

## **MINUTES OF THE UNIVERSITY SENATE, February 12, 2001**

The University Senate met in regular session at 3.00 p.m., February 12, 2001 in the Auditorium of the W.T. Young Library.

Members absent were: Behruz J. Abadi\*, Mike Allen, Ali Amoli, Joseph Anthony, Leon Assael, Ruth Baer, Suketu Bhavsar, Anibal Biglieri\*, Deborah Blades, George Blandford\*, Fitzgerald Bramwell, Joseph Burch, Ben Carr, Edward Carter, Tasha Craig, Mary Davis\*, George DeBin, Mark DeJesus, Jeffry Dembo, Josh Estep, Jianlin Feng, Scott Fowler, Daniel Frank, Don Frazier, Michelle Freed, Richard Furst, Robert Gewirtz, James Gibbs\*, Jimmy Glenn, Howard Grotch, Kay Hoffman, James Holsinger, Chad Jeske, Ling Hwey Jing, David Johnson, Jason Johnson, Benjamin Karp\*, Scott Kelley\*, Michael Kennedy, James Kerley, Richard Kermode, Thomas Lester, Pat Litzelfelner, William Maloney, Jenawik Marcum, Diana Martin, Patrick McGrath, William McKinney, David Mohney\*, Mary Molinaro\*, Phyllis Nash, Nathan Neltner, Cody, Norenberg, William O'Connor, Amanda Perkett, Shirley Raines, John Rawls, Daniel Reedy, Kenneth Roberts, Patrick Robinson\*, Tim Robinson, Claire Schmelzer\*, Susan Scollay, Robert Shay, David Sloan, Scott S. Smith, Charles Spears, Sheldon Steiner, Eric Stoner\*, John Stempel\*, Courtney Sullivan, William Thom\*, Allan Vestal, Retia Walker, Christopher Waller, Charles Wethington\*, Carolyn Williams, Eugene Williams, Paul Willis, Emery Wilson, Don Witt\*, Elizabeth Zinser.

Chairperson Bill Fortune called the meeting to order, and noted that there was a quorum.

The Chair indicated that the minutes of the 11 December 2000 meeting had been circulated and would be amended to reflect minor editorial changes. The Chair agreed to make this change in the minutes and to do so in the future.

Chairperson Fortune made several announcements: (a) Sending information electronically to the University Senate Member worked with minor problems; course and program changes will be sent out electronically in future, (b) Received first ballot back from the Board of Trustee Election and will be notifying the top vote receivers within two weeks; (c) Presented gifts to former Chair of the Senate Roy Moore. He received gifts to feed the body and to feed the brain.

Wilbur Frye presented two Resolutions, one for Professor Ronald Phillips and one for Mr. Shirley Phillips. After each Resolution Chairperson Fortune asked for a moment of silence.

Chairperson Fortune introduced speaker Joseph Fink who reported on the activities of the Partnership in Research Progress Committee. The information from his power point

presentation will be made available upon request of the Senate Council office.

**ACTION ITEMS:**

**ACTION ITEM 1** University Senate Meeting, Monday 12 February 2001. Mike Nietzel, Dean of the Graduate School presented three recommendations from the Graduate Faculty for Honorary Degree Candidates to be awarded at the May Commencement. Motion to recommend the Honorary Doctor of Science Degree candidate accepted on a voice vote. Motion to recommend the Honorary Doctor of Humanities Degree candidate accepted on a voice vote. Motion to recommend the Honorary Doctor of Letters Degree candidate accepted on a voice vote.

**ACTION ITEM A** University Senate Meeting, Monday 12 February 2001. Proposal to amend the *University Senate Rules*, Section I - 1.1.0, Authority to Waive Rules. Recommendation from the Rules Committee and needs no second.

Proposal [New section is underlined]

**1.1.0 AUTHORITY**

The *Rules of the University Senate* describe the composition of the Senate and procedures for the conduct of its functions as authorized by the Board of Trustees in the *Governing Regulations of the University of Kentucky, Part IV, THE UNIVERSITY SENATE (University System)*, December 8, 1992. It further describes academic policies for the University and procedures for their implementation. These Rules may be waived by the Senate Council or by the Senate Council Chair if the decision is necessary before the next meeting of the Senate Council. Any waiver by the Chair must be reported to the Senate Council and all waivers, whether by the Chair or by the Senate Council, must be reported to the Senate at its next meeting. These *Rules* may be amended by the University Senate.

Chairperson Fortune invited discussion on the motion. Senator Tagavi raised questions about the need for such a rule. Senators Roy Moore and Brad Canon provided justification for the rule.

A motion was made and seconded to cut off debate. The motion to cut off debate was adopted. The proposal passed on a voice vote. The proposal is available in the Senate Council Office and will be posed to the University Senate web site on approval of these minutes.

**ACTION ITEM B** University Senate Meeting, Monday 12 February 2001. Proposal to amend the *University Senate Rules, Elected Faculty Membership, University Senate Council*.

1. Eligibility for Membership. - Any elected member of the Senate (or person appointed to replace an elected member) whose term of office has not expired at the time of the election shall be eligible for election to the Senate Council, except that no more than [three] **two** of the elected members of the Council shall be from any one college, ...

Recommendation from the Senate Rules Committee and needs no second. After discussion the proposal failed on a voice vote. .

**ACTION ITEM C** University Senate Meeting, Monday 12 February 2001. Proposal to amend *University Senate Rules, Section IV - 4.3.1 - Late Registration*. Recommendation from the Senate's Admissions and Academic Standards Committee and needs no second. Chair invites discussion. Proposal passed on a voice vote.

Old Rule:

**4.3.1 LATE REGISTRATION**

After the sixth day of classes in either semester or the fourth day of that term of the summer session in which the student is enrolled, no student may register for an organized class. On recommendation of the dean concerned, the Registrar may set a later date for final registration in classes that do not start on the first day of a semester or a summer session, or for the registration of a group of students who were not present at the regular registration time.

New Rule:

**4.3.1 LATE REGISTRATION**

After the sixth day of classes for a 15-week semester term or a proportionate number of days for shorter terms as determined and published by the Registrar, no student may register for an organized class without written permission from the student's academic dean (or dean's designee) and the course instructor. The college in which the course is listed may require additional approval. The waiver and the rationale for the waiver must be documented in the student's record in the college.

The meeting was adjourned at 4:27 p.m.

David Durant

Secretary, University Senate

USMin 2.12.01

**Memorial Resolution Presented to the University Senate  
February 12, 2001**

**Professor Ronald E. Phillips  
1929-2000**

Ronald E. Phillips, Emeritus Professor of Agronomy, died suddenly at his home in Shelbyville, Indiana on December 1, 2000. He was 71. A native of Williamstown, Kentucky, he served in the U.S. Army from 1950 to 1952 and received the B.S. and M.S. degrees in Agronomy from the University of Kentucky in 1954 and 1955 and the Ph.D. degree in Soil Physics from Iowa State University in 1959.

Professor Phillips was a faculty member in the Department of Agronomy at the University of Arkansas from 1959 to 1966, at which time he joined the Department of Agronomy at the University of Kentucky. At the University of Kentucky, he taught and conducted research in soil physics. From 1972 to 1974, he was acting chairman of the Department of Horticulture. He served on the University Senate Hearing Panel, Graduate Council, Rules Committee, Biological Sciences Area Advisory Committee, and College of Agriculture Faculty Council and was Director of Graduate Studies in Soil Science.

A member of the American Society of Agronomy and Soil Science Society of America since 1959, Professor Phillips was associate editor of the *Soil Science Society of America Journal* from 1971 to 1973 and of the *Agronomy Journal* from 1973 to 1981. He was chairman of the Soil Physics Division of the Soil Science Society of America in 1975 and served on the Soil Science Society of America Board of Directors from 1974 to 1976 and again from 1979 to 1982. He was elected to the Board of Directors of the American Society of Agronomy and served from 1979 to 1982.

Professor Phillips was elected a Fellow of the American Society of Agronomy in 1974 and a Fellow of the Soil Science Society of America in 1976. He received the University of Kentucky Research Foundation Award in 1970 and the Thomas Poe Cooper Research Award in the College of Agriculture in 1971. He was named an Outstanding Educator of America in 1975.

Professor Phillips' research career centered on soil physics and nutrient diffusion in soil with emphasis on no-tillage. He studied soil water under no-tillage and conventional tillage in the first no-tillage experiment at the University of Kentucky, which began in 1970. He co-authored a paper with Professor G. W. Thomas in 1979 entitled "Consequences of Water Movement in Macropores," describing how water runs through no-tillage soils. It became one of the 10 most quoted papers of the *Soil Science Society of America Journal*. He was lead author on an article published by *Science* in 1980 entitled "No-Tillage Agriculture." He was major professor to 21 M.S. and 10 Ph.D. students and

served on the advisory committees of another 42 students. Following his retirement in 1993, Professor Phillips returned to his hometown of Williamstown, Kentucky and tutored high school students in mathematics. He later moved to Shelbyville, Indiana, where he lived until his death.

He was the widower of Mary Susan Conrad Phillips and is survived by his son, Professor Gregory C. Phillips, New Mexico State University at Las Cruces; two daughters, Rhonda Schofner, Edinburgh, Indiana and Barbara McAnany, Wilmington, Delaware; two brothers; two sisters; eight grandchildren; and one great grandson.

His colleagues will remember him for his keen mathematical mind and depth of thinking, his insistence on scientific quality of research and writing, and his ability to instill professionalism in his students. It is notable that he has had a lifetime effect on the scientific thinking and research of his graduate students.

With the help of his son, Professor Gregory Phillips, the Ronald E. Phillips Memorial Endowment Fund for Graduate Programs Enrichment has been established in the College of Agriculture to honor Dr. Phillips' memory.

I ask that this resolution be made a part of the minutes of the University Senate and that a copy be sent to Professor Phillips' family.

**Memorial Resolution Presented to the University Senate  
February 12, 2001**

**Mr. Shirley H. Phillips  
1926-2000**

Shirley H. Phillips, former Associate Dean for Extension and Associate Director of the Cooperative Extension Service, died in Lexington on August 29, 2000, after a long battle with cancer. He was 73. He is survived by his wife Frances Burkhart Phillips; a son, William H. Phillips and his wife, Kathleen, of Brentwood, Tennessee; and a sister, Mary Alice Reynolds of Danville, Kentucky.

A native of Conway, Kentucky, Mr. Phillips received his B.S. degree in Agricultural Economics in 1948 from the University of Kentucky following service in the U.S. Army from May 1945 to October 1946. In 1955, he completed the M.S. degree in Agronomy at the University of Kentucky.

During his 40-year career in the College of Agriculture, Mr. Phillips served as County Extension Agent, Extension Agronomy Specialist, Coordinator of Agronomy Extension Programs, Assistant Director for Agriculture in Extension, and Associate Dean for Extension and Associate Director of the Cooperative Extension Service. He is recognized internationally as a pioneer in no-tillage, a practice that has led to enormous economic and environmental benefits and dramatically reduced soil erosion worldwide. He co-authored the book *No-Tillage Farming* with Mr. Harry Young, a grain farmer from Herndon, Kentucky, in 1973. The publication is considered a milestone in no-tillage technology, and *Progressive Farmer* magazine named him and Mr. Young "Men of the Year" in 1976. Mr. Phillips served as consultant on two films about no-tillage: *More from Less*, issued by the University of Kentucky and Allis-Chalmers Corporation in 1972, and *New Agronomic Practices*, issued by John Deere and Company in 1973. The *No-Till Farmer* magazine named him "Educator of the Year" in 1974. He co-authored an article with colleagues in the Department of Agronomy entitled "No-Tillage Agriculture," published by *Science* in 1980.

Epsilon Sigma Phi, the National Honorary Extension Fraternity, honored Mr. Phillips with the "Meritorious Service Award" in 1968 and the "Distinguished Service Award" in 1982. The Kentucky Extension Specialist Association selected him for "Specialist of the Year" honor in 1969, and *The Progressive Farmer* magazine awarded him "South-wide Man of the Year" in 1969. In 1988, the Department of Agronomy established the "S.H. Phillips Distinguished Lecture in No-Tillage Agriculture," an annual event to recognize Mr. Phillips' exceptional contributions to no-tillage agriculture.

He was elected to the University of Kentucky Hall of Distinguished Alumni in 1989 following his retirement in 1988.

Shirley will be remembered by his colleagues for his quiet, unassuming leadership and his ability to motivate others by his own actions. The agricultural community of Kentucky will remember him for his technological innovations and his ability to interact effectively with people at all levels and any circumstances. His influence on the acceptance of no-tillage in Kentucky and internationally can be attributed to his ability to encourage farmers as well as many researchers and Extension personnel to collaborate in this tremendously successful program at the University of Kentucky. Since Mr. Phillips' no-tillage pioneering days, the practice has grown to 51% of the cropland acreage in Kentucky and 18% or 51 million acres of the total cropland in the USA in 2000.

I ask that this resolution be made part of the minutes of the University Senate and that a copy be sent to Mr. Phillips' family.

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**Item "A**

Rule Waiver Authority

Proposal [New section is underlined]

**1.1.0 AUTHORITY**

The *Rules of the University Senate* describe the composition of the Senate and procedures for the conduct of its functions as authorized by the Board of Trustees in the *Governing Regulations of the University of Kentucky, Part IV, THE UNIVERSITY SENATE (University System)*, December 8, 1992. It further describes academic policies for the University and procedures for their implementation. These Rules may be waived by the Senate Council or by the Senate Council Chair if the decision is necessary before the next meeting of the Senate Council. Any waiver by the Chair must be reported to the Senate Council and all waivers, whether by the Chair or by the Senate Council, must be reported to the Senate at its next meeting. These *Rules* may be amended by the University Senate.

Background:

In January, 1999, the Rules and Elections Committee met to consider a problem raised by the Chair of the Senate Council regarding waiver of Senate Rules. The Chair reported that he is frequently asked to waive rules, and would appreciate some consistency in the waiver procedure. He asked the Rules Committee to draft a rule permitting such waivers. The Rules Committee discussed a draft rule, but concluded that waiver as a general matter was inappropriate. The Rules Committee recommended that the appropriate action would be to make clear that the Rules cannot be waived.

In response to the Rules Committee recommendation, the Senate Council directed the Chair to send out a survey to all deans,



associate deans and assistant deans, asking whether they favored or opposed the creation of a Senate Rule that would allow waivers or not, and, under what circumstances if the former. Few individuals responded, but, of those who did, all favored a mechanism to accommodate rule waivers in unusual circumstances.

At the request of the Rules Committee, the issue was returned to the Senate Council for consideration. The Senate Council did not adopt the Rules Committee position, but amended the Rules to accommodate some flexibility.

When the Senate Council's proposed amendment was on the agenda for last March's Senate meeting, a point of order was made that Senate Rule 1.3.1.1.B required the Council to forward the original proposal to the Senate floor unchanged (although it could make a negative recommendation). Chair Moore then referred the proposal back to the Rules Committee.

The Rules Committee reconsidered the proposal at its October 18th meeting. It voted to withdraw its earlier "no waiver" proposal and to accept the Senate Council's as its own, but with an additional sentence regarding notification.

The Senate Council voted to forward this rule to the University Senate for adoption.

Implementation: Upon passage

Note: If approved, the proposal will be forwarded to the Rules Committee for codification.

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**Item "B"**

The Senate Rules Committee met on February 9, 2000, and voted 4-2 to recommend that Rule I 3.1.2 (Composition of the Senate Council) be changed as follows: (delete bracketed portion; add bolded underlined word)

A. Elected Faculty Membership

1. Eligibility for Membership. - Any elected member of the Senate (or person appointed to replace an elected member) whose term of office has not expired at the time of the election shall be eligible for election to the Senate Council, except that no more than [three] **two** of the elected members of the Council shall be from any one college, .....

At its meeting on 17 April 2000, the Senate Council recommended that the Rules Committee proposal be forwarded to the Senate with a negative recommendation from the Senate Council.

RATIONALE FOR SENATE COUNCIL OPPOSITION TO RULES COMMITTEE  
PROPOSAL TO LIMIT MEMBERSHIP ON THE SENATE COUNCIL TO NO MORE  
THAN TWO PERSONS FROM A COLLEGE

The proposal seems to be based upon the premise that colleges should be proportionally represented in the Senate Council. In the past, it has not been the tradition that members of the Senate elect Council members in a representational capacity. Instead, the Senators have elected their colleagues to the Council as individuals - persons they know to be active in Senate and university affairs, whose judgment they trust, and who are willing to put the time and energy into Council service. Senate Council members do not think of themselves as being a representative from Medicine, Education, Arts & Sciences, etc., but as faculty leaders who are acting in the best interest of the university as a whole. The Senate Council believes this tradition should be preserved.

Moreover, only the two largest colleges (Arts & Sciences and Medicine) have had more than two Senators as voting members of the Council at any given time since 1983. Arts & Sciences has held 27% of the faculty Senate seats over that time period while 31% of the Senate Council have been A & S Senators - hardly a disproportionate representation. Medicine has had 13% of the Senate membership and 15% of the Senate Council members - again, hardly a disproportionate share of the Council. The only function this proposal would have in practice is to ensure that A & S will always have a smaller percentage of members of the Council (2/9ths = 22%) than it has in the Senate (27%). The Senate Council can see no reason to discriminate against Arts & Sciences Senators in this manner and urges defeat of this proposal.

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**Item "C"**

Background and Rationale:

The limits in the late registration rules are currently being waived for good cause at the college level (in most colleges) without express authority in the Senate Rules. Codifying the existing practice makes sense, since special circumstances might warrant waiver and waiver is most efficiently done at the college

level. It also makes sense to require such waivers, and the reasons therefore, to be documented in the student's academic record.

Late in the Fall semester, the proposal was considered and withdrawn, reworded, and brought back. It was approved by Senate's Admissions and Academic Standards Committee on January 24, 2001. The Senate Council recommends approval.

Current Rule:

**4.3.1 LATE REGISTRATION**

After the sixth day of classes in either semester or the fourth day of that term of the summer session in which the student is enrolled, no student may register for an organized class. On recommendation of the dean concerned, the Registrar may set a later date for final registration in classes that do not start on the first day of a semester or a summer session, or for the registration of a group of students who were not present at the regular registration time.

Proposed Rule:

**4.3.1 LATE REGISTRATION**

After the sixth day of classes for a 15-week semester term or a proportionate number of days for shorter terms as determined and published by the Registrar, no student may register for an organized class without written permission for the student's academic dean (or dean's designee) and the course instructor. The college in which the course is listed may require additional approval. The waiver and the rationale for the waiver must be documented in the student's record in the college.

The Registrar may set a later date for final registration in classes that do not start on the first day of a semester or a summer session, or for the registration of a group of students who were not present at the regular registration time.

Implementation Date: Summer, 2001

Note: If approved, the proposal will be forwarded to the Rules Committee for codification.

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