

## Senate Rules and Elections Committee

Minutes Dec. 14, 2011

Davy Jones (Chair), Bob Grossman, Connie Wood, David Pienkowski, Lee Blonder

The Senate Rules and Elections Committee discussed the following issues:

1. To what extent, within the governing framework of the Senate Rules, the following have control over the content of a course syllabus: (a), the Instructor of Record, (b) the department faculty, (c) college faculty, (d) Academic Ombud, (e) University Senate Undergraduate Council. The SREC determined that the syllabus guidelines posted on the respective web sites of the Associate Provost for Undergraduate Affairs and Academic Ombud are only suggestive and not controlling. The SREC did not feel that the Undergraduate Council is authorized by the Senate Rules to disapprove a course proposal based on the syllabus, if the reason for disapproval was an issue other than the academic content of the course as revealed by the course syllabus. The SREC did not attempt to make an interpretation of where the academic freedom of the Instructor of Record ends and where the educational policy control of the department or college faculty begins, concerning the content of course syllabi. Jones has inquired to Jeannine Blackwell and Heidi Anderson as to whether there are any CPE or SACS policies that mandate particular content of course syllabi.

2. What procedural recourse is available to a department faculty do not support an educational policy to suspend admissions to a graduate program but the college faculty do want to suspend admissions. Connie Wood reminded the SREC that if it is a graduate program, then it is not the entire department faculty that is the voting faculty on the issue, but rather only those who are members of the graduate faculty of the program. Further, under the Governing Regulations VII, the next academic decisional level up from the local graduate program faculty is the college faculty body called 'the Graduate Faculty,' that is the faculty body of the college named 'the Graduate School.' The 'local college' that houses the 'local department' containing the graduate program has no official status to make a controlling academic decision about admissions to a graduate program. Rather, the proper interpretation is that the 'local college' faculty as a whole, or through a college faculty committee it identifies, can render an advisory position on the matter to the Graduate School. The local college dean can also advise the Graduate School as to the status of infrastructural support the dean can (or can't) offer to the graduate program. Then, the actual academic decision to suspend (or not) admissions is made by the Graduate Faculty, through it instrument the Graduate Council, both of which are chaired by the Dean of the Graduate School.

[Administrative note: after the SREC meeting, Davy Jones contacted both Jeannine Blackwell and Richard Greissman, who both agreed with the above interpretation on

advisory vs. decisional posture on the academic vs. infrastructural aspects of suspending admissions to a graduate program]

**3. The impact of the state 'nepotism' law (codified to UK specifically at KRS 164.225) on the election of Faculty Trustees. Under the current interpretation of the UK Legal Counsel Office, faculty members who are otherwise eligible to serve as a Faculty Trustee remain eligible when they have a relative employed by the University. However, the relative cannot remain employed by the University while the faculty member is a Faculty Trustee. Also, the UK Legal Counsel Office (under Barbara Jones) no longer interprets that the grammatical tense of the state law as creating a 'grandfather clause' for persons who were already employed by the University when the law was passed (which was the interpretation under former UK General Counsel Paul van Booven). The SREC expressed great concern over the increasing number of University Faculty members and their employed relatives who are being impacted, especially as the University has attempted to accommodate joint career interests of spouses at UK.**

[Administrative note: after the SREC meeting, Davy Jones contacted the Legal Counsel Office as to whether the relative going on 'leave without pay' could suffice the 'shall not be employed' provision of the law. The UK Legal Office responded, through Barbara Jones, that it does not interpret going on 'leave without pay' would suffice to satisfy 'shall not be employed.']