

UNIVERSITY OF KENTUCKY

SENATE COUNCIL MEETING

* * * *

* * * *

SEPTEMBER 13, 2021

* * * *

* * * *

AARON CRAMER, CHAIR

DESHANA COLLETT, VICE CHAIR

SHEILA BROTHERS, ADMINISTRATIVE COORDINATOR

KATIE SILVER, STAFF ASSISTANT

* * * *

* * * *

Trisha B. Morley, Court Reporter
An/Dor Reporting & Video Technologies, Inc.

* * * * *

1
2 CRAMER: Good afternoon, everyone. Welcome to the
3 September University Senate Meeting our first
4 Senate meeting of the academic year. Senate
5 members, please type, if you haven't already,
6 your name and affiliation into the chat box
7 for attendance purposes.

8 The chat function is only used for
9 attendance, it's not monitored during the
10 meeting. I don't generally see the chat
11 during the meetings, so don't use it to try
12 to get my attention or to try to raise some
13 point. If you need to speak, use the "raise
14 hand" feature. Please mute yourself when not
15 speaking, although Katie is empowered to mute
16 others as needed. And so if you leave your
17 mic open, we'll probably click the mute
18 button for you.

19 The meeting is being recorded for note-taking
20 purposes. If any member of the Senate is
21 disconnected and can't reconnect at all,
22 please send an email to Sheila Brothers,
23 sbrothers@uky.edu, so we're aware of the
24 situation.

25 Senate meetings are open meetings. We follow

Trisha B. Morley, Court Reporter
An/Dor Reporting & Video Technologies, Inc.

1 Robert's Rules of Order, newly revised.
2 There's no voting by proxy. If you're not a
3 member, you cannot vote. Be civil during the
4 meeting. Be a good citizen. Here, that
5 specifically will also mean communicating
6 with your constituents about the activities
7 of the Senate, making sure they're aware of
8 what happens in the space, and also that
9 you're aware of how they would like you to
10 represent them and participate in the
11 meeting.

12 The participants in this meeting are divided
13 into two categories: Panelists and attendees.
14 Both can participate in the meeting. The
15 voting senators, our panelists, panelists
16 should have received a unique link via email
17 from Katie Silver last week with your Zoom
18 information and are eligible to vote.

19 Non-voting senators and guests or attendees
20 get the Zoom link from the senate site or
21 from the general email about the meeting and
22 do not vote. If you think you are an
23 attendee who is supposed to be a panelist, if
24 you think you're a voting member of the
25 Senate and yet you're not in here as a

1 panelist, you might chat a message
2 specifically to Katie Silver who is able to
3 add you over into the panelist if you're in
4 the wrong set here.

5 To speak for any reason or otherwise be
6 recognized, including making motions or
7 seconds or to vote, you'll use the "raise
8 hand" button at the bottom of the screen. If
9 you cannot see this, you can click on the
10 three dots beneath it, and then click "raise
11 hand".

12 The way that we'll do voting in these
13 meetings is the same as last year. I'll
14 state the motion and ask voting members, the
15 panelist wishing to vote in favor, to click
16 the Zoom feature "raise hand." You'll leave
17 your hand up. Don't just click it and then
18 unclick it. Leave your hand up. The vote
19 count will be recorded, and then we'll clear
20 the hands on our end. You don't have to
21 unclick your hand. We'll clear the hands.
22 Then the chair will ask for voting members
23 who wish to vote opposed to raise their
24 hands. And, again, leave those up. We'll
25 record that count and the hands will be

1 cleared. And, finally, I'll ask for any
2 voting members who wish to formally abstain
3 to raise their hands in Zoom again, leaving
4 your hand up. The count will be recorded and
5 the hands will be cleared on our side.

6 It's difficult to note the individual names
7 when they are maybe a hundred plus senators
8 are voting. So we will document those in the
9 minority and those abstaining. These are
10 going to be smaller numbers. If you're not
11 in one of those two sets but you're a voting
12 member present today, you'll be assumed to
13 have voted with the majority. If the vote's
14 perceived to be close, Katie here is prepared
15 to assist with a roll-call vote.

16 And, as always in Senate Meetings, before
17 speaking please remember to state your name
18 and college affiliation. So if I were to
19 raise my hand and some other chair were to
20 call on me, I would say, "Aaron Cramer,
21 College of Engineering," and then I would
22 speak what I was planning to speak. So,
23 please, make sure to do that. That's
24 important in Zoom. Even though your name's
25 on the screen, it helps us understand where

1 you're coming from on campus, but also when
2 we resume in-person meetings, if we're able
3 to do that, that's an important element of
4 participation in-person meetings for the
5 Senate. So we want to get back in the habit
6 of doing that this year.

7 The first item on our agenda is from the
8 Chair of the University Senate, President Eli
9 Capilouto.

10 CAPILOUTO: Thank you Dr. Cramer, and welcome all of you.
11 Greatly appreciate the opportunity to talk
12 with you this afternoon. I know you have a
13 very crowded agenda, and it reminds me of
14 yeoman's work we turned to our faculty to
15 complete, to keep our university moving
16 forward.

17 In June when we officially closed out the
18 academic year, I communicated with you and
19 our Board of Trustees that one of my most
20 important commitments and goals for the next
21 year would be to redouble my efforts to
22 communicate and collaborate and partner with
23 you.

24 All three components of our shared governance
25 are essential in continued progress, and

1 that's participation, our faculty, staff, and
2 students. And I know we all have a
3 responsibility to each other and to those we
4 serve, and who turn to us in hope to honor
5 that shared governance through our commitment
6 to communication, transparency and
7 accountability.

8 I know from spending most of my adult life in
9 the academy that the most vibrant places, the
10 most vibrant places are ones where ideas are
11 shared and debated freely and frequently and
12 without hesitation and reservation. And I
13 can certainly testify that the University of
14 Kentucky is one of those vibrant places.

15 I like to say I'm the president of about 30-,
16 40,000 presidents. It's hard for me to go
17 even to the grocery store here without
18 someone telling me how we can do things
19 better or, really, many times thanking me for
20 all the work that all of you do. So while we
21 have much more in front of us, I do want to
22 take the opportunity today to give you an
23 update on a few things.

24 But I want to start with my thanks to the
25 elected faculty, staff and student leaders,

Trisha B. Morley, Court Reporter
An/Dor Reporting & Video Technologies, Inc.

1 their executive teams. As part of our
2 commitment to better communicate, I have met
3 with those groups three times, the Executive
4 Council, in the last few weeks. I know our
5 senior leaders have engaged often with the
6 elected leaders and many others on the
7 campus. And in each one of these meetings
8 those leaders, your leaders, some of whom are
9 on this meeting call today, have provided us
10 with essential feedback and input on the
11 critical challenges that we face.

12 I want to publicly thank three key leaders:
13 Aaron Cramer, who you've heard from already.
14 But, also, Olivia Ellis, who chairs our Staff
15 Senate, and Michael Hawse, who's the
16 president of our Student Government
17 Association. They have been most willing to
18 engage. We are honoring our vision of
19 advancing Kentucky all at the same time
20 facing an unprecedented pandemic. And I know
21 through all of these conversations -- and I
22 hope they will agree -- that our approaches
23 to respond in COVID are better because of our
24 discussions. We have all been
25 better-informed, and I will be forever

Trisha B. Morley, Court Reporter
An/Dor Reporting & Video Technologies, Inc.

1 grateful.

2 So let me return to some of the
3 accomplishments that I hope you'll take pride
4 in. I certainly do with deep gratitude. And
5 then we'll return to our response to COVID at
6 the end. So on Friday, I announced to the
7 Board of Trustees and communicated wildly
8 that our preliminary Fall 2021 enrollment has
9 reached another record high of 31,800.
10 That's up 2 percent from the record how we
11 achieved last year.

12 And though enrollment is, in a large way, a
13 reflection of the outstanding work of our
14 faculty and staff, more people want to come
15 here to learn and grow. I'm most proud of
16 what's happened when our students have
17 arrived. We have been on more than a
18 five-year trajectory of dramatic increases in
19 student persistence as reflected in our
20 retention and graduation rates.

21 Now, to move these numbers takes painstaking
22 work, and it takes everybody, but I'm proud
23 to share this: The first-to-second-year
24 retention rate is at 86 percent, according to
25 our preliminary numbers. That's up almost 10

1 percentage points from the Fall 2006 cohort
2 that entered in and graduated. If you look
3 at the 2012 graduation rates, that's the
4 six-year rates through to fall. But our
5 preliminary six-year graduation rate has
6 reached a record of 68 percent -- excuse me.
7 I think I said 68 percent for retention.
8 It's 86 percent, but 68 percent up 10
9 percentage points for a six-year graduation
10 rate. Keep in mind those are only the first
11 year, first time fall enrollments not
12 transferred, but it is a number that is used
13 across the country to measure students'
14 success.

15 Perhaps more remarkable, our four-year
16 graduation rate has climb 23 percentage
17 points from 31 to 54 percent. To put this in
18 further context, if you look at all publicly
19 funded universities in the country, they're
20 only fewer than a hundred that have a
21 six-year graduation rate of higher than 70
22 percent. So we are on that trajectory. We
23 also experienced an almost 10 percent
24 increase in our graduate and professional
25 students, and those students especially, I

1 think, look to the caliber of faculty in
2 making their choices, so I tip my hat to you
3 in great appreciation.

4 We are also more diverse. The percentage of
5 underrepresented minorities as defined by the
6 State of Kentucky has grown to 16 percent of
7 our student population. That's up 6 percent
8 in the last year. First-year enrollment has
9 been basically flat. This year, entering
10 students total 4,764 compared to 4,891 last
11 year.

12 Many universities are facing a demographic
13 cliff, and certainly the pandemic have
14 experienced this. I think we have been
15 pretty robust in responding to those forces.
16 That's certainly an area of more focus as we
17 undertake our strategic plan.

18 And, lastly, something that will become more
19 important in this country, is our transfer
20 enrollment is up by 13 percent to 997. If you
21 watch some of the federal legislation that
22 could possibly make it through Congress, this
23 opportunity for free education at the
24 community college level is certainly
25 something that is certainly good for our

1 country, but could have an impact on the
2 University of Kentucky.

3 So, to me, the bottom line is this: Although
4 we have much more to do and we're not
5 satisfied, we have made incredible strides in
6 elevating academic excellence in student
7 success while working together to grow a more
8 diverse and inclusive community.

9 These incredible markers of progress,
10 especially in light of the pandemic, is why
11 I'm convinced and remain so positive that the
12 future is bright for the University of
13 Kentucky and the Commonwealth we serve.

14 A little bit about our strategic plan, as I
15 reported to the campus last week, five teams,
16 composed of faculty, staff, students, deans
17 and other administrators have developed draft
18 plans around the five principles that I think
19 should drive our mission of advancing
20 Kentucky.

21 Those are putting students first, inspiring
22 ingenuity in everything we do, taking care of
23 our people so we can better take care of
24 Kentucky, ensuring greater trust,
25 accountability and transparency, and

1 empowering the promise embedded in being many
2 people -- we're one of the most diverse
3 communities in Kentucky -- many people, but
4 one community.

5 So as we develop objectives, tactics and
6 metrics to track our progress, we distributed
7 a first draft to the campus. I appreciate
8 those who have provided us feedback and
9 input, the faculty, staff, and students.
10 We've got groups like the International
11 Center that provided productive and
12 constructive feedback, our Alumni Association
13 did so as well. And, finally, there have
14 been additional reviews about those
15 workgroups or teams set up for the respective
16 principles. We've asked our institutional
17 research area to look carefully at the
18 metrics we are considering to be sure that
19 they can tangibly measure our progress.
20 And last week the provost met with our
21 elected faculty leaders of the Senate Council
22 to receive additional input, especially
23 around matters that relate to curriculum. So
24 I'll be reviewing all of that feedback in the
25 coming days with the hopes of distributing

1 the second draft of the plan as soon as
2 possible.

3 And that will provide another opportunity for
4 broad-based feedback. Our goal is certainly
5 to present something to our Board of Trustees
6 at their retreat in October. This is
7 expedited, certainly, but necessary for us to
8 develop a roadmap for future efforts to
9 educate Kentucky. And I appreciate the
10 diverse opinions and perspectives shared
11 across our disciplines. It reflects the
12 richness of this campus, and I encourage you
13 to provide feedback when we distribute the
14 next draft.

15 Lastly, to talk a little more about our
16 COVID-19 response, I hope you all saw the
17 communication last week in which I shared
18 that our vaccination rate is 81.5 percent.
19 We have moved roughly 10 percentage points in
20 less than a month. And I encourage all of
21 you to look at our Coronavirus dashboard,
22 because it gives detailed information on the
23 breakdown of vaccination rates across
24 faculty, staff, and students, but we also
25 shared in more detail -- I've seen that

1 others have looked at across the country, how
2 we derive and calculate those numbers.

3 And as we've exceeded that goal of 80 percent
4 in this first month, our work is far from
5 over. We've done all this without employee
6 incentives and introducing disciplinary
7 measures for our mandatory testing program,
8 so I expect more progress. Let me be clear
9 about this: 80 percent is a starting goal.
10 It was never to be the finish line. And so
11 we're going to keep pushing and pushing and
12 pushing until those rates are certainly going
13 to exceed 85 percent, and I hope more than 90
14 percent.

15 Targets that have become -- from what we've
16 learned in modeling and so forth -- optimal
17 given the evolution of this virus. We will
18 unveil our employee incentive program for
19 vaccines early this week. The student
20 program already is active, and we have
21 created a new incentive program for student
22 organizations and activities that we'll put
23 into place this week.

24 We also communicate clearly regarding
25 meaningful and fair disciplinary measures,

1 and we have more work to do on this. For
2 those who are required to test each week, and
3 those are the individuals who are
4 unvaccinated, those disciplinary measures, I
5 want to tip my hat again to our faculty,
6 staff, and student groups who have provided
7 us valuable input. I think they'll agree,
8 it's not an easy task and we're working hard
9 to be both fair, but at the same time
10 effective in moving our vaccine rates.
11 So I believe this combination of measures,
12 incentives, required testing, disciplinary
13 and compliance steps where necessary, will
14 help us continue on this path in our vaccine
15 rate. So that is a shared goal. We all want
16 as many people vaccinated as possible, and
17 the question is: What is the best process to
18 do this? What is our path to get there? And
19 I know a number of members of our community,
20 including those who are at this meeting, have
21 asked us to consider a vaccine mandate for
22 the entire campus.
23 I want you to know I deeply respect that
24 request, and I want to encourage continued
25 dialogue and debate, because we all want the

1 same thing, the highest vaccination rates
2 possible. I don't have to convince this
3 group, I hope, in terms of my advocacy for
4 vaccines given what we did as a community
5 last year at Kroger Field. Vaccines remain
6 our best weapon against this virus. They
7 offer the best protection against serious
8 illness and hospitalization. They are the
9 best we have in our efforts to return to
10 something more normal.

11 And although a mandate has many benefits, as
12 I continue to take in all of the available
13 information, I believe we have the right
14 approach at this time to continue increasing
15 campus vaccination levels. I hope we can all
16 agree that we share the same goal, even
17 though we may not always agree on the path to
18 get there.

19 So a little bit on why not a vaccine mandate
20 as we did with flu shots for students last
21 year. First, we're making rapid and
22 continued progress. And the numbers are
23 simply undeniable. I believe we can continue
24 that progress with the right leavers of
25 education, incentives, communication, and

1 compliance measures.

2 Second, vaccines are a deeply polarizing
3 measure, at least vaccine mandates, in what
4 is already a deeply polarized world.

5 National polls show it, and a number of state
6 actions prohibiting mandates underscore. So
7 my interest, like yours, is getting people
8 vaccinated. And I simply believe that using
9 all these tools of education, helping
10 students and others understand that they have
11 urgency, many of them for the first time over
12 their health, for example, can be a more
13 effective path in moving our vaccine levels.

14 And one thing I'll also add. Unlike a
15 vaccine mandate, which if you look at these
16 across the country, you see one vaccine
17 mandate, you've seen another in terms of all
18 their details, unlike a vaccine mandate, in
19 which we must respect exceptions with a
20 universal testing requirement for everyone
21 who comes to our campus and is not
22 vaccinated. There are no exceptions.

23 So the flu-shot mandate that I mentioned
24 earlier, with students last year, is a
25 telling example. Despite all of our pushing

1 and prodding and so forth, only about 65
2 percent of our students received a flu
3 vaccine. So they're not a guarantee of
4 compliance, but I believe our current course
5 of action is working.

6 I've said from the beginning since we started
7 at this over 18 months ago, if new
8 information or circumstances become
9 available, we will pivot. We have all along,
10 and I'll pledge to you that we would do so.
11 That said, I appreciate the healthy debate
12 and dialogue. They are necessary. They are
13 wanted, and I deeply appreciate the
14 discussions we have had around all of these
15 areas that have meant so much to us, and that
16 we share the same goal. And that is to
17 further improve the success of our students,
18 advance our discoveries and better serve
19 Kentucky.

20 So thank you for all you do. I hope you're
21 proud of what we've been able to accomplish,
22 especially under these circumstances. And,
23 Aaron, I'm happy to take questions, but I'm
24 going to need you to handle these. I'm not
25 great at the screen and all and observing

1 everyone. So if you don't mind, some
2 assistance.

3 CRAMER: Sure. If you have questions for the
4 president, go ahead and use the "raise hand"
5 feature in Zoom, and then I'll call on you.
6 Herman Farrell.

7 FARRELL: Hi, President Capilouto. First off, I hope
8 you had a good summer. I hope you had a
9 chance for rejuvenation and rest. I think we
10 all needed that, and I know you've had a very
11 rough year.

12 So my question is about UK HealthCare's
13 mandate: It's my understanding that UK
14 HealthCare mandated vaccines a month or two
15 ago. I'm curious to know what their numbers
16 are like and if they're up at 90 or 95
17 percent? Are their numbers being included in
18 the total dashboard numbers for the total
19 number of students and faculty, employees at
20 UK?

21 But more importantly, I'm just wondering if
22 that's perhaps an example of how a vaccine
23 mandate actually does work in a -- actually
24 within our bubble if they did that vaccine
25 mandate and it went up to 90, 95 percent.

1 And I'm sure you guys have the numbers; isn't
2 that proof that a vaccine mandate works? Can
3 this --

4 CAPILOUTO: And so all of those individuals are included
5 in the numbers we report to the campus. I
6 would say that not all programs are equal in
7 their timing, and you recognize at UK
8 HealthCare you're mandated to take a vaccine.
9 Exemptions are available for religious and
10 medical reasons, and if one receives those
11 exemptions, you're qualified to test weekly.
12 It's very similar to what we're doing on
13 campus.

14 They started theirs at a little different
15 time, and given everything else they're
16 handling, their mandatory testing doesn't
17 start until September 15th. So it's a little
18 bit of an apple and oranges comparison. I
19 would say we are converging in those numbers.

20 FARRELL: I'm sorry. Just a quick follow-up. Do we
21 know what their numbers are in terms of the
22 total?

23 CAPILOUTO: I do not know that off the top of my head,
24 but I think, Herman, our campus is starting
25 to align like this. But keep in mind, that's

1 a different population, you know. I mean,
2 but I think if you look around the country,
3 Herman, at universities who have instituted
4 mandates, you're seeing success as low as in
5 the 60 or 70 percent, and most are in that 80
6 percent range.

7 CRAMER: Laura Fanucchi.

8 FANUCCHI: Hi. Thank you, President Capilouto. This is
9 Laura Fanucchi from the College of Medicine.
10 We are hoping for some clarification also
11 related to the UK HealthCare vaccine mandate.
12 So we have a number of research, faculty, and
13 staff that conduct in-person research in the
14 UK HealthCare facilities. All of the
15 guidance that has come out from UK HealthCare
16 about the vaccine mandates includes people
17 that are not necessarily UK HealthCare
18 employees, but that are working in UK
19 HealthCare facilities.
20 We've been trying to seek guidance from HR,
21 from the College of Medicine in particular,
22 and we are left still unclear on how we
23 advise our research faculty and staff,
24 because their designation is technically
25 campus, not UK HealthCare.

1 CAPILOUTO: Laura, thank you for your question. I'm
2 going to have Vice President for Research,
3 Lisa Cassis, follow up with you. She
4 communicated to the campus about the
5 guidelines for researchers we have discussed,
6 those situations where those groups overlap,
7 and I'll make certain, she follows up with
8 you. We were doing our best to clear up any
9 inconsistencies there. I will turn to Bob
10 DiPaola also to help answer this question.

11 DIPAOLA: There we go. Can you hear me okay? Yeah.
12 So I don't know where you went, Laura, but
13 right now, I mean, in general -- and Dr.
14 Cassis really should speak to this, but in
15 general, if those faculty and staff are in
16 nonclinical spaces throughout their day to
17 day and campus faculty and staff, they would
18 be under the campus rules. But Dr. Cassis
19 will clarify that better, and I think we'll
20 make sure to follow up as well. And I'll
21 talk to your associate or your acting dean,
22 Dr. Griffith, as well to make sure that
23 there's a communication that goes out.

24 FANUCCHI: Thank you. Some of them are enrolling and
25 recruiting participants in clinical settings,

1 and so that places us in the pickle that
2 we're in. Thank you.

3 DIPAOLA: Understood, we'll follow up Laura.

4 CRAMER: Kaveh Tagavi.

5 TAGAVI: Hi, President Capilouto. I'm not going to
6 make a comment regarding the vaccination,
7 although my comment is about COVID. I just
8 want to tell you that I'm grateful that
9 during these COVID times, UK did not come off
10 at the seams and is still standing and I have
11 a job and I'm employed. But when you share
12 with us the grocery store that you shop so we
13 could show up and properly comment on your
14 performance.

15 CAPILOUTO: Kaveh, I also live on campus, you know, and
16 one of the things I've missed is -- I did on
17 more than one occasion -- see you with a
18 colleague in one of those Adirondack chairs
19 under a tree on our campus, so I hope I'll
20 see you soon and you can offer me your advice
21 on how to do things better.

22 TAGAVI: Thank you, sir.

23 CRAMER: Bob Grossman.

24 GROSSMAN: Yes. Hi, President Capilouto. Happy New
25 Year, by the way. My question is about the

1 measures that President Biden announced last
2 week. It may have been maybe a little too
3 soon for you to really understand how those
4 are going to affect our situation, but if
5 OSHA goes through with the rules about
6 workplace -- companies that employ more than
7 a hundred people having to vaccinate their
8 people, would we fall under that or we not
9 considered under that rule because we're a
10 state university.

11 CAPILOUTO: Oh, Bob, I'll look at the preliminary
12 information about that. I did wonder if
13 President Biden read the University of
14 Kentucky plan, because it's quite similar,
15 and in terms of the weekly testing, we have
16 that in place, I think I'll just share this:
17 "I'm so grateful for the infrastructure and
18 talent we have at the University of Kentucky.
19 From setting up a mass vaccination center to
20 being able to integrate all this data to
21 monitor testing and vaccination levels, and
22 then we're going to have to come back and do
23 this on a weekly basis when you introduce
24 compliance measures."

25 In talking to presidents of sister

1 universities in the state, they just don't
2 have this kind of infrastructure, and they
3 don't have vaccine levels nearly as high as
4 ours. So I often think, Bob, and I see this
5 as a lofty goal, to reach another 80 to a
6 hundred million Americans. I'm going to be
7 very interested in the timeline everybody's
8 given to comply with this. It makes me
9 grateful for what we've done at the
10 University of Kentucky and what we have in
11 place to, I think, meet whatever standards
12 would come out, whether we fall under those
13 OSHA guidelines or not.

14 CRAMER: President Capilouto, I've got two more hands
15 if you can take two more.

16 CAPILOUTO: Yes, sir.

17 CRAMER: Gail Brion.

18 BRION: Gail Brion, College of Engineering. Eli, I'd
19 just like to know your thoughts. This whole
20 -- this is a messy situation, and I have two
21 things that I keep thinking about: Equity for
22 employees; whereas people in healthcare know
23 that the people that they're working next to
24 are vaccinated or being tested weekly, versus
25 this side of campus where we don't know that,

1 and equity for students who are either
2 themselves immunocompromised or taking care
3 of or having contact with people who are
4 immunocompromised who do not know that the
5 students that they're now sitting next to in
6 class, not socially distanced, just masked,
7 how they may be not getting the robust
8 residential experience that we're offering
9 because they cannot engage because they don't
10 know what their level of risk is. I'd just
11 like your thoughts on that.

12 CAPILOUTO:

Well, Gail, first of all, employee
13 relationships and student relationships all
14 fall under some privacy issues to be able to
15 share that kind of information freely. One
16 has to be very cautious, and we certainly try
17 to do that.

18 I also am encouraged here, if you look
19 carefully at our dashboard, I mean, to keep
20 this community safe, we're following CDC
21 guidelines in a way that we are requiring
22 testing for unvaccinated individuals. CDC
23 does not suggest surveillance testing for
24 vaccinated individuals.

25 But looking at the students thus far, now

1 we're going to see employees, including
2 faculty and staff, the rates, the positive
3 have remained, you know, constant and flat.
4 Believe me, those certainly could change.
5 That is some reinforcement that the level of
6 vaccines we have on campus, the masking we're
7 insisting on, not perfect, but we're pushing
8 it, some of those measures are keeping us as
9 safe as possible.

10 CRAMER: Akiko Takenaka.

11 TAKENAKA: Akiko Takenaka, College of Arts and Sciences.
12 Thank you, President Capilouto, for staying
13 on to respond to our questions. I have one
14 clarification question and a couple of
15 requests about the dashboard. And the
16 question is a very simple question: What
17 does -- in the process of being vaccinated,
18 does that mean one shot has been -- is if a
19 reservation, appointment, has been made for
20 vaccination, is it like a student thinks
21 about being vaccinated, and if there's -- if
22 it is a single shot -- one shot received,
23 then I think it'd be more clear to use the
24 language that other universities have been
25 using "partially or fully vaccinated." I

1 think that would be more clear, but I'm
2 wondering what that means.

3 And some requests, as you said, perhaps the
4 health care side and the non-health care side
5 of the campus are apples and oranges. If
6 that is the case, we would love to see a
7 separated vaccination percentage for the
8 non-health care side of the campus and the
9 health care side of the campus, so that the
10 side without a vaccine mandate can see the
11 numbers and keep track of the numbers. And I
12 think that will be very reassuring for us to
13 see that separate number.

14 We would love it if the dashboard was updated
15 a little more frequently. We would love it
16 if the case numbers -- you know, there are
17 detailed case numbers for the students, but
18 we would like to see case numbers for the
19 faculty and staff. We would like to see
20 historical data of case numbers so that we
21 can see where we are going. Are we
22 improving? Are cases increasing? Because if
23 we only see the numbers for this week, it's
24 quite difficult to understand it. I
25 understand there is a graph, but all of --

1 you know, I have old eyes. I've been, like,
2 taking off my glasses in order to decipher
3 the numbers and it was very difficult to make
4 sense of that graph. Thank you.

5 CAPILOUTO: Well, thank you for your questions. And I
6 have Bob DiPaola, and Todd Brann on the call
7 here. I'll let them answer the questions
8 about how we report those numbers. I will
9 say in advance, integrating data from
10 several sources takes some scrubbing and
11 careful attention. You can remember last
12 year our county got thousands of cases behind
13 and so forth. We have a team that works
14 carefully that when we report that
15 information, it's been carefully scrutinized.
16 We'll see if we can make the graph bigger for
17 you, but we're reporting all the numbers
18 since we opened in August. We'll work on
19 some of those other comparisons that you
20 would find interest in. But, Todd, do you
21 want to answer her?

22 And I would say, you know, many universities
23 are reporting like we do, and I think if you
24 look across the country, even if somebody had
25 their first vaccine, it seems to be that

1 second vaccine number is about 6 percent
2 lagging it. And so I think our experience
3 is, when somebody has that vaccine, they have
4 the second one, but we did offer Johnson &
5 Johnson for a period of time, but Todd --
6 and, Bob, do you want to add further to this?

7 DIPAOLA:

8 Sure. I mean, I can just start in general,
9 and then, Todd, maybe if you're okay with
10 giving some specifics, especially related to
11 the part of the question of the generation of
12 data of one shot or two shots. But, first
13 off, you know, just as the president said to
14 you, thank you for the input, because we do
15 take this back to take a look at what would
16 be best going forward in terms of data and
17 what we -- you know, how we show that.
18 Obviously, we want to make sure the data is
19 accurate. In general, though, that the data
20 that's being presented as analogous to or
21 similar to many of the other universities,
22 you're seeing report -- and I'll let Todd
23 talk about the specifics in terms of that
24 question, meaning that it typically does
25 include any of those that have had at least
one shot even on a two-shot regimen, such as

1 Pfizer or Moderna.

2 Anyway, but like I said, the input is
3 appreciated because we will take it back and
4 see what can be done, as long as we're able
5 to do it in an accurate way and a timely way.
6 Todd.

7 BRANN: Good afternoon, everyone. Yeah, that's
8 correct. That is one or two doses. So they
9 could have had the first dose but yet had
10 their second dose or be waiting out their
11 14-day period to be fully vaccinated. That's
12 the vast majority of the cases. I would just
13 point out as we also work with our health
14 care team on communications, and that's the
15 way of representing the numbers consistent
16 with other institutions, as Provost DiPaola
17 mentioned, but when we're actually
18 communicating with our students and
19 employees, they stay in that having --
20 they're required to have a test until they're
21 fully vaccinated, their second dose plus 14
22 days. So we do have some coverage on that.
23 We're just presenting the numbers as
24 vaccinated are in the process. And then
25 we'll definitely go back and can look at the

1 frequency of the updates, the different
2 splits in the population, then perhaps we'll
3 add a table to make that a little easier to
4 read.

5 FANUCCHI: Can I just add quickly, OSU, our neighbor
6 OSU, has an amazing COVID dashboard that
7 should be the model for all universities.

8 CRAMER: Thank you, President Capilouto, for joining
9 us today. Lee, I see you --

10 BLONDER: May I please -- may I ask a question?

11 CRAMER: I see you, but I told him two questions if he
12 wants to -- Dr. Capilouto, could you answer
13 one more question? Oh, you're muted, sir.

14 CAPILOUTO: Sure.

15 BLONDER: Thank you very much. I appreciate it. Lee
16 Blonder, Faculty Trustee. I think we really
17 need to recognize that the reason why so many
18 faculty want a vaccine mandate is because
19 they don't feel safe in the classroom or on
20 campus. That's the reason, and this is one
21 way that would make them feel safer.

22 So what I'd like you to do, please, is how
23 can you and your team address the underlying
24 issue of safety on campus? One thing we've
25 proposed in Senate Council is to allow

1 professors the opportunity to switch
2 modalities to be -- to go online, to do
3 hybrid without having to go through
4 committees, and deans, and associate provost.
5 That's one possibility, but would you please
6 try and address the underlying issue which is
7 faculty not feeling safe?

8 CAPILOUTO: Well, Trustee Blonder I agree with you that
9 vaccines are the way we are going to get
10 through this. It is the safest, most
11 effective step we can all take, and we're
12 working to do that. And I would say that the
13 way we have operated on the campus and the
14 data we're keeping up with, I do believe we
15 have been able to maintain a safe campus.

16 CRAMER: Thank you, President Capilouto. We will move
17 along in our agenda now.

18 The next item on our agenda are the minutes
19 from May 3rd. No edits were received in the
20 Senate Council Office to those minutes, so
21 unless objections are heard now, the minutes
22 will stand approved as distributed by
23 unanimous consent.

24 Those minutes are approved.

25 In terms of announcements, I'd like to

1 welcome our new senators. We just finished
2 having the new Senator orientation the hour
3 before this meeting. Typically we'd ask
4 newly elected senators to stand and be
5 recognized in the first Senate meeting. You
6 could stand up at home if you want or in your
7 office.

8 We certainly appreciate your commitment to
9 the Senate and to supporting shared
10 governance activities at UK. Really
11 encourage you throughout the Senate's
12 meetings over the next year, even between
13 meetings, to ask questions. If you don't
14 understand something during the meetings, if
15 a motion is not clear or you don't understand
16 what the effect of a motion would be, ask.
17 Raise your hand and get that clarification so
18 you can make informed decisions about how to
19 act as a Senator.

20 The vice chair this year is, again, DeShana
21 Collett from the College of Health Sciences.
22 Our Parliamentarian this year is Clayton
23 Thyne, who is from Political Science in the
24 College of Arts and Sciences. He'll have a
25 report briefly a little bit later.

1 Our Senate Council office staff are
2 wonderful. I say there are award-winning
3 staff because they're literally an
4 award-winning staff. We have Joanie
5 Ett-Mims. We newly have Katie Silver. She
6 joined our office only a couple of weeks ago
7 from UK HealthCare. She is replacing
8 Stephanie Woolery who has taken a position in
9 the office for faculty advancement.
10 We've only been working with Katie for a
11 brief period of time, but she's shown that
12 she's wonderful, and certainly look forward
13 to continuing to work with her. And Sheila
14 Brothers also is in our office. So if you
15 see Katie, make sure to extend our welcome,
16 and always, if you see the various
17 responsibilities of the staff members in the
18 Senate Council Office reach out if you have
19 questions about these items, or if you get
20 the wrong one they'll know which one to send
21 you on to.

22 The Undergraduate Council is chaired by
23 Corrine Williams from Public Health. Again,
24 Senate Councils' Liaison to Undergraduate
25 Council this year is Alberto Corso, who's a

1 Senator from Art and Sciences. The Health
2 Care Colleges Council is again, chaired by
3 Sheila Melander from Nursing, and Senate
4 Council's Liaison to HCCC is Paco Andrade
5 from Medicine, and the Graduate Council is
6 chaired by the acting Graduate School Dean,
7 Martha Peterson, for Medicine, and Senate
8 Council's liaison to the Graduate Council
9 this year is going to be Belinda Wilson from
10 Medicine.

11 I got my link today, so, you know, I'm
12 assuming you'll see this, The UK Work-Life
13 surveys. Starting today, it seeks to better
14 understand employee perceptions and
15 experiences about working at UK. Regular
16 faculty and campus staff with full-time
17 equivalent positions and above who joined UK
18 on or before August 16th will receive an
19 email from Willis Towers Watson today with
20 the link to take the survey. The survey is
21 open until Friday, September 24th, so I would
22 encourage you to complete the survey to help
23 provide this understanding of employee
24 perceptions and experiences about working at
25 UK.

Trisha B. Morley, Court Reporter
An/Dor Reporting & Video Technologies, Inc.

1 This is a slide you'll see from me every
2 Senate meeting forever. It's the curricular
3 proposal deadlines for this year. Curricular
4 proposals must be reviewed by the appropriate
5 academic councils, either the Grad Council,
6 the HCCC or the Undergrad Council, and
7 received in the Senate Council Office by
8 December 1st this year. If it's a new degree
9 program proposal, that dates a little bit
10 earlier than it's been historically, because
11 of some external deadlines from the council
12 post-secondary education. And so if you want
13 a new degree program to have a likelihood of
14 being able to launch by Fall 2022, the Senate
15 Council Office needs to receive it from the
16 Academic Council by December 1st.

17 Other proposals requiring Senate Committee
18 review, these are going to be like new
19 certificate programs transfers to the degree
20 or new department changes to credit hours
21 required for graduation, or significant
22 program changes. Things like this that
23 requires Senate Committee review will need to
24 receive by March 1st, and then things like
25 smaller program changes or new courses or

1 minors, these need to come by April 12. So I
2 think I include this in every Senate
3 newsletter. I'll include it in every senate
4 meeting. Just make sure your colleagues are
5 aware of this, because we want to make sure
6 that proposals are received in a timely way
7 so that we can help these programs come to
8 life.

9 The next item on the agenda, our chair and
10 officer reports. So for the chair's report,
11 specifically, I would like to acknowledge
12 Senate Councils' continued input over the
13 summer. Grateful for their ongoing guidance
14 and work. They're incredible. Get to know
15 Senate Council members if you don't already
16 know them, and make sure you communicate with
17 them about things that are happening, to help
18 them be more effective at representing you.
19 The Senate Rules and also the Senate Council
20 authority to take some actions on behalf of
21 the Senate, as long as they're reported to
22 the Senate. So right now, I'm reporting to
23 you actions that I've taken as Chair on
24 behalf of the Senate Council and Senate, so I
25 -- you know, the Senate approves a calendar.

1 I changed the K Week date for Fall '21. They
2 were actually supposed to start on Thursday,
3 August 19th, not Wednesday, August 18th. And
4 so I approved that change to the academic
5 calendar to correctly list those dates.

6 I expressed my opinion that proposed changes
7 to Administrative Regulation 5:4 and 5:5 did
8 not need formal Senate Council or Senate
9 input beyond comments from the Senate
10 representatives on the Regulations Review
11 Committee. Specifically, these were
12 regulations related to the appointment and
13 training of Graduate Medical Education for
14 residents and fellows, and their appeal
15 procedure for Graduate Medical Education
16 residents and fellows, so these needed to be
17 updated may to onboard the next group of
18 residents and fellows. The nature of the
19 changes that were made to these errors were
20 not significant enough to require sort of a
21 larger conversation about them and I was --
22 was the opinion that I expressed, and so
23 those errors I believe were propagated.

24 I approved a non-standard calendar request, a
25 one-time, non-standard calendar request for

1 NRE 320 over the summer. This is a course
2 for Natural Resources and Environmental
3 Science students studying away due to
4 COVID-19 scheduling issues. Kept a handful
5 of students from participating in the regular
6 courses for Robinson Forest or in Costa Rica,
7 and so I put it on standard calendar to allow
8 these students to take the course over the
9 summer.

10 I approved a waiver of language in SR 5.5.2.2
11 about GPA calculation for degree honors for
12 PharmD 2021 cohort. The 2015 curriculum
13 redesign contains several courses designated
14 as Pass/Fail, which reduced the minimum
15 number of quality hours that could be used
16 effectively in Latin Honors calculation.
17 This waiver allowed the standard historical
18 calculation method involving earned hours
19 versus quality hours to be permitted for the
20 purpose of determining the honor status for
21 the 21 cohort. And we've asked them the
22 PharmD faculty to develop a proposal to the
23 Senate to resolve this issue permanently.
24 And I understand that that proposal is coming
25 shortly, and it will come to the Senate.

1 For the Fall '21 semester only, and only
2 reasons are for reasons related to the
3 pandemic, I delegated authority for temporary
4 DL curricular approvals to the local
5 educational unit administrator on behalf of
6 the unit faculty. So if a course is to be
7 listed as a DL or Distance Learning course,
8 it requires academic approval, curricular
9 approval from the Senate that it follows a
10 typical process where the department faculty
11 approve it, and that goes on through the
12 college faculty and then onto one of the
13 academic councils, and then finally the
14 Senate approves it through a web transmittal.
15 For this semester, that authority was
16 delegated to the local educational unit
17 faculty is represented by the local
18 educational unit administrator and that
19 action to be reported to the Senate Council
20 Office. That does not mean of course that
21 every course to be listed that way, it's not
22 enough, it is necessary condition for the
23 academic approval to be there, but it's also
24 administratively required that somebody
25 actually enters the course in that way.

Trisha B. Morley, Court Reporter
An/Dor Reporting & Video Technologies, Inc.

1 And so, the Senate delegated that approval,
2 the curricular approval, from an academic
3 standpoint to the unit faculty that if the
4 courses aren't listed that way, that's an
5 administrative issue.

6 The chair also waived SRS related to the
7 calculation of GPA for degree honors for the
8 JD 2021 cohort this is similar to the issue
9 with the PharmD cohort. They requested that
10 three students in the dual degree programs,
11 earning undergraduate and JD Degrees to be
12 evaluated with respect to the earned hours
13 required for their particular JD, rather than
14 the traditional 90 hours JD requirement, that
15 students in the dual degree program have a
16 slightly smaller number of hours.

17 When the pandemic resulted in all Spring 2020
18 law courses being graded on a Pass/Fail
19 basis, there were three dual-degree students
20 who had slightly fewer graded hours and they
21 would need to qualify for Latin Honors on the
22 traditional metrics, despite GPS that we
23 qualify them for this recognition, and so I
24 waived the SRS. For this day I'm also
25 preparing a proposal to sort of rectify the

1 situation long-term, which I understand will
2 mirror the PharmD proposal.

3 I approved clerical changes to laws, 2021,
4 2022 calendar, there were some typos where
5 Fall '20 should've said '21, and Spring '21
6 should have said Spring '22. I approved the
7 clerical change to the '21 summer session for
8 the graduate school calendar, the last day
9 for candidates to submit a final thesis or
10 dissertation wasn't correct, and so that date
11 got updated over the summer. I also approved
12 clerical changes to the Fall '21 calendar,
13 the originally approved calendar showed
14 Friday and Saturday as commencement days, but
15 the fall commencement's only the one day on
16 the Friday. So those are actions I took on
17 your behalf over the summer.

18 Then Senate Council took a few more actions
19 that also must be reported too, and so the
20 Senate Council approved proposed changes to
21 the 2021, 2022 PharmD calendar, which
22 involved changes to start and end of various
23 rotation blocks.

24 The Senate Council also approved two late
25 additions to degree lists on August 30th,

1 ordinarily request for late additions to the
2 degree list are going to be heard by the full
3 Senate by you, but in September, the board
4 met before the Senate, the Board of Trustees
5 meeting was last week, so the alternative to
6 the Senate Council acting that would have
7 been to schedule a special Senate Meeting for
8 those two students. So Senate Council acted
9 on your behalf, so these both were approved
10 by the board on Friday.

11 So specifically, Senate Council approved a
12 late edition for Gatton College of Business
13 Economics student, who completed the
14 requirements for a second degree of CBA in
15 Finance, and the requirements were completed
16 prior to the graduation date, but the
17 application for that degree was not entered
18 due to an administrative error.

19 Senate Council also approved adding a College
20 for Education student who has misadvised to
21 retake two classes in this current semester
22 in Fall '21, without being required to retake
23 these classes, they've completed all the
24 requirements for a master's degree in
25 rehabilitation counseling, and so the program

1 faculty voted unanimously to approve that
2 petition and the graduate school stated that
3 would accept her final exam, so Senate
4 Council approved that student as well. And
5 then both of those items have -- were
6 subsequently approved by the board on Friday.
7 The Senate Council sent a formal response of
8 the strategic plan draft to the president and
9 the Provost. Then, as the president
10 mentioned, Senate Council met with the
11 provost on Wednesday afternoon for a little
12 over an hour. I think he mentioned in his
13 earlier call -- I think he called it a very
14 effective meeting, so we provided detailed
15 feedback to the provost on the strategic plan
16 draft. Very good interactions and
17 discussion. We anticipate another such
18 meeting after the next strategic plan
19 iteration.

20 The QEP, the Quality Enhancement Plan,
21 associated with the SACSCOC reaffirmation,
22 the reaffirmation or institutional
23 accreditation remains a concern. SACSCOC
24 intends it to be an institution-wide
25 initiative with broad faculty support. The

1 provost indicated on Wednesday, when we met
2 in the special session with him last week,
3 that the QEP timeline would not be as tight
4 as the strategic planning timeline, so, you
5 know, we'll report back to the Senate Council
6 about the QEP timeline.

7 We're aware of a QEP Committee that's been
8 formed, and we've asked about the membership
9 and look to hear about that soon. We do
10 understand that UK will hire a consultant, I
11 think to help with some of the reaffirmation
12 concerns, but that there should be plenty of
13 time for robust engagement on the QEP, so we
14 look forward to that.

15 Expect an email notice from the Senate
16 Council Office next week regarding proposed
17 changes to AR 1:5, this is the Substantive
18 Change Policy that we're required to have for
19 SACSCOC. This will be reviewed by a Senate
20 Council on September 20th, but we want to
21 make sure to give the senators an opportunity
22 to weigh in. So Senate Council will hear
23 about it. It'll get sent out. If you have
24 feedback, you'll provide it to the
25 appropriate person. They can decide how to

1 incorporate that, or if it needs to be
2 incorporated that into the presence
3 Administrative Regulation 1:5.

4 There was a cyber intrusion incident
5 involving the College of Education several
6 weeks ago. Involved a compromise with about
7 350,000 records. Concern was expressed from
8 Senate Council about the coupling support
9 units from the areas they serve. So,
10 specifically, you know, there were IT Staff
11 in the College of Education that were going
12 to be moved from there.

13 The provost has worked to ensure that
14 education IT Staff will continue to reside in
15 and serve the college, so we're grateful for
16 his response to that concern. They will
17 report centrally, so to Center ITS with the
18 reason of given enhancing capacity of the
19 staff providing backup support opportunities
20 and also compliance oversight. So this is an
21 ongoing sort of concern about making sure
22 that the educational units that are doing the
23 teaching research and service missions
24 continue to have the appropriate support that
25 they need to do those missions.

1 The last one, I think there was a notice sent
2 over the summer that some faculty members
3 will be losing access to student records,
4 including transcripts in September. The note
5 indicated that access would be granted based
6 on having completed some proper training, and
7 also having a need to access.

8 And so I asked about this, who makes the
9 determination about a faculty member's need
10 to access, because many activities faculty
11 members perform every day are somewhere on
12 the mentoring-advising spectrum, and its
13 faculty have a need to access this
14 information regularly for a lot of reasons.
15 And I wanted to know who would understand
16 that that would be able to decide on this
17 need to access, and I still don't have an
18 answer to this question. I'm going to
19 continue to follow up on it, but this is
20 something that I think is pretty important
21 for faculty to be able to support student
22 success in a meaningful way.

23 The next item on the agenda is the Vice
24 Chairs Report, so I will turn it over to Vice
25 Chair DeShana Collett.

1 COLLETT: Thank you, Chair Cramer. So it's time for us
2 to do the Outstanding Senator Award. This
3 was created by Senate Council back in 2011.
4 The award recognizes the Senator or Senators
5 who have an exemplary service record and you
6 have made an outstanding contribution and
7 commitments to the University Senate.
8 The criteria was reevaluated in March of
9 2017, so it would allow or expand the award
10 eligibility to include recognition of more
11 than one Senator and also recognition of
12 former senators as well as our current
13 senators.
14 So the criteria for selection include
15 actively exemplary service on one or more
16 Senate Committees during their tenure, and
17 the individual has been effective in
18 representing and communicating important
19 faculty issues to the Senate, and they must
20 have a proven track record of being a voice
21 and an advocate for shared governance.
22 This year's awardee has been a continuous
23 member of the University Senate since 2010,
24 this individual has been elected and served
25 two full three-year terms to the Senate

Trisha B. Morley, Court Reporter
An/Dor Reporting & Video Technologies, Inc.

1 Council where she continued to advocate for
2 shared governance and support the Senate's
3 broad agenda and goals.

4 This individual has also shown exemplary
5 service and made substantive contributions on
6 many Senate Committees, including ten years
7 of service as a member of SREC where she has
8 been instrumental in providing meaningful
9 interpretations and revisions of our Senate
10 Rules. This individual has been consistently
11 a strong voice and a representative of
12 faculty viewpoint during her past and current
13 service.

14 So the 2021 outstanding Senator award goes to
15 Gail Brion, Professor in the College of
16 Engineering Department of Civil Engineering.
17 Normally, we would do this in person and
18 provide Gail with an award, and I can't see
19 her from my screen, but she is well-deserving
20 of this award and more.

21 BRION: Thank you.

22 CRAMER: Certainly. Yeah, Gail unmute yourself so we
23 can see you. There you are.

24 BRION: Thank you. Most unexpected, and I can think
25 of many others who deserve this recognition

1 but thank you very much.

2 CRAMER: Thank you, Gail, and thank you, DeShana. The
3 next item is the Parliamentarian's Report.
4 Clayton, are you ready?

5 THYNE: Yeah. Can you hear me, Aaron?

6 CRAMER: Yes.

7 THYNE: So I'm going to be very brief on this. I
8 appreciate being given the opportunity to do
9 this, though I was a bit reluctant to take on
10 the job. There are probably a lot of people
11 on the call that know Robert's better than
12 me, but I'll do my very best to help Aaron
13 run these meetings effectively.
14 The only really kind of point I want to point
15 out is just reiterating what Aaron said in
16 terms of the -- my final point here: The
17 point of information. Just make sure you
18 speak up if you don't know what's going on.
19 I recall when I was a new Senator -- and
20 there's a bunch of new senators on the call.
21 It's really easy to get confused, and we have
22 a tendency to mention, you know, meetings
23 that happened in the past or administrators,
24 you don't know who they are. So it's not
25 rude to interrupt a point of information is

1 that it's not a motion. It's not weird. You
2 can actually raise your hand at any point and
3 just speak up.

4 So please help Aaron run the meeting
5 effectively by letting him know if you don't
6 know what's going on. If you forget a point
7 of information, that's fine. I'm sure Aaron
8 will be fine if you just sit, raise your
9 hand, say, "Hey, I have no idea what's going
10 on."

11 CRAMER: Thank you, Clayton. Trustees Report. This
12 is where we hear from our faculty trustees.
13 Lee.

14 BLONDER: Thank you. Trustee Swanson can't be here
15 today. She's teaching, so I'll give the
16 trustee report. The Board of Trustees met
17 last Thursday and Friday, and if you want to
18 see the agenda and many of the meeting
19 documents there on the website. The
20 Executive Committee discussed the President's
21 Evaluation Process and the board
22 self-evaluation, and we will continue to
23 discuss this at the October retreat, which is
24 mid-October.

25 We also approved the additions to the degree

1 list as Aaron mentioned, and we heard several
2 reports, the provost conversation today at
3 noon discuss some of the things he talked to
4 the board about. We voted to approve the
5 appointment of Dr. Katrice Albert as Vice
6 President for Institutional Diversity,
7 effective September 27th.

8 The Healthcare Committee Report, we discussed
9 the ongoing COVID prices as of Dr. Newton's
10 report on September 10th. 135 patients are
11 hospitalized with COVID, of those 16 percent
12 are vaccinated. 50 patients are in the ICU,
13 10 percent vaccinated, and 38 are on
14 ventilators, 5 percent vaccinated. We
15 reviewed in that committee the 2025 strategic
16 plan, which includes the need to patient
17 access and efficiency of clinical services.
18 Plans include increasing primary care by
19 creating a network of services, and plans are
20 also underway to construct a new
21 comprehensive cancer facility.

22 The Investment Committee also had a retreat,
23 healthcare and investment had retreats. Our
24 current endowment now exceeds \$2 billion
25 after a 27 percent gain this past year. We

1 reviewed a presentation by our new investment
2 consultant, Cambridge Associates, who has
3 considerable expertise working with
4 endowments of a number of private and public
5 universities.

6 But we also reviewed a presentation by one of
7 our funds managers who outlined investment in
8 firms focused on new energy, renewable
9 energy, energy efficiencies, and vehicle
10 electrification. During the board meeting,
11 the President gave an address some of that
12 address he reviewed today in our meeting, and
13 that concludes my report.

14 CRAMER: Thank you, Lee. The next item on the agenda
15 is a Memorial Resolution for Professor David
16 Randall. Past Senate Council Chair David,
17 are you ready?

18 DAVID: Ready.

19 CRAMER: Thanks.

20 DAVID: David Clark Randall departed this life on the
21 11th of April this year for metastatic colon
22 cancer. Born in 1945 in St. Louis, Missouri,
23 where his father was a physiologist in St.
24 Louis University, the family later moved to
25 Chicago so his dad could assume Chair of

1 Physiology at Loyola University College of
2 Medicine. Dave was an Eagle Scout who
3 graduated from Maine state school in 1963,
4 Taylor University in Indiana in 1967, and the
5 University of Washington in Seattle in '72.
6 Following in his father's footsteps, he had
7 jumped in a faculty position at John Hopkins
8 after graduate school, and three years after
9 that, in 1975, he accepted a faculty position
10 at UK in the Department of Physiology.
11 Dave actually had two primary appointments,
12 one in physiology, the other in the Center
13 for Biomedical Engineering, now the F. Joseph
14 Hopkins III for biomedical engineering. Dave
15 had an active physiology research program
16 studying cardiovascular function, operating
17 condition, and behavioral aspects of
18 autonomic regulation. His research had
19 direct healthcare applications and biomedical
20 engineering particularly those applied to the
21 environment. He was active until his illness
22 and co-wrote or wrote several textbooks and
23 authored more than a hundred publications and
24 tenaciously secured extramural funding.
25 His myriad multidisciplinary, and

1 multi-institutional collaboration with
2 students, staff, and faculty was a major
3 source of delight. Dave loved teaching and
4 the students, he put as much into it as exams
5 as even his lecture. He often said it took
6 him 45 minutes to write each exam question so
7 that he had the correct discriminators to
8 produce a great distribution, mimicking a
9 normal curve.

10 He was a member of fabulous master's or
11 doctorate, medics, and would read every draft
12 of a dissertation in its entirety. This, he
13 considered one of its most important, yet
14 enjoyable responsibilities. For 35 years he
15 also taught a night class of physiology at
16 Asbury University. His passion for students
17 extended beyond the classroom as he
18 frequently invited students to his home or
19 his farm.

20 Randall also enjoyed mentoring and helping
21 the faculty. He'd respond at a moment's
22 notice, the full vacancies in the absence of
23 his colleagues. During his more than 43
24 years at UK, Dave served up countless
25 committees in the College of Medicine, as

1 well as the faculty Senate, which he chaired
2 for two years. The library and institutional
3 animal care and immunization committee.

4 He joked that his middle initial "C" stood
5 for "committee" after he received a note to
6 attend a meeting of a committee he didn't
7 even know he was a member. He was a past
8 president of the International Pavlovian
9 Society. Dr. Randall was clearly a man of
10 strong faith. He was the advisor -- faculty
11 advisor for the student chapter of the
12 Christian Medical and Dental Association
13 during his entire stay in UK. He loved
14 teaching Sunday school at his church where he
15 served as an elder.

16 Dave was a voracious reader, mostly
17 non-fiction, American, European, and ancient
18 history. He researched physiology and as
19 well as his family tree and dated it back to
20 the 16th century. He loved farming, horses,
21 photography. He was a licensed ham radio
22 operator, as well as a licensed pilot. He
23 loved traveling his pet snapping turtles and
24 getting to know people from all walks of
25 life. Surviving him or his wife, three sons,

1 four grandchildren, and a sister.

2 CRAMER: So that's a resolution offered by David.
3 David's not a Senator, so he can't offer the
4 resolution. Would somebody like to offer the
5 resolution? Kaveh, I see your hand up.

6 TAGAVI: I will offer a resolution, and I also would
7 like to make a comment when you think it's
8 appropriate.

9 CRAMER: Okay. Is it on this item, or...

10 TAGAVI: On this item.

11 CRAMER: So a motion from Kaveh to accept this
12 resolution. Is there a second? DeShana?
13 DeShana seconds. I suppose maybe not debate
14 on the resolution, but, Kaveh?

15 TAGAVI: Yes. I just want to mention that David
16 Randall was vice chair when I was chair of
17 Senate Council. We often did not agree on
18 academic or even social matters, but he
19 always treated me with integrity and
20 compassion. I could trust him 110 percent
21 and he was always willing and ready to serve
22 this University. This is a big loss and I'm
23 very saddened.

24 CRAMER: Again, not really debated, but is there other
25 debate on this motion? If not, then voting

1 senators, if you'd like to vote yes on this
2 motion to adopt this Memorial Resolution,
3 please use the "raise hand" feature in Zoom
4 now and leave your hand up.

5 If you'd like to vote no on the motion to
6 adopt the resolution, please use the "raise
7 hand" feature now.

8 If you'd like to abstain on the resolution,
9 please use the -- on the motion to adopt the
10 resolution, please use the "raise hand"
11 feature now.

12 The motion passes and the resolution is
13 adopted. I'd like to take a moment of
14 silence now.

15 Thank you, David, for bringing this
16 resolution to us.

17 The next item on the agenda is a proposal.
18 It's a proposed change to Senate Rule 2.1.3
19 about academic holidays. This is actually a
20 proposal from the Senate Council to the
21 Senate. An issue was identified by the Rules
22 Committee that Senate Council decided, hey,
23 this is the most obvious way to resolve this
24 concern, but it's a change to the Senate
25 Rules and so the Senate Council need to bring

1 that to the University Senate specifically
2 the annual calendar that the Senate approves,
3 as regularly described the Saturday after
4 Thanksgiving as an official academic holiday,
5 which would mean that like assignments
6 couldn't be due and things like this. You
7 couldn't have a class on a Saturday after
8 Thanksgiving.

9 Senate Rules do not explicitly include this
10 state as an academic holiday, the
11 recommendation from the Senate Council to the
12 Senate is to change Senate Rule 2.1.3, to
13 codify the Saturday after Thanksgiving as an
14 academic holiday.

15 Are there any questions about this proposal?
16 Seeing none, this is a motion from the Senate
17 Council. It doesn't need a second. Is there
18 any debate on this motion? Alan? Alan, are
19 you debating or voting? Maybe voting.

20 Okay. Bob, are you debating or voting?

21 GROSSMAN: Debating. Actually, looking at the proposed
22 change, it says the Wednesday immediately
23 before Thanksgiving Day is designated as a
24 Thanksgiving break and the Saturday after --
25 oh, never mind. I see. It's something in

1 the previous paragraph. The Friday following
2 Thanksgiving Day was what I was going to ask
3 about. That's in the preceding paragraph, so
4 never mind.

5 CRAMER: Well, seeing no further debate, if you'd like
6 to vote in favor of the motion of recognizing
7 the Saturday after Thanksgiving as an
8 academic holiday, please use the "raise hand"
9 feature now.

10 If you'd like to vote against the motion,
11 please use the "raise hand" feature now.

12 If you'd like to abstain on the motion,
13 please use the "raise hand" feature now.

14 That motion passes.

15 The next item is an item brought to us by the
16 Registrar. The Registrar identified the need
17 for a placeholder course for students that
18 have consortium agreements on file for a
19 given semester. UK is required to have a
20 mechanism to track hours taken at the outside
21 institution and apply them to the student's
22 record.

23 When the student completes the course, this
24 course will be removed from that student's
25 transcript and the course that transfer

1 credit from the other institution would be
2 added to the transcript instead. This is a
3 temporary notation on the student's
4 transcript indicating that -- indicating
5 their current status in this semester.
6 The course will not appear and will be
7 removed upon the completion of the consortium
8 agreement. This item came to us from the
9 Registrar Kim Taylor, Senate Council agreed
10 that this should be brought to the Senate for
11 approval of construction of this course for
12 this purpose.

13 Are there any questions about this proposal
14 that's been brought to the Senate from the
15 Senate? Kaveh.

16 TAGAVI: Just a point of clarification. This course
17 is -- if I recall correctly, I don't see it
18 on this screen. What is the POS599?

19 CRAMER: I think the number was like CONS599.

20 TAGAVI: CON? So does this contemplate that there
21 might be a course called ME599, or there is
22 no problem with other departments using 599?

23 CRAMER: I don't think this would interfere with any
24 department unless there was one that was
25 using the prefix CONS.

1 TAGAVI: Okay. Thank you.

2 CRAMER: Any other questions about the proposal? If
3 not, the motion comes from Senate Council, it
4 doesn't require a second. Is there any debate
5 on this motion?

6 Seeing none, if you'd like to vote in favor
7 of this motion, please use the "raise hand"
8 feature.

9 If you'd like to vote against the motion,
10 please use the "raise hand" feature now.

11 If you'd like to abstain, please use the
12 "raise hand" feature now.

13 That motion passes.

14 The next item is another item from Senate
15 Council. This is unusual. Normally, I would
16 not be bringing so many items to you.

17 Normally, they would come from our committee
18 chairs to have so many coming from Senate
19 Council. But at the beginning of the
20 pandemic, Senate Council made an informal
21 interpretation of the Senate Rules regarding
22 excused absences. Specifically, it found
23 that quarantine fell under the policy related
24 to a significant illness.

25 Senate Council reauthorized the use of this

1 interpretation again for this coming year,
2 again for the coming year only. It appears
3 that it would be cleaner perhaps to have
4 Senate go ahead and include this within our
5 policy more explicitly by adopting the
6 proposed changes to SR 5.2.5.2.1.

7 If we're coming out of the pandemic, maybe we
8 won't need it again for another a hundred
9 years, but if this continues with us for some
10 time, it will be useful for a Senate to have
11 made this clear and its policy on excused
12 absences.

13 Are there any questions about the proposal
14 here from Senate Council? Kaveh.

15 TAGAVI:

16 So I see the rationale for this proposal or
17 addition. After all, if a student is told to
18 quarantine, obviously they are not able to
19 attend in-person interactions. However,
20 quarantining doesn't nearly affect in-person
21 attendance. It may also affect studying with
22 peers, attending office hours, going to
23 places with Wi-Fi, going to tutoring
24 services, et cetera, et cetera, et cetera.
25 So it's my understanding quarantining is
usually, I don't know, ten days, two weeks.

1 It's a matter of in that order. My question
2 is this: Has it been ever considered to
3 simply declare that activities during ---
4 whether in person or not, activities during
5 the mandated period is excused?

6 And lastly -- and I think this is the
7 rhetorical question. Has the academic ombud
8 been consulted or asked to give an input on
9 this, because it does affect a lot of
10 concerns between students and instructors?

11 CRAMER: So that may be a rhetorical question from our
12 past ombud. The answer I would give is that
13 this excuses students from required in-person
14 interactions if they're ordered to
15 quarantine, so that's going to be required
16 interactions. If they can access other
17 services, they can, if they're sick and can't
18 do those other things, then they're covered
19 under the excused absence due to actually
20 being ill, as opposed to being quarantined,
21 which is an order to stay away; right?

22 So I think my sense is that the
23 interpretation covers the case that you
24 mentioned first. I would certainly confess
25 that we did not speak to the ombud,

1 specifically about this, but believe that
2 since we had walked through a year, perhaps,
3 with -- beyond, but not calling me and
4 telling me this was not working, that perhaps
5 this was --

6 TAGAVI: With all due respect, Aaron-- Mr. Chairman, a
7 student might not be sick, but ordered to
8 quarantine and then they cannot do studying
9 as well as otherwise. Meanwhile, there's
10 going to be a quiz, perhaps even online. I
11 just want to know if you give consideration
12 to say, look, if you are ordered to be
13 quarantined, during that quarantine days, 10,
14 14, whatever it is, any activity that is not
15 met whether in person or not will be
16 considered excuse. It is cleaner, but I just
17 want to know if you gave consideration to
18 that.

19 CRAMER: I -- when Senate Council first did, of course
20 -- this might be it. We're on the verge of
21 debate here. Maybe we should wait until the
22 motion's on the floor. But when the
23 interpretation was first made, it was
24 considered that if a student required
25 in-person interactions covers that sort of

1 things that you're saying, if I can't meet
2 with the study group, that's a required
3 in-person interaction, or if it's something
4 along these lines can't access some required
5 study materials that I can only access in
6 person, that there was a difference between
7 quarantine, which is a healthy person being
8 excluded from physically being on campus
9 versus an illness which is already covered
10 under our Senate Rules which involves
11 somebody that actually can't do those things
12 because perhaps they're incapacitated by
13 their illness.

14 So let's come back to the question if you
15 think it needs amendment during the debate
16 when the motions on the floor. Christian
17 Brady.

18 BRADY: Christian Brady, Arts, and Sciences. It may
19 just be an error of how the PDF was produced,
20 but on page 2, the second asterisk under 5,
21 it says "Pursuant to SR -- error. Reference
22 source not found, 6.1.1," which -- Section 6
23 1.1.1 syllabi does exist. So I just wondered
24 if that was simply a sort of a PDF production
25 error.

1 CRAMER: I believe that you have that right. Our
2 Rules Committee helpfully added all of the
3 cross-referencing, but if we're not careful,
4 when we copy and paste out of that, we'll
5 lose the references for those
6 cross-references and that appears to be what
7 happened. Of course, our Rules Committee
8 within their scope and authority has the
9 ability to fix that, so when we -- if we
10 adopt this change, they can fix that when
11 they incorporate it. Bob Grossman.

12 GROSSMAN: Bob Grossman, ANS. First of all, to address
13 Dr. Brady's question, yes, it's -- when you
14 have hyperlinks in a Word document and you
15 copy a section of Word document, and you
16 don't have the hyperlink included, then you
17 get that error message, so it's just that
18 effect of copying from a Word document.
19 I would like to address -- well, maybe this
20 is more for the debate section, but I would
21 like to address COVID concerns. First of
22 all, one thing, Aaron -- you addressed most
23 of them very well, but one thing that you
24 didn't mention is that an excused absence
25 doesn't excuse a student from eventually

1 doing the work. It just -- it would excuse
2 the student-- if a student has an excused
3 absence, they're supposed to work with the
4 professor, the instructor, to develop a way
5 for making up the work that was lost, that
6 wasn't done on time.

7 And so if a student's quarantined and they're
8 healthy and they can do work, for example,
9 they can attend lectures by watching at the
10 Echo360 recordings if those are being
11 offered, they can participate in Zoom
12 sessions if those are being offered, but if
13 there's things that they can't do during the
14 quarantine period, because of the quarantine
15 this -- the acceptance of this as excused
16 absence, doesn't excuse them from doing the
17 work at all, it just means that they'll do
18 the work, or make up the work later in a way
19 that's mutually acceptable to the instructor
20 and the student. That's true of all excused
21 absences. We're just trying to include among
22 those excused absences, something that was
23 due to all of us last year, which is the need
24 for quarantine.

25 CRAMER: Roger. You're muted, Roger.

1 BROWN: So quarantine seems like it's a pretty
2 complicated process for some students. I'm
3 just thinking of the case where you have
4 three roommates; you need to quarantine so
5 you have to find another place to go, which
6 may not have internet. And to some of the
7 issues that Kaveh raised about taking
8 advantage of the same opportunities that
9 other students have, or are not restricted by
10 their movements for studying in person and so
11 forth. I just wonder, it seems like it would
12 work in the best interest of the student to
13 complete as many of the assignments as they
14 can, while they're in quarantine, but it
15 seems like it would be left up to the
16 discretion of the student, that wouldn't be
17 such a bad thing, for instance, in this
18 motion, if we just removed the term
19 "in-person" and left it that way.

20 CRAMER: So it sounds like you guys have a potential
21 amendment to offer once we put this motion on
22 the floor.

23 BROWN: Yes.

24 CRAMER: Are there other questions of fact though,
25 we're not debating the motion itself, which

1 is not on the floor yet. Any other questions
2 about the proposal itself? If not, we have a
3 motion from the Senate Council, it requires
4 no second.

5 Is there a debate on this motion, which would
6 also include the ability to amend or propose
7 amendments to the motion? Roger?

8 BROWN: Okay. I'd like to just move the -- what I
9 just said to strike the words "in-person" to
10 give students in quarantine more flexibility.

11 CRAMER: Is there a second for Roger's motion? Kaveh.

12 TAGAVI: Second.

13 CRAMER: So we have a motion and a second to amend the
14 proposed language from Senate Council to
15 strike the words "in-person" excusing
16 students from all required interactions
17 during a period of quarantine. Is there any
18 debate on this motion? The motion to amend.
19 Gail.

20 BRION: I would not support this motion because
21 students should be able to attend virtually
22 during their quarantine, especially if
23 they're here on campus. If a student cannot
24 attend virtually, then they should work it
25 out with the professor. I think that this

1 should just be limited for in-person required
2 interactions as would be stated in the
3 syllabus that would be part of the grade that
4 a student receives.

5 CRAMER: Bob.

6 GROSSMAN: Yeah. I agree with what Gail said -- oh, Bob
7 Grossman, ANSWER. We purposely didn't make
8 this to such a wide, to capture all types of
9 interactions because the -- we just wanted to
10 get at the interactions that the quarantine
11 was guaranteed to prevent students from
12 participating in.

13 I would remind everyone that if it's a case
14 of student's roommates have to go into
15 isolation or quarantine, and the student is
16 displaced as to go somewhere where they don't
17 have access to the required interactions at
18 that is all -- can all be handled under the
19 current rules where they -- absences at the
20 discretion of the instructor can be excused.
21 So I think those are unusual cases and we've
22 all seen unusual cases over the years where a
23 student has, you know, has -- there's
24 something that's prevented student from
25 interacting that -- those kinds of things

1 will be handled there, but specifically, the
2 quarantine specifically prevents in-person
3 interactions, so that's what we wanted to get
4 at the students who've had to quarantine did
5 not -- were not penalized for that order.

6 CRAMER: Calvert, Ken Calvert.

7 CALVERT: Ken Calvert, College of Engineering. I just
8 wanted to plus-one what Gail and Bob said. I
9 think instructors in the case of any excused
10 absence, the student's going to talk to the
11 instructor about making up the work, and I
12 think this can all be covered under that.

13 CRAMER: Shannon Oltmann.

14 OLTMANN: Thank you. I'm Shannon Oltmann, College of
15 Communication and Information. You know,
16 some instructors don't put their lectures
17 online or their lecture notes online, so
18 instructors are not very accommodating when
19 it comes to students. I prefer to give
20 students more leeway and more cushion, so I
21 support the amendment.

22 CRAMER: Kaveh.

23 TAGAVI: The problem is at the discretion of the
24 instructor. If a student is ordered to
25 quarantine, I consider this, they are already

1 on their -- a lot of stress, they have to
2 study, they might not have Wi-Fi, they might
3 use to go to Starbucks for their Wi-Fi to
4 contact or the university library to do
5 research.

6 There are some research, if this is a plant,
7 plants department, you have to go out to look
8 at the nature, not as a requirement, but as a
9 way of performing well. There are many
10 things that if a person has to quarantine,
11 they will -- they might not be able to do.
12 And I think the most humane thing to do would
13 be, if you're ordered by the university to
14 quarantine, then any activity during that
15 time should be unexcused and not at the
16 discretion of the instructor.

17 CRAMER: Tad Mutersbaugh.

18 MUTERSBAUGH: Yeah. I completely agree with that last
19 assessment. You know, it seems that students
20 should receive completely the benefit of the
21 doubt here. I don't think that we, you know,
22 why should we bother trying to second guess
23 students who have actually been sent to
24 quarantine. I think those are official
25 decisions and they're not taken lightly, and

1 so we can just accept those official
2 designations because it can be
3 psychologically very difficult for students.
4 I mean, we know full well from this pandemic,
5 people have committed suicide from
6 quarantine. This is a really difficult type
7 of thing, and I don't think that, you know,
8 kind of negotiating with professors is in the
9 best interest of either professors or
10 students, so I support the amendment.

11 CRAMER: Ken Calvert.

12 CALVERT: Ken Calvert, College of Engineering. I have
13 to react to that last statement. If students
14 can't talk to their professors, I think
15 that's a serious issue, but since I would --
16 tell me if I'm out of line, out of order
17 here, but I'd like to call a question on the
18 amendment.

19 CRAMER: That's a motion to call a question or to in
20 debate on the amendment. Is there a second
21 for that motion?

22 BRION: Second, Gail Brion.

23 CRAMER: So this a motion to call the question.
24 Clayton, is this debatable? I think it needs
25 a two-thirds, majority. I think it shouldn't

1 be debatable, otherwise, we're just debating
2 somewhere.

3 THYNE: You're right, it's not debatable. Requires
4 two-thirds.

5 CRAMER: So if you'd like to vote to call the question
6 in debate and just stop talking about the
7 amendment, use the "raise hand" feature now.
8 If you'd like to vote no and continue
9 debating about the amendment, please use the
10 "raise hand" feature now.

11 If you'd like to abstain on the question of
12 calling the question, please use the "raise
13 hand" feature.

14 That motion passes. So debate is ended on
15 the motion to amend the language by striking
16 out the words "in person, in required
17 in-person interaction, so if you'd like to
18 vote yes on this amendment to strike out
19 those words, please use the "raise hand"
20 feature now.

21 If you'd like to vote no on the amendment to
22 strike the words "in person", use the "raise
23 hand" feature now.

24 If you'd like to abstain on the amendment to
25 strike out "in-person", use the "raise hand"

1 feature now.

2 That motion passes. So now we're debating on
3 the amended motion. It's the motion from
4 Senate Council with the words in-person"
5 struck out. Is there any further debate now
6 on the amended motion?

7 Seeing none, if you'd like to vote yes on the
8 amended motion to include excuse from
9 required interactions for students ordered to
10 quarantine, please use the "raise hand"
11 feature now.

12 If you'd like to vote, no on the amended
13 motion, please use the "raise hand" feature
14 now.

15 If you'd like to abstain on the amended
16 motion, please use the "raise hand" feature
17 now.

18 The motion passes as amended.

19 I would now like to ask to place items eight
20 and nine of our agenda on old business for
21 the next agenda and move on to item ten. If
22 there are no objections to arranging the
23 agenda this way.

24 Seeing no objections, we will hear the
25 Academic Facilities Committee Report in our

1 October meeting as well as the Ombud's Report
2 in the October meeting, and we'll move on to
3 item number ten, which comes to us via Senate
4 Rule 1.2.3.3 on agendas and action items this
5 is an item place on this agenda via ten
6 senator's signatures. I will allow Molly
7 Blasing to introduce the resolution.

8 BLASING:

9 So I'm making a motion. Yes, I'd like to
10 make a motion that we consider a resolution.
11 I'm calling for a vaccine mandate at UK, and
12 I'm placing the text in the chat if you'd
13 like to follow along, and I'll read it out
14 now.

15 "Whereas on August 23rd, 2021, the FDA
16 granted full approval of the Pfizer-BioNTech
17 COVID-19 vaccine. Whereas the FDA approval
18 has led to new vaccination requirements at
19 hospitals, colleges, universities, the
20 federal government, and private companies
21 across the United States. Whereas on
22 September 8th, 2021, the Commonwealth of
23 Kentucky reached its highest COVID-19
24 positivity rate, 14.17 percent since the
25 start of the pandemic.

Whereas the Delta variant of the COVID-19

1 virus is much more contagious and is
2 affecting more young people in our
3 communities than the original strain.
4 Whereas hospital intensive care units across
5 the Commonwealth are at or near capacity.
6 Whereas as of September 13th, 2021, 1023
7 other colleges and universities in the United
8 States already require vaccinations,
9 including other flagship state universities,
10 such as the University of Michigan at Ann
11 Arbor, Ohio State University, and Indiana
12 University, and four institutions in
13 Kentucky; Transylvania University, Bellarmine
14 University, Berea College and Centre College.
15 Whereas public health and immunology experts
16 at UK, believe that population immunity
17 against the Delta variant can only be
18 achieved when we reach 90 to 95 percent
19 vaccinated. Meaning that our current 81.5
20 percent vaccination rate as of this past
21 Friday still presents conditions that
22 jeopardize the health, welfare, and lives of
23 people on campus and in our local community,
24 particularly children under 12 and others at
25 increased risk.

1 Whereas some students, faculty, and staff on
2 our campus are already subject to a vaccine
3 mandate. Whereas as of September 13th, 2021,
4 over 2300 members of the UK Community have
5 signed an open letter in support of a vaccine
6 mandate. And whereas the University of
7 Kentucky, the flagship university of the
8 Commonwealth has a longstanding legacy of
9 playing a leadership role in Kentucky on
10 issues of health, education, agriculture,
11 law, and many other fields that impact the
12 citizens of the Commonwealth.

13 On this particular issue of health policy,
14 the University of Kentucky has a
15 responsibility to lead. Be it resolved that
16 the University Senate calls on President
17 Capilouto to issue an immediate vaccination
18 mandate for eligible University of Kentucky
19 students, faculty, and staff. And that's
20 such a mandate be implemented in a fair and
21 equitable manner with input from the
22 University Senate, Staff Senate, and other
23 impacted stakeholders."

24 CRAMER: So we have a motion from Senator Blasing. Is
25 there a second for this motion? Akiko

1 Takenaka.

2 TAKENAKA: I second.

3 CRAMER: So we have a motion that the University
4 Senate adopt the resolution that Molly just
5 read to us, and the motion has been seconded.
6 Is there debate on this motion? Herman.

7 FARRELL: Yes, Herman Farrell, College of Fine Arts.
8 I'm speaking in favor of the vaccine mandate.
9 I believe this is probably the most
10 controversial and consequential vote that
11 I've ever taken as a Senator. I have been on
12 the Senate for over a decade. President
13 Capilouto just said to us all that, and he's
14 been saying over the last several weeks and
15 over the last year, that vaccines are
16 basically effective. He said we all want the
17 same thing. He said as many people as
18 vaccinated as possible is that same thing
19 that we all want. And so I'm just asking
20 that all of the members of the Senate will
21 vote to make that happen by supporting a
22 requirement of vaccination.
23 We know that since 1905, the United States
24 Supreme Court has basically supported vaccine
25 mandates across the country. We know that

1 the vaccines requirements or vaccine rates
2 were going up until the summer, and as the
3 summer came along, there were things that
4 came in the way and it was basically politics
5 and infused with that misinformation, and
6 that did slow the trajectory of vaccinations
7 across the country.

8 Our President Capilouto says that vaccine
9 mandates can be considered to be polarizing.
10 And that is true. The question must be
11 raised: Who's doing the polarizing and what's
12 their motive behind it? If we really look at
13 this, when we think about our own flu vaccine
14 mandate, there was no polarization.

15 Most of us have put our children through
16 schools, K through 12 of vaccine
17 requirements, no polarization, and UK
18 HealthCare just did it. I'm very curious to
19 know what their actual numbers are, because
20 we didn't get the answer from the president
21 or from the administration, but they did put
22 in a mandate, and it was not as polarizing as
23 we're being told it could be.

24 Our job as a flagship and as a R1, and as a
25 land grant institution, is to provide

1 information, knowledge, new thinking, new
2 technologies, and new medicines and cures to
3 members of the Commonwealth in a variety of
4 fields that are mentioned in the mandate --
5 in the resolution. So let's just continue to
6 do that work.

7 It's our job to cut through the
8 misinformation and to provide our -- the
9 citizens, not only of our community, but of
10 the Commonwealth with the truth about the
11 effectiveness of vaccinations and the need
12 for them.

13 The FDA has already approved that that was
14 one of the strongest arguments against it,
15 and that's been set aside because the FDA has
16 given permanent approval to the vaccination.
17 So let's just go forward with this as,
18 basically as our own form of seal of approval
19 of vaccinations.

20 And last, I'll just sort of echo what Lee
21 blonder and Gail Brion have already said.
22 The notion of safety and the feeling of
23 safety among faculty and students and staff
24 on our campus is something that we need to
25 really be taking into consideration. Lee

1 Blonder made the point that we're asking the
2 administration to make us all feel safe when
3 we go into those classrooms and we go into
4 those work environments. And so I hope that
5 if we all know that everyone around us is
6 vaccinated because they're required to do so,
7 it'll not only make us feel safer, but it'll
8 actually make us safer. Thank you.

9 CRAMER: I owe Molly an apology. My parliamentarian's
10 already told me today once that I need to
11 call on the mover of the motion first and I
12 just completely didn't do it. Molly --

13 FARRELL: I'm sorry.

14 CRAMER: No, no, that's not -- I looked at the first
15 hand and just went -- yeah, Molly, please.

16 BLASING: Thanks. I had similar points to what Herman
17 said, but I want to just add a few things. I
18 think it's always important to begin by
19 recognizing that UK has done amazing work to
20 place vaccination at the center of our
21 efforts to combat the virus.

22 The efforts to vaccinate over 160,000
23 Kentuckians, it's an enormous accomplishment.
24 And even today we're participating in
25 pediatric clinical trials, which is important

1 for someone like me with two kids who are
2 under 12. We're eagerly awaiting the results
3 of those.

4 The thing that I'd like to emphasize, though,
5 is that in conversations I've had the
6 privilege of having with colleagues across
7 the university in recent weeks, and these are
8 experts in immunology and vaccine efficacy
9 and public health. It's -- and we've seen
10 the administration also understand this;
11 right?

12 President Capilouto has said in his remarks
13 today and recently that 80 percent is only a
14 starting point. But according to our expert
15 colleagues, people like UK immunologist Jerry
16 Woodward, who's devoted his life to studying
17 vaccines because of the virulence, our campus
18 really needs to hit the 90 to 95 percent
19 vaccinated if we're serious about protecting
20 our faculty and staff, their family members
21 and allowing our students, especially
22 immunocompromised students, of which there
23 are many, to continue to safely engage in our
24 classrooms and dormitories and athletics and
25 extracurricular activities on our campus.

1 And so the question, as the President said
2 himself today, is: How do we get there? And
3 this is where we differ. We know that
4 vaccine mandates work. Many public colleges
5 and universities across the country with
6 mandates are hitting the 90 to 95 percent
7 mark, and I wanted to bring a few examples.
8 University of Michigan, 92 percent of
9 students, 90 percent faculty. UC Berkeley,
10 97 percent students, 98.5 percent faculty and
11 staff.

12 Virginia Tech, 95 percent students, 88
13 percent employees. University of Virginia,
14 97 percent students. University of Vermont,
15 100 percent of students. A mandate on our
16 campus will mean that thousands more people
17 get vaccinated in the next four to six weeks.
18 It will make our campus safer and ensure that
19 we can continue our work into the winter and
20 spring semester.

21 Voting for the resolution doesn't mean that
22 you don't value the work our campuses done to
23 increase vaccination, but voting for this
24 resolution signals that you believe a mandate
25 is the most effective and efficient way to

1 boost our vaccination numbers.

2 The resolution provides the administration
3 with an additional tool. It's another sign,
4 in addition to the open letter that they
5 received last week, with over 2,300
6 signatures of support. There was widespread
7 support on our campus for a mandate.

8 And my final point: Critics of vaccine
9 mandates say that mandates are coercion, but
10 vaccination requirements, as Herman said, are
11 a staple of public safety. Vaccination
12 requirement is not coercive. Vaccination
13 requirement, in my view is -- it's more of a
14 covenant. It's a contract of belonging that
15 signals that our leadership and members of
16 this community put the health and safety of
17 all our people first. Thank you.

18 CRAMER: Richard.

19 CHARNIGO: Richard Charnigo, College of Public Health.
20 I am going to vote in favor of this
21 resolution and I would encourage other
22 senators to do so. It's not that I don't
23 have misgivings, I do, but the seriousness of
24 this public health matter to me outweighs
25 considerations of personal preference. And I

1 assume that if a vaccine mandate were
2 implemented, there would be exceptions for
3 health reasons or reasons of conscience.
4 The only other thing I want to say now,
5 though, is that I feel that a vaccine mandate
6 by itself is not sufficient, and I think that
7 other mitigating measures ought to be
8 considered. I'm not proposing an amendment
9 to this resolution, but I'm just speaking my
10 mind that I think that the university ought
11 to be more encouraging of social distancing
12 and flexibility for instructional modalities.
13 But, again, I intend to vote for this vaccine
14 mandate resolution. Thank you.

15 CRAMER: Ken Troske.

16 TROSKE: Sorry. I had to unmute myself. Ken Troske
17 from the Gatton College of Business and
18 Economics. I guess I want to -- I don't
19 disagree with anything that anyone has said.
20 I do want to follow up a little bit with the
21 speaker and I guess I have more of a
22 question. I mean, mandates, without some
23 enforcement mechanisms seem rather weak to
24 me, and I think there's plenty of evidence to
25 suggest that whether we do -- whether the

1 people who have written this mandate and
2 support the mandate, some idea about what's
3 the enforcement mechanism behind it. What
4 are we going to do? The staff or students or
5 faculty who choose not to be vaccinated, even
6 in the face of a mandate, what's the plan at
7 that point for those students?

8 The University of Virginia has a mandate.
9 They basically dismiss people from campus for
10 not following through on it. Is that what
11 we're suggesting? Are we proposing that?
12 Just a little more information about what the
13 mechanisms designed to actually enforce the
14 mandate are when we are proposing to vote on
15 I think would help me a lot. Thank you.

16 CRAMER: Michael Hawse.

17 HAWSE: Thank you. I also want to preface this by
18 saying it's my full intention to vote for
19 this. I will say one of the things that
20 really does concern me is the fact that we're
21 kind of giving this to administration make up
22 a decision. Obviously, that is their call.
23 However, it's something that we as bodies
24 need to make sure that we are in the
25 discussions to make sure that it is truly

1 fair and equitable, because a lot of -- I
2 would first like say a lot of the current
3 mandates that are already going on across the
4 country are effectively already what we're
5 doing, where it's if you're not vaccinated,
6 you have to get these tests, and there are
7 punishments if you don't get tested.

8 And the schools where they're not doing that,
9 they say that you can be possibly dismissed
10 from your educational programs. At Cal
11 Berkeley, especially they say, if students
12 are not compliant, they can be dismissed from
13 their educational program, which means
14 they're kicked out of school.

15 You know, if we're going to make it
16 equitable, we need to make it equitable. And
17 we need to advocate it, so if everybody
18 across the line, whether you're a faculty,
19 student or staff, you're held to that same
20 level. And, you know, as a student,
21 traditionally, we can be the one's kind of
22 thrown under the rug because we're not the
23 ones who are necessarily with -- we don't
24 have the power dynamic that other people at
25 the university have, and so it's one of the

1 things it's my intention to vote for this,
2 but I also didn't feel like I couldn't at
3 least address that concern of saying if we're
4 going to do it. It needs to be equitable and
5 it needs to be right, and we need to hold
6 everybody to the exact same standards that
7 we're going to hold towards our students,
8 because traditionally, those are the ones who
9 have the strictest measures on them.

10 CRAMER: Gail Brion.

11 BRION: I want to say to Michael and to others that
12 this is one of the things that we thought of
13 when we put together the resolution. We put
14 it forward that there would be
15 implementations with all voices included.
16 Right now we already have implementation in
17 the health sciences area where students who
18 are not getting tested, if they choose not to
19 be vaccinated or employees. As I understand
20 it, the students can have an academic hold
21 put on them, and this is from a Senate
22 Council meeting where Dean DiPaola -- I'm
23 sorry, Provost DiPaola was speaking.
24 And at this meeting it was brought up that it
25 doesn't need to be a "carrot and stick"

1 approach, that we need to have a "carrot and
2 stick" approach, and we need to incentivize
3 people to want to go along with a mandate.
4 And as we have talked, I don't believe that
5 requiring people to get tested weekly is an
6 incentive. I think that we need to work
7 very, very hard on what these incentives are.
8 One of the ideas that I put forward was \$100
9 per shot. Doesn't matter if it's your first,
10 your second or your booster. You go in and
11 get a shot, you get \$100, you know. I know
12 that we can do this, and I know that we have
13 done this because over in the college -- in
14 the clinical side, their vaccination rates
15 are higher than on this side of campus.
16 And we must have ways for people to opt-out,
17 but it has to be -- I think we need to look
18 at way more carrot than we do stick to start
19 with. And one of the sticks that I heard for
20 employees was to take away the raise that was
21 going to start in December that we earned for
22 last year's living and producing through the
23 pandemic, which I would not be in support of,
24 that's why we included that we need to look
25 at how to implement this with the input from

1 all parties.

2 CRAMER: Christopher Crawford.

3 CRAWFORD: I have a mandate from my department to vote
4 yes on this, but I just like to point out
5 what was already pointed out before that
6 we're voting on something -- it's kind of --
7 we're late in the game. We're voting on
8 something that students have already paid
9 tuition for this semester, and now we're
10 changing the rules for them.
11 And also, I'd like to mirror the sentiment
12 that I think offering things like distance
13 learning is -- would be a much more effective
14 for increasing our safety at this point.

15 CRAMER: Christian Brady.

16 BRADY: Christian Brady, Arts, and Sciences. First,
17 you know, I think everybody here, we want a
18 safe and secure community. I do think
19 vaccination is the way to get there. My
20 comments are more at what this particular
21 resolution would do or not do. Dr. Blasing
22 and I have talked extensively about it, I'm
23 grateful for her and the others who have
24 brought this forward.

25 I don't think though that while -- she said

1 that our leader -- this statement, passing
2 this and a mandate would show that our
3 leadership put the health and safety of our
4 community first. I just think it's important
5 we remember that the negative of that doesn't
6 mean -- the negative of that is not having a
7 mandate does not necessarily mean that our
8 leadership is not putting our health and
9 safety first, but rather that there is a
10 legitimate debate about what the mechanism is
11 to get us there if all of those negative
12 particles made sense.

13 My concern here it's not the sentiment.

14 Again, I agree with the sentiment and that
15 the health and safety of our community and
16 our path forward lies with vaccination of as
17 many as are feasibly possible due to their
18 own health and conscience.

19 My concern is that a vote for this could be
20 further divisive in our community that's
21 already in a very tensed time. Doesn't mean
22 we shouldn't have it and shouldn't be doing
23 it, but I hope, as Dr. Blasing said, that
24 this could be understood in the context of
25 being another tool for the administration to

1 have in their toolbox as they're going to the
2 various constituent groups to look for the
3 best path forward.

4 And I hope that we would be gracious to one
5 another in recognizing those that might
6 abstain or vote against this again, or not
7 voting against the health and safety of our
8 community, but perhaps simply understanding
9 that a different path might be better in
10 terms of efficacy.

11 CRAMER: Rae Goodwin.

12 GOODWIN: Rae Goodwin, College of Fine Arts. I have a
13 point of information as a new senator. I'm
14 -- I just don't understand what this vote --
15 what does this -- if we vote yes, is the
16 president -- is President Capilouto obligated
17 in any form or fashion?

18 CRAMER: No. To answer the point of information that
19 adopting the resolution will be the Senate
20 expressing its sense, but this is not an area
21 where the Senate has specific authority, we
22 would be expressing our sense to the
23 president.

24 GOODWIN: Excellent. Thank you so much. And I had
25 just one comment to add to the debate, which

1 is that -- well, first, thank you for putting
2 all of the work that you've put into this
3 resolution, and I believe strongly in
4 vaccinations as a whole. I do a great deal
5 of work in Eastern Kentucky and my concern
6 with this resolution, if it were to come to
7 pass through a mandate, would be cultural
8 backlash against the University of Kentucky,
9 because there is such an incredibly strong
10 aversion, for whatever the reasons, to
11 vaccine mandates coming from that part of our
12 state.

13 CRAMER: Bob DiPaola.

14 DIPAOLA: Yeah. I just wanted to just add a little bit
15 as well, if I could. And I'm not debating
16 any of the discussion, but one of the things
17 that I'd like to do, and I know the president
18 feels this way as well, is get your input.
19 And you've already brought up some of the
20 challenges that we're dealing with. For
21 instance, how will we enforce?
22 And I just wanted to maybe say a few words
23 about it, if I could, Aaron, because I do
24 want to get your -- and we do want to get
25 your input on that as well. I think some of

1 the points at this meeting, not only just
2 this current discussion, but even earlier,
3 are very important. For instance, how we
4 look at the data.

5 I do think when they really do look at the
6 data, you know, and I think the president put
7 it as apples and oranges or whatever at the
8 campus, I think we need to see that, and
9 we'll get there. So I think that's going to
10 be important and that'll continue to have a
11 steep trajectory.

12 I do agree with them. We need to get to
13 higher numbers. You know, when you look at
14 the evolution of this virus, and believe me,
15 I follow it very well, that 90 and above is
16 probably the target we need, and I don't
17 disagree with the 90 to 95.

18 I also want to thank Molly, your kindness in
19 terms of how you even posed the letter,
20 certainly to the administration as well,
21 because I think he acknowledged -- and you
22 have to know that the intent on this end of
23 the -- you know, and I'm seeing it now. I've
24 been at the College of Medicine. I was even
25 supportive and helped set up the

1 infrastructure for the vaccine trials, et
2 cetera. Trust me. We're all on the same
3 page in terms of the importance of
4 vaccinating and the importance of bringing up
5 those percentages, and now to even higher
6 levels. So I do appreciate the way this is
7 being posed and I appreciate the input.
8 Some of the challenges that -- and I don't
9 know if this is the right forum, Aaron. This
10 is actually my first full Senate -- Senate
11 meeting as provost or as acting provost.
12 I've been in every Senate Council meeting
13 since I started, and they did incredibly
14 helpful with reasoning out a number of
15 things, as Aaron pointed out with the
16 strategic plan.
17 But the challenge is you brought out a bit as
18 well, and it would be good to get input,
19 because we're now about to roll out the
20 penalties and incentives. And I think Gail's
21 point is very important. There are -- there
22 is a plan for incentives, but it's at the
23 testing phase. So we are saying people
24 should get vaccinated. If they don't get
25 vaccinated, they have to get tested, and if

1 they're not going to get tested, there are
2 penalties. In fact, there's discussion over
3 whether it's going to affect merit, or some
4 fine, and that's been discussed also at
5 Senate Council as well.

6 So something like that, a rollout, when you
7 roll all that out, as pointed out in just a
8 little while ago, very analogous to -- or
9 even more enforced than what the universities
10 out there that are calling the vaccine
11 mandate a mandate or doing so. It's very,
12 very analogous. It's very similar. In fact,
13 it may even be, in some cases, even a
14 stronger enforcement if there are financial
15 penalties. Not in all universities, like you
16 pointed out in terms of Virginia, you know,
17 as well.

18 And the other issue too is -- which is a
19 little bit of a dilemma that I've heard now
20 -- and again, this may not be the forum for
21 input -- is for vaccine mandate we would have
22 for legal advice exceptions. For the
23 testing, we don't have exceptions, meaning
24 right now there's not even religious
25 exceptions, as an example. But for the

1 vaccine, there would exceptions, such as
2 medical and so forth, and probably religious
3 as well, though I'm not going to speak in
4 terms of the legal end of that. I know that
5 there has been a lot of discussion over it.
6 So there is -- I mean, you've got to know
7 that everybody is living with this and
8 thinking about this day and night, and I know
9 you do. But the input is important, and I
10 know the president would consider any input
11 that comes from this meeting. And it's been
12 very thoughtful and we're always looking at
13 things, and there's always the option of
14 pivoting, but it is complex. And I think
15 you're all pointing that out as well, so I'll
16 turn it back over to you, Aaron. If there is
17 a form that we could get a bit more input to
18 fine-tune, some of this, it would help. It
19 would help sort things through with many of
20 the things that you already discussed.
21 Anyway, thank you.

22 CRAMER: Lee Blonder.

23 BLONDER: Yes, Lee Blonder, Faculty Trustee. I want to
24 speak out and say that I support the approach
25 that the president is taking of encouraging

1 vaccines, but not mandating them, for a
2 number of reasons, some of which have been
3 mentioned here.

4 First of all, there are schools like William
5 & Mary who have a 90-something-plus
6 vaccination rate, and they're having a major
7 outbreak of COVID among vaccinated students.
8 We know that the vaccines might reduce
9 infection and transmission, but they don't
10 prevent it.

11 The other thing I'm really concerned about is
12 how we're going to enforce this mandate, and
13 Ken brought that up. I really do not want to
14 see faculty being fired, being marginalized,
15 being -- having all kinds of actions in their
16 personnel file. I don't want to see that. I
17 don't think that's right.

18 We know from the College of Medicine survey
19 and the CAFÉ survey about 12 percent of the
20 faculty that responded do not support a
21 mandate. I also know that faculty who do not
22 support a mandate, are afraid to speak out.
23 So I want to speak out on their behalf. I
24 want to support what the administration is
25 doing. We're making progress. We're up over

1 80 percent in vaccination. It takes time for
2 the vaccinations to work. We know from
3 countries like Israel and UK that are highly
4 vaccinated, that they have a high number of
5 COVID cases, so I feel like there's enough
6 reasons to not do a mandate.

7 Plus, there's a national issue now, people
8 that are not vaccinated, unions, et cetera,
9 are digging in their heels as a result of
10 these mandates. It could polarize people
11 even further and make them less likely to get
12 vaccinated.

13 There's also legal implications in a state
14 like Kentucky, so my feeling is that we
15 should not support a mandate. We should
16 continue to do what the administration is
17 doing, but I really do want the
18 administration -- and Provost DiPaola, we've
19 talked about this, to do something that will
20 ensure faculty safety in the classroom. We
21 need to have the power to go hybrid and
22 online without having to go through
23 committees, have disability exceptions. We
24 need to have more safety measures other than
25 just masks, and the hope that these vaccines

1 will eventually stop the spread.

2 CRAMER: Alyssa Eckman.

3 ECKMAN: Yeah, Alyssa Eckman, College of Communication
4 and Information. I'm fully vaccinated and I
5 support the concept of a mandate, but without
6 the -- I'm kind of echoing with what Dr.
7 Blonder just spoke of, and without the
8 enforcement protocols in place, it's kind of
9 difficult for me to support this resolution,
10 especially in light of my untenured
11 colleagues and how this might affect their
12 career path. That's all. Thank you.

13 CRAMER: Molly Blasing.

14 BLASING: I feel really strongly that there's -- so one
15 argument that's been made, and I think it's a
16 strong argument but I disagree with it, that
17 what we're doing is the same as schools that
18 are mandating, but then requiring testing. I
19 think there's a real difference when you say
20 a "mandate." People who are afraid of
21 needles or are, you know, 20 years old and
22 think they don't need the vaccine suddenly
23 will sign up. I think we get thousands more
24 really quickly, like within four to six weeks
25 we have thousands more people. And so my

1 concern is how to do this as quickly and
2 efficiently as possible.

3 But the thing that's not different is the
4 enforcement question. We still have
5 individuals in the testing regime who are
6 going to not get vaccinated and not get
7 tested, and the administration is coming up
8 with a series of consequences for that. And
9 those consequences could apply in the case of
10 a mandate. And some models that I look at
11 are OSU. OSU did theirs fairly late, and so
12 it does speak to one of the earlier points.
13 They're orienting toward next semester, so
14 you know, students who don't comply with the
15 vaccine mandate at OSU cannot take in-person
16 classes in the spring. We would have to be
17 thinking about spring semester, right, not
18 doing something like disenrolling people
19 right now.

20 When I think about efficacy questions, I come
21 back to the dashboard question, and someone
22 mentioned this in the comments, you know, I
23 -- and I appreciate that the provost is
24 suggesting that maybe we can disambiguate
25 those two numbers, right? If the UK

1 HealthCare numbers are bringing up the
2 numbers on main campus, then I know the
3 numbers of my classroom are not on average 80
4 percent, they are lower, and so you have to
5 get there.

6 And to Rae's point, which I really appreciate
7 about sort of cultural things, I've heard
8 this argument elsewhere as well, that it's
9 the culture of this place, that's why we
10 can't do it. And my response to that is that
11 we have an opportunity to shape the culture,
12 we have UK alumni across the Commonwealth who
13 support our institution and wouldn't want the
14 legislature stripping funding from us and
15 wouldn't support serious consequences. I
16 think there's -- I think we have enough
17 goodwill well built up, and so the university
18 has this opportunity to shape the culture.
19 Okay. That's all I'll say.

20 CRAMER: If it looks like I'm going out of order, it's
21 because I'm supposed to call on people who
22 haven't spoken before I call them by people
23 who've spoken once already, and I'm only
24 supposed to call on people, at most twice, by
25 Robert's Rules. And it's already 5:15.

1 Akiko.

2 TAKENAKA: So very quickly to echo Molly's points about
3 how we're looking into the next semester,
4 it's not about right now, and masking and
5 social distancing, which we're not doing
6 anymore because we're teaching in classrooms
7 full of students. That's -- masking is just
8 a band-aid, even if we go online, that's just
9 a band-aid, unless, you know, 90, 95percent
10 of us do get vaccinated, we're all going to
11 be doing this forever. So let's not just
12 think about band-aids and think about the
13 future.

14 CRAMER: Tad.

15 MUTERSBAUGH: Yeah. I mean, I support the mandate. And
16 insofar as culture's concerned, how many
17 people said, oh, well, you know, Kentuckians
18 like to smoke in restaurants. Remember now
19 nobody does that. I mean, it's to protect
20 the people that have been vaccinated, so they
21 won't get breakout infections, won't take it
22 home. You know, this is to, like, stop
23 people from dying, which is what these
24 vaccines have been successful at. They also
25 reduce the breakout infection.

1 Yeah, I don't -- you know, this idea of
2 culture -- I mean, I grew up here in
3 Kentucky. I just don't -- I mean, I find
4 that a little offensive.

5 CRAMER: Mel.

6 STEIN: Thank you. I just wanted to echo everything
7 that Molly has said. I think this is a
8 really well-structured mandate. And I think
9 the idea of incentivizing is a good one, and
10 I think that's what got us to 80 percentish,
11 you know, because I do think the numbers from
12 the medical campus are skewing that
13 dashboard, as we've said. But I think we've
14 reached the capacity of who we're going to
15 incentivize. The people who weren't going to
16 get vaccinated without being required to do
17 so have gotten vaccinated.
18 I think, you know, the idea of not wanting to
19 polarize people is -- I find that also rather
20 offensive to the idea that, as a university,
21 we're not supposed to be in a leadership
22 role, but rather pandering to political
23 polarization. I find that really, really
24 troublesome.
25 And I think -- I applaud all the

1 incentivizing efforts, and I think that we've
2 -- we did a lot and I think we did a great
3 job last year. I don't know why we no longer
4 have the flexibility to go online. Fully, I
5 don't know why the social distancing measures
6 have completely gone away. I don't think
7 masking can be our only mandate right now.
8 Thank you.

9 CRAMER: Doug?

10 WAY: Thank you, and I appreciate this motion.
11 I'll just speak very quickly in support of
12 what our trustee has told us. I believe we
13 all, whether we're an administration or not,
14 share the goal of getting as many people
15 vaccinated as possible. I think the
16 president just told us he does agree with
17 that. He respectfully doesn't believe that
18 mandating a vaccine right now is the right
19 thing to do. Many of the speakers, in favor
20 of improving conditions and safety and
21 everything else, made it clear that they
22 believe we should have other options but,
23 yet, the resolution we're being asked to
24 support has one option and one option only,
25 that he immediately call for a vaccine

1 mandate.

2 I think strategically, for senators, it's
3 important to remember if we're going to take
4 a step on telling the president how to run
5 the university, it really ought to be at
6 someplace where we have academic gravitas and
7 words to back it up.

8 And I think it's pretty clear that reasonable
9 people can disagree on how to implement
10 anything, and I don't think that calling him
11 to take a stand right now is what we
12 strategically should do. We've been invited
13 by our provost to enter the dialogue to talk
14 about these things. I think that's a much
15 more productive way to do it.

16 And I also want to point out that whether you
17 like the idea of it being polarizing or not,
18 if we really meant what we said and we had a
19 vaccine mandate, I promise you in January,
20 we'll have a law that says we can't. It's
21 virtually guaranteed. And I don't -- I think
22 the president told us that. I think our
23 trustee told us that, and I really don't
24 think that's a realistic option.

25 CRAMER: Herman.

1 FARRELL: Yeah. I'd like to respond to that last
2 comment and to Lee Blonder's comment as well.
3 First of all, with regard to what Lee blonder
4 stated, I don't believe that the consequences
5 here involve firing faculty, and I think
6 that's an unfair thing being thrown into this
7 debate.

8 Nobody is suggesting that -- we have made it
9 very clear in our proposal that we treat
10 these issues of consequences, if any,
11 equitably and fairly.

12 We also already have a mass mandate in place
13 and no one's really talking too much about
14 the consequences. The mass mandate itself
15 does actually take up the numbers in terms of
16 people actually making their way to getting
17 vaccinated, and I think that will happen here
18 at UK.

19 With regard to this question about telling
20 the president what to do, my colleague in the
21 College of Fine Arts, and a point of
22 information question, made it clear that we
23 don't have the authority to tell him what to
24 do. This is as Aaron Cramer said, "The sense
25 of the Senate." The president has said very

1 clearly and several times that at some point
2 in the future, he might pivot towards the
3 vaccine mandate if he feels that it's
4 necessary.

5 My argument would be that he will -- others
6 have said that this is a tool in his toolbox,
7 so let's give it to him. Let's vote for it,
8 so he knows that the Senate is strongly in
9 favor of vaccine mandate. We're in favor of
10 it despite the polarization that might come,
11 despite the polarization that is there to
12 stop us from doing what we think is right.
13 We enter into a variety of different
14 controversial issues across the state and a
15 variety of different issues -- and we follow
16 the science. We follow the educational
17 narrative, and that's what we're doing here
18 right now. So I am all in favor of this
19 vaccination mandate.

20 And like I said, we'll also -- going forward,
21 we will also have an opportunity to treat a
22 lot of the issues that have been raised as
23 alternative remedies that can be used. It's
24 our first meeting. It's September 13th,
25 we've got a long way to go, but let's make a

1 clear line in the sand now stating to the
2 entire state and to our students and to our
3 faculty and our staff that we believe a
4 vaccination mandate is necessary. Thank you.

5 CRAMER: Bob DiPaola.

6 DIPAOLA: Yeah -- no. I just was going to finish by
7 saying -- and I'm not, again, debating. I
8 really do -- and I think the president does
9 want to hear input, as you just said, Herman.
10 The possibility of pivoting at some point was
11 always there on the table. The question is:
12 Have we figured it all out? Have we worked
13 out some of the details?

14 Some of the things that even came up here, I
15 think are good things to bring back and talk
16 about. You know, Molly, your point about
17 even thinking in terms of --your point and
18 others' about looking into the next semester,
19 even thinking about the long-term
20 consequences in what we do.

21 And I do agree that you could say that the
22 analogies aren't exactly the same
23 enforcement, but in many cases are similar in
24 different institutions, depending on what
25 they're calling it, as you pointed out as

1 well.

2 But I do think it's important to get more
3 input, especially over the enforcement side
4 of things and how it would look different
5 with a mandate and what we're doing in
6 enforcement, or not saying we have a mandate,
7 but doing it with enforcement.

8 And like I said, there have been discussions
9 over what that enforcement might be even for
10 the testing, and the exemption opportunities
11 are different is what I'm hearing from legal
12 exemption opportunities, for a mandated
13 vaccine and exemption opportunities not being
14 sent for testing.

15 So these are still complicated things. It
16 would help -- I can tell you on this side, to
17 help everybody to kind of get to whether or
18 not to pivot or not, by getting a bit more
19 input on the whole gamut of things that you
20 all brought up as well. I just want to say
21 personally, I do appreciate all of your input
22 and we take it to heart. I take it to heart.
23 I know he does as well in terms of input,
24 thinking, always rethinking and trying to be
25 as strategic as possible with the highest

1 priority to keep us all safe and healthy.
2 The one good thing is the numbers of
3 percentages of positivity. Granted, it is
4 the unvaccinated group that are testing. It
5 is still at a low percent, which is good. I
6 do agree and you've discussed it at a number
7 of points here about getting the data on the
8 vaccination so that we really understand the
9 campus, you know, as well, and we'll bring
10 that back. And I promise I'll bring back the
11 number of the points that I've now heard
12 throughout the remainder of the meeting. So
13 just -- I just want to say thank you all.

14 CRAMER: Robert Lauder.

15 LAUDER: Oh, here we go. I think I'm unmuted here.

16 CRAMER: Yes.

17 LAUDER: I am a member of the Medical IRB, in addition
18 to being a member of the College of Pharmacy.
19 I am fully vaccinated. I wear a mask. I
20 support vaccines, and I agree with Molly,
21 this is our chance to change and improve the
22 culture of the state of Kentucky.
23 Long before COVID-19, everybody in healthcare
24 knew about the requirement for informed
25 consent prior to performing medical

1 procedures or experiments on human subjects.
2 There is an NIH document on the internet for
3 this, and I am pasting in the chat window in
4 case anybody wants to click on it and see it.
5 Sentence No. 3 of this document says that:
6 "Informed consent is both an ethical and
7 legal obligation of medical practitioners in
8 the United States and originates from the
9 patient's right to direct what happens to
10 their body."

11 Paragraph No. 2 begins with:

12 "Is the obligation of the provider to make it
13 clear that the patient is participating in
14 the decision-making process and avoid making
15 the patient feel forced to agree with the
16 provider."

17 So informing patients of risks of a procedure
18 is not enough. There also has to be consent
19 to those risks in order to get the benefits
20 of a treatment. In my position as a member of
21 the IRB, I would be kicked off of the IRB if
22 I did not make this point, because I'm sure
23 everyone -- every IRB would make the same
24 point that informed consent without coercion
25 is required for medical procedures.

1 And I just want us to keep that in mind, as
2 we go forward, thoughts about vaccine
3 mandates. But then again, everybody, if
4 you're not vaccinated out there yet, please
5 go get the vaccine. I'm not going to make
6 you, but please do.

7 CRAMER: All right. Herman I see your hand. I've
8 already called on you twice and it's
9 5:00-something, 5:27. Kaveh.

10 TAGAVI: You calling on me? Are you calling on me?
11 Can I go?

12 CRAMER: Please.

13 TAGAVI: For full disclosure, I have had several
14 exchanges with my colleague Robert Lauder.
15 He invoked this idea of consent, but
16 apparently it doesn't bother him that I am
17 forced to come to work with unvaccinated
18 colleagues. I didn't consent to that, and if
19 I refuse to come, I might lose my job. So
20 there is asymmetry in there whether I don't
21 consent to be next to unvaccinated people or
22 supposedly those who, on their own, they get
23 in a car and they go get a vaccine. Now, all
24 of a sudden, he is claiming that there is no
25 consent, of course, there is a consent, they

1 think about the risks and the benefits and
2 they want to keep their employment, so they
3 go get a vaccine. So in some context, there
4 is a consent in there.

5 Furthermore, the question of consent, my
6 colleague doesn't mind forcing people to
7 test, because I have had discussion with him
8 and he never said he's against mandated
9 testing. So somehow mandated testing is
10 okay, but mandated vaccination is not okay.
11 I think the logic of that just does not
12 follow.

13 CRAMER: Are we ready for the question? Yes. Okay.
14 All in favor of the motion to adopt the
15 resolution presented by Molly Blasing use the
16 "raise hand" feature now.

17 If you're opposed to the motion, please use
18 the "raise hand" feature now.

19 Abstaining?

20 That motion passes. So the Senate has
21 adopted this resolution. As Senate Council
22 Chair, I will communicate this resolution to
23 the president.

24 The next item is items from the floor, time
25 permitting -- time does not permit. So

1 unless there are objections to adjournment
2 now, we will stand adjourned. I don't see
3 any objections, so have a great September.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25