

MINUTES OF THE UNIVERSITY SENATE, NOVEMBER 8, 1993

The University Senate met in regular session at 3:00 p.m., Monday, November 8, 1993, in Room 115 of the Nursing Health Sciences Building.

Daniel L. Fulks, Chairperson of the Senate Council, presided.

Members absent were: Debra Aaron*, Robert L. Blevins*, Peter P. Bosomworth, Douglas A. Boyd, Joseph T. Burch, Laurretta Byars, Clyde R. Carpenter*, Ben W. Carr, Edward A. Carter, Michael L. Cibull*, Donald B. Clapp, Jane Clark, Jordan L. Cohen, Darby Cole, Georgia C. Collins*, Susan E. deCarvalho*, Joseph L. Fink, Juanita W. Fleming*, Donald T. Frazier*, Michael B. Freeman*, Richard W. Furst, Joseph H. Gardner, Lorraine Garkovich, Larry J. Grabau*, J. John Harris, Robert E. Hemenway, Floyd J. Holler, Chester A. Holmquist, Edward J. Kasarskis*, Kenneth K. Kubota, Thomas W. Lester, C. Oran Little, William C. Lubawy, Linda J. Magid, Martin J. McMahon, James S. Mosbey, David A. Nash*, Anthony L. Newberry, Jacqueline Noonan*, Barbara Phillips, Rhoda-Gale Pollack*, Deborah E. Powell*, Thomas C. Robinson, Ellen B. Rosenman, David Shipley, Thomas J. Stipanowich, David H. Stockham, Michael Stover, Amy Sullivan, Phillip A. Tibbs, Salvatore J. Turco*, Henry C. Vasconez*, Mary Walker, Charles T. Wethington*, Brent White*, Eugene R. Williams, Emery A. Wilson*, H. David Wilson*, Linda K. Worley*, Thomas R. Zentall.

The Chair welcomed everyone to the November 1993 meeting of the University Senate.

The Chair stated the first item on the agenda was to approve the minutes from the September 20, 1993 meeting. There were no corrections to the minutes and they were approved as circulated.

Chairman Fulks made the following announcements:

He hoped that everyone had been keeping track of what had been going on with the Governor's Commission on Higher Education Review. He wanted to remind everyone that the Senate Council will be hosting a breakfast meeting with the local legislative representatives November 10, 1993 at 7:30 a.m. All of the local representatives have RSVP'd that they would be in attendance with one exception. They are looking forward to a good meeting. It has turned out to be very timely. If anyone has any messages they would like to get to the legislators, please let anyone from the Senate Council know.

On November 17, 1993 at 9:00 a.m. there will be a meeting of Associate Deans. This has been done in the past with Senate Councils. The people they are looking for are the people who are involved with the academic advising in each college and the people involved in enforcing the Senate rules. These have proven to be really good forums in the past for discussing issues which are common across colleges. Please make sure your college is represented.

* Absence Excused

The Chair stated he would like to discuss something that would be entered into the minutes. Before long there would be elections, committee appointments, and committee nominations. He wanted to review briefly the committee structure of the University and how committee appointments are made. They certainly wanted to make committee service available to anyone who has an interest and it is not limited necessarily to members of the Senate. If anyone is aware of people within their

college or elsewhere that might be interested in serving on any of the committees, please take advantage to nominate these people. Chairman Fulks' report on Committee Nominations and Appointments reads as follows:

COMMITTEE NOMINATIONS AND APPOINTMENTS

I-1.4.1 Structure of Senate Committees (US: 2/13/89)

The University Senate shall have four types of committees: (1) standing committees of the Senate responsible only to that body; (2) the University Studies Committee which shall be chaired by and work with the Director of the University Studies Program but shall submit all major policies (as specified in 1.4.4 below) to the Senate; (3) advisory committees responsible in an advisory capacity to the President and/or other administrative officers and to the Senate; and (4) ad hoc committees.

The terms of office for faculty members of either the standing committees or the University Studies committee shall be three years. Student appointments shall be for one year. All appointments shall be made by the Senate Council for terms beginning on September 1 and staggered to provide a one-third change in membership each year.

The number of members on each standing committee shall be determined by the Senate Council. Chairs shall be appointed by the Senate Council. The Chairs and at least one-half the members of the committees shall be Senators, except as otherwise specified.

Senate Standing Committees: There are 11:

Rules and Elections Committee
Admissions and Academic Standards
Academic Facilities Committee
Library Committee
Research Committee
Academic Programs Committee
Academic Planning and Priorities
Academic Organization and Structure
Institutional Finances and Resource Allocation
Admissions Advisory Committee
University Studies Committee

When new Senators are elected each Spring, the Chair of the Senate Council sends a letter to each with a request for them to fill out a committee preference form--for the Senate standing committees, including University Studies --listing first, second, and third choices. Those preferences are recorded and a Committee of the Senate Council assigns specific Committees to each Senator. The Chairs for the standing Committees are selected by the Chair of the Senate Council. A list of all University Senate standing committee assignments is then sent to all university faculty at the beginning of the Fall Semester.

In addition to new Senators being assigned to Committees, the Senate Council recommends non-Senators who express an interest in a particular area, or other non-Senators to represent a particular interest. (A good example of this is the Library Committee, on which we attempt to have representatives from all colleges.) The Rules specify that the

Chair plus at least half the members of each committee must be Senators unless otherwise specified.

There are four Senate Advisory Committees:

Privilege and Tenure
Privilege and Tenure Hearing Panel
Prior Service Committee
Faculty Code Committee.

These committees function in an advisory capacity to the President and/or other administrative officers and to the Senate. Their charges are found in the Senate Rules (Section I) as well as in the Administrative Regulations. Members must be at least Associate Professors with tenure, and the Regulations recommended that members on Prior Service have had prior experience on an area committee (eligible to full professors only). This is not mandatory, however.

Advisory committee members are appointed by the President after consultation with the Senate Council. The Senate Council generates a list of nominations for these committees - at least two candidates for every position to be filled - and forwards the list to the President who makes the final selection.

The same selection process is used for the Academic Area Advisory Committees, i.e., at least two names are forwarded to the President for each position. The President then makes the selection. The specifications (including composition) for the Area Committees are outlined in the Administrative Regulations. For example, the Medical Center Clinical Title Series requires that representatives from the various units rotate so that no one group is under-represented. For Academic Area Advisory Committees, faculty must be full professors. It is also a Senate Council policy not to recommend Department Chairs or Directors.

Nominations for these and the advisory committees (plus nominations for the Appeals Board and the Student Media Board) are requested by sending a notice to all faculty members in the University by the Senate Council. The notice is usually mailed in early December, with a response deadline of the third week of January - or shortly after school resumes after the semester break. Nominations may be submitted by campus mail, telephone, or electronic mail. Nominations can be anonymous. The Senate Council then directs its committee on committees to select a slate of nominations which the Senate Council approves prior to forwarding the list to the President in mid-February.

The Chair reported to the Senate that there had been a response from the President on a resolution from the September 20, 1993 Senate meeting. A resolution was approved and forwarded to the President requesting a change in Administrative Regulations concerning the appeals process for the faculty member who has been denied promotion at the college level from assistant to associate professor. The same process that is in place for associate to full professor was being requested. The Chair read the response from the President. The President's response reads as follows:

October 26, 1993

Dr. Randall W. Dahl

Secretary of the University Senate
Registrar
11 Funkhouser Building
CAMPUS 0054

Dear Dr. Dahl:

I have carefully considered the Senate's recommendation to amend the Administrative Regulations AR II-1.0-1, P. III-2, as stipulated in the memo dated September 30, 1993. As you have indicated, I have reviewed a similar recommendation before and continue to not accept it for the following reasons:

1. The procedures in AR II-1.0-1 have worked well over the last several years. It is also feasible for an assistant professor to appeal a decision not to promote and/or grant tenure to the Chancellor/Vice President, the University Senate Advisory Committee on Privilege and Tenure, and the President.
2. I firmly believe we have a promotion process spelled out in the Administrative Regulations that is fair to both our junior and senior level faculty. The Dean of the College should have a central role in decision making at critical points in the development of college programs, including decisions about the promotion of junior faculty.

I thank the Senate for calling the matter to my attention, but I respectfully disagree with the recommended change.

Sincerely,

Charles T. Wethington, Jr.
President

Professor Davy Jones (Graduate School) stated he doesn't feel the process has worked well for people who have had tenure denied. They might disagree with the President.

Chairman Fulks then introduced Professor Gretchen LaGodna, who finished her second year as Academic Ombud this past June. Having served in that position himself once he can tell the Senate that it is not an easy task and Dr. LaGodna did it as well as anyone if not better. She was outstanding and her service is appreciated.

Professor LaGodna's report follows:

1992-93 ACADEMIC OMBUD'S REPORT

This is the second time I have had the privilege of serving as the University Academic Ombud and presenting this annual report. My prior experience as Ombud in 1990-91 was valuable in approaching the work of the office this past year. In view of the strains being felt by all university communities at the present time, I believe the role of the Academic Ombud Services office is especially critical.

The data alone are an inadequate reflection of the nature of problems students bring to the office. The actual number of cases varied little from the past several years, but many were of a complexity that required a great deal of

time on the part of many people to reach resolution. The cooperation of faculty, administrators and staff was essential in preventing the escalation of these difficult cases. Other cases required only a listening ear of straight forward advice. But for every student who sought help, the availability of the Academic Ombud office served an important function.

PROBLEM AREAS

As in previous years, complaints of unfair evaluation/grades were the most frequent (85). While some of these complaints were found to be without basis, others were satisfactorily resolved. Only three cases were forwarded to the Appeals Board. In two of these cases the departmental action was up held and in the third case, the student's appeal was affirmed. Even in cases in which the Academic Ombud finds no merit, the student has the right to request a hearing by the University Appeals Board. Five students chose to do so, and in four of these cases, the Appeals Board agreed with the Academic Ombud's decision and refused to hear the complaint.

In almost all cases, explicit grading criteria and procedures could have prevented the disagreement. The importance of clear expectations early in the course cannot be overemphasized. In courses where evaluation is a less precise process, there is a particular need for procedures at the departmental level for appealing grades.

Academic offenses of cheating and plagiarism continue to be far more common than we would wish. Twelve students appealed either their guilt or the severity of the sanction after being charged with offenses. The Appeals Board upheld the departmental action in seven of these cases and reduced the sanctions in two. Three cases are still pending. Many departments have made special efforts to inform and educate students about plagiarism in the academic setting. However, the number of lower division students and international students who seem to have little understanding of the concept indicates a need to review this issue in every course taught.

Cases classified as Progress/Promotion included problems of admission to particular programs of study, meeting graduation requirements, dismissal from program, and unavailability of required courses. Often, effective academic advising or familiarity with university policies could have prevented these conflicts. Diminishing resources seemed to play a part in many of these cases, however.

As Academic Ombud, I was particularly concerned with the graduate students who sought our assistance this year. Forty-nine graduate students filed complaints, up from 17 in 1988-89. By far, the most common kinds of problems involved either grades or progression. Others included complaints of discrimination, harassment, academic offenses and assignment of research or teaching assistantships. Almost every case underscored the extremely vulnerable position of graduate students in the system and the potential for exploitation or neglect. A more detailed summary has been submitted to Dean Ready.

At this time of budgetary constraint and uncertainty, we all need to take special steps to avoid conflict and misunderstandings. The Academic Ombud office itself is under strain, having lost its staff assistant position due to budget cutbacks. We will continue to do our best to address problems in an objective, timely and fair manner.

RECOMMENDATIONS

The one major recommendation from 1992-93 echoes those made for the previous three years. There is a clear need to reassess the part time status and length of

appointment of the Academic Ombud. These terms, established twenty two years ago, are no longer adequate to meet the volume and complexity of problems brought to the office.

SUMMARY

It is my hope that the Academic Ombud Services office contributes in a positive way to the overall climate of the campus community. I believe that the faculty strive to create an environment that fosters and sustains intellectual and personal growth. Most faculty go beyond what is required to support and assist students in their learning. Occasionally these efforts break down and it is then that our office may be able to continue to step in and assist faculty, administration and students.

The experience of having twice served as Academic Ombud has always been eye opening and certainly never dull. I owe a great debt of gratitude to my able assistant, Ms. Michelle Sohner, without whom the job would be impossible. And I now turn over the job to Professor Horst Schach to carry on.

STATISTICAL REPORT

1992-93

Number of Single Contacts (Telephone Calls/Referrals).....	1,989
Number of Cases Handled.....	239

NATURE OF COMPLAINTS

Academic Offenses	27
Attendance	10
Discrimination	5
Exams	9
Grades	85
Instruction	31
Personal Problems	3
Progress/Promotion	60
University Policy	9
Total	239

COLLEGE WHERE COMPLAINT ORIGINATED

Agriculture	4
Allied Health	5
Architecture	1
Arts and Sciences	137
Business and Economics	16
Communications	3
Dentistry	3
Education	11
Engineering	22
Evening-Weekend	0
Fine Arts	5
Human Environmental Sciences	6
Law	2
Library and Information Sciences	0
Medicine	1
Nursing	12
Pharmacy	3
Social Work	3
Non-Applicable	5

	Total	239
STUDENT'S COLLEGE		
Agriculture		4
Allied Health		6
Architecture		1
Arts and Sciences		131
Business and Economics		19
Communications		3
Dentistry		3
Education		18
Engineering		20
Evening/Weekend		0
Fine Arts		6
Human Environmental Sciences		5
Law		2
Library and Information Science		0
Medicine		1
Nursing		9
Pharmacy		3
Social Work		3
Non-Applicable		5
	Total	239

CLASSIFICATION OF THE STUDENT

Freshmen		20
Sophomores		51
Juniors		61
Seniors		53
Graduates		49
Non-Degree		2
Non-Applicable		3
	Total	239

CASES BY MONTH

July, 1992		15
August, 1992		23
September, 1992		17
October, 1992		23
November, 1992		21
December, 1992		18
January, 1993		27
February, 1993		17
March, 1993		14
April, 1993		22
May, 1993		33
June, 1993		9
	Total	239

4 YEAR COMPARISONS

	Cases Handled	Single Contacts
1992-93	239	1,989
1991-92	228	1,232
1990-91	269	1,133

1989-90

354

1,522

MOST FREQUENT COMPLAINTS

1989-90

Grades 83
 Exams 33
 Common Exams 30
 Academic Offenses 23
 Instruction 21

1990-91

Grades 74
 Progress/Promotion 45
 Academic Offenses 34
 Instruction 33
 Exams 32

1991-92

Grades 75
 Progress/Promotion 52
 Academic Offenses 39
 Instruction 19
 Exams 14

1992-93

Grades 85
 Progress/Promotion 60
 Instruction 31
 Academic Offenses 27
 Attendance 10

The Chair thanked Professor LaGodna and asked the Senate to join him in thanking her. Professor LaGodna was given a round of applause.

Chairman Fulks announced that the University Senate traditionally holds a holiday reception for the Board of Trustees. The reception will be held December 14, 1993 from 4:30 to 6:30 p.m. at the Faculty Club.

The Chair then recognized Professor Ray Cox, Chair-elect of the Senate Council for the first action item. Professor Cox on behalf of the Senate Council moved approval of the proposed name change submitted by the Department of Health, Physical Education and Recreation and the College of Education. The item was circulated under the date of 26 October 1993. The Chair stated that the proposal being submitted by the Senate Council needed no second.

Professor David Harmin (Physics) stated that as an outsider he sees the rationale for the proposal but it strikes him as another one of those names that no one is really sure what it means, where the previous name was pretty straight forward.

Professor Rob Shapiro (Associate Dean) stated that Kinesiology is a term that reflects the standard of the field. Reflecting the study of movement as a move to a more content based approach to what is being taught by the department.

Professor Dan Reedy (Graduate School) said it might be well to note that changes of an administrative unit do not necessarily mean that the degree inventory is changed in terms of the degree title. If there is to be a corresponding change that also needs to occur through the academic structure. Chairman Fulks said that Professor Shapiro had been reminded of that.

The question was called. In a voice vote, the motion unanimously passed and reads as follows:

The following request for a change in name has been received by the Senate Council from the Department of Health, Physical Education and Recreation and the College of Education. The Senate Council and the Senate Committee on Academic Organization and Structure recommend approval.

Request:

It is requested that the Department of Health, Physical Education and Recreation be changed in name to the Department of Kinesiology and Health Promotion.

Background and Rationale:

This academic unit has undergone considerable change in recent years. The undergraduate program in Recreation has been eliminated, and liaisons have been formed across campus in sports medicine, physiology, and preventive medicine. Approximately 50% of the unit's majors now choose career paths other than the traditional physical education careers. These career choices include exercise science or business options at the undergraduate level and wellness, biomechanics, exercise physiology and the traditional teaching options at the graduate level. In light of these recent changes, the faculty and students of the unit believe this to be the appropriate time for a change in name.

The Kinesiology term was chosen to reflect the fact that all study in the unit concerns the moving human body. Kinesiology is defined as the study of muscles and their movement. This is currently the accepted name in the field that includes not only physical education but all the movement sciences. The term health promotion reflects the unit's promotion of an active healthy lifestyle, as indicated in the unit's mission statement. The change would reflect not only the traditional health education but the expansion into the private sector.

Effective Date:

If approved the change will be forwarded to the President for appropriate administrative action.

The Chair then recognized Professor Ray Cox for the next agenda item. Professor Cox stated the second item was circulated under the date 27 October 1993. The item concerns distribution of minutes for the University Senate meetings. The Senate Council recommends approval of this proposal. Professor Fulks stated the proposal requires no second since it comes from the Senate Council.

Professor Ron Pen (Fine Arts) said that usually the minutes are about 23 pages long. He would like to amend the proposal to include senators to receive a copy of the minutes because he feels they need to be informed and that viewing them electronically was a lot of screens. Professor Fulks stated that the amendment would be to include on the mailing list of people who receive a hard copy all members of the University Senate. The amendment to the motion passed in a voicevote.

Professor Hans Gesund (Engineering) recalled that the Senate voted down a similar motion about three or four years ago. He spoke against it then and he speaks against it now. He feels there is a great deal of apathy among the faculty about academic affairs. He doubts that very many faculty members will read 23 pages of electronic mail, he agrees with Professor Pen on that. Furthermore, there are a good many faculty members who are not hooked up to electronic mail and it will become virtually impossible for them to get a copy of the Senate Minutes. They will disengage even further. He urges the Senate to vote against the item. The Chair reminded Professor Gesund that any faculty member by calling the Senate Council office, can get on a mailing list and receive a hard copy. Professor Gesund said that apathy reigned supreme. Professor Fulks said they had tried to accommodate those people who did not have electronic access.

Professor Virginia Davis-Nordin (Education) asked if every faculty member gets the minutes on E-mail, whether they request them or not? The Chair stated that it would be made available through View, not specific to an E-mail address.

Professor Davy Jones (Graduate School) said the last sentence stated written copies of the minutes will be made available by the Secretary of the Senate and

asked if that was what was being referred to when he said they could get on a permanent mailing list. Professor Fulks answered yes.

In a voice vote the motion as amended passed and reads as follows:

The following recommendation is offered by the Rules Committee and endorsed by University Senate Council for amendment to the University Senate Rules, Section I, concerning distribution of minutes of University Senate Meetings.

Recommendation: SR 1.2.1 should be amended as follows: (delete strikeovers; add underlined, bold type)

The minutes of the University Senate meetings shall be circulated to chairs of all academic units, all members of the University Senate and faculty, and to administrative offices that are concerned with academic affairs, the Senator representative of the Association of Emeriti faculty, and the office of the Student Government Association by the Secretary of the Senate. Minutes shall also be made available on a campus-wide basis electronically. Upon request, written copies of the minutes will be made available by the Secretary of the Senate.

Background and Rationale: This is a cost saving measure.

Effective Date: Immediate.

The Chair recognized Professor Cox for the third action item. Professor Cox stated the third item is a recommendation from the University Student Government Association concerning midterm grades. It was distributed under the date of 27 October 1993. The Senate Council recommends approval of this item. Chairman Fulks stated that the Student Government Association came to the Senate Council with this proposal August 1993. It was discussed with the Senate Council. The Senate Council made a couple of recommendations and asked them to return to the SGA and get a bill passed through the SGA and then return. They have done that.

The Chair introduced Ms. Amber Leigh, Vice-President of the Student Government Association and Mr. Steven Dawahare, a Senator at Large. They have sponsored the bill through the SGA.

Mr. Dawahare stated that Amber Leigh and himself would like to thank the Senate for considering this item. This is something that they have been working on since the end of last year. They have talked to numerous other universities and benchmark institutions. They have done a lot of research, looked at a lot of different ideas to make this as productive and as cheap as possible and get it to the students as quickly as possible. He hopes everyone has had an opportunity to look over exactly what they are proposing. He would like to go back and say one of the reasons they planned to do this, it comes back to the retention rate that is going on as well as students far behind their expectations. Ms. Hogan's office gave them a lot of statistics. We are somewhere around 22% behind other benchmark institutions on our retention rate from freshmen to the time they graduate. They feel this is something that definitely needs to be better and they feel the University can do a better job. Mr. Dawahare and Ms Leigh think that by giving the student some sort of evaluation, it may not only reduce the 22% rate but at the same time it will help educate the students about their performance. As a student, taking the course loads that they may endeavor, they sometimes lose track of what they need to do to figure out their grade. There are a lot of different reasons why they may get lost. They feel that having a midterm evaluation can give the opportunity to students to evaluate where they stand and they can make proper adjustments to get to their desired grade. Mr. Dawahare then introduced Ms. Amber Leigh for the following remarks:

Members of the University Senate, as the Vice-President of the Student Government Association it gives myself as well as Steven Dawahare great pleasure to bring before you a proposal that has the ability to positively affect the University of Kentucky. As you know, our University provides a myriad of opportunities for students. Our attrition problem is a paradox, motivated students always wish to do the most they possibly can. Unfortunately, all too often students wish to do the most of everything and ultimately end up spreading themselves too thin. When the report card goes home students are shocked and dismayed at their performance. This in turn has an adverse effect on the perception of the student's academic future. College is a different strada of academic work and responsibility. I believe that by giving students the opportunity to review their progress at a time when there is still a chance of improvement is by far the most responsible and proactive decision for our University. When you vote on this proposal, a proposal which is in part already implemented by some departments at the University, I would please hope that you would remember a quote by former president John F. Kennedy "teachers unlock the door, but students must enter through". I urge you to adopt this proposal that shall help students help themselves. Thank you.

The Chair thanked Ms. Leigh and Mr. Dawahare for their remarks. He stated that the motion was on the floor and it required no second since it comes from the Senate Council.

Professor Don Howard (Philosophy) said that the way the proposal was written it was confusing about how it was supposed to work. It says it pertains to undergraduate students, but the wording of the actual resolution does not speak exclusively of undergraduate students. The Chair stated the first sentence in the proposal refers to undergraduate students. Professor Howard asked if that would show up in the changes in the regulations. Chairman Fulks said that an editorial change to be sure it was limited to undergraduate students was needed, because that was the intent of the students. The proposal would be codified by the Rules Committee, if it goes to the Rules Committee as written, they will codify it so it is limited to undergraduate students.

Professor Howard asked about undergraduate students who have special permission to sit in on graduate seminars. Would they be obliged to evaluate those students? The Chair said as the proposal was written they would be obliged to give some report to the undergraduate student by midterm.

Professor Davis-Nordin asked if there would be an objection to making it undergraduate courses rather undergraduate students? Generally an undergraduate student in a graduate course no longer is in need of a notice.

Professor Bill Lyons said that would pose a problem in how the 400 level G classes would be classified. The courses are predominately undergraduate but do have on, occasion, some graduate students in them. He would like some clarification as to what the evaluation would involve. One might say that a midterm evaluation could take any form. The very last sentence in the proposal says the grade. He assumes that what goes out is a grade. Each undergraduate student at midterm would receive a piece of paper that says your grade is A, B, C, D, or E. Ms. Leigh said when they took the proposal to the Senate Council, they had an example form with the student's name, social security number, the course, a place for the instructor to circle the grade, criteria, remarks, and a place for the instructor to sign. Professor Lyons said that form was not part of the proposal. If that is going to be the form to be used it should be a formal part of the proposal. If it is simply a grade, then what does a student learn that they do not already know? He is very sympathetic to the problem of a class where no exams, no quizzes, no homework, or no evaluation of student work has occurred before the date to withdraw. That is a problem that needs to be addressed. Assuming those things do exist, what does the student get out of this that they don't already have

in the form of graded exams, graded homework, or graded projects? He feels this is a legitimate concern, if that is as far as the evaluation is going to go.

Mr. Dawahare said when a proposal like this is submitted, you have to do something that is going to affect all undergraduate students. Obviously a lot of classes have different criteria. They tried to find something that was in the middle that would affect the majority of the students. In some classes there are a numerous amount of things that actually determine what the student's grade will be. Some of these things are on a subjective level. The student cannot determine this type of thing. This will help clarify some of the confusion. There will be times that there will not be enough information to get something that the student cannot figure out themselves. They are trying to do something that is well rounded and will affect all students.

Professor Allan Butterfield (Chemistry) appreciates the concern of the students of the SGA to worry about student grades, but feels he must speak against the motion. One of the student senators, who is a chemistry major confided in him that the concern is that those few cases where some professors may not return work until later in the semester. It seems to him that by doing a global type of thing they are putting a burden on the other huge number of faculty who do their jobs and get the work back to students. They are required to hand out a syllabus to the students, including the grading policy. Every student knows how much their exams and quizzes count. At any one time the students ought to be able to calculate their grade. If they are not able to calculate their grade, they certainly can see the professor and the calculation can be made for the student. He feels it is an unreasonable burden on the faculty for information that already exists. Many faculty teach classes of 20 people and others teach classes of 250. In those cases where the instructor is not doing the job of getting the graded work back, the students then need to go to the department chair.

Professor Mark Berger (Economics) said he is the coordinator of Economics 201 and there are over 600 students. They give one exam before the drop date and put the grade distribution on the board. That is the only thing the students have before the drop date to fulfill this, they would have to go through the extra step of filling out a piece of paper for each student when there would be no extra information provided by that piece of paper. He opposes the motion, because there is really no new information that students could not get beyond what they get on their exams in most courses. He feels the costs of the proposal outweigh the benefits by a large amount.

Ms. Lora Weck (Student Senator - Education) on behalf of the students, asked that they look at the proposal from the student's viewpoint. This is to help them get better grades. She feels she is a diligent student, but even with a list of how things count, she doesn't always know what her grades are at midterm. If she had something that said this is your grade, it could push her that one step further to get that better grade. For students that are failing, when they get the grade it will push them and they will pass. It will help the University as a whole with the retention rates, and that was the whole idea of the proposal. She understands about large classes, but feels they need to understand how it will help the students.

Mr. Greg Watkins (Student Senator - Business and Economics) would like to offer a friendly amendment to change the proposal to only 100 and 200 level courses. His rationale was generally freshman take only 100 and 200 level courses. Some students do not have the proper study habits and they will not go out of their way to figure their grades, he feels this is a very motivational way for them to see how they are doing.

The Chair said this was being offered as a friendly amendment. Which means they may either accept it or change their proposal. The amendment was accepted.

The Chair stated the proposal now reads only for 100 and 200 level courses.

Professor Gretchen LaGodna (Nursing) said, speaking as faculty and a former ombud, she feels the Ombud office had urged for a number of years people to give some type of evaluative feedback to students prior to the withdrawal date, but not necessarily this format. Most faculty do that. She feels there is another problem in that there are some courses that really do not offer the opportunity to give A B C kinds of grades at that point in time, e.g. studio courses, clinical courses.

Professor Jesse Weil (Physics) said that when he teaches a 200 level course, he gives a couple of exams before the midterm date. His practice is to post a histogram so that students can locate where they are with some letter grade marked. Maybe that would be enough indication for students and satisfy the student government, while at the same time not creating extra work of filling out individual slips of paper.

The Chair said that since the form is not a part of the proposal and it is wide open as to what form it would take, he feels sure that would satisfy the intent and letter of the proposal.

Professor Harry Mason (Engineering) would like to speak against the proposal. At one time the University required all professors to submit midterm grades. This was just as formalized as final grades are now. It was handled by the Registrar's Office, At midterm the student received a grade, and it was sent to the student. He does not feel it solved the problem then and it would not solve the problem now. For some reason, the University after using that procedure for several years abandoned it. One of the problems was in the courses where this is particularly burdensome, courses with large numbers of students who have already been given exams that have been graded and returned. The Professors in many cases simply reported as midterm grades Cs for everyone in the course. They were basically protesting having to go through this additional step of having to fill out a paper or calculating a grade and submitting it to the Registrar's Office. He feels the real problem is in the courses where the student has not received enough feedback at midterm to know what his grade is. This should be addressed in a different way without putting the burden on people who have large numbers of students and have indeed returned homework papers and have graded and returned tests. He does not feel this is the way to solve the problem.

Mr. Dawahare wanted everyone to realize why they were here and that was for the students to represent the students. He disputes the comment on time and cost outweighing the benefit. They knew it would take extra time, but if that would help increase student's grades or understanding and effectively represent the University in getting people to graduate, he doesn't see how it could not be worth the extra time. He thinks it would be wrong for the bill not to pass because they would not want to take a little more time in filling out individual evaluations.

Professor Jim Applegate (Communications) stated his concern is with the attitude behind the proposal. It is like the grade is the thing. If the real goal is retention and feedback he would be more inclined to support the proposal if the date for the giving of the grade were the day after the last day to drop a class. That would inspire the kind of feedback and interaction that might bring improvement. He sees this as a product of the environment in which the grade is the only thing. They want to give a grade before the drop date so they can grade shop. They know what is going to happen. If the student finds they are not getting the grade they want in the class, they are not going to the professor and say we need to engage in collective efforts to improve. They are for the most part going to drop the course and move to another course. He feels this encourages that type of activity, rather than the kind of interactive more collaborative two way feedback environment that is being described. He would be all for a proposal that would create that but does not feel this proposal would do that. He feels this proposal is in some subtle way very cynical in its approach to education in the classroom.

Mr. Shea Chaney (Student Senator - Arts and Sciences) said if the students didn't feel this was a problem they would not be here. It is not an antifaculty proposal; this is a pro-student proposal. They are not trying to put any unnecessary burdens on any of the teachers. He feels the amendment to limit it to 100 and 200 level courses is a good thing. Being a chemistry major, he understands the burden for large classes, but formula calculations used for classes such as Chemistry 105 are not always available in other classes where there is a lot more subjective grading. He feels in large classes where there is not enough one-on-one this could be a great benefit. He strongly urges passage of this pro-student proposal.

Dr. Louis Swift (Dean of Undergraduate Studies) said that each semester for the last three or four semesters he has gotten calls either from students and more often from advisors indicating that the students had no indication at all where they were before the drop date. He feels this is an important issue they have to face. He wonders if it isn't possible to finesse the differences by suggesting all professors must give indication of students progress prior to the drop date. That would handle the question of classes that had been giving quizzes that could be added up and a figure arrived at, would that not address the issue, whereas in those classes where classroom participation or other factors enter into the grade, the students would know where they are.

Professor Louise Zegeer (Nursing) feels that a compromise might be to only notify those students who are failing. That would either alert them to step up their studies or see the professor.

Professor Bill Lyons feels that Dr. Swift put his finger on the problem. As he understands it the kinds of concerns that prompted the students to bring forward the proposal had to come from those classes where there is virtually nothing on the record by the time midterm arrives. That is a different issue than saying that students have no knowledge of where they are. In many of the classes people have been talking about students know precisely where they are. The issue is in those courses that, because of the nature of the grading, students do not get any feedback before the drop date. He hopes they are not trying to do a policy that can expedite withdrawal. The issue really is those courses where students find themselves at a loss of having any kind of clue or signal about their performance. He knows in his class what would happen with this proposal, he would simply give the grade the student had received on the one exam that is given before the last day to drop a class. The students already know that, so there is no value added in going through the exercise one more time. He would really like to urge that the proposal be defeated and sent back to the Senate Council to see if they can come up with a proposal that will do what has been talked about, that is put in place a system for getting faculty to have some kind of feedback to students before the midterm. That would take care of the classes where this is simply not happening.

Professor Roy Moore (Communications) would like them to think about possibly making this something on a voluntary basis where it would be made clear in the syllabus what the policy of the instructor was. Some instructors would do this and it would put pressure on those instructors who are not doing it to do so. It would be a subtle way of bringing some of them into the fold. It would be one way of trying it out on a trial basis and seeing how it works. If it is voluntary, it would be more likely some faculty who are not already doing this to be willing to do it.

Professor Ray Forgue (Human Environmental Sciences) would suggest that rather than defeat the proposal which might send the wrong signal, that being they don't like the idea behind it, they table the proposal for some further study. He thinks there is something they can come up with, reaching the goal of giving the students the feedback they need without necessarily burdening faculty. He would be concerned if the proposal was defeated. They would send a signal that the idea is bad, and he is not sure that is the case.

Professor Virginia Davis-Nordin agrees and is a little hesitant to vote for something where the details are so vague.

The Chair said the motion was to table the proposal until the February 14, 1994 meeting. The motion to table passed in a unanimous voice vote. The proposal reads as follows:

The attached recommendation is offered by the University Student Government Association for amendment to the University Senate Rules, Section 5.1.0, concerning Grades and Marking Systems. The proposal is endorsed by the Senate Council, which recommends approval.

Effective Date: If approved, the recommended change would be effective with the 1994-1995 academic year.

Codification: If approved, this recommended change will be codified by the Senate Rules Committee.

DATE: October 25, 1993

TO: Senate Council Members

PROPOSED BY: SGA Vice-President Amber Leigh
SGA Senator-At-Large Stephen Dawahare

Undergraduate Midterm Evaluations

Proposal:

To pertain to the undergraduate students of the University of Kentucky.

Midterm evaluations shall be completed and distributed in class by instructors to students the last class meeting on Friday, the week preceding the final withdrawal date for that academic session.

The grade that is given shall be a true and accurate assessment of how the student is performing in the course at that time.

Background and Rationale:

The attrition rate at the University of Kentucky is not only a concern to the University but also to the student body. It is easy for a student to lose focus on his or her schoolwork. For whatever reason this lack of focus might be derived from, the outcome still remains the same; a poorer grade evaluation than a student may expect. The reason behind unsatisfactory performance of the student may be the result of poor study skills and the lack of comprehension of how the grading system works. The result from any of these possibilities makes up a major portion of the 24 percent attrition rate at the University of Kentucky.

The proposal would grant undergraduate students the opportunity to evaluate their performance mid-way through the semester. This would be enough time for the instructor to prepare a proper evaluation of the student's performance thus far as well as allow the student's time to make proper adjustments to improve current performance.

U.K. STUDENT GOVERNMENT ASSOCIATION

EXECUTIVE
RESOLUTION XX

SENATE XX

STUDENT

Fall 1993

A RESOLUTION RELATING TO: Undergraduate Mid-term Reports

SPONSORS: Senator Dawahare

Vice President Leigh

Introduced on September 15, 1993

President's Signature & Date

Vice President

Comptroller

Passed/Failed

WHEREAS, midterm grade reports would grant undergraduate students the opportunity to evaluate their performance at mid-way through the semester; and

WHEREAS, midterm evaluations would help students improve their academic situation.

THEREFORE BE IT RESOLVED BY THE UNIVERSITY OF KENTUCKY STUDENT GOVERNMENT ASSOCIATION that faculty distribute midterm evaluations to students before the last class meeting on Friday preceeding the final withdrawal date for that academic session.

Chairman Fulks stated there was one more action item on the agenda. The Senate Council has decided to take the item back for reconsideration. This involves the proposal to amend the apportionment of faculty members of the Senate. He asked Professor Dan Reedy to explain where the issue stands. Professor Reedy said that as his fellow senators are aware, there are administrative academic units which are defined as graduate centers which report to the graduate school. These are multidisciplinary centers that consist of Biomedical Engineering, The Martin School of Public Administration, The Patterson School, The Graduate Center for Toxicology and Health Administration and Nutritional Sciences. He believes under current governing regulations the Senate is empowered to provide representation to these individuals. There are 20 of them, of which 15 are in tenured or tenurable lines, as they would to a college. He offers this on the logic that the governing organization of the institution, the Educational Organization in Part 7 Section A-1 defines an educational unit as departments or schools. Graduate centers are particularly mentioned. A graduate center is an educational unit of an interdisciplinay or multidisciplinary nature equivalent to a department located administratively in the graduate school whose faculty may have primary appointment within a college, which some do, or in some cases within the center, of which 15 do in these graduate units. Further, this may be where the confusion comes from.

On pages 7-9 the definition of dean of the graduate school also includes the duties. It says "the dean shall have same authority and responsibilities as those of the dean of a college in the administration of educational units that might be transferred to or developed under the office of the dean of the graduate school". He believes the Senate would be able to resolve this issue with appropriate representation without having to change the rules.

The Chair stated the Senate Council would take the issue back, look at the governing regulations and either resolve the issue or return it to the Senate.

Chairman Fulks said the next item concerning the College of Arts and Sciences proposal for Professional Review for Tenured Faculty would be for discussion only. He feels a very important role for the Senate is to provide a forum for discussion of matters. This is a good opportunity to discuss this particular matter. He then recognized Dean Richard Edwards from the College of Arts and Sciences to discuss the proposal.

Dean Edwards wanted to reiterate that this is a proposal that still needs to be discussed in Arts and Sciences and he would particularly like to speak to Arts and Sciences people who are here that he is not trying to get around further discussion in Arts and Sciences. They will have an opportunity to talk about the issue. The proposal grows out of our circumstances in Arts and Sciences, and it is proposed as a pilot project in Arts and Sciences. Circumstances in other colleges are quite different and the proposal might not meet their circumstances. He would like to see this method -- pilot projects -- used as a model for several things that are done in the University. The pilot project is being used to get some experience with the system rather than imposing permanent, new regulations on the entire University. He sees professional development and professional review of tenured faculty as part of a much larger package. In Arts and Sciences they are trying to do a whole series of things that go with professional development. They are discussing differentiated DOEs for short term flexibility for faculty, multiple profiles of success for faculty members for the long term, proposing to the University the possibility of promotion to full professor based primarily on excellence in teaching, third year reviews of untenured faculty, a course release for untenured faculty at the end of a successful third year review, college financed research assistants, special opportunities for hiring minorities, college recognition of outstanding teachers, and college workshops for grant writing to assist people who want to get funding. All of those are elements of faculty development. Only one of those on the list happens to be professional development and review of tenured faculty, but it certainly is the one that has gotten most of the attention. He would like to emphasize that professional development is part of this proposal, he sees it as a forward looking, supportive type of proposal, one that attempts to look at situations of faculty members who have become disengaged and try to figure out how we can intervene positively to assist that faculty member, to assist the faculty at large and enlist the other faculty members in so doing. It is a very faculty-driven proposal. In their college, they are going to have most of the process for assigning merit ratings done by faculty members. The ratings will come out of a faculty process within each department between the departmental committee and the chair. The initial ratings for faculty members under the proposed professional review will come from the faculty itself, using peer assessment of faculty performance. The review would then go to one of three review panels, at the option of the faculty member being reviewed. One of those is a faculty committee appointed by the dean, one member of which would be from the Arts and Sciences Council (the Arts and Science Council are elected by faculty members within the college). Another possibility would be to have a committee consisting entirely of Arts and Sciences Council members. The point is not to create an administrative structure for reviewing faculty but rather to enlist other faculty members in this review. It is a very faculty-driven system, and you can see from the proposal it tends to be a forward-looking and positive intervention rather than punitive in nature.

Dean Edwards said he had just returned from a retreat with about 40 Arts and Sciences faculty members. One idea that came out of the retreat was that the only place that termination is mentioned at all in the entire proposal is in the second to last paragraph on page 9. People at the retreat suggested that one way to further emphasize the positive nature of the proposal would be to simply eliminate

that paragraph. That would eliminate all mention of termination. That is something he would certainly be favorable to. It would need to be further discussed with the Arts and Sciences faculty.

Professor Bradley Canon (Political Science) stated his main concern was whether the effort that goes into it is worth the output. Unless you are really going to change things that lack of procedures that are in the proposal would perhaps take up more faculty time than it is worth. In this sense, he is sorry to see the idea of possible termination eliminated, because it makes the proposal somewhat more toothless.

Professor Sheldon Steiner (Biology) feels with the paragraph removed it becomes a very positive thing. It sets up a system for reengagement of faculty, if carried out properly. From the retreat a lot of the concern was expressed by junior faculty. In a corporate situation where there is a lot of potential for punitive action, instead of being creative, enlightened people start freezing. He feels basically the system is set up for attempts to reengage and maybe with a little more input from the dean in terms of making some hard decisions. It could really set the fire burning to tell the senior faculty that basically there will be ways that they can become professionally active again. They are wanted to become professionally active; they are seeking it. It is worth a try.

Professor Tom Lillich (Dentistry) asked how it all fits with the biennial evaluation. He tries to provide feedback to the faculty about their progress, asking them how they are doing on their own personal goals, and tries to devise some type of faculty development activities on an ongoing basis. From his perspective, what goes on in Arts and Sciences that requires this added on to the end?

Dean Edwards said that the two year evaluation tends to be retrospective. It looks at the the last two years and doesn't really look at the next two, three, or four years. It doesn't put in place a plan by which the faculty member, and perhaps his or her colleagues, can figure out a way to reengage the faculty member. It focuses on a pretty narrow slice, the last two years, and perhaps most importantly it has a very direct connection to the amount of money someone is going to get on a salary adjustment. That tends to take the focus off the professional development part. He would like to see there be some type of process by which they can focus on the person's professional development and career.

Professor Lynne Hall (Nursing) knows of no regulations that would prohibit discussion of improving performance during the regular review cycle. In her college, they have that set up in the biennial reviews. Why can't many of these proposals be implemented in the current review system? What data were used to determine that generically senior faculty are less productive than junior faculty? She feels that leaves a very poor feeling after you have read the first page of the proposal where that reference is made. In addition there is a scenario where maybe there are a few senior faculty who are not productive. Is this a way to deal with the problem? If there are a few people who are not doing what they need to do, is this the correct way to deal with it?

Professor Jess Weil said this topic had been discussed a great deal in the executive committee of AAUP, and their feeling has been that the threat of termination has been one of the drawbacks. It tends to make this an adversarial proposal. In their discussions, the idea of reengaging faculty who have dropped out is a very advisable one and should be carried forward. The idea comes to his mind that if there is no threat of termination, the proposal could be made a college policy to offer the possibilities of becoming reengaged to any faculty member who wants it or whose chair feels it might be of help to them. He suggests that the proposal for post tenure review be restructured in that form, that it is a policy of offering to faculty members the resources and opportunities they would need. There is a lot of mention in the proposal about resources that will be

available, but is very nonspecific. It is rather specific on how judgments will be performed, how standards will be setup, which faculty members will be judged. It doesn't really address what Dean Edwards has said in open forums that the main problem is faculty who are disengaged, not faculty who just weren't coming to work except to meet their classes in a very minimal fashion. He doesn't see how the criteria for the need for post tenure review is addressed. He doesn't see what resources might be offered. Emphasizing more what could be done, what resources would be available would make the proposal more positive and more effective.

Professor Louise Zegeer sees a flaw in the current system that doesn't have to be there. This proposal has merit, but why not incorporate it into the biennial review of faculty that they currently have. Why not take the good ideas and put in areas of further development when people come up for their post tenure reviews so they could not only retroactively evaluate performances but also prospectively evaluate performances in the mechanism they already have in the governing regulations. Some of the ideas are very positive and should be built into the current mechanisms rather than creating another mechanism which would add another review for faculty.

Professor Hans Gesund asked why call it post tenure review? Why not just call it review of all faculty? The nontenured faculty get reviewed every three years or every two years, whichever you choose. The senior faculty get reviewed every two years. This could be made available for all faculty, would become part of the normal review, and would get away from the whole problem of possibility of losing tenure. It seems to be aimed at the chronologically challenged. It is supposed to be in part a substitute for forced retirement. If that prologue remains, he suggests there will be lawsuits. He feels that should be removed so that those who are chronologically challenged will no longer be singled out.

Dean Edwards said he did not intend for it to be aimed specifically at the chronologically challenged. We are in a different world now, and we must face up to that charge. That different world says we need to use criteria for evaluation that are not age labeled. The kind of criteria we have been using which recognize life-cycle effects in one's career are prohibited under the new regeme. We cannot assume that junior faculty are going to be the hot shot young researchers who spend 60 hours in the lab and the chronically challenged will be those statesmen and stateswomen who provide wisdom. We are really under a challenge to use the same criteria for all faculty regardless of age, and that changes the ballgame of assessment. The paragraph in the proposal was included because the change must be more than just the notion that we are going to operate the way we have always operated, except there will not be mandatory retirement at the end. This is an attempt to specify criteria that will be used to evaluate faculty regardless of age.

Professor Jesse Weil said he is now confused by two things that Dean Edwards had said. He said that the post tenure review policy was part of a larger package which included variable distributions of effort over time so that faculty members could perhaps emphasize research at one time, teaching at another time, and half and half at another time. Now he is saying we should have the same criteria for all faculty at all times. Until the same thing is written into the proposal the same inconsistency where changing assignments over time are written in one part of the proposal and in another part of the proposal it says that units shall set down criteria against which faculty shall be judged in the various areas of university work. What is lacking now in that respect is a department that will say it is okay for a faculty member to be doing a hundred percent research or eighty percent research and twenty percent teaching and it is also okay for the same faculty member at a different period of time to be doing all teaching and very little research. He wanted to ask Dean Edwards if it was his intention that departments will come up with criteria against which faculty will be judged which would allow this great flexibility and if so doesn't that mean there will be different criteria for different people at different times.

Dean Edwards said that Professor Weil was right, there is an inconsistency in the law. They will only discover the limits of the law after there are court cases and courts tell them what is acceptable and what is not. What universities are being asked to do in a sense is ignore the life cycle effects, but to be honest, there are life cycle effects. They are in some type of quandry about how they live with life cycle effects, in some cases very good life cycle effects. Apparently nothing prevents universities from having different assignments for different levels of faculty. If senior faculty for example wanted to turn more towards teaching, there isn't anything that will prevent that, if they make it possible. When it comes to the evaluation of a faculty member's performance in teaching or research, they apparently must use the same criteria regardless of the age of the incumbent. There can be different assignments based on the individuals' choice, yet use the same criteria for evaluation.

Professor Davy Jones said that Dean Edwards mentioned litigation having to come in to solve some problems. The University of Kentucky has already been convicted at the State Supreme Court of failing to comply with its own written tenure regulations. If we put in a system where the skids are greased to lead toward a termination outcome it will be abused as well unless there is some other way to put additional safeguards in. The ultimate safeguard being pulling out terminations. He is greatly relieved that it is being pulled out, or else there would be perhaps additional litigations.

Professor Mike Nietzel (Psychology) doesn't know if he is relieved that termination is out. What is in its place when the faculty member upon whom a committee of faculty have decided is disengaged, has fallen below any type of threshold performance that is reasonable, and does not want to participate in the plan for reactivation of their work? What is in place of termination for a case like that?

Professor Sheldon Steiner feels the dean would then have to step in. If the faculty member doesn't do what he is told, it is grounds to be fired. It has always been grounds to be fired. If someone is intransigent you do not have to set up a massive system. A refusal to do something stops very quickly when a threat of resignation is asked. There does not have to be an elaborate system when someone is refusing to do their job and it can be demonstrated that is the case. This is a system that is all inclusive, working at the junior level, where there is the most fright. They are very insecure to start with and this is the worst kind of atmosphere you can create.

Dean Edwards stated he is in favor of taking this out.

Professor Jesse Weil requested that Dean Edwards call a meeting of all Arts and Sciences faculty to discuss the proposal. It has been said that it has been discussed here and there, in the Council, and in the retreat to which a certain number of people were invited but a lot were not in attendance. It is an important enough issue that the whole Arts and Sciences faculty have an opportunity to discuss the proposal. The Arts and Sciences faculty is supposed to meet once a year and there hasn't been a meeting since Dean Edwards became dean. This is an issue that calls for such a meeting.

Professor Davis-Nordin says that maybe there is too much activity and too little outcome, and perhaps the biennial review could nominate those for a more thorough professional development. We keep hearing about the evaluation of teaching as the criteria for promotion, tenure and other kinds of evaluation. It seems to present a wonderful opportunity to get that straight before the system is put into place. She would like to ask the exact weight given to teaching, research and service be thoroughly discussed and determined before such a procedure be put in place.

Professor Davy Jones asked Dean Edwards since chairs and deans could have faculty appointments, does the structure also provide an assessment mechanism for them in their capacities as faculty? Dean Edwards stated that there was no reason why it wouldn't apply to them in their role as faculty members. But it is not the kind of plan needed to discuss administrators at any level, because it takes too long for administrators. Administrators who are not doing their job should not be given professional development plans and two, three, or four years to improve. It is time to get rid of them and get someone else.

The proposal reads as follows:

COLLEGE OF ARTS AND SCIENCES

Professional Review for Tenured Faculty

PROLOGUE: RATIONALE AND NEED

Why a system of post-tenure review now? This proposal is a response to the changing circumstances of the modern university, three specific conditions of which directly impinge on the need for post-tenure review.

First, public universities are facing a period of lean budgets and virtually no real (inflation-adjusted) growth in finances. Indeed, most universities have experienced prolonged periods of budget cuts, and the prognosis is that health care, prison construction, and certain other costs are likely to consume all of the growth in future state budgets. The result is that universities, and this is true for us at the University of Kentucky, are increasingly being asked to live within roughly constant budgets. For most departments, no-growth budgets mean no increases in faculty sizes; any quality improvement or rise in reputation will have to come out of a constant faculty size, rather than by the method most commonly relied upon previously to build departments, that is, by adding faculty positions.

Second, higher education's special exemption from the federal ban on mandatory retirement will end on January 1, 1994. After that date, faculty members will not be required to retire except when the university can prove sufficient dereliction or neglect of duties to support dismissal. For departments, the end of mandatory retirement means that it is no longer feasible, nor perhaps even legal, for departments to take a "life-cycle" approach to faculty careers (that is, an approach in which junior members are seen as highly energetic, go-getter researchers, senior faculty are mature scholars and advisors, and mandatory retirement as the means of freeing up new positions for young scholars) Neither will departments be able, when confronted by a faculty member who is extraordinarily and chronically unproductive, simply to "wait for retirement;" such faculty members may now linger on for a decade or longer beyond what would otherwise have been mandatory retirement. Both the law and circumstance impel us to develop meaningful evaluation procedures that focus on performance and are neutral with respect to age.

Third, universities are faced by intense and growing external demands for accountability. Councils of Higher Education, legislators, news media, and others demand that universities account for the public resources being consumed by universities and that educators defend long-established academic practices. (The most insistent demand focuses on the quality of undergraduate instruction.) The strong implication is

that if universities do not develop adequate methods of accountability by themselves, others will likely do it for us, imposing their own versions of accountability, with perhaps less respect for traditional academic practices and values; indeed, in a number of states such schemes have already been enacted in legislation.

Considering these three developments together, it seems clear that we must change some internal academic practices. We should do so because it is right, since the circumstances under which traditional practices operated have now changed and we should adapt. Less nobly, we should do so because if we do not do it, others outside the university may impose changes that are less consistent with academic values.

Departments have also discovered that the cost of ignoring (maintaining) a chronically unproductive faculty member has substantially increased. As departments strive to develop and improve, the traditional path -- adding additional faculty positions -- is likely to be foreclosed. Thus, to an otherwise hard-working and ambitious department, a faculty member who is chronically and highly unproductive is not simply an inconvenience or irritant but instead is an actual obstacle, hindering that department's plan for betterment. Academic sentiment rightly insists upon giving enormous deference and latitude to faculty members pursuing scholarship that may be out of vogue, politically controversial, long in gestation, or in other ways needful of the protections of academic freedom; however, that same sentiment is also increasingly less willing to tie up a valuable faculty line for a professor who has over a long period demonstrated that he or she is simply unproductive and disengaged from the academic enterprise.

In such cases, the question arises: is there a way to develop a post-tenure review system that can respect all of the important values and practices of traditional academic employment, including most importantly academic freedom and tenure, and that will nonetheless allow departmental faculties to intervene in those cases of true dereliction or neglect of duties? The system outlined below is an attempt to institutionalize this delicate balance.

CONTEXT

A Community of Engaged Scholars. We, the College of Arts and Sciences, view ourselves as a community of engaged scholars, organized and bound together to fulfill our responsibilities and to pursue our aspirations.

An engaged scholar is one who, being wholeheartedly committed to the principles and aspirations of the academy, vigorously participates in the full range of scholarly activities. Over his or her career, perhaps at times with one emphasis and at other times with a different emphasis, an engaged scholar is a dedicated and patient teacher, a highly focused and concentrated researcher, a learned resource and mental stimulant for colleagues, an active and public participant in the campus's intellectual culture, and a valued contributor to the larger success of the community of scholars and to the achievement of the faculty's responsibilities. In short, an engaged scholar brings all the faculties of his or her existence -- intellectual talents, energies, and passions -- to his or her everyday calling as a scholar.

By this model we explicitly reject the notion that there is only one career profile of a successful faculty member. Some faculty members, or every faculty member during some periods of his or her

career, will be more oriented to achieving great strides in the discovery of new knowledge; other members, or each member during some periods, will be devoted to exploring a deeper or wider understanding of received knowledge or to working out more effective or intensive teaching efforts or to sustaining and contributing to the vitality of campus intellectual life. The model of the engaged scholar permits, indeed fosters, multiple orientations and varied activities.

What the model of the engaged scholar does not permit is complacency, cynicism, lethargy, lack of commitment, atrophying of intellectual passion, or an evasion of our professional obligations to our students and to each other. We as a faculty have a stake in each other's contributions and successes; hence admission to the community of engaged scholars unavoidably implies acceptance of the high aspirations we set for ourselves and the high standards to which we hold ourselves.

Each faculty member and the College at large thus share a vital stake in sustaining the faculty member's continuing enthusiasm, energy, and effort in his or her teaching and research. The College's faculty represents its most important resource, and the College must place a very high priority on maintaining and developing every faculty member's professional engagement throughout his or her career.

This mutuality of interest in fact underlies an implicit moral compact between the faculty member and the College. The faculty member must pledge his or her best efforts on a continuing basis. The College must provide an intellectual and material environment within which the faculty member's best efforts will be effectively transformed into achievement. The Professional Review process outlined herein is part of this moral pact.

This compact has not always been observed. When pressed, most universities admit that traditional academic evaluation procedures can result in a small subset of tenured faculty becoming disengaged scholars whose contributions to the academic enterprise chronically fall below acceptable levels. Unfortunately, such faculty members may not be held accountable for their disengagement. The faculty and the administration have failed to develop positive ways to help these faculty to improve; indeed, the incentives we do employ are almost invariably punitive in nature (such as the denial of merit raises). Because our procedures are post hoc, we punish inadequate performance but do little to plan for and stimulate the future performance that we desire. And because we have resisted recognizing the problem, such faculty are offered little encouragement or support to change. In consequence, these faculty achieve less than they are capable of and their colleagues often must shoulder heavier burdens.

PURPOSE

The purpose of this Professional Review system is to provide effective evaluation, useful feedback, appropriate intervention, and timely and affirmative assistance to ensure that every faculty member continues to experience professional development and accomplishment during the various phases of his or her career.

The Professional Review system must not undermine the concepts of academic freedom and tenure, which are essential to the University. There is a presumption of competence on the part of each tenured faculty member. The review must reflect the nature of the individual's field of

work and must conform to fair and reasonable expectations as recognized by faculty peers in each department and discipline. The review is to be conducted in a manner free of arbitrary, capricious, or discriminatory elements and which follows agreed-upon procedures.

The Professional Review system will be focused on those tenured faculty who request it and on tenured faculty for whom the biennial performance ("merit") reviews indicate persistent sub-par performance. It is thus intended for a specific sub-group of the faculty and is not intended as a new requirement burdening all tenured faculty. The system will be a supplement to (not a replacement for) the biennial performance review or other reviews. Non-tenured faculty are excluded because other review mechanisms exist to evaluate their performance.

Evaluation can be a positive force when used to encourage members of the faculty community to continue their professional growth and to remain professionally active. We intend to emphasize continuing engagement with all forms of scholarship and to provide incentives and resources to assist faculty members in remaining engaged.

A SYSTEM FOR PROFESSIONAL REVIEW

Expectations for Performance. Each department will develop a narrative statement of its expectations for adequate faculty performance by tenured faculty. Such statements shall include expectations for the areas of research, teaching, and service, they shall be differentiated by rank and level of seniority if relevant, and they shall be as specific as is possible without unduly restricting the recognition of the diverse valuable contributions that individual faculty members may make. This statement, once agreed upon by the departmental faculty, shall be reviewed by the Dean to assure that the faculty performance expectations are in keeping with the established mission of the College and that they do not fall below College expectations for faculty performance. The approved statement of expectations will be the basis within the Professional Review for evaluating a faculty member's performance.

Timing of Evaluation. Professional Review evaluations will ordinarily be conducted during the academic year following the regular biennial merit review of tenured faculty (the "off" year).

Plan A: The Faculty Member Requests an Evaluation

A Professional Review may be requested by a tenured faculty member and initiated upon approval by the Dean. In this case, the review shall be strictly for the purpose of assisting the faculty member in evaluating his or her career, and no documents or results of the review shall be used in any other university evaluation process except by explicit consent of the faculty member. The department chair shall inform the faculty member of the nature and procedures of the review.

The Review Dossier. The department chair shall prepare a review dossier in consultation with the faculty member. The faculty member has the right and obligation to provide for the review dossier all the documents, materials, and statements he or she believes to be relevant and necessary for the review, and all materials submitted shall be included in the dossier. Ordinarily, such a dossier would include at least the following: an up-to-date vita, a teaching portfolio, and a statement on current research or creative work. The chair shall add to the dossier any

further materials (prior evaluations, other documents, etc.) he or she deems relevant, in every case providing the faculty member with a copy of each item added. The faculty member shall have the right to add any material, including statements and additional documents, at any time during the review process.

The Review Process. The review will be conducted by a three-member ad hoc faculty review committee appointed by the Dean in consultation with the faculty member and his or her chair. The review will focus on the faculty member's accomplishments, research agenda, teaching program, and service contributions, relating these to the stated expectations for performance developed by the department. The purpose of the review is to provide informed and candid feedback to the faculty member concerning his or her accomplishments, the quality of the person's contributions, any weaknesses or deficiencies in the record, and (for associate professors) guidance on what would be needed to prepare for a successful promotion review.

Professional Development Plan. The review panel, in cooperation with the faculty member being reviewed, may decide to prepare a professional development plan. This plan would provide specific guidance and advice to help the faculty member more fully meet departmental expectations and more effectively achieve his or her own goals.

The plan should:

- 1) identify specific strengths and weaknesses;
- 2) define specific goals or outcomes that would help the faculty member overcome the identified weaknesses;
- 3) outline the activities that can be undertaken to achieve the goals or outcomes;
- 4) set appropriate timelines within which these goals or outcomes could be accomplished;
- 5) indicate appropriate criteria by which the faculty member could monitor his or her progress;
- 6) identify the source of any funding or institutional commitments (if required).

The faculty member shall be encouraged to discuss the results of the review with his or her department chair and dean; such discussion shall be, however, at the option of the faculty member.

The College has a vital stake in the faculty member's success, and so it stands ready to assist the faculty member in achieving the outcomes indicated in the Review plan.

Plan B: A Faculty Member Is Selected for Review

A Professional Review may be initiated when a faculty member is selected for review; any tenured faculty member who receives a merit rating of 2.5 or lower for two successive biennial evaluation periods in any category (research, teaching, service) in which the faculty member's DOE is 25 percent or more will be selected for a Professional Review. The department chair shall inform the faculty member of being selected for review and of the nature and procedures of the review. Upon recommendation of the department chair and approval of the Dean, a faculty member subject to evaluation under point (2) above may be exempted if there are extenuating circumstances (such as health problems).

The general strategy invoked here involves three steps: first, to

identify and officially acknowledge chronic deficits in an individual faculty member's performance; second, to develop a specific professional development plan by which to remedy these deficiencies; and third, to monitor progress towards achievement of the plan.

The Review Process. The initial review will be conducted either by the department chair, a three-member ad hoc faculty review committee (including one member of the Arts and Sciences Council) appointed by the Dean, or a subcommittee of the Arts and Sciences Council (appointed by the Council), the choice being the option of the faculty member. The review may result in the following outcomes:

- 1) Some strengths, no deficiencies identified. If the reviewer (department chair or ad hoc committee) determines that the faculty member being evaluated has, during the preceeding four years, met the reasonable expectations for faculty performance as identified by his or her department, the faculty member will be so informed and the review is thereby completed.
- 2) Some strengths and some deficiencies are identified, but the deficiencies are determined not to be substantial or chronic. If the reviewer identifies some deficiencies in the faculty member's performance as compared to reasonable expectations set by his or her department, but those deficiencies are not judged to be substantial or chronic, the reviewer shall state in writing the specific deficiencies identified and provide a copy to the faculty member and his or her department chair. If accepted by the Dean, the review is thereby completed.
- 3) Substantial and chronic deficiencies are identified. If the reviewer determines that there exist substantial and chronic deficiencies in the faculty member's performance, the reviewer shall state in writing the specific deficiencies identified and provide a copy to the faculty member and his or her department chair. The faculty member and the chair shall then work together to draw up a professional development plan.

Professional Development Plan. The professional development plan is an agreement indicating how specific deficiencies in a faculty member's performance (as measured against reasonable departmental expectations) shall be remedied. Ideally, the plan should grow out of an iterative collaboration among the faculty member, department chair, and Dean, and to the fullest extent possible, it should reflect the mutual aspirations and intentions of the faculty member, the department, and the College.

The plan shall be formulated by the department chair and Dean with the assistance of and in consultation with the faculty member. It is the faculty member's obligation to assist in the development of a meaningful and effective plan and to make a good faith effort to implement the plan once it is adopted.

The plan must:

- 1) identify the specific deficiencies to be addressed;
- 2) define specific goals or outcomes that are needed to remedy the deficiencies;
- 3) outline the activities that are to be undertaken to achieve the needed outcomes;
- 4) set timelines for accomplishing the activities and achieving the outcomes;
- 5) indicate the criteria for annual progress reviews;

6) identify the source of any funding (if required).

Appeal. The faculty member shall have the right of appeal. Of course the faculty member retains all rights of appeal as specified in University Governing and Administrative Regulations. In addition, the faculty member shall have the right within the College to appeal to the College Advisory ("Area") Committee and the Dean.

If the faculty member being evaluated contests the reviewer's finding of deficiencies, the evaluation will be forwarded to the College Advisory Committee for the Area (Humanities, Social Sciences, Natural and Mathematical Sciences) of the faculty member's primary appointment. After consultation with the faculty member and the reviewer, the Advisory Committee shall assess whether or not the initial evaluation should be upheld. If the College Advisory Committee determines that the faculty member has met reasonable expectations for faculty performance, the review is concluded. If the College Advisory Committee upholds the finding of the reviewer, it shall communicate its finding to the faculty member, his or her department chair, and the Dean in writing, and the review process shall go forward.

Monitoring and Follow-Up. The faculty member and his or her department chair will meet annually to review the faculty member's progress towards remedying the deficiencies. A progress report will be forwarded to the Dean.

Further evaluation of the faculty member within the regular faculty performance evaluation processes of the University may draw upon the faculty member's progress in achieving the goals set out in this plan.

Completion of Plan. When the objectives of the plan have been fully met, or in any case no later than three years after the start of the development plan, the department chair shall make a final report to the faculty member and the Dean.

If the objectives of the professional development plan remain unfulfilled three years after it is adopted, and after further consultation with the faculty member and department chair, the Dean shall undertake such other actions as are proper under the University's Governing and Administrative Regulations to ensure adequate faculty performance, which may include change of assignment (AR II-1.0-1, IV[I]) or termination (AR II-1.0-1, IV[C]).

The successful completion of the professional development plan is the positive outcome to which all faculty and administrators involved in this process must be committed. If the disengagement of some scholars derives in part from an organizational failure, the re-engaging of their talents and energies reflects a success for the entire University community.

The Chair thanked everyone for coming to the Senate meeting. The meeting was adjourned at 4:52 p.m.

Randall W. Dahl
Secretary, University Senate