

University Senate
April 26, 2021

The University Senate met in special session at 3:00 pm on Monday, April 26, 2021 via video conference. Below is a record of what transpired. All votes were taken with the video conference “raise hand” feature. Specific voting information can be requested from the Office of the Senate Council.

Senate Council Chair Aaron Cramer (EN) called the University Senate (Senate) meeting to order at 3:00 pm. He informed everyone that the special session was called at the request of at least ten senators and welcomed those present and informed them that the session was being recorded for note-taking purposes. He asked everyone to use the chat box to sign in for attendance but noted that the chat function is generally used for attendance and would not be monitored during the meeting. He asked everyone to mute themselves. He asked Senate members to send an email to Sheila Brothers if they become disconnected and cannot reconnect.

He provided guidance on how to participate in the discussion and how to vote. He welcomed senators and reminded them that Senate follows Robert’s Rules of Order. He asked that senators be civil and good citizens. He also asked everyone to participate in the meetings and share information with colleagues in their home units. He reminded senators to state their name and college affiliation before speaking. He stated that he would generally prioritize comments from senators over those from guests, but that he would allow others to speak as time permitted. Finally, he explained that motions submitted in advance would be given preference over motions from the floor.

1. Review of Senate Council's Actions After Announcement of a Single Finalist for the Position of Associate Provost for Graduate and Professional Education and Dean of the Graduate School

Senate Council Vice Chair DeShana Collett (HS) explained that the University of Kentucky Board of Trustees academically organized the University upon the premise of shared governance and that they expect the quality of decision making will be best when faculty and administration solicit input from each other. She noted the formally submitted concerns of others and herself expressed concern for the increasing trend of administrative decisions on academic organization leadership positions and implementation policies having neither the expected transparency, nor adequate design for effective faculty input. She noted the recent announcement of a single finalist for the position of Associate Provost for Graduate and Professional Education and Dean of the Graduate School and gave a brief overview of actions taken by the SC regarding this decision over the past weeks. There was clarification that the SC received the letter submitted to them from the College of Arts and Sciences faculty.

There being no further questions, the Chair welcomed Farrell (FA) and indicated Farrell would speak on behalf of those who petitioned the Senate Council for a special Senate meeting.

2. Shared Governance/Current Situation

Farrell (FA) explained that many of the faculty were concerned by the reply from administration in response to the message sent from the Chair and noted that there is much faculty support for that message. He gave an overview of UK’s governance structure and explained that there is an impasse between administration and faculty about the role of faculty involvement in shared governance. He explained that the goal of the special Senate meeting was to clearly state, from the faculty perspective, what their expectations are regarding shared governance. He then provided a brief overview of five resolutions being brought forward for Senate’s consideration.

The Chair clarified that the first resolution was part of the day’s agenda, although the remaining resolutions would be moved from the floor.

3. Resolution on Shared Governance

Farrell (FA) briefly described the proposed Resolution on Shared Governance. Alan Brown (AS) **moved** that Senate adopt the Resolution on Shared Governance:

Whereas the University of Kentucky University Senate serves as the official representative of the University of Kentucky faculty;

Whereas the University Senate must respond to the concerns and demands of the University of Kentucky faculty;

Whereas the Board of Trustees in its adoption of the *Governing Regulations* of the University of Kentucky has clearly defined shared governance principles as follows:

The diverse expertise collectively available to the University in its faculty, administration, staff employees, and students is a valuable resource. The University as a whole will be able to function at maximum effectiveness where there is an environment in which the sharing of this expertise is valued and promoted. If this expertise is shared, it will enable policy-makers at every level of the organization to make better decisions. To achieve this objective in an environment of shared governance, faculty bodies and administrators will reciprocally solicit and utilize the expertise of the other as each makes decisions in their respective areas of policy-making authority. Through these empowering processes of shared governance, the administration, faculty members, staff employees and students all share the responsibility of attainment of the University's goals. [GR I.E]

And, whereas the University of Kentucky faculty have expressed serious concerns regarding a number of administrative decisions over the past several years that violate either the letter or the spirit of the shared governance principles at the University of Kentucky now, therefore be it

Resolved, that, the University Senate:

1. Reaffirms its commitment to the principles of shared governance, as established by the Board of Trustees, that provides for the sharing of expertise among faculty, administrators, students, and staff in order to enable policy-makers at every level of the university to make better decisions
2. Requests that President Capilouto similarly reaffirm the administration's commitment to principles of shared governance, both in spirit and in letter; and
3. Requests that President Capilouto and the administration, at all levels, take affirmative steps to solicit and utilize the expertise of the faculty to attain academic objectives.

Brion (EN) **seconded**. The Chair asked if there was debate. There was some discussion about specific language in the *GRs* about policy making and implementation. A **vote** was taken and the motion **passed** with none opposed and two abstained.

4. Open Discussion/Next Steps

Bird-Pollan (AS) **moved** that Senate adopt the Resolution on the College of Arts and Sciences Dean Search Process:

Whereas, in the Fall of 2020, the appointment of the Acting Dean of the College of Arts & Sciences occurred without faculty consultation;

Whereas, the College of Arts & Sciences requires a regular leadership appointment in order to attain academic objectives; and

Whereas a search process for the Regular Appointment of the Dean of the College of Arts & Sciences has been paused;

Be it resolved that

The University Senate requests that the President and the Provost adhere to the process for Regular Appointment of a new Dean of the College of Arts & Sciences and resume the paused search process by the beginning of the Fall semester of 2021, pursuant to *GR VIII* and our shared governance principles, pursuant to *GR I.E.*

Takenaka (AS) **seconded**. The Chair asked if there was debate. There was clarification about faculty support of the resolution in the College of Arts and Sciences and that SC did not have an opportunity to consider the resolution before the Senate meeting.

Buchheit (EN) **moved to amend** the resolution by adding to the end of the resolution: "In making this resolution, the Senate does not seek to act or exert undue influence outside the responsibility ascribed to it in *GR IV.C.*" Trustee Blonder (ME) **seconded**. The Chair asked if there was debate. Concern was expressed that the amended motion suggests that Senate might be stepping out of bounds by sharing their expertise with administration and that the phrase "undue influence" is an inappropriate description of faculty sharing their views. There was also discussion of the importance of fully understanding all boundaries, in order for Senate's influence to be more powerful.

Grossman (AS) **moved to amend the proposed amendment** by striking the proposed amended motion and instead inserting "*GR IV.C*" before "*GR VIII*" in the text. Barron (AS) **seconded**. The Chair asked if there was debate and support was expressed for the amended language. A **vote** was taken and the motion **passed** with none opposed and two abstained.

The Chair asked if there was any debate on the **amendment** to add "*GR IV.C*" before "*GR VIII*" within the resolution text. Support was expressed. A **vote** was taken and the motion **passed** with none opposed and two abstained.

The Chair asked if there was any debate on the **motion** to approve the amended language of the resolution. There was discussion among Arts and Sciences senators about previous review of the resolution. There was also discussion about the reasons given by the Provost for the delayed Arts and Sciences Dean search and the need for permanent leadership. A **vote** was taken and the motion to approve the amended second resolution **passed** with one opposed and eleven abstained.

Farrell (FA) **moved** that Senate adopt the Resolution on the Associate Provost for Graduate and Professional Education and Dean of the Graduate School Search Process.

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Whereas the search process for the Associate Provost/Dean of the Graduate School resulted in one finalist candidate who was chosen by the outgoing Provost without adequate consultation with the Associate Provost/Graduate Dean Search Committee about finalist candidates;

Whereas the Senate Council recently called upon the President to refrain from making the final decision on the appointment of an Associate Provost/Dean of the Graduate School until additional candidates have been invited to participate publicly in the final round of the search; and

Whereas the Senate Council recently called upon the President to share all feedback on finalist candidates obtained through public fora with the Search Committee so that the committee is given an opportunity to share its responses to the feedback before a decision about the finalists is made.

Be it resolved that

The University Senate requests that the Provost not make a decision on the appointment of an Associate Provost/Dean of the Graduate School until additional candidates have participated publicly in the final round of the search; and

The University Senate requests that the Provost share all feedback on finalist candidates obtained through public fora with the Search Committee so that the committee is given an opportunity to share its responses to the feedback with the Provost before a decision about the finalists is made.

Brown (AG) **seconded**. The Chair asked if there was any debate and there was lengthy conversation about precedents that have been set regarding past dean searches under the current administration and also student concerns about the sole candidate for the Associate Provost for Graduate and Professional Education and Dean of the Graduate School.

Bucheit (EN) **moved to amend** the resolution by adding "pursuant to *GR VIII, GR I.E* and *GR IV.C*" after the comma at the end of the resolution. Farrell (FA) **seconded**. The Chair asked if there was any debate. Support was expressed. A **vote** was taken and the motion **passed** with one opposed and one abstained.

The Chair asked if there was any debate on the **amended third resolution**. There was discussion about if this was the best solution to rectify the Senate's concerns. A **vote** was taken and the motion **passed** with none opposed and eleven abstained.

Farrell (FA) **moved** that Senate adopt the Resolution on Senate Recommendation on *Governing Regulations* and *Administrative Regulations* Regarding Search Committees.

Whereas *Governing Regulation Part VIII* on University Appointments provides the governing principles for Administrative Appointments, including Regular Appointments, Acting Appointments and Search Committees;

Whereas the subsection on Search Committees is silent or insufficient on key elements of the search committee process that would ensure the shared governance intended

and meaningful and effective involvement of faculty expertise in order to attain academic objectives;

And whereas *Governing Regulation Part XIII on University Regulations, Section C. "Amendments of these Governing Regulations"* provides for University Senate recommendation(s) of amendments to *Governing Regulations*, through the President, to the Board of Trustees;

Be it resolved

The University Senate requests that the Senate Council, with all deliberate speed, and earnest consultation with the President and the administration, discuss, draft, and introduce to the University Senate a recommendation(s) of amendments to the *Administrative Regulations* and/or *Governing Regulations*, as it relates to Search Committees (See *GR VIII*), in order to articulate and clarify key elements of the search committee processes that would ensure effective and meaningful involvement of faculty expertise in order to attain academic objectives; and

Upon the University Senate recommendation(s) of amendments to the *Administrative Regulations* and/or *Governing Regulations*, as it relates to Search Committees (See *GR VIII*), such *AR* amendment recommendation(s) shall be transmitted, to the President, and such *GR* amendment recommendation(s) shall be transmitted, through the President, to the Board of Trustees for further action, pursuant to *GR IV.C.10* and *GR XIII*.

Brown (AG) **seconded**. The Chair asked if there was any debate and there was clarification about the rationale behind the resolution. A **vote** was taken and the motion **passed** with none opposed and four abstained.

The Chair invited senators to submit names to him of faculty who might be interested in working on this sort of task.

Barron (AS) **moved** that Senate adopt the Resolution on Affirmative Steps Regarding Search Committees.

Whereas there has been a long tradition of meaningful and effective faculty engagement in the shared governance structure of the University of Kentucky;

Whereas such meaningful and effective faculty engagement, historically, has involved the following best practices for administrative appointments, practices that are valued because they effectively utilize the expertise of the faculty to attain academic objectives and ensure stable university, college, and education unit leadership in furtherance of our education mission:

The search committees for administrators overseeing academic activities in instruction, research and/or service are composed of majorities or pluralities of faculty members and

such faculty members are full-time faculty (not faculty with substantial percentage of their DOE in Administration (for example, Associate Dean, Chair) and such faculty members are chosen by, or from lists provided by, the University Senate and/or relevant faculty units;

Search committee members, meeting as a collegial body, participate in the review of candidates, identify qualified candidates, rank or provide values (strengths or challenges) for each candidate, leading to recommendations that identify at least 2 or 3 finalist candidates;

On-Campus interviews, fora and/or presentations are made by the finalist candidates to all affected constituencies (students, staff, faculty, administrators);

Feedback mechanisms involve the review of all input from all affected constituencies;

Transparency as to the decision-maker's deliberative process, specifically, communication of factors considered, input received, and over-all rationale for the choice to all affected constituencies;

Be it resolved that

Until such time that the *GRs/ARs* are changed to ensure meaningful and effective faculty involvement in shared governance, it is the expectation of the University Senate that the President and the Administration adhere to the best practices referenced above as the President/Administration carries out their duties and responsibilities under *GR VIII* and as the President and the Administration solicits and utilizes the expertise of the faculty to attain academic objectives.

Brown (AG) **seconded**. The Chair asked if there was debate. There was discussion about the change in phrasing from the other resolutions and the importance of feedback. There was a suggestion for clarification about the intended level of "administrators."

Grossman (AS) **moved to amend** the resolution by adding between the first and second indented paragraphs that "The aforementioned search committees shall also include representation from students and staff." Farrell (FA) **seconded**. The Chair asked if there was debate and there was none. A **vote** was taken and the motion **passed** with none opposed and two abstained.

Bird-Pollan (LA) **moved to amend** the resolution by including after the first clause of the second "Whereas": "including appointments in newly created administrative positions." Farrell (FA) **seconded**. The Chair asked if there was debate and there was none. A **vote** was taken and the motion **passed** with none opposed and four abstained.

The Chair asked if there was any debate on the **amended resolution** and there was none. A **vote** was taken and the motion **passed** with none opposed and five abstained.

The Chair noted that he would distribute the resolutions.

The meeting was adjourned at 5:05 pm with no objections.

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Respectfully submitted by DeShana Collett
University Senate Vice Chair

Absences: Abdel-Latif, Blalock*, Birdwhistell, Blackwell, Brown, Cox, DiPaola, Donohue, Echman, Fanucchi Gent, Gustafson, Hall (Claire), Heath, Horvath, Jackson, Johnson (Martell), Kirn, Kruchten, Lane, Lehmkuher, Martin, Mehra, Miller (Hannah), Miller (Jay), Neiheisel, Okeson, Pace, Phillips (Jada), Pienkowski, Richey, Roberts*, Sands, Snyder, Swartz, Tagavi, Taylor, Tovar, VanGilder, Vosevich, Wells*, Wilhelm, Wilkinson, Wright (Alison), and Wright (George).

* Denotes an explained absence.

Guests present: Ruth Adams, Carmen Agouridis, Nelson Akafuah, Cristina Alcalde, Ben Allen, Charlie Amiot, Richard Andreatta, Laura Anshel, Karen Badger, Ernie Bailey, Francis Bailey, John Baker, Jennifer Bartlett, Aja Bettencourt-McCarthy, Terry Birdwhistell, Jay Blanton, Lisa Blue, Renee Bonzani, Ty Borders, Anna Bosch, Sheila Brothers, Summer Brown, Laura Bryan, Diana Byrne, Lauren Cagle, Valerio Caldesi Valeri, Wayne Centers, Mei Chen, Richard Childress, Trisha Clement, Tricia Coakley, Richard Coffey, Katherine Counts, Sarah Cprek, Jennifer Cramer, Darryl Dedelow Jr., Robert Denomme, Allyson DeVito, Zach DeVries, Melanie Dicks, Thomas Dziubla, Janet Eldred, Tony English, Andrea Erhardt, Lauren Fann, Janice Fernheimer, Alan Fryar, Beth Fuchs, Sarah Geegan, Jarod Giger, Phoebe Glazer, Heide Gluesing-Lueerssen, Miyabi Goto, Morris Grubbs, Beth Guiton, Grace Hahn, William Haneberg, Albert Hardin, Phil Harling, April Hatcher, Meri Hayden Rushing, Melissa Henke, Rachel Hensley, Karyn Hinkle, Julie Human, Jennifer Hunt, Beth Hunter, Tracie Hutchison, Fuko Ito, Dick Jefferies, Eleanor Johnson, Michael Johnson, Nancy Johnson, Ashley Jones, Davy Jones, Julene Jones, Nancy Jones, Matthew Kim, Eric King, Marc Kiviniemi, Douglas Klein, Zada Komara, Beth Kraemer, Daniel Kuhnlein, Janice Kuperstein, Donna Kwon, Elizabeth Langlois, Amy Laub-Carroll, Brian Lee, Patrick Lee Lucas, G.T. Lineberry, Shawn Livingston, Megan Lucy, Sarah Lyon, Dakshnamoorthy Manivannan, Laura Manning, Kia Markussen, Alexandre Martin, Courtney McCalla, Katherine McCormick, Scott McDonald, Joe McGillis, Michael McGlue, Kevin McGowan, Joanie-Ett Mims, Dave Moecher, Emily Mokros, Mairead Moloney, Ann Morris, Kathryn Mullen, Uwe Nagel, John Nash, Tina Navis, Nicholas Nguyen, Joseph O'Neil, Carrie Oser, Jennifer Osterhage, Melanie Otis, Natalie Parks, Katie Paullin, Zeke Perkins, Kristen Perry, Jeffrey Peters, Karen Petrone, Amanda Potterton, Melynda Price, Kent Ratajeski, Tiku Ravat, Margaret Readdy, Michael Renfro, Jeff Rice, Jenny Rice, Allan Richards, Ellen Riggle, Karen Rignall, Margaret Rintamaa, Sue Roberts, Nels Rogers, Sherry Rostosky, Jeanmarie Rouhier-Willoughby, David Royster, Mike Rudolph, Marion Rust, Buck Ryan, Emily Sallee, Kevin Sarge, Jeorg Sauer, Deirdre Scaggs, Richard Schein, Kevin Schuer, Suzanne Segerstrom, John Selegue, Lindsay Shade, Bilal Shaikh, Rachel Shane, Xuancheng Shao, Al Shapere, Lynda Sharrett-Field, Zhongwei Shen, Mary Sherman, Jennifer Siebenthaler, David Silverstein, Megan Sizemore, Karen Skaff, Doug Slaymaker, Amanda Slone, Greg Smith, Ashley Sorrell, Karriann Soto Vega, Reginald Souleyrette, Brett Spear, Jared Stallones, Abigail Stephens, Tammy Stephenson, Keegan Stewart, Justin Sumner, Clayton Thyne, Madeline Trudeau, Chloe Urbanski Wawrzyniak, Kakie Urch, Kathleen Urch, Ann Vail, Lisa Vaillancourt, Patrick Walker, Jaleesa Wells, erica Whitaker, Corrine Williams, Elizabeth Williams, Lisa Wilson, Leslie Woltenberg, Sharon Yam, Steven Yates, Kevin Yeager, Olivia Yinger, Martha Yip, and Matthew Zook

Prepared by Stephanie Woolery on May 5, 2021.