its acronym, FRPAA. I don't know if I could do very good justice to it, but basically it requires that the result of research funded by the Federal Government should be available to--readily available to everybody. This has some ramifications for smaller journals who survive or get their profit out of the subscription. Subsequent to that, we sent that item to the Library Committee, which the Dean of Library is also an ex officio member. The Library Committee discussed this, and they came up with two recommendations. I hope, while I was talking, you gleaned over this definition that I got from the Internet, from the actually House government website. This is the definition or the summary of the act. The only thing that I could not figure out was--at the end it says, specifies exclusion, but I could not find anything and I didn't want to delete

it, so I put there exactly what the summary of the act says. Accordingly, the Senate Library Committee found that UK libraries face dramatically escalating costs for journals that exceed the annual increase in the library budget. Also, SLC recognizes the concern of journal publishers and some scholarly societies regarding potential economic impact of Senate Bill 2695, but the SLC concluded that the greater public good would be served by the passage of S. 2695. Senate Council motion number one--actually, technically this was proposed by the Library Committee. Senate Council adopted it, so it is--now has become Senate Council motion number one. The University of Kentucky become a signatory to the public letter of support for United States Senate Bill S. 2695, Federal Research Public Access Act of 2006, which would maximize taxpayer access to the result of federally funded research. This was passed unanimously by the Senate Council. It doesn't require a second. Is the Associate Dean of Library here? Please, if you want to add anything or...

MARY BETH THOMPSON: I'll be happy to try to answer any questions. I didn't notice if it was on the summary you put up that there is a six-month embargo for the articles as part of this act, and it's also for the agencies of 100,000,000 more in federal funds in research, and these are peer-reviewed manuscripts, so they do have to go through and they have to be accepted by a peer-review journal. Those are the only ones being required by the bill.

CHAIR TAGAVI: So this doesn't require a second. As I said, it's in front of you for discussion. Bob Grossman.

BOB GROSSMAN: Yeah, Bob Grossman. I have a question and just a comment. Federally funded is not hyphenated. A question: A lot of us have to sign copyright transcript forms when we submit articles to journals. And so is us passing--by it--are we going to be put in a position of conflict where we're unable to sign a copyright transcript form if we want to get things published?

MARY BETH THOMPSON: You will need to read over the agreement you're signing with publishers in some cases. Many of the major commercial publishers are making this possible, so this will continue that conversation and will

drive it, but often they will let you put in--your manuscript into this type of depository.

BOB GROSSMAN: So are you saying that I have to figure out whether a journal is--will allow me to put something in this, and if they say no, you can't, then I can't publish in that journal?

MARY BETH THOMPSON: Not all publishers have the same requirements...

CHAIR TAGAVI: Bob, I just want you to--

MARY BETH THOMPSON: ...on their license that you sign, but many have already made the move to let researchers publish their--put their articles in pre-prints and post-prints, and so often this is already permitted by the publishers.

BOB GROSSMAN: Right.

MARY BETH THOMPSON: I can't say--or feel comfortable saying across the board for every publisher because I don't know all those licensing issues that you're seeing.

BOB GROSSMAN: Well, it's going to put a burden on me to figure out which journals allow me to do this and which journals don't allow me to do this.

MARY BETH THOMPSON: The Association of Research Libraries, along with some others, are actually now putting together a website that's going to have information that deals with copyright, if we go through this process, and so I'll be happy to send that link out that addresses some of these concerns.

CHAIR TAGAVI: Dave Randall is the Chair of the Library Committee. Would you like to add anything, Dave?

DAVID RANDALL: Well, we're already in a bind in that--once you accept NIH dollars anyway. NIH says you will deposit them in a public forum like this, so we're already caught in a bind. The nice thing about the bill is it does allow six months of the journal embargoing it. I was initially very concerned about the same issue because I'm on the Editorial Board for a couple of those journals, and they're concerned about this. So I think the compromise is the current, as soon as it's accepted, versus the six months, which will give the journal some time, so...

CHAIR TAGAVI: Yes.

LESLIE CROFFORD: Leslie Crofford from the College of Medicine. This is an issue--I'm on the Executive Committee of the society who owns our journal and publishes our journal and receives

royalties from our journal, and I was the Chair of the Publications Committee. And when the NIH came up with this idea that they were going to mandate people depositing the results of their research on the NIH website, it became immediately obvious that this was an unfunded mandate that the NIH does not have resources either to administer or to carry through, and so the NIH redacted their statement and said it was voluntary rather than mandatory. And my concern about this bill isn't that I don't think it's a good idea for citizens to, you know, be able to access the results of federally funded research, but in point of fact, we're already at the point by the access to information technology and your ability to get individual articles or to write the author. I mean, there's many, many ways that you can get access to anything that you can Google, and we can do that. I'm not saying that I don't support this, because I understand what's going on in the libraries in terms of the finances, but I'm concerned that there's going to be a whole lot of political pressure by the medical scientific publishing community which have fought, to my understanding, for a year embargo on most, rather than a six-month embargo.

CHAIR TAGAVI: Are there any other discussions? Yes.

LIZ DEBSKI: Biology. Yeah, I'm just wondering. While not all research is federally funded, is there going to be a distinction between that? Is the journal going to make a distinction?

LESLIE CROFFORD: What the journals have done is they've tried to institute uniform policies so the journal that our society owns has instituted a policy that all of the information will be available after 12 months because, you know, essentially, they are trying to protect themselves. And of course, the societies get royalties from their journals from the loss of revenue, and then there's the greater issue of, okay, well, this sounds really great, but who's going to do it. And you know, this whole depositing your manuscripts to the NIH has been a complete and unmitigated disaster from the beginning because they haven't really developed the infrastructure or the structures to manage this depository.

LIZ DEBSKI: And my other question is does it specifically limit it to manuscripts, as opposed to primary data? Does the bill do that?

MARY BETH THOMPSON: Yes. It actually does. The bill actually states that it is for manuscripts, and it does--it excludes research notes, lab materials and data, so there are some specifics in the bill as well. And I would like to mention many of the commercial publishers are already going towards a hybrid commercial product, and that is, researchers who would like to have their articles open access forever actually are--they're going to this hybrid model where you can pay for the article up front. After it's gone through the peer-reviewed process in most cases, then you pay a flat fee for that article to be open access, and that takes care of it. And this is--these are also conversations that are happening not just in the United States and for us. The United Kingdom, Australia, and other countries are also going towards the funding for some of the open access going through the funding agencies. So part of what--and my response to the NIH because it is still voluntary, which is a lot of what we're hearing, that's part of the reason that it's not working, one that is voluntary and that it's not easy necessarily for researchers to make that deposit of their articles into these centers, and this bill will help drive that conversation forward and make those kinds of article deposits more available and will happen, and that's part of my opinion, is that this will actually help this conversation to move forward. And it does not answer all questions.

LIZ DEBSKI: Well, who's paying this flat fee? Is it the researcher now? You said there was a flat fee, and who's paying it?

MARY BETH THOMPSON: In some cases the funding agency, so, I mean, that's all--all of this is like--it's brand new. You're just--we're just now starting to see from the major commercial publishers these types of fees that are coming out for open access and how that's going to change what the libraries pay for journals' cost. These are all things that are being--that are still being worked out, so that--but this particular act is dealing with--it keeps the peer review in. It keeps the six-month

embargo in, but it does start to get in place these types of repositories for after that six months for the federally researched to be available.

CHAIR TAGAVI: Any other discussion?

SHELLEY STEINER: Shelley Steiner, biology. How long will they stay in the repository? How long can you access this stuff after the--

MARY BETH THOMPSON: I've seen no limitations.

SHELLEY STEINER: So it's going to be like a super library--

MARY BETH THOMPSON: It becomes open access.

SHELLEY STEINER: I see. So essentially the articles will be free in the future for everybody?

MARY BETH THOMPSON: And I understand, and we've heard other comments on the publishers and societies, and my own association has the same issues that some of the other societies have, and that is that our journals and what we get from the subscription base often helps with all of our other things that we like to do for our membership, so there are still questions for societies and publishers to answer in that regard in reality.

CHAIR TAGAVI: Bob Grossman.

BOB GROSSMAN: Yeah. I would just like to say I'm opposing--I'm not going to vote for this. I'm going to vote against it because I think there are too many implications that have not been thought through about the implications that--it's trying to solve the problem, but escalating journal costs, but I'm not sure it'll solve that problem. It may well make the problem worse, so--and the problem that it's solving isn't the problem. There isn't a problem with access open. You can walk to your local library and open journals and you have access to the research, so I think this is--I understand the desperation of libraries when they have to pay their journal budgets each year, but I think this is the wrong solution.

CHAIR TAGAVI: Any other discussion?

MARY BETH THOMPSON: I ask to respond.

CHAIR TAGAVI: Sure. Please.

MARY BETH THOMPSON: It's not just the library's problem. It is a scholarly communication issue because it's your research that the libraries and the universities are buying back, and some of the major societies and major commercial publishers continue to raise those journal costs for us. Often--I just renegotiated one night

too long ago down to a 34 percent increase. If that continues to happen, we're going to be able to buy less and less access to you. This act is dealing specifically with federally funded research to make that available from those of us that are funding that, for the researchers that are getting that funding. So it's not just the library's problem.

BOB GROSSMAN: I understand that, but...

CHAIR TAGAVI: Okay. Any other discussion? Let's vote. All those in favor of this motion by Senate Council please indicate so by raising your hands. Opposed?

UNIDENTIFIED SPEAKER: Six opposed.

CHAIR TAGAVI: Six opposed. Abstained?

UNIDENTIFIED SPEAKER: Four abstained.

CHAIR TAGAVI: Four abstained. Motion carries. If you would--it's not exactly 5:00 yet. Let me--Senate Library Committee believes libraries must be an integral part of the University's achieving Top 20 status, and that is imperative that the faculty be familiar as more fully concerning the challenges facing the library achieving that distinction. Senate Council motion number two: The Dean of Libraries shall be invited to appear annually before the University Senate to provide a State of the Library report. This has been passed unanimously by the Senate Council with a positive recommendation. It doesn't require a second. It's now before us for discussion. Are there any discussion on this item? Okay. Then we are ready to vote. All those in favor please indicate so by raising your hand. Opposed? Abstained? It's unanimous. Motion carries. My apologies to minor folklore and mythology and UK's women's place. Rest assured I will put both of these at the very top of November meeting.

JEANMARIE ROUIER-WILLOUGHBY: I had to cancel part of my class to be here. Is there any way we can do this so I don't have to cancel another one?

CHAIR TAGAVI: Are you from mythology?

JEANMARIE ROUIER-WILLOUGHBY: I am mythology, yes. I am it.

CHAIR TAGAVI: Okay. This is our meeting. I hadn't adjourned yet, so unless somebody says to me motion to adjourn, I will go ahead and entertain the personal request from our faculty member from mythology.

On a practical level, the purpose of this is to (inaudible) fairy tale, folklore, and mythology courses have

highest enrollment of all course in MCL and we utilize more (inaudible) faculty expertise. The core reason for this is to increase students' ability to understand ancient, medieval, and contemporary societies from within gaining sites into cultural diverse ways people think and act. Are you Dorothy? No, I'm sorry.

JEANMARIE ROUIER-WILLOUGHBY: That's Women's Place.

CHAIR TAGAVI: That's Women's Place.

JEANMARIE ROUIER-WILLOUGHBY: Yeah.

CHAIR TAGAVI: Would you like to add--before I go to anybody else, would you like to add anything?

JEANMARIE ROUIER-WILLOUGHBY: Sure. One of--the impetus behind this program is precisely that modern and classical languages was merged three years ago, and since it has been merged, we've been trying to develop new programs that do take advantage of our cross-disciplinary interests. The first, which you've already approved, was the Master of Arts and Teaching World Languages. This is the second. We currently have film studies in the works, and also working with the F. L. I. E. program on intercultural communications. So we have the courses, except for one or two new ones, on the books. We have the faculty. And as it points out, these are our biggest courses. They range from--anywhere from 50 to 300 students.

CHAIR TAGAVI: Okay. So we have this proposal for a new minor in folklore and mythology. The proposal is in front of you. All the details are there. This has been recommended by the Senate Council. Is it unanimous, the vote?

UNIDENTIFIED SPEAKER: I'm sorry, I don't remember.

CHAIR TAGAVI: I don't remember. It was last year. So actually we do appreciate your being patient. So are there any--it doesn't require a second, so it's before you for discussion. Are there any questions or discussions? Dean Johnson.

DEAN JOHNSON: I would just like to make a request that since the reference was made to film studies and the intercultural communication program, which are both very integral to our colleges' efforts, that when those programs are developed that we be appropriately consulted.

JEANMARIE ROUIER-WILLOUGHBY: Actually,

(inaudible).

CHAIR TAGAVI: Okay. That was a comment which was accepted. All right. Any other discussion? Okay. I think we are ready to vote. All those in favor of this new minor please indicate so by raising your hands. Opposed? Abstained? It's unanimous. Motion carries.

JEANMARIE ROUIER-WILLOUGHBY: Thank you.

CHAIR TAGAVI: Okay. Now, I think--in fact, Dorothy Edwards left some ten minutes ago, gave me a message that she couldn't stay, but we couldn't also entertain her, and my apologies to her. She will be first or very top of the list in November. Thank you very much. See you next month.
* * * * * STATE OF KENTUCKY)

COUNTY OF FAYETTE)

I, BARBARA ANN LeROY, the undersigned Notary Public in and for the State of Kentucky at Large, certify that the facts stated in the caption hereto are true; that the foregoing transcript was prepared from audiotapes; that I was not present during the aforementioned action; that the transcript was prepared under my direction and supervision and to the best of my ability to hear said tapes.

My commission expires: March 9, 2007.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office on this the _____ day of _____, 2006.

BARBARA ANN LeROY, FAPR, RPR, CLVS
NOTARY PUBLIC, STATE-AT-LARGE