

Senate Council

Monday, October 24, 2022

The Senate Council met in regular session at 3:00 PM on Monday, October 24, 2022, in 103 Main Building, although a video conference link was also available for members. Below is a record of what transpired. All votes were taken via a show of hands. Specific voting information can be requested from the Office of the Senate Council (SC).

Senate Council Chair DeShana Collett (HS) called the Senate Council (SC) meeting to order at 3:00 PM. The Chair welcomed those present. She informed everyone that the session was being recorded for notetaking purposes and noted that it was an open meeting. She asked that all attendees, online and in person, state their name and affiliation prior to speaking, to ensure everyone knew who was speaking. The Chair reminded SC members that regarding the ability to speak, members must raise their hand to be called upon. The Chair also reminded everyone that SC members would have priority speaking, noting that others may be called upon as needed and given a chance to speak only if there were no additional comments from SC members.

1. Minutes from October 3, 2022 and Announcements

The Chair informed SC members that no edits were received for the October 3 minutes. There being **no objections**, the minutes were **approved** as distributed **by unanimous consent**.

The Chair reported that there was an ongoing issue affecting students who were granted retroactive withdrawal appeals (RWA). A policy change was implemented in Fall 2021 that changed the process for how return of institutional funding is handled after a student is provided a tuition refund, which has impacted students who received the automatic tuition refund as a result of being approved for an RWA. A student who receives a tuition refund as the result of an RWA now may be asked to return state or institutional funding due to a policy change, if such funding was granted in excess of tuition (e.g. to cover housing charges, UK dining charges). Now after being approved for a retroactive withdrawal, the student is left with an outstanding balance to the University. The Director of Financial Aid changed UK's internal policy, however the policy change was not communicated to anyone and the Financial Aid website did not include any information about an appeals process. According to Financial Aid, a student may elect to participate in a process called a "Scholarship Appeal," but it is not currently clear what the appeal process is and how to initiate it. The chair of Senate Retroactive Withdrawal Appeals Committee (SRWAC) and the Chair are also concerned about students who may have been impacted in Fall 2021 and Spring 2022 but who haven't contacted the Senate Council office for help. Regarding a resolution, Associate Vice President for Enrollment Management Christine Harper and Vice President for Student Success Kirsten Turner will meet with Financial Aid director and develop appeals process for students to use, as well as meet individually with affected students. There is still no appeals process in place but the Chair expressed hope that one would be implemented soon and would be an automatic appeal, like the tuition appeal is.

2. Proposed New Grade Assignment Form for I Grade Extensions (SR 5.1.2.2)

The Chair explained that Senate Rules 5.1.2.2 refers to a grade assignment form to extend an I grade but no such form exists. Ombud Alice Turkington has worked with the Registrar's office to develop the necessary form. Technically the Senate Council office could concur with the form's content and the Registrar could begin using it without any SC involvement, but the office would prefer that the Senate Council vet the form and take formal action to codify the form's use and purpose.

Grossman **moved** to approve the use of this form and direct the Registrar's office to post the form in an obvious and accessible location on their website. Vincent **seconded**. There were a handful of questions. A **vote** was taken and the motion **passed** with none opposed.

3. Committee Reports

a. Senate Admissions and Academic Standards Committee (SAASC") - Leslie Vincent, Chair

The Chair explained that there were two proposals for the MS Athletic Training and both would be considered at a future date, both at the same time.

i. Proposed Changes to Senate Rules Regarding Excused Absences for Military Duties (SR 4.2.1.3.1, SR 5.1.7.4, SR 5.2.5.2.3.3, and SR 9)

Vincent explained the proposed changes. There was brief discussion, including questions about the need for two separate sections on processes. There were additional comments.

Grossman **moved** to return the proposal to the SAASC so that the SAASC could streamline the language and ensure it is consistent throughout the section, as well as ask the Veteran's Resource Center to review the proposed language. Cramer **seconded**. A vote was taken, and the motion passed with three in favor, none opposed, and three abstained.

b. Senate Nominating Committee - Bob Grossman, Chair

i. Nominees for Summative Review Committee for College of Fine Arts Dean Mark Shanda

Before discussing the summative review nominees, the Chair said she wanted to thank the Nominating Committee for providing names for faculty to participate in the Board's evaluation of the President. Due to some scheduling issues, it was not feasible to ask SC to deliberate on the names, so the Chair reviewed the nominees from the Nominating Committee and selected three to send forward. The faculty were from Health Sciences, Arts and Sciences, and Fine Arts.

Regarding the summative review nominees, the Chair noted that the Nominating Committee sent forward three recommendations and provided the names to SC members. She said that there was a **motion** on the floor from the committee to approve those three individuals to serve on the summative review committee for the Fine Arts dean. Because the motion came from committee, no **second** was required. There was brief discussion. A vote was taken, and the motion **passed** with none opposed.

The Chair explained that the committee also asked about additional members (the committee has two members from Arts and Sciences and two from Libraries), as well as if their nominees should all be faculty or if they should consider recommending staff members or those in the community who might be a good fit. The Chair said that it was her understanding that their nominees should be faculty members. Regarding membership, she suggested that committee members themselves to identify additional faculty who could serve and then SC could add those folks to the committee. There was discussion about how to ensure broad representation on the committee, as well as the possibility of the committee establishing rubrics to guide them in deliberations on what would make a faculty member a good fit for a particular type of committee.

4. Informational Presentation by Tom Barker, Philanthropy's Associate Vice President; Sr. Philanthropic Advisor

The Chair welcomed Tom Barker, noting that there was an upcoming donor-related naming proposal for a department that has been recommended for approval by the SAOSC. To help facilitate a healthy discussion on the Senate floor, she invited Barker to offer information about how the Office of Philanthropy functions and interacts with donors.

Barker explained that he has appointments in Legal Counsel and in Philanthropy and while he is not a policy maker, he does participate in various activities related to gifts. Nowadays, honoring an individual by use of their name is typically associated with a financial contribution, although sometimes (as with the Martin School of Public Policy and Administration) the naming is in recognition of someone's service contributions to the University. The naming honors the individual and also inspires students and other members of our community to realize what a person can achieve. It is important to ensure there is an alignment between what a person intends to give and what they plan to support, and the mission and vision of the University. The nature of a gift also needs to be looked at, such as if there is money pledged over years or if it will be an estate gift. Our Gift & Estate Planning team (which Barker leads) can model the financial resources to see how a gift would be deployed and what the impact would be on a specific area. Discussions surrounding major gifts always include the provost, president, Legal Counsel, and other institutional partners, including those that might receive the gift. There is also a principal gifts committee that is responsible for looking into gifts of \$5 million or greater.

In response to a question from Trustee Cramer (EN) about how donations and gifts are evaluated, Barker explained that there is a great deal of collaboration among colleagues in the gift activity. Most major gifts come from individuals with a longstanding relationship with the University, often as alumni but also as other types of stakeholders. When a gift is anticipated from someone well-known to the University, the University already has a sense of who the person is and the nature of the work or company where the person may have made some of their wealth. The University's focus is on an alignment between the donor's passion, where the institution is going, and preserving the academic freedoms and independence of faculty work. If a donor has a specific area of interest, the University will work with deans and other individuals to ensure that if accepted, the donation will not interfere with faculty independence and the faculty's interests. If something happens and there becomes a serious misalignment between the University's standards and the donor, the University would move swiftly to sever that relationship as quickly as possible.

For a gift that resulted in the naming of a college, Barker noted that there was a good process of working with the dean and their faculty to determine if the gift was one that the college's faculty would feel comfortable accepting. Significant efforts were expended to engage faculty members to ensure they had answers that they needed. Barker noted that there are different regulations overseeing gifts resulting in naming of facilities, and for overseeing gifts resulting in the naming of endowed chairs and centers. Regardless of the type of gift, Barker said it was important to ensure that the gift can be received without creating an unfunded liability, such as an endowed faculty position that is not needed. With regard to naming academic units, Philanthropy, working with the impacted unit and University leadership, is trying to achieve a gift that would add meaningfully to the unit's financial resources. If an endowed gift can add 10% or more to the unit's annual resources, that could be a good measure to determine whether the gift amount might be appropriate for the recognition. Understanding, however, that 10% is not appropriate for every unit – sometimes that figure would be too small to justify the recognition or too large and not reasonably achievable from the donor base (ex., College of Medicine). He added that it was common practice in the philanthropy field to offer smaller spaces for naming opportunities, such as a room within a building.

Takenaka (AS) commented on the challenges faced by units that do not typically produce alumni who become multimillionaires. Barker acknowledged that a unit may both feel the need to solicit donations to buoy their finances and feel uncomfortable expressing what sort of donation would be expected for which type of naming opportunity. He noted that opportunities for smaller donations provides less affluent donors with the ability to be recognized, as well. Barker added that these tensions are not unique to UK but rather are prevalent in higher education. Naming of thing such as an academic unit will receive the highest levels of scrutiny because those names tend to be in perpetuity, while naming of physical buildings and other such spaces are good for the life of the building.

Cramer asked if Senate discussions on naming have an effect on philanthropic work; Barker opined that the Senate discussions did not negatively affect philanthropic work in general, or in regards to a specific donor. He has participated in four or five major gifts associated with naming that were endorsed by the Senate and none were unanimous. Barker suggested that it was healthy for an institution to have the opportunity for debate, due process, and dissent. Staff in Philanthropy talk about Senate processes with donors and ensure the donors are prepared for, among other things, philosophical Senate discussions related to donations and naming in general.

A question was asked about what happens if there comes a time when there is a misalignment between the donor whose gift that prompted a naming and the University's mission or values. Barker said that many institutions struggle with that notion. While some universities have explicit policies about how to walk back a gift agreement, UK did not have that sort of policy on the books, nor do UK's gift agreements include what is commonly known as a "morality clause," which would explicitly detail how to unwind a gift in the event of a serious misalignment.

Barker ended his comments by asking SC members if there was anything that Philanthropy could do, or do differently, to help the Senate. In reference to the principal gifts committee, Guest Davy Jones asked about the possibility of having a SC member serve as a faculty representative. Barker thanked Jones for the suggestion and said he would make a note of it. Grossman noted that when a name involves curriculum, Philanthropy should plan for extensive discussions among faculty about the ideas promoted by the donor.

The Chair thanked Barker for attending and he departed.

5. Proposed Changes to Senate Rules 1.4.2.17 ("Senate Retroactive Withdrawal Appeals Committee") and Senate Rules 1.4.2.18 ("Senate Academic Advising Committee")

The Chair reminded members of the recent discussion with Vice President for Student Success Kirsten Turner, regarding the (formerly) named Provost Committee on Advising. Faculty Trustee Cramer **moved** to recommend the Senate approve the proposed changes to SR 1.4.2.17 and SR 1.4.2.18. Vincent **seconded**. There was brief debate. The Chair explained that the phrase "college-based representative" was used to describe an employee whose primary responsibility was advising, as opposed to a member of leadership.

There being no further questions or debate, a vote was taken, and the motion **passed** with none opposed.

6. Items from the Floor (Time Permitting)

The Chair asked if there were any items from the floor.

Provost Robert DiPaola thanked the Chair for participating in a deans' meeting the following day, noting that such interactions were started by (former SC chair and) Faculty Trustee Cramer. He said he was also putting on a chair's town hall on Wednesday, to provide department chairs with an opportunity to offer comments and ask questions. The Provost added that it was in the same vein as the Partnership with the Provost meetings last year, which had become too big to manage. The smaller groupings will facilitate meaningful interactions.

The Chair reminded SC members to arrive early for the next SC meeting, on Halloween (October 31). She said there would be tricks and treats and a chance to chat before the meeting. The food items will remain during the meeting. Members and guests are welcome to attend in costume. The Chair will ensure the meeting is over by 5 pm so that there would be plenty of time for trick-or-treating activities after work.

The meeting was adjourned at 4:25 PM by **unanimous consent**.

Respectfully submitted by,
DeShana Collett

Prepared by Sheila Brothers on Tuesday, October 25, 2022

SC members present: Bastin, Cantrell, Collett, Cramer, Grossman, Raglin, Swanson, Takenaka, and Vincent

Invited guests present: Sheila Brothers, Robert DiPaola, Gregg Rentfrow