

UNIVERSITY OF KENTUCKY

SENATE COUNCIL MEETING

OCTOBER 9, 2023

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1 MS. COLLETT: Well, it's 2:00 o'clock my time,
2 but let's go ahead and get
3 started. It's 3:00 o'clock your
4 time. So, welcome to the
5 University Senate, October 9,
6 2023 meeting. I am calling this
7 meeting to order. If you are in
8 person please make sure that you
9 use your sign-in sheet at the
10 back of the room. Next, I'm
11 going to ask Senators to make
12 sure they check that they're
13 logged into Poll Everywhere.
14 This is as every time, because
15 we're going to do a little fake
16 slide and make sure everything is
17 working well. So, welcome,
18 again. Let's see here, you all
19 ready to vote? So, your voting
20 information is detailed always in
21 the Senator Handbook in case you
22 have forgotten to log in or how
23 to log in. You should already
24 have received an email from
25 Sheila this morning with those

1 Poll Everywhere instructions.
2 And so, we're going to do a vote
3 here in just a minute just to
4 make sure everything is working
5 well. All right. Hopefully, all
6 members have checked their
7 accounts and we won't have any
8 issue, but as you know it comes
9 up time to time and it does
10 happen. The office recommends
11 that we use our web browsers as
12 it stays pretty up to date and is
13 more reliable than just using the
14 App, but you can use whichever
15 one that you choose to use, even
16 the text message function. So,
17 let's try to see if this is
18 working for everybody. This is a
19 test vote, so select 1 if you
20 pretend to vote, select 2 if you
21 pretend to oppose and 3 if you
22 present to abstain. So, we got
23 52 so far. I need a little bit
24 more than that, I think. So, it
25 looks like people are still

1 probably logging in, but we're
2 getting most of those to start
3 working now. I'm just giving it
4 a couple more seconds. Okay.

5 MS. BROTHERS: Are we good?

6 MS. COLLETT: Yeah, we're good. The next slide
7 should show it, yes, perfect.
8 That's all right. It takes a
9 minute on these Poll Everywhere.
10 Perfect, thank you. So, the
11 meeting is subject to Open
12 Meetings Laws, as you all know
13 it's recorded for note taking
14 purposes. We use Robert's Rules
15 of Newly Revised -- Robert's
16 Rules of Order Newly Revised.
17 This is a hybrid meeting, of
18 course, in person and Zoom. We
19 always want to make this
20 inclusive, so we provided this --
21 this option and sometimes things
22 come up, as you see I am on Zoom
23 today, attending a conference,
24 but wanted to make sure that I
25 was able to fulfill my duties on

1 that end. So, I am here on Zoom.
2 Remember there's no voting by
3 proxy, if you are not a member
4 you cannot and will not vote.
5 State your name and affiliation
6 prior to speaking. So, sometimes
7 I know we get into the heat of
8 the moment and we're just talking
9 and we think everybody knows who
10 we are anyway, but please, please
11 -- we may have to cut you off and
12 say, "Just state your name and
13 affiliation," we have to have
14 that for our transcripts, for the
15 Court Reporter as she transcribes
16 and it's also good that other
17 people know who's speaking, we
18 don't know everyone. So, just
19 remember to do that, please.
20 Remember to speak loudly enough
21 to be heard and to speak clearly.
22 So, just a reminder again, here
23 are the kind of guidelines on
24 who's able to speak when. So,
25 individuals are called upon at

1 the Chair's discretion in that
2 order. So, you may have your
3 hand up, but if you're not in
4 this order it's likely you're
5 going to get skipped over until
6 you kind of get lined up in this
7 order, so first folks are Senate
8 Members who have first priority,
9 Senators who have not spoken yet
10 about an issue are next and then
11 those who can offer information
12 to assist the Senate in
13 discussion, so proposers, guests,
14 etcetera and then non-members if
15 time and circumstances permit
16 that. So, this tends to be
17 forgotten, like I said, so Leslie
18 and Vice Chair Bastin will
19 actually help me keep up to date
20 today as we have before at a
21 previous meeting and let me know
22 whose hands are raised. What we
23 will likely do is switch back and
24 forth, so I'll take several hands
25 on the Zoom and then we'll switch

1 to the hands that are in person
2 as we move along. Civility. As
3 always, debate is about
4 expressing an opinion. Please
5 make sure that you continue to
6 participate and report back to
7 everyone in your college. I know
8 we have Distribution Lists, we're
9 working on, I think, using
10 Salesforce or something else to
11 get those Listserv Lists or
12 Distribution Lists kind of
13 distributed to you all. This is
14 kind of where the university
15 wants us to move when we have
16 large Distribution Lists, so
17 those will be available soon and
18 you'll be able to use that to
19 communicate with the college. We
20 have had those Listservs
21 available, but now they've moved
22 us on over to Distribution Lists.
23 So, you'll get this very soon
24 from Sheila and she'll email you
25 with instructions. I know we've

1 had at least three colleges
2 contact us about Distribution
3 Lists, so we will definitely do
4 that here in the next week or
5 two. Attendance is captured via
6 the Zoom report and also the in-
7 person sign-in sheets. So, if
8 you have not signed in make your
9 way back there before the end of
10 the Senate Meeting and just make
11 sure that you are signed in.
12 Remember, not everyone on Zoom
13 can kind of -- or not everyone in
14 person can see what's going on,
15 so we do just make sure the chat
16 is not workable, we cut it off.
17 We want to make sure it doesn't
18 distract from any of the official
19 proceedings, instead we ask you
20 to either raise your physical
21 hand or raise your Zoom hand so
22 that we can see. If you're on
23 Zoom definitely try to use the
24 Zoom hand -- raise hand function,
25 so that I can see you. So,

1 remember try to stay -- try to
2 keep your camera on as much as
3 possible. If you have to step
4 away we do understand, but with
5 Open Records Laws we have to
6 remain visible any time we are
7 conducting business. Again, if
8 you are attending by Zoom you
9 should know by now, have a good
10 quality headset and a microphone
11 or just really speak quite
12 loudly, if you don't. If you're
13 a Senate Member and is
14 disconnected and cannot reconnect
15 at all just please send Sheila an
16 email so that we are aware and we
17 can document that. Just remember
18 to mute yourself when you are not
19 speaking. If -- you know, Zoom
20 you just use the normal mute
21 button, but if you're in person
22 remember that the red light means
23 the mic is muted and if there's
24 no light the mic is on and ready
25 for you to speak. If something

1 should happen and you're on Zoom
2 and you're, you know, unmuted
3 Sheila will help us mute you so
4 that it doesn't distract from the
5 proceedings. And remember that
6 when your mic is on the room
7 camera should focus on where the
8 microphone is turned on so that
9 we can -- the folks on Zoom can
10 actually see who is speaking and
11 keep us engaged. I think go to
12 the next one, Leslie. I'm
13 missing a slide there. However,
14 just remember on the raise your
15 hand, I'll call on you, I will
16 make sure that we call in order.
17 Please do not speak out of turn.
18 Reasons -- just a reminder,
19 reasons why a Senator would like
20 to speak will include point of
21 order, so something is not clear
22 about what we're discussing or
23 why, to make a second or a
24 motion, questions of fact and/or
25 debate and to call a question,

1 which is remember a vote to cease
2 debate. We will try to keep,
3 like I said, everyone kind of in
4 order of who raises their hand
5 regardless of modality. I am not
6 on that side, so our
7 parliamentarian may have to
8 interrupt at times if we tend to
9 not be following Robert's Rules
10 of Order, so he can keep us back
11 on track, and so, we can get
12 through our agenda today. So,
13 next up is Senate Agenda
14 announcements. So, starting with
15 this academic year colleges need
16 to expect they are going to be
17 completing their elections for
18 new Senators earlier in the year,
19 so now it's going to be in
20 February, so you're going to get
21 some information coming from
22 Elections and Rules Committee
23 Chair concerning your faculty or
24 your college elections. An
25 earlier election in the season

1 basically means the Senate
2 Council can compose committees
3 sooner and have compositions
4 finalized in the spring, instead
5 of early fall. So, people know
6 what committees they're on, they
7 can then be able to negotiate
8 their Distributions of Effort a
9 lot better and those sort of
10 things. So, expect to see that
11 information come out in November
12 or December. All Senate
13 committees should have started
14 meeting by now. If your
15 committee chair has not contacted
16 you to set up any meetings please
17 let the Senate Council Office
18 know so that I know that a
19 committee is not meeting and I
20 can move forward with contacting
21 those committee chairs. We are
22 still fixing and updating items
23 on the website and anticipate
24 this is going to be a long haul
25 over the next year, we know this.

1 We're going to find things, we're
2 going to find broken links, but
3 they're getting fixed, believe me
4 we've got folks working overtime
5 to get this done, but soon enough
6 committee chairs should get some
7 instructions on how to actually
8 upload Committee Agendas and
9 meeting minutes over the next
10 several months. So, you'll get
11 some instructions. Because we've
12 built this new website committee
13 chairs can actually log in
14 securely to their committees,
15 they'll be able to upload
16 everything and this kind of takes
17 -- we were doing Activity
18 Reports, but it seems like not
19 everybody may have been reading
20 those or they become cumbersome
21 and they were so many we were
22 putting on the Consent Agenda,
23 this is an easy way for anyone to
24 be able to see, "What's on the
25 Agenda? Is my item coming up,

1 has it already gone to
2 committee?" anything like that,
3 but also allow Senators to -- and
4 non-Senators, people who may be
5 considering coming on the Senate
6 to see what the committees do and
7 maybe that's a committee that you
8 want to be involved in based on
9 what you're reading and how you
10 -- you know, you're keeping up
11 with what they're doing. So, we
12 are definitely moving forward
13 with that and so that'll come out
14 soon and we'll have some videos
15 to kind of help walk you through
16 it, but it should be pretty
17 simple and easy. Consent Agenda.
18 The only thing we have on the
19 Consent Agenda for this meeting
20 is the minutes from the prior
21 meeting, so the September 11,
22 2023 meeting minutes. Just
23 remember items on the Consent
24 Agenda are considered adopted
25 unless a member moves to remove

1 an item for discussion later
2 within the meeting. You can also
3 remove an item well before the
4 meeting, which I have not
5 received anything from anyone, or
6 at the time that the Senate
7 Agenda -- Consent Agenda is
8 adopted. So, items can be
9 removed again, well before the
10 meeting, but we haven't had
11 anything. So, the minutes right
12 now from September 11, 2023 we
13 had some clerical edits, which we
14 have updated. I have not
15 received any requests, like I
16 said, to remove any item from the
17 Consent Agenda to discuss later.
18 If you would like to remove
19 something please speak up now.
20 Okay. So, there's no objections
21 to these items at all, hearing
22 none the Consent Agenda from
23 September the 11th, 2023 is now
24 adopted. All right. Officer
25 Reports. From me I received

1 feedback from the last minute
2 about amendment language and
3 sometimes there's some confusion
4 that can occur. So, I'm just
5 asking you all to be patient with
6 us. We are going to try some new
7 techniques and processes today
8 regarding amendments that are
9 made on the floor. The new
10 process will basically display
11 the amendment on the screen. We
12 do not plan to do this for like
13 grammatical fixes or simple
14 clarification of things, but if
15 there is, you know, a substantial
16 change to something or a very
17 complicated amendment we have
18 built in some extra slides where
19 we will actually type those
20 amendments in, so everyone can
21 read it and absolutely know what
22 you're voting on and there should
23 be no confusion. So, it's just
24 really to ensure that you have
25 that explicit language right

1 there in front of you. Like I
2 said, be patient because also as
3 Sheila is making these voting
4 slides -- okay. We're going to
5 mute somebody there. So, as
6 Sheila is kind of typing up these
7 amendments it's going to take her
8 a second because we have it on a
9 separate Power Point and we'll
10 have to bring up that Power
11 Point, so just be patient with
12 us, but this is for a good reason
13 to make sure everything is clear.
14 Additionally, I have been meeting
15 with several stakeholders on
16 campus, one being the new
17 Associate Provost of Faculty
18 Advancement Lisa Tannock, we are
19 going to work on creating a
20 Sabbatical Workshop for next
21 fall, so folks can really kind of
22 highlight -- faculty is given an
23 opportunity for faculty to
24 highlight and showcase the great
25 work they are doing to advance

1 and benefit the university, as
2 remember we appreciate and know
3 what sabbaticals can do for
4 everyone, but what it does for
5 the university is big as well.
6 Again, it's going to --
7 hopefully, this workshop will
8 provide an opportunity for
9 faculty to also network and
10 identify maybe even future
11 collaborations with other
12 faculty. So, they'll be more
13 details to come about this over
14 the year, but we're just now
15 starting to meet on it, so hope
16 to hear about -- you should hear
17 about more of that soon. Vice
18 Chair Bastin, do you have any
19 reports to give today?

20 MS. BASTIN: I do not.

21 MS. COLLETT: Thank you. Parliamentarian Greg
22 Rentfrow, do you have anything?

23 MR. RENTFROW: I have no report.

24 MS. COLLETT: The Faculty Trustees, Trustee
25 Swanson and Trustee Kramer, they

1 do have a report today.

2 MR. KRAMER: Good afternoon. Trustee Swanson,
3 regrets not being able to join us
4 today. Remember that the Trustee
5 Report is an opportunity for you
6 to hear what's going on in the
7 Board of Trustees, also it's an
8 open invitation to reach out to
9 either of us to share your
10 perspective on matters. We're
11 not representative stakeholders
12 in the Board, but we do provide a
13 prospective that your feedback
14 can help inform. The Board of
15 Trustees met on September 14th
16 and 15th, it heard reports on UK
17 Internal Audit and an educational
18 session on Active Versus Passive
19 Investing, a somewhat fragmented
20 presentation from the Co-EVPHAs
21 indicating how they're handling
22 UK Healthcare as they're trying
23 to find their footing there. An
24 Athletics Report, Academic and
25 Student Affairs Report and

1 Finance Reports. The Board
2 approved several routine items
3 including gift acceptances and
4 capital projects. The Board also
5 considered its two major annual
6 evaluative processes, its
7 evaluation of the president and
8 its self evaluation. I was asked
9 about these processes here last
10 year and I described how the
11 qualitative response of the
12 evaluations are not provided to
13 the Board or even to the
14 Executive Committee of the Board,
15 instead these responses are
16 censored with only those which
17 appear subjectively to be
18 repeated by multiple trustees
19 provided. I've spoken
20 continuously in favor or
21 reforming this process. I think
22 we have opportunities here to
23 maximize the individual
24 perspective's of the people and
25 whom the Commonwealth of Kentucky

1 has intrusted the university's
2 governance and also to signal an
3 eagerness by the Board to
4 independently evaluate both its
5 and the president's performances.
6 I received some personal
7 assurances that we could work on
8 improving these processes this
9 year, but it appears we're going
10 to be doing what we did last
11 year. The Board is presently in
12 the middle of officer elections.
13 We will have a new Board Chair,
14 because the current Chair Bob
15 Vance is term limited. Also, the
16 Board is meeting to have its
17 retreat next week with the major
18 theme the Strategic Plan. Chair
19 Collett, if there are any
20 questions.

21 MS. COLLETT: Does anyone have any questions
22 for Trustee Kramer?

23 MR. KRAMER: Thank you.

24 MS. COLLETT: Thank you. Next up is Committee
25 Reports and we already have the

1 committee chair sitting at the
2 podium there. So, Senate
3 Admissions and Academic Standards
4 Committee, SAAC -- SC, Leslie
5 Vincent is the chair. This is
6 proposed change to the BSN
7 Nursing, you should be able to
8 see that in your Curriculog. The
9 proposer is Professor and
10 Assistant Dean of the BSN Program
11 Darlene Walsh. Leslie?
12 MS. VINCENT: All right. So, this is a
13 recommendation that the
14 University Senate approve the
15 proposed changes to the
16 Admission's Policy for the BS
17 Nursing. This change was in
18 response to feedback provided
19 last academic year regarding the
20 current SRs related to admissions
21 for the accelerated BS in
22 Nursing, so that's
23 SR10.3.1.1.4.4. The committee,
24 when we were reviewing a series
25 of nursing proposals last year

1 asked for some updates and
2 clarification regarding the
3 admissions policies for the
4 accelerated BS in Nursing and now
5 those changes have been proposed
6 and include five categories of
7 students that are eligible for
8 the accelerated program. So,
9 these are students who have
10 already earned a bachelor's
11 degree in any major, students who
12 are Licensed Practical Nurses or
13 Licensed Vocational Nurses,
14 students who are veterans of
15 Armed Services who completed
16 Medic Training as indicated on a
17 Joint Services Transcript,
18 students who are enrolled in
19 another UK degree program who
20 plan to declare the ABSN as an
21 additional bachelor's degree and
22 finally student admitted to and
23 who have successfully completed
24 the program requirements
25 established in external dual

1 degree agreement between UK
2 College of Nursing and an
3 established institutional
4 partner. The committee voted
5 unanimously to approve the
6 proposed changes.

7 MS. COLLETT: All right. So, there's a
8 recommendation from the committee
9 and the Senate Council for the
10 Senate to approve the admissions
11 changes to the BSN Nursing.
12 Because the motion comes from
13 committee no second is required.
14 The motion is now on the floor
15 and the floor is opened up to
16 members for questions of fact
17 and/or debate? Any hands raised,
18 Leslie?

19 MS. VINCENT: No.

20 MS. COLLETT: Okay. Seeing no hands raised
21 it's time for a vote. As a
22 reminder, Senate is voting on the
23 recommendation from SAASC and the
24 Senate Council that the
25 University Senate approve the

1 admissions changes to the BSN in
2 the Nursing Program.

3 (Cross talking between Senate Members)

4 MS. COLLETT: Yeah, I was about to say why is
5 that showing up like that?

6 MS. VINCENT: I think I had clicked responses
7 instead of instructions from the
8 last time, so it probably carried
9 it over. I don't think it'll
10 happen again.

11 MS. COLLETT: Apologies. You're good, sorry.
12 Okay. Next up you have the --
13 let me see here, as you can
14 remember from the September
15 Senate Meeting that Senate
16 Council discussed, well you may
17 not remember, but Senate Council
18 discussed some reports from the
19 SAC DAC and wanted the committee
20 to continue its work based on
21 some different things like bench
22 marking, looking into different
23 accommodations, developing
24 recommendations that can help DRC
25 create a more transparent

1 website, you know, getting some
2 sort of shared governance
3 activities going on here. So,
4 today what we're going to do is
5 we're actually going to hear from
6 the committee and what their
7 committee accomplished last
8 academic year and what they're
9 going to be doing this year. So,
10 the SAC DAC Committee on
11 Disability and Accommodation
12 Compliance you have Cassandra
13 Gipson -- I cannot -- Cassandra
14 can you say your last name so I
15 can make sure I say it correctly.
16 MS. REICHARDT: It's Gipson Reichardt.
17 MS. COLLETT: Gipson Reichardt; okay. Thank
18 you so much. She's going to give
19 us the 2022-23 Annual Report.
20 Thank you.
21 MS. REICHARDT: Thank you. Thank you so much for
22 giving me the opportunity to give
23 you a report on what we've been
24 doing over the past year. So,
25 this is our report from 2022 to

1 2023. In May of 2022 the Senate
2 Council expressed awareness of
3 concerns from some faculty that
4 reasonable accommodations from
5 medically qualifying learning
6 disability are not determined
7 through an interactive process
8 with the faculty instructor and
9 as a result the instructor may
10 not agree that an accommodation
11 is pedagogically reasonable or
12 appropriate. So, our committee
13 was charged with information
14 gathering on reasonable
15 accommodations in general to
16 identify how are reasonable
17 accommodations expected or
18 intended to be established, if an
19 accommodation may violate Senate
20 Policy by fundamental alteration
21 of the essential nature of the
22 core program and also how a
23 faculty instructor can request a
24 change to an accommodation if
25 they do not believe it is

1 reasonable and so forth. So,
2 this is our information gathering
3 process. We discussed
4 transparency of the Disability
5 Resource Center or the DRC and
6 their processes, specifically
7 looking at policy information
8 before cases occur, decision
9 making and communication of the
10 DRC during a case with the
11 student and the faculty member,
12 explanation of case outcomes and
13 distinguishing between
14 determination if the student has
15 a diagnosed academic disability
16 first determining if a potential
17 accommodation in the class is
18 pedagogically reasonable. And
19 so, with this it was determined
20 that our committee needed to do
21 bench marking to identify
22 effective DRC website design and
23 also discuss composition of the
24 committee. So, our committee
25 members each reached out to DRC's

1 other institutions, which some
2 were suggested by a member of the
3 DRC here, these included UT
4 Chattanooga, Ohio State
5 University, North Carolina State,
6 West Virginia University, UT
7 Knoxville, University of Florida,
8 University of Arizona, Texas A&M
9 and Northern Arizona University.
10 So, our committee and the DRC
11 here at UK worked together during
12 the 2022-2023 bench marking
13 process and our discussions were
14 quite productive with this goal
15 of defining and understanding our
16 different roles so that we can
17 work together in shared
18 governance. So, the first thing
19 we focused on was the website, so
20 if you go the UK DRC website this
21 is what you'll see. We
22 determined that the DRC website
23 needs updating and there is need
24 for more full or more readily
25 available information for process

1 transparency. So, for example,
2 inclusion of DRC staff office
3 hours, effective visuals of the
4 accommodation process, pictures
5 and bio sketches of the advisors,
6 a need for a clear delineation of
7 the DRC staff roles in
8 determining that a diagnosed
9 disability exists and also the
10 need for clear delineation of
11 faculty roles in determining the
12 pedagogical reasonableness of
13 potential accommodations. And we
14 also noted with other
15 institutions there are, for
16 example, ways faculty can
17 actually fill out what
18 fundamental course objectives
19 does an accommodation potentially
20 alter, so more of an interactive
21 process. So, we recommend that
22 the DRC establish this systematic
23 practice of outreach to colleges
24 and departments, for example
25 conducting drop-ins at different

1 colleges or departments and
2 offering to attend educational
3 unit meetings and also to promote
4 a culture of collaboration. So,
5 the next thing I want to talk
6 about is course substitution as
7 accommodation. So, the UK Core
8 Education Committee or CEC, which
9 I believe we'll hear from next
10 evaluated the procedure for
11 course substitution related to
12 core academic requirements. So,
13 our goals were threefold. First,
14 to clarify the role of the DRC in
15 determining reasonable
16 accommodations, secondly, clarify
17 the role of faculty in
18 determining whether an
19 accommodation fundamentally
20 alters the course of program or
21 study and thirdly, determine and
22 standardize the communication
23 procedures between the faculty or
24 educational units and the DRC
25 when there may be a case of

1 fundamental alteration of the
2 course or program. And so, CEC
3 proposed and we supported a
4 dynamic decision process. So --
5 also, outside of UK Core other
6 programs may have a situation
7 where the DRC determines that a
8 diagnosed disability exists that
9 warrants a core substitution, and
10 so, we determined that there is a
11 need to identify a procedure for
12 this other context and we asked
13 should the procedures be similar
14 or should they be individualized
15 to each program. And so, our
16 committee recommends that the
17 procedure for disability
18 accommodation in the UK Core
19 context is also an option
20 available for other program
21 disability accommodation context
22 and this can be reevaluated
23 intermittently. So, within
24 course accommodation we recommend
25 that the Senate Council encourage

1 a culture of collaboration
2 between the DRC and faculty to
3 mitigate pedagogical impact of
4 various within course diagnosed
5 academic disability related
6 accommodations. So, the faculty
7 perception is that the following
8 examples within course
9 accommodations are imposed on
10 course instructors. These
11 include greater time for the
12 educational activity, for
13 example, taking the exam or due
14 date for an assignment, excused
15 absence from the activity
16 potentially implicating on
17 occasions of the 20 percent rule,
18 allowance of information recall
19 prompts or memory aids. Certain
20 accommodations of exam taking may
21 also compromise the integrity of
22 the exam, for example
23 insufficient monitoring of exam
24 takers. Also, a change in
25 modality, for example virtual

1 versus face to face, which each
2 have a different pedagogical
3 context. Also, creation of new
4 physical course teaching
5 materials, for example display
6 models and also untimely notice
7 of the need to make a disability
8 accommodation, for example after
9 the course has started. And so,
10 with this also the DRC letter to
11 the student can sometimes occur
12 without the faculty instructor --
13 without what the faculty
14 instructor would consider an
15 opportunity for due consideration
16 of whether the accommodation
17 constitutes a fundamental
18 pedagogical alteration in the
19 course and its program. And so,
20 through the interactive process
21 with the DRC our plan is to
22 continue to identify concrete
23 best practices as they relate to
24 idiosyncratic pedagogical
25 circumstances. So, the next

1 thing I want to talk about is the
2 DRC -- we recommend continuing
3 periodic survey of faculty on the
4 effectiveness of their activities
5 of faculty contact and support.
6 Currently the survey happens
7 every three years, and so, we
8 wonder if this couldn't happen
9 more frequently. And then for
10 the Senate we recommend
11 encouraging educational units to
12 establish education policy about
13 pedagogical aspects of their
14 programs or courses that can't be
15 reasonably altered and recommend
16 that there's a need for clear
17 delineation and faculty exercise
18 of ADA compliant guardianship of
19 the fundamental nature of
20 programs. So, next we also were
21 made aware that the DRC urgently
22 needs increased resources for
23 administering accommodations.
24 So, through this gathering
25 process we determined that our

1 DRC is severely understaffed and
2 we believe this likely has
3 widespread impact on many of the
4 DRC processes and should be
5 addressed. So, resources homed
6 at the DRC here are alarmingly
7 below the level of our
8 benchmarked institutions and here
9 you can see Appendix B where we
10 give the numbers, this includes
11 staff personnel, information
12 technology and communication
13 pathways. And so, we recommend
14 that affective DRC activities
15 must be founded on resources
16 commensurate with expectations.
17 And also, we recommend increased
18 activity of local faculty and
19 faculty bodies to identify
20 accommodations that pedagogically
21 retain the fundamental nature of
22 the course or program and the
23 procedure, for example, used for
24 course equivalency determination
25 may engage the local director of

1 undergraduate studies to identify
2 a course -- a proper substitute
3 course and with that we recommend
4 that these increased local
5 activities be commensurately
6 resourced. So, finally, our plan
7 for this next academic year,
8 which we are already starting to
9 do, we are going to continue to
10 research to assess the
11 effectiveness of faculty and
12 faculty bodies and their
13 identification of pedagogical
14 parameters for diagnosed academic
15 disability related accommodations
16 and make appropriate
17 recommendations to the Senate.
18 And also, prior to the guarantee
19 to students of accommodation we
20 recommend that faculty and the
21 DRC develop an Accommodation Plan
22 through an interactive process.
23 We will continue to work with the
24 DRC to research best ways to
25 define this process. We are also

1 available to review the
2 accommodations letter and provide
3 input regarding clarity of
4 faculty ability to discuss
5 concerns with the DRC and this
6 can also be reiterated in the AIM
7 Portal as well. And also, we are
8 available to advise the Senate or
9 educational units on potential
10 procedures for ADA compliant
11 course substitution situations
12 outside of certain UK Core
13 course. And I just also want to
14 note that we are -- the first
15 step we are tackling is to update
16 the DRC website and we are
17 currently working with members of
18 the DRC to do that. So, thank
19 you.

20 MS. COLLETT: Thank you. Okay. Does anybody
21 have any --

22 MS. REICHARDT: Oh, sorry. I missed one point.
23 I'm sorry. But, anyway, okay.
24 We can move on. That's fine.

25 MS. COLLETT: No, go ahead. Say what you --

1 MS. REICHARDT: I think that was a bullet point
2 that should have been removed, so
3 it's fine. I'm done, yeah.

4 MS. COLLETT: Okay. Thank you. Does anybody
5 have any questions for Cassandra
6 about the committee's work or
7 their work going forward?

8 MS. BLASING: Hi. This is Mollie Blasing,
9 College of Arts and Sciences.
10 Your third bullet point here
11 suggests that faculty input could
12 potentially be related through
13 the A-I-M Portal, I don't know
14 what that is.

15 MS. REICHARDT: So, the portal is kind of a
16 transparent way to communicate
17 between DRC and students and
18 faculty, and so, it's migrating
19 from Clockwork to it's called AIM
20 now. And so, with that migration
21 we're hoping for additional
22 transparency and perhaps adding
23 in information about this
24 process.

25 MS. BLASING: Thanks. That sounds really good.

1 MS. COLLETT: Jane?

2 MS. JENSEN: Yes, Jane McEldowney-Jensen,
3 College of Education. I just had
4 a question. The DRC is funded
5 through the Student Success Unit,
6 is that correct, so it's under
7 the Student Activity Fee?

8 MS. COLLETT: Uh-huh. It's under the Office of
9 Student Success, yes. Bobby?

10 MR. SCROGGINS: Yes, Professor Bobby Scroggins,
11 College of Fine Arts and the
12 School of Art and Visual Studies.
13 My question has to do with
14 patient confidentiality. How
15 does the faculty involvement --
16 or how could it conflict any kind
17 of confidentiality issues with
18 the students?

19 MS. REICHARDT: I'm not sure about that, but from
20 what my information gathering
21 process there are ways for
22 faculty in other institutions to
23 submit information about how an
24 accommodation may be impacting
25 their, you know, learning

1 objectives in their course, and
2 so, I'm not sure that there's
3 necessarily, you know, a breach
4 of confidentiality there. I
5 would have to talk with the DRC
6 more about that.

7 MS. COLLETT: Any more questions?

8 MR. ARTHUR: Steven Arthur, College of Arts
9 and Sciences. First, I just want
10 to say thank you for your
11 committee for trying to deal with
12 this very tricky issue, I
13 definitely appreciate that. I
14 guess I have two comments than
15 are really questions, I guess.
16 One is, you were talking about
17 issues some faculty have with
18 feeling the accommodations are
19 unreasonable based on the
20 learning goals and so on and so
21 forth. Has there been any talk,
22 I guess, with the DRC about, you
23 know, how they make these
24 decisions about the
25 accommodations that are necessary

1 and like any possibility of like
2 sort of transparency and how that
3 process happens to maybe sort of
4 alleviate some of the concerns
5 faculty have around these things?

6 MS. REICHARDT: Yes.

7 MR. ARTHUR: And then second, as you're
8 thinking about trying to make
9 sure that faculty have more
10 involvement in terms of like
11 having a say over like what
12 accommodations are reasonable or
13 like trying to negotiate those.
14 I could also -- I can see that as
15 potentially being maybe a little
16 burdensome to some faculty who
17 say have big classes; right, so
18 like, you know, if you have like
19 20 students and maybe like one,
20 you know, student, you know, has
21 accommodations, but if you're
22 teaching like 200/300 students
23 and you have like 10 or 15 that
24 have accommodations that -- that
25 thing that sounds like it could

1 be cool for faculty could turn
2 like, you know, kind of
3 burdensome pretty quickly. So, I
4 was wondering if there any
5 thoughts or questions about that
6 as well?

7 MS. REICHARDT: So, the first point I will answer
8 first. So, that one, yes. We
9 have been, and I know not just
10 us, but DeShana and others have
11 been in contact with the DRC
12 frequently having discussions
13 about their process and, you
14 know, how we can maybe integrate
15 better, you know, our different
16 roles and function kind of
17 cohesively in that way. So, yes.
18 And then to the second point, we
19 will certainly bring that up in
20 our committee meetings about, you
21 know, faculty workload and how
22 maybe not reasonable that would
23 be with larger course sizes. So,
24 thank you for that comment, we
25 will bring that up.

1 MS. COLLETT: And I will just add in there, you
2 know, we definitely have two
3 separate roles and the DRC is
4 there to determine the
5 reasonableness of an
6 accommodation, where the faculty
7 can have that discussion whether
8 that accommodation fundamentally
9 alters or lowers the standards of
10 an academic program or that
11 person or student getting --
12 fulfilling the learning outcomes
13 successfully. So, there are a
14 lot of discussions, I think, as
15 we move forward. I think things
16 have been done kind of different,
17 you know, nutshells here and
18 there and now we're trying to
19 pull everybody together and
20 really kind of work in a more
21 shared governance, you know,
22 activity to make this a better
23 process for the students, but
24 also for the faculty and the DRC
25 as well. I've got a couple of

1 hands on Zoom, so I'm going to
2 take those next. I have Bobby
3 and then Monica.

4 MR. SCROGGINS: Yes, Bobby Scroggins, Professor
5 of Fine Arts and School of Visual
6 Studies. The other question I
7 have -- it seems like these
8 recommendations address a
9 classroom model where they're
10 more involved with test taking,
11 paper writing and that kind of
12 thing. What about courses that
13 require physical involvement, you
14 know, strenuous activity that
15 kind of thing?

16 MS. REICHARDT: Right. So, that is a very good
17 question. I know that we'll hear
18 next from the Core Educational
19 Committee and, you know, the
20 process possibly for core
21 substitutions, so if it kind of
22 leads to that there will be
23 perhaps a decision making process
24 involved with that and we've been
25 talking a lot about that as well.

1 So, I don't think we necessarily
2 have all of the answers at this
3 point, but we'll certainly keep
4 having those discussions.

5 MS. COLLETT: Monica? Oh, you're on mute
6 Monica.

7 MS. UDVARDY: Monica Udvardy, Anthropology Arts
8 and Sciences. Just to go the
9 speaker before the last one. I
10 teach 140 students this semester,
11 I have 17 DRC accommodations just
12 to give you an example.

13 MS. COLLETT: Uh-huh.

14 MS. REICHARDT: Thank you. I appreciate that.

15 MS. COLLETT: So, Cassandra, that may be
16 something that you add as far as
17 you all just have a discussion on
18 how it's best to support students
19 and faculty in these larger class
20 arenas, so that we can make sure
21 students are successful, you
22 know, we don't want this to be a
23 burden on the student at all.

24 MS. REICHARDT: Right, absolutely.

25 MS. VINCENT: We have a question.

1 MS. COLLETT: Okay.

2 MR. GROSSMAN: Bob Grossman, A and S. So,
3 related to that, whether you have
4 a large class or not there's some
5 accommodations that could be
6 extremely onerous on the part of
7 the faculty member. It's not
8 hard to give someone 50 percent
9 extra time on an exam, you just
10 rent -- get a room close by and
11 do that, but if you have 15
12 students everyone of whom needs
13 to have a zero distraction
14 environment then you need 15
15 different rooms maybe --

16 MS. REICHARDT: Right.

17 MR. GROSSMAN: -- and things become a lot more
18 difficult. And then I haven't
19 had experience with particular
20 new physical materials being made
21 or accommodations on how to
22 deliver the course for particular
23 students, but I -- you know, I
24 understand that there are such
25 accommodations that are sometimes

1 recommended. So, I think in
2 those cases where there's going
3 to be a particular burden on the
4 instructor to make the
5 accommodation there needs to be
6 more communication --

7 MS. REICHARDT: Right.

8 MR. GROSSMAN: -- in particular with the DRC and
9 between the DRC and the faculty
10 member to see how these
11 accommodations can be managed
12 properly and don't present too
13 much of a burden for the faculty
14 member. Maybe they need to
15 increase their DOE if they're
16 going to spend that much more
17 time helping a student.

18 MS. REICHARDT: Thank you. I'll add that too. I
19 appreciate it.

20 MS. COLLETT: Thank you. Thank you, Cassandra.

21 MS. REICHARDT: Thank you.

22 MS. COLLETT: Okay. So, next up we have the
23 Senate UK Core Education
24 Committee, so I'm going to call
25 it SUKCEC because sometimes

1 success --

2 MS. TANAKA: I like success.

3 MS. COLLETT: Keiko Tanaka is the chair. As
4 you can remember last year the
5 Senate endorsed a policy that's
6 used internally for UK Core core
7 substitutions. Since then just
8 from the endorsement there's been
9 some revisions, the Office of
10 Legal has gotten involved as well
11 as the Office of Student Success
12 to ensure that the policy is in
13 compliance with the American
14 Disability Act and policies set
15 forth by the Office of Civil
16 Rights. And so, now I believe we
17 -- you received something today
18 which was an update from what you
19 reviewed -- if you reviewed prior
20 to the weekend or over the
21 weekend. You received some more
22 updates that we had and we, at
23 this point, legal is satisfied
24 with those updates, Office of
25 Student Success is satisfied with

1 those and hopefully Senate will
2 satisfied with those updates as
3 well. In addition to this policy
4 just being an internal policy
5 Keiko is going to discuss the
6 motion will be that we are
7 actually going to codify this
8 policy within the Senate Rules,
9 so there's no, you know,
10 misunderstanding of what the
11 committee is doing and the
12 purpose and responsibilities of
13 all of those parties involved.
14 And so, Chair Tanaka, please.

15 MS. TANAKA: Thank you, DeShana. I will like
16 to personally thank Corrine
17 Williams here from the Student
18 Success and DeShana Collett the
19 Chair of the Senate Council for
20 tirelessly working multiple and
21 multiple versions of this
22 document. And if you recall from
23 last spring that initially what I
24 presented was an internal policy
25 to be used within the Success or

1 Senate UK Core Education
2 Committee and then now since then
3 this is presented as part of the
4 policies to be included in Senate
5 Rules. So, the current document
6 what it does is that it makes it
7 a little bit more simpler than
8 the initial version that you
9 reviewed back in April and yet it
10 codified the division of
11 individual labor between the DRC
12 and the faculty side. So, DRC
13 makes two -- makes two decisions,
14 one is whether the accommodation
15 is necessary for specific
16 learning disability to take UK
17 Core required courses and the
18 second is to determine the core
19 substitution is the accommodation
20 necessary for this particular
21 student. Now, the sub-committee
22 we're going to create under the
23 success is UK Core Educational
24 Core Substitutions Sub-Committee
25 consisting of chair of the

1 Success Committee, the area
2 expert, mainly either
3 quantitative foundation or
4 statistical information reasoning
5 and then DRC director or his or
6 her designee. And they will look
7 at the available courses that
8 might be able to use as a core
9 substitution. And the DRC will
10 communicate with the student and
11 remove all the identifiable
12 information about that student
13 before bringing to the sub-
14 committee so that two of the
15 members who sit in the sub-
16 committee will not know who the
17 student is. And then DRC will
18 communicate to the registered
19 student in the college or program
20 as necessary about the decision
21 being made after the sub-
22 committee's deliberation. So,
23 that's basically a nutshell of
24 the policy and I'm not going to
25 go through the details line by

1 line, because you can read that
2 and then I believe it's a Senate
3 Council who make the motion,
4 would that be for the -- for the
5 codified --

6 MS. COLLETT: Well, since it was -- I think
7 since it was revised we need a
8 motion and a second unless I'm
9 wrong, Greg.

10 MS. TANAKA: To accept? Okay. So, I'm going
11 to ask Greg to make the --

12 MR. RENTFROW: So, with the -- with what was
13 released today?

14 MS. COLLETT: Uh-huh.

15 MR. RENTFROW: Yeah, we probably need a motion
16 and a second, yes.

17 MS. COLLETT: Okay.

18 MR. TAGAVI: Now, that you're doing this and
19 to not make a precedent I think
20 the Senate should -- we could do
21 that at the same time should also
22 waive the seven-day agenda item
23 has to be there, since it's not
24 we could waive it, but we could
25 do that at the same time so there

1 wouldn't be a precedent that the
2 agenda item would be (Inaudible)
3 without any voting.

4 MR. RENTFROW: So, what you're getting at is the
5 Senate Rule says we have to have
6 six days to review this, we would
7 have to vote on waiving that.

8 MR. TAGAVI: We could waive that and we could
9 also accept -- we could combine
10 it or we could do it separate.

11 MS. COLLETT: (Inaudible).

12 MR. RENTFROW: Keep them separate in case
13 there's any amendments and so on.
14 So -- so, I believe, DeShana, we
15 need a motion to waive the six-
16 day period.

17 MS. COLLETT: Senate Rules. Uh-huh.

18 MR. RENTFROW: Yeah, Senate Rule, yup.

19 MS. COLLETT: Well, I don't have the Senate
20 Rules right in front of me.
21 Anybody want to tell me --
22 Sheila, can you look and let me
23 know what Senate Rule that is,
24 please.

25 MR. GROSSMAN: Bob Grossman, A and S.

1 Regardless of the number of the
2 rule I was going to move that we
3 waive the six-day rule and allow
4 consideration of the updated
5 version of the -- of the
6 recommended policy.

7 MS. COLLETT: Perfect. Do I have a second?

8 MR. RENTFROW: We have a second.

9 MS. COLLETT: (Inaudible). As well, thank you.
10 All right. So, now that motion
11 is on the floor and opened up for
12 members for questions of fact
13 and/or debate.

14 MR. RENTFROW: We got one question back here,
15 DeShana.

16 MS. COLLETT: Okay.

17 MR. LODDER: Robert Lodder, Pharmacy. Does it
18 require a majority or two-thirds?

19 MR. RENTFROW: I believe -- is it two-thirds;
20 correct?

21 MS. BROTHERS: Just simple majority.

22 MR. RENTFROW: Simple majority? Okay. Simple
23 majority. I don't see any other
24 hands raised.

25 MS. COLLETT: Give us a second, because they're

1 going to update a slide for
2 everybody to vote on. Okay.
3 There's no more hands raised, so
4 it's time to vote. So, a
5 reminder there's a motion on the
6 floor to approve the Course Core
7 Substitution Policy to codify
8 that within the Senate Rules as
9 well as to waive the Senate Rules
10 on receiving supporting documents
11 six days in advance. There's a
12 piece missing on this Senate
13 Rule. There's a piece missing on
14 this voting slide, which is to
15 codify it in the Senate Rules.

16 MR. GROSSMAN: I believe that we're just voting
17 on the amendment.

18 MS. COLLETT: Okay.

19 MR. GROSSMAN: Just to allow consideration.

20 MR. RENTFROW: Yes, yes.

21 MS. COLLETT: -- of the rule.

22 MR. GROSSMAN: At least that was my motion.

23 MS. COLLETT: Okay. Thank you. Okay. So,
24 that moves forward to allow -- to
25 waive the Senate Rule and also to

1 allow for consideration of the
2 updated policy. Now, we have a
3 revised policy. Okay. So, now
4 we would need a -- I kind of got
5 a back voice. Can you all hear
6 me; okay?

7 MR. RENTFROW: Yeah.

8 MS. COLLETT: Okay. So, now we would need a
9 motion to approve the revised
10 policy of the UK Core
11 Substitution -- Core Substitution
12 Policy and codify that within the
13 Senate Rules. Is there a motion
14 and a second to do that?

15 MR. LODDER: Robert Lodder, Pharmacy
16 (Inaudible) approve.

17 MR. RENTFROW: Motion approved. We need a
18 second. We need a second.

19 MS. REICHARDT: Cassandra Gipson-Reichardt
20 (Inaudible).

21 MS. COLLETT: We have a motion and a second?

22 MS. VINCENT: Yes.

23 MR. RENTFROW: Motion and a second, yup.

24 MS. COLLETT: Okay. So, now the motion is on
25 the floor and the floor is open

1 up to members for questions of
2 fact and/or debate.

3 MS. VINCENT: We have a question in the back.

4 MS. POLICE: Sara Police, College of Medicine.
5 And I apologize if I missed this.
6 I'm asking whether or not the DRC
7 has seen all of this and was
8 involved in all of the editing?
9 Okay. Great. Thank you.
10 There's a lot.

11 MS. COLLETT: Yes, there has been over 90 hours
12 or more put into this and a lot
13 of sleep that has been lost.

14 MS. POLICE: I wanted to make sure they had,
15 you know, more than six days.

16 MS. COLLETT: Oh, yes. There's been a lot and
17 I'm personally thanking Associate
18 Vice President of Student Well-
19 being Corrine Williams, because
20 we've done a lot of work as well
21 as other members of the Senate
22 Council, including we've had
23 outside members including Davy
24 Jones who has put a tremendous
25 amount of work in this as well as

1 Office of Legal Shannan Stamper
2 and Bill Thro. So, we've had
3 lots of people involved in this
4 final revised policy with
5 everybody agreeing at the end of
6 the day that this was a good
7 policy.

8 MS. VINCENT: We have another question.

9 MR. TAGAVI: Kaveh Tagavi, College of
10 Engineering. Something that I
11 usually forget, so I want to do
12 it this time, first, I want to
13 thank the committee and everybody
14 else who has contributed to this
15 wonderful policy. I had a
16 comment about one part. Under
17 Item Two, the second bullet it
18 says, "The Disability Resource
19 Center, DRC director or
20 designee," so, first I want to
21 say past mistakes do not justify
22 future mistakes, just because we
23 have done this in other case. I,
24 as a Senator, got elected -- I
25 cannot designate my place to

1 another faculty member, even for
2 one day, when I'm not available.
3 If I'm not available it just --
4 deans, with all their beauty,
5 they cannot designate somebody to
6 attend Senate Meeting for them
7 and have their privileges and
8 rights. It doesn't even say
9 whether this (Inaudible)
10 designate meaning that at the
11 beginning of the semester or year
12 the DRC director said, "I am too
13 busy. I am going to appoint this
14 person for the entire year," or
15 is this an ad hoc one particular
16 Wednesday the person is not
17 available and sends another
18 person instead. If that's the
19 case -- if that's the case then
20 the student who is going to be
21 considered in that day one out of
22 three votes for somebody who has
23 not been involved and then just
24 shows up on that day, that's just
25 not fair to the student. The

1 problem is the rule as written --
2 this is another problem, the rule
3 as written allows anyone, it
4 doesn't even say it has to be
5 within the DRC it could designate
6 another person in the university
7 hopefully and it could be with a
8 lesser level of expertise. And
9 again, since there are only three
10 votes this vote could actually
11 break the tie of two other
12 faculty. This is just too
13 important to be left to the
14 designee. Lastly, DRC director
15 is named in at least two other
16 places by name and in those
17 places it doesn't say, "or
18 designee," so imagine a situation
19 where at the beginning of the
20 year the DRC director gives a
21 designee, but those other powers
22 are reserved for the DRC
23 director, which makes a dichotomy
24 here. There is inconsistency.
25 Somebody attends the meeting,

1 does the voting, but some of the
2 authority and the role is
3 specifically given to the DRC. I
4 just think it's a bad policy. I
5 think in general saying,
6 "designee," is a bad policy
7 especially in this case it is a
8 very bad policy. There is no
9 reason that the DRC director
10 cannot attend and be a member and
11 be able to appoint a designee.
12 MS. COLLETT: Okay. I have to say there is
13 absolutely a case where that can
14 happen and that can be when there
15 is a conflict of interest. So,
16 if it's the DRC director's child
17 who is bringing in something and
18 this happens as it happens with
19 all of us, our children go to
20 school, then a designee needs to
21 serve in that spot. We have a GR
22 that talks about conflict of
23 interest; okay, so that person
24 would have to serve if there's a
25 conflict of interest there and we

1 try to eliminate that in those
2 cases. In most cases and in
3 mostly all the cases here the DRC
4 director will be the person
5 attending, it is when we have
6 those areas where there is some
7 conflict of interest we have to
8 give some -- some leeway there
9 based on OCR information and
10 language. And if Corrine is
11 there and she wants to speak to
12 that at all or add to it I'd
13 welcome her to do so.

14 MS. WILLIAMS: This is -- I'm Corrine Williams
15 from Student Success and College
16 of Public Health. I do want to
17 say that, yes, we have added this
18 very specific lead because of the
19 conflict of interest issue. We
20 did have an issue with a DRC
21 staff member whose son is one of
22 their clients that they serve in
23 the office, and so, we had to
24 make sure that she was not
25 engaged with his accommodations.

1 so thank you. Thank you so much,
2 especially Keiko I see standing
3 there. I just wanted to have a
4 question, a clarifying question,
5 on the first page underneath the
6 first section on Educational
7 Policy Decision Making
8 Responsibilities. The first
9 sentence there says that,
10 "Federal regulations and the
11 university's governing
12 regulations require the president
13 to ensure the university does not
14 discriminate against individuals
15 with disabilities," I wonder if
16 instead we might mean there that
17 federal regulations require that
18 the university does not
19 discriminate, I think, as a
20 public entity. I wonder if we
21 should maybe clarify that that
22 we're talking about the
23 university, but not the
24 president. Just I'm not sure
25 about that. I understand the

1 university's governing
2 regulations may be different, but
3 I don't think federal regulations
4 were referring specifically to
5 the president, if I'm
6 understanding that correctly.
7 MS. COLLETT: I think that has something to
8 actually do with the designee
9 through OCR, because that piece
10 was put in there by legal. Bill
11 Thro specifically said we needed
12 to put that -- that was their
13 entire line from that federal
14 piece being in there, that he was
15 under federal -- the federal
16 guidelines, basically, I'm
17 assuming. And, Corrine, you may
18 have something additional to add
19 to that, but because of his
20 position at the university
21 overseeing all of the guidelines
22 and assuring that everything
23 procedurally is -- does or goes
24 the way it's supposed to go that
25 he ultimately is responsible at

1 the end of the day and that's
2 kind of how I read that and the
3 comments back from Council. But,
4 Corrine, is there anything
5 additional you would add to that?
6 MS. WILLIAMS: Corrine Williams, Student
7 Success. No, I agree with your
8 description. I do -- I can
9 understand the wording of it, but
10 there is something about how our
11 -- with our president being like
12 that person who has to then
13 delegate responsibilities, it
14 really is him in the context of
15 some of these laws.

16 MS. ASHWOOD: If I could just followup, it
17 might be helpful then to
18 specifically put that legal
19 framework in that they're
20 referring to specifically if it's
21 outside the university's
22 governing regulations, if it's
23 referring to federal regulations,
24 I think that might be helpful to
25 specifically cite that.

1 MS. COLLETT: Uh-huh.

2 MS. VINCENT: We have a followup.

3 MS. COLLETT: Hold on. Before the followup, is
4 there anyone new that has not
5 spoken in person that has their
6 hands raised?

7 MS. VINCENT: Yes, Bob Grossman.

8 MR. GROSSMAN: Bob Grossman, A and S. I just
9 want to say that I trust our
10 colleagues in administration to
11 make the right decisions about
12 when a designee is needed or not
13 needed for a particular meeting
14 and if the student objects the
15 student can say, "I object," and
16 they can arrange another time for
17 the meeting, but we can't be
18 micro managing our colleagues
19 over in the administration. The
20 federal law requires that this be
21 done in good conscience and I
22 trust them to work in good
23 conscience.

24 MS. COLLETT: Thank you. Now, you have a
25 followup?

1 MS. VINCENT: I think we're good. Kaveh,
2 Kaveh, sorry.

3 MS. COLLETT: Kaveh?

4 MR. TAGAVI: Kaveh Tagavi, Engineering. I
5 know when my comment is almost
6 immediately refuted by our
7 beloved chair it has no chance of
8 -- it suppresses debate. Having
9 said that, this is not about what
10 our colleague would do. I'm
11 responding to previous -- my
12 colleague's previous comment.
13 This is not about what individual
14 people or colleague would do.
15 Rules are about -- what does the
16 rule allow and the scenario that
17 I said the rule allows -- still
18 my direct question is is this a
19 designee for the entire year or
20 is it when there is a conflict?
21 If it's only for one day in fact
22 the word is not designee the word
23 is substitute and we could say,
24 "substitution for conflicts of
25 interest," it doesn't say that,

1 it is a (Inaudible) designee and
2 I think that's a problem.

3 MS. COLLETT: So, would you like to --

4 MS. TANAKA: Let me -- let me answer that
5 question. This sub-committee
6 operates as, like you said, in a
7 way ad hoc mana, because it's a
8 case by case. The student might
9 ask for core substitution for
10 quantitative foundation course,
11 student might -- next student
12 might ask for core substitution
13 for statistical informational
14 reasoning. So, each case will be
15 treated as a fully separate. So,
16 we are not going to have one sub-
17 committee where we going to
18 review all of the application,
19 that's not how it works. This is
20 why this language of designee
21 becomes important that some cases
22 there may be conflict of interest
23 for the director.

24 MS. VINCENT: We have a hand raised.

25 MS. COLLETT: I've got one on Zoom as well.

1 MS. SALT: Allison Salt, A and S. I should
2 have called a question on this,
3 so we can vote and move forward.

4 MS. COLLETT: Okay. We have a motion to call
5 the question. I need a second.

6 MR. LODDER: Second.

7 MS. VINCENT: Second in the back. Name?

8 MR. LODDER: Robert Lodder, Pharmacy.

9 MS. COLLETT: Give us a second to get the
10 slides together. Do you have to
11 sync the slide there? Okay.
12 Call the question. All right.
13 We need a vote on calling the
14 question. So, it looks like that
15 passes, the call of the question.
16 So, now it's time to vote. Oh, I
17 should report. What was that 67
18 for, zero opposed and 11
19 abstentions. Is that correct?

20 MS. VINCENT: Sixty-seven, seven, 11.

21 MS. COLLETT: Seven, 11. Okay. Thank you.
22 All right. So, now we are voting
23 on -- to approve the revised
24 policy of the UK Core Course
25 Substitutions and codify it

1 within the Senate Rules. All
2 right. We have 74 approve, three
3 oppose and 12 abstain. That
4 motion carries and approved.
5 Thank you so much Committee Chair
6 Tanaka. I can't thank you enough
7 for all of your hard work on this
8 as well as you being in Japan
9 working on this with us. I so
10 appreciate you and everything
11 that you've done. Thank you so,
12 so much.

13 MS. TANAKA: I couldn't do it without you,
14 DeShana and Corrine. Thank you
15 so much for tireless work. Thank
16 you.

17 MS. COLLETT: All right. The next item up is
18 old business. So, we have an
19 update on the CIP changes from
20 2022/2023. Director of Planning
21 and Accreditation RaeAnne Pearson
22 is here to give us an update.
23 Usually, this is an Annual
24 Report, so it doesn't involve any
25 votes, it's just informational,

1 but feel free to ask any
2 questions as you'd like. She's
3 going to talk about CIP codes,
4 which is the Classification of
5 Instructional Programs, it's a
6 taxonomy to support the accurate
7 tracking and reporting of fields
8 of study and program completion.

9 MS. PEARSON: Okay. Hi, RaeAnne Pearson
10 Director of Planning and
11 Accreditation for the Office of
12 Strategic Planning and
13 Institutional Effectiveness. So,
14 CIP Codes, as DeShana stated, is
15 the Classification of
16 Instructional Programs, these are
17 utilized most frequently by our
18 IRADS when we submit to the
19 Department of Education about our
20 instructional programs. Let's
21 see, so you should be able to --
22 to read, so I won't go over each
23 one of them, just summarize what
24 happened. So, in the Academic
25 Year '22-'23 we had five colleges

1 who submitted proposals for
2 program changes to their CIP
3 Codes, this included the Gatton
4 College of Business and
5 Economics, College of Arts and
6 Sciences, College of Design,
7 Martin Gatton College of
8 Agriculture Food and Environment
9 and the College of Medicine. Of
10 those 10 programs, four were
11 bachelor programs, two were
12 masters programs, one was a
13 doctorate and we had one
14 undergraduate certificate and one
15 graduate certificate and then one
16 minor. Minors do not go to CIP
17 for approval, but they are listed
18 on here, because they came to our
19 office.

20 MS. COLLETT: Thank you, RaeAnne. Does anybody
21 have any -- does anybody have any
22 questions? Okay. I see no hands
23 raised. Thank you. Next, we
24 have the University Appeals Board
25 Report 2022-2023. You're going

1 to have the UAB Chair Julia
2 Costich will be presenting for us
3 today on the Annual Report of the
4 University Appeals Board. So,
5 Professor Costich, could you
6 please give us a refresher on the
7 role and responsibilities of the
8 UAB as you begin and how it
9 functions, because I'm not sure
10 if everybody knows what the UAB
11 does, so.

12 MS. COSTICH: Okay. So, can everybody hear me?
13 I'm sorry, I'm not in a great
14 voice today. The University
15 Appeals Board hears basically two
16 different kinds of categories of
17 cases, one, is appeals from
18 actions of the Academic Ombuds
19 Office and the other is appeals
20 from actions of the Office of the
21 Dean of Students regarding
22 breaches of Code of Student
23 Conduct. The -- and there are
24 subsets that I will talk about in
25 each of those big buckets. The

1 academic appeals are much more
2 numerous, some of them are quite
3 extensive as far as cases go,
4 some of them are relatively
5 straightforward. The Code of
6 Student Conduct cases on the
7 other hand are always quite
8 momentous because the potential
9 consequences of the
10 determinations. The University
11 Appeals Board is the last level
12 of internal appeal within the
13 institution. Individuals who are
14 aggrieved by the action of the
15 University Appeals Board need to
16 take these into a court of law
17 into formal litigation, this is
18 the end of the appeals process
19 within the institution and such I
20 need to say it is quite, I don't
21 know, the responsibility it is
22 also an honor, I appreciate
23 having been chosen to succeed the
24 (Inaudible) Professor Joe Fink
25 who is probably familiar to most,

1 if not all of you and who served
2 as UAB Officer from its
3 inception, as far as I can tell,
4 in 2004 up until he retired at
5 the end of June of last year.
6 And we had about a month with no
7 hearing officer for the Appeals
8 Board and then I started at the
9 beginning of August. So, does
10 that respond to your request,
11 Chair Collett?

12 MS. COLLETT: It does. Thank you.

13 MS. COSTICH: So, the -- so this report is for
14 actually 13 months, from August
15 of last year through August of
16 this year. The UAB appointments
17 run from September 1st through
18 August 31st, so we had that one
19 extra month of the proceeding
20 year and then we had a change in
21 personnel. The UAB includes 18
22 faculty members, so they're
23 classes, so to speak, of six that
24 rotate on and off in each
25 appointment period. Also, there

1 are 12 students and those
2 students are either reappointed
3 or rotate off annually. So, in
4 theory we could have a completely
5 new set of students every year
6 and in reality that seldom
7 happens. The -- I have advocated
8 to increase the number of faculty
9 members on the UAB wherever I
10 have been able to do so and I'm
11 doing it right now as well,
12 because the case volume has
13 really exceeded what I think
14 people felt were signing up for;
15 okay. So, going back for the
16 last 10 years the mean number of
17 cases before the UAB was 26 and
18 as you will see we have had a lot
19 more than that this year, more
20 than twice as many. I'm looking
21 at Dr. Dan Vivian who is one of
22 our loyal and hardworking Board
23 Members and he knows what I'm
24 talking about. So, we have had
25 one category that is relatively

1 straightforward to deal with and
2 that is retroactive withdrawal.
3 There are cases that the
4 University's Retroactive
5 Withdrawal Committee cannot
6 adjudicate because it's outside
7 the time limits of their
8 jurisdiction and these cases come
9 to the Appeals Board. Typically,
10 these cases are uncontested;
11 okay, so we don't really need to
12 spend much time on them, we had
13 12 of those last year. Much more
14 serious are cases of academic
15 violations, cheating, plagiarism
16 or falsification of academic
17 records, we had 16 of those cases
18 this year. Those are big cases
19 typically, some of them involve
20 students whose careers frankly
21 were on the line, so these can be
22 very, very emotionally draining
23 kinds of cases. In cases where
24 an academic offense is alleged
25 the burden of proof is on the

1 faculty member who alleges the
2 academic offense. So, I know
3 this is not a legal process per
4 se, but there are some legal
5 light kind of rules that govern
6 the process. The third category
7 and by far the most common is the
8 Appeals of Academic Rights,
9 typically these are grade
10 appeals; okay. In these cases
11 the burden of proof is on the
12 student alleging that the
13 students academic rights have
14 been violated. And the last case
15 is where the Office of the
16 Academic Ombud finds that the
17 appeal lacks merit and the
18 student decides to appeal this no
19 merit determination. These cases
20 go through or may go through a
21 two-tier adjudication process,
22 the first tier it asks the
23 question, "Does the case in fact
24 have merit?" and if the student
25 passes that bar and overcomes the

1 determination of the Ombud the
2 second tier is a regular hearing
3 on whatever kind of case this
4 happens to be. So, those are the
5 ombud appeals. The second time
6 -- the second big bucket is Code
7 of Student Conduct appeals and
8 these can frankly be also pretty
9 hair raising sometimes. Code of
10 Student Conduct, violations these
11 have been through a lengthy
12 process before they get to the
13 University Appeals Board. So,
14 when we get these appeals the
15 case files can be, you know,
16 easily 200 pages of
17 documentation, some of the
18 documentation -- you know, it
19 could be one email per page
20 certainly, but this is voluminous
21 documentation to get through.
22 So, even though there were only
23 three of those cases that came to
24 the Appeals Board I'm here to
25 tell you that they took the

1 Appeals Board Panel a lot of time
2 to get through. The other kind
3 of case that has to do with Code
4 of Student Conduct violations is
5 the interim suspension and these
6 are cases where a student's
7 action has been characterized as
8 posing, basically an imminent
9 threat to the people the student
10 is coming in contact with on
11 campus or -- and some of these
12 have to do with not individual
13 students, but organizations. I'm
14 sorry, I should have mentioned
15 that sooner. Anyway. So, we had
16 six of these and these particular
17 cases, under KRS 164.370 a
18 relatively new state law these
19 appeals from interim suspensions
20 have to be heard within three
21 working days of the date of the
22 suspension. The University
23 Appeals Board Members all have
24 their day jobs; right, so you can
25 imagine getting a panel together

1 within three working days
2 basically involves getting a
3 panel together within one day to
4 give them enough notice and
5 whatnot, so these have been, you
6 know, particularly challenging
7 cases. So, outcomes, we had 56
8 academic cases and if you look at
9 the universe the appeal was
10 upheld in 36, but all 12 of the
11 retroactive uncontested
12 withdrawal cases were upheld.
13 So, if you look -- if you net out
14 the retroactive withdrawal cases
15 there were 24 appeals that were
16 upheld and 20 denied. The -- in
17 the Code of Student Conduct cases
18 we had one case where the appeal
19 was multifaceted and part of it
20 was upheld and part of it was
21 denied. So, it looks as if we've
22 got more cases than -- or more
23 decisions than cases, but that's
24 because we had a partial
25 upholding in one case. So, two

1 of the appeals, and these were
2 from interim suspensions, were
3 withdrawn on the day of the
4 hearing, which is fine, but you
5 know, we've gotten everybody kind
6 of geared up and they've read all
7 the files and so forth. And then
8 in seven of the cases the appeal
9 was denied in whole or in part.
10 Less this sound unduly harsh, I
11 want to point out again that by
12 the time these cases get to us
13 they have been through several
14 layers of very stringent and
15 diligent review by a number of
16 people in the Office of the Dean
17 of Students and sometimes several
18 other campus agencies that have
19 been affected. So, I want to
20 thank everybody who has made it
21 possible for me to get through
22 this first year with so many
23 cases, particularly Dr.
24 Turkington, the University Ombud,
25 the Associate Ombud Laura

1 and then they migrated over to
2 UAB? If that is the case, then
3 would -- would it -- would you
4 object to having some information
5 about those cases be shared with
6 the Senate or with that committee
7 chair to be able to help that
8 committee and the Senate
9 understand, you know, sort of
10 what happened that the
11 Retroactive Withdrawal Committee
12 then was overturned? Thank you.

13 MS. COSTICH: Yeah, so these are all issues of
14 timing. So, I'll give you an
15 example. You could have a
16 student who was deployed overseas
17 and did not realize that the
18 student had not actually
19 successfully completed the course
20 withdrawal process until four or
21 five years after the fact the
22 student discovers that his
23 paycheck is being garnished for
24 unpaid tuition; okay. That is
25 the kind of -- so, we're looking

1 at kind of out there situations
2 for the most part when they are
3 beyond the normal period for
4 withdrawal. And I fully
5 appreciate that the university
6 does not want people to be able
7 to retroactively withdrawal at
8 will and get a tuition refund,
9 you know, 12 years later just
10 because something had happened to
11 them, but these are cases that
12 have typically gone well beyond
13 the timeframe for the Withdrawal
14 Committee.

15 MS. COLLETT: Thank you. Any other questions?

16 MS. COSTICH: Yup, we've got some hands here.

17 MS. COLLETT: Okay.

18 MS. PEARSON: Is somebody going to call on them
19 or shall I?

20 MS. COLLETT: Somebody will need to call on
21 them, because I can't see whose
22 hand is open, either Greg or
23 Leslie.

24 MR. RENTFROW: We'll go with Bob.

25 MR. GROSSMAN: Bob Grossman, A and S. So, when

1 composition and just refer to the
2 Governing Reg as defined in the
3 composition that would -- then
4 you could argue with the Board of
5 Trustees about increasing the
6 composition, but I don't think we
7 can change it.

8 MS. COSTICH: No. No, I just want to get this
9 out there. Let's see, Dr.
10 Kramer.

11 MR. KRAMER: Thank you for this. I'm
12 perplexed by these retroactive
13 withdrawal cases because it's
14 something that troubled me when I
15 was Senate Council Chair and I'm
16 surprised they're reaching you,
17 frankly not because the cases
18 don't deserve consideration, but
19 because that's, I don't think,
20 the path that they're intended to
21 take. We've had situations where
22 because the Senate relatively
23 recently created this time limit
24 on these where essentially the
25 Senate Council Chair will hear an

1 appeal from a dean of that
2 student's college and the Senate
3 Council Chair will bring to
4 Senate Council who will consent
5 to bring it to the Senate to
6 waive that rule and allow the
7 ordinary Retroactive Withdrawals
8 Committee to consider the case.
9 So, I guess I'm just surprised
10 that those are coming to you and
11 I'm trying to understand how
12 they're coming to you because I
13 think that we have a mechanism to
14 put them back in front of the
15 Retroactive Withdrawals Committee
16 where they belong. Do you have
17 any -- I guess --

18 MS. COSTICH: Ask Dr. Turkington to comment.

19 MS. TURKINGTON: Alice Turkington, Academic Ombud
20 Office. These are referred to us
21 from the Retroactive Withdrawal
22 Committee itself, so they'll send
23 it -- or from DeShana Collett, so
24 these are usually cases where
25 there's no apparent procedure to

1 deal with them, so we're tasked
2 with figuring out if there is a
3 way that we can. And so, because
4 the University Appeals Board is
5 the only way in which a student
6 can get their grade changed to a
7 W that's where it will end up,
8 there are very few -- usually if
9 they can be sent to the
10 Retroactive Withdrawal Committee
11 they are, if they can be dealt
12 with another way they are and
13 these are a tiny portion compared
14 with the number of retroactive
15 withdrawals that we deal with
16 every year. So, it falls under
17 the rules of the Academic Ombud
18 deals with something for which
19 there is no rule to figure out.
20 MR. RENTFROW: So, Chair Collett, a followup if
21 I may, it seems like we might
22 have a little room for sort of
23 improving the internal
24 consistency by which these -- I
25 don't think it was an intended

1 outcome I think we thought, "Hey,
2 these should be rare," we can
3 waive a Senate Rule and allow the
4 ordinary committee to hear them
5 rather than make them something
6 very exceptional that requires
7 consideration by the Appeals
8 Board. I'm looking at Vice
9 Provost Greer over here because I
10 remember her bringing a student's
11 case to the Senate probably about
12 a year ago, and so, it seems like
13 we have a way to handle this a
14 little more internally and
15 consistently rather than forcing
16 to an overburden process as it
17 is.

18 MS. PEARSON: Thank you.

19 MS. COLLETT: I have one on Zoom. Bobby?

20 MR. SCROGGINS: Yes, Bobby Scroggins, College of
21 Fine Arts, the School of Art and
22 Visual Studies. And my question
23 has to do with grade appeals.
24 Now, there are some areas and
25 fields of study where there is

1 some level of faculty
2 subjectivity involved in grading.
3 So, the question I have is, if
4 there is an issue or there's a
5 conflict or there's an appeal
6 that calls on expertise, specific
7 expertise, where does the --
8 where does your committee go to
9 get that information to make a
10 determination?

11 MS. PEARSON: We don't. The burden of proof is
12 on the student. The student has
13 to demonstrate that there was
14 some irregularity not in the area
15 of expertise, but in the way the
16 grade was awarded. Some evidence
17 for example of bias, animosity,
18 perhaps a mistake on somebody's
19 part that wasn't acknowledged.
20 So, we do not go -- and we've had
21 this discussion practically every
22 time a grade appeal has come up,
23 we do not go to the subject
24 matter, we go to the process by
25 which the grade was awarded based

1 on the assumption that faculty
2 members with the expertise
3 necessary to be appropriate
4 faculty members in those courses
5 have the subject matter of
6 expertise to make the grading.

7 MR. RENTFROW: Molly?

8 MS. BLASING: Molly Blasing, Arts and Sciences.
9 My question is about the role of
10 generative AI in your cheating
11 and plagiarism cases that have
12 come through in the last year, in
13 anticipation of potential
14 discussions before this body in
15 the coming months about revising
16 the definitions of cheating and
17 plagiarism, could you speak to
18 what role artificial intelligence
19 has played so far in the cases
20 that have come before you?

21 MS. PEARSON: None. We haven't had an AI case
22 yet, we will probably. I expect
23 that we will have AI cases this
24 year. At this point -- this
25 would be in the academic

1 violation category; right, it
2 would be treated like cheating,
3 it would be treated like
4 plagiarism. So, the burden of
5 proof is on the faculty member if
6 the student has, you know, left
7 artifacts associated with the AI
8 querying process laying around in
9 the document that would be, you
10 know, evidence for the faculty
11 member to point to, if not, you
12 know, it's going to be a very
13 difficult inquiry and I have --
14 as Dr. Blasing knows, I have been
15 on this -- the Senate AI
16 Committee and have followed the
17 subject with great and somewhat
18 distressed interest.

19 MS. BLASING: Just for clarification, because
20 I'm asking because I thought in
21 our recent meeting you had said
22 that some of the cases -- we were
23 applying the plagiarism and
24 cheating definitions to instances
25 of clear misuse of AI, is that

1 the case or am I remembering
2 wrong?

3 MS. PEARSON: We haven't had any cases yet.

4 MS. BLASING: Okay.

5 MS. PEARSON: Alice has cases.

6 MS. BLASING: Oh; okay.

7 MS. TURKINGTON: Alice Turkington, Academic Ombud.
8 Yeah, just to clarify, Molly,
9 that we have had academic
10 offenses, which have used AI, but
11 those students did not appeal, so
12 they would not have gone to the
13 Appeals Board.

14 MS. BLASING: Thank you for the clarification.

15 MS. PEARSON: Okay.

16 MS. COLLETT: We have a question -- we have a
17 question on this side. Provost
18 DiPaola?

19 MR. DIPAOLA: I do. Thank you, Chair Collett.
20 I just wanted to comment that the
21 UK Advance Team along with the
22 Senate Committee or sub-committee
23 is working together to follow
24 this in terms of what we can do
25 and any -- any reliable means

1 that may come up in terms of
2 detecting the use of AI.
3 Obviously, there are guidelines
4 that went out and at least
5 cautioned using it in a way to
6 monitor use and then anything
7 punitive, just given that there
8 are false positives with some of
9 the ways to detect AI. So, it's
10 just -- I think we all know we've
11 just got to be very cautious
12 going forward and we'll all work
13 together on that. Trey leading
14 CELT and also co-chairing UK
15 Advance and I know Leslie Vincent
16 is chairing the Senate
17 Subcommittee and we'll keep
18 working together to give advice,
19 but we have to be very cautious
20 in terms of how we -- we claim,
21 you know, AI is used in that way.
22 There is an October 13th
23 symposium for instructors that
24 Trey or CELT is leading to
25 continue to discuss this and help

1 with it as we improve guidelines
2 and then there's a bigger
3 symposium October 16th and 17th.
4 Chair Collett, I can make sure to
5 get that to you if it helps to
6 pass it around as we all learn
7 together, we just have to be very
8 cautious on how we use it and
9 claim its reliability in
10 detecting the use of AI and when
11 there's going to be some
12 potential punitive action.

13 MS. COLLETT: Thank you. I will say, let me
14 just correct, it's actually that
15 AI Senate -- Senate AI Committee
16 is chaired and it's co-chaired by
17 Leslie Vincent and Molly Blasing,
18 so --

19 MR. DIPOLA: Oh, I'm sorry. Molly, I didn't
20 know that, chaired and co-chaired
21 by Leslie Vincent and Molly
22 Blasing. Thank you.

23 MS. COLLETT: Thank you, Chair Costich for that
24 informational update, we truly
25 appreciate it. Any other

1 questions that we have in the
2 room?

3 MR. GROSSMAN: Yes.

4 MS. COLLETT: Yup.

5 MR. GROSSMAN: Bob Grossman, A and S. I was
6 just going to say you mentioned
7 Trey several times, but you
8 didn't say his last name, so just
9 for everyone to know who that is.
10 MS. COLLETT: Trey Conatser.

11 MS. COSTICH: C-O-N-A-T-S-E-R.

12 MR. DIPAOLA: Yeah, and Trey leads CELT in the
13 Office of Faculty Advancement and
14 like I said is co-leading on UK
15 Advancement and setting up a lot
16 of these symposiums and trying to
17 help. If there's anything else
18 that we do need to be helpful on
19 in that regard, you know, please
20 let us know, let me know. We
21 want to be helpful. This is an
22 evolving area, certainly.

23 MS. COLLETT: Thank you.

24 MR. KRAMER: This Aaron Kramer, Faculty
25 Trustee. I guess since I muddied

1 the waters earlier I'll clarify
2 because I've gotten some more
3 information since I asked my
4 question. Is it actually most of
5 those cases -- those cases are
6 reaching you not because of the
7 two-year limit, but because of
8 administrative error or other
9 things that fall outside of the
10 four criteria that the
11 Retroactive Withdrawal Committee
12 would apply, so there there's a
13 clear like violation of student
14 academic rights issue where it is
15 at the right place. So, I
16 apologize, they should be there,
17 but they're not because of the
18 limit, they're because of the
19 administrative error something
20 that --

21 MS. PEARSON: Right.

22 MR. KRAMER: -- falls outside of the criteria
23 (Inaudible).

24 MS. COSTICH: So, how they got outside the two-
25 year limit varies from case to

1 case, but the point is they are
2 outside.

3 MR. KRAMER: Right.

4 MS. PEARSON: Okay.

5 MS. COLLETT: All right. Thank you so much.
6 Okay. Next agenda item with 20
7 minutes left of this meeting is
8 really a lot of discussion, so
9 it's preliminary discussion on
10 excused and unexcused absences.
11 So, as you all can note over the
12 years we've had a lot of
13 discussions off and on about
14 excused and unexcused absences,
15 the Senate Rule does
16 differentiate. Leslie, if you go
17 to the next slide for me. It
18 does differentiate between
19 excused absences and unexcused
20 absences, so you'll see that in
21 Senate Rule 5.2.5.1 all the way
22 through to 5.2.5.2.3.3, which
23 describes what the absence
24 policies and provides some
25 explicit types of absences within

1 in the Senate Rules. So, as we
2 know, you know, it describes
3 this, it also permits an
4 instructor to consider any
5 absence excused. The Senate Rule
6 prohibits penalizing a student
7 for excused absences, but also
8 tries to maintain academic
9 integrity by stating a student
10 cannot miss more than 20 percent
11 or one-fifth of a class meeting,
12 assuming that attendance is
13 required. So, it's been, I
14 guess, since 19 -- that I can
15 figure out about 1985 since this
16 rule has kind of come about and
17 since then we've had a lot of
18 pedagogical changes and different
19 approaches to how -- and of
20 course modalities so different
21 approaches on how we teach that
22 we feel like the current rule
23 does not necessarily encompass or
24 relate to those changes. There's
25 many areas of ambiguity that

1 leave the instructor needing kind
2 of some more clarity and I think
3 we've all kind of had that issue
4 at one time or another. So, the
5 goal for today is to have a
6 discussion on any issues related
7 to the rule that you believe that
8 needs more clarity or you feel
9 that the SR should address and
10 the discussion that we have today
11 out of this will help Senate
12 Council actually formulate a
13 charge and membership for an ad
14 hoc committee that we have
15 approved to put together to
16 actually look at creating a new
17 Senate Rule to replace this rule
18 that can ensure academic
19 integrity and ensure that
20 students are also able to
21 complete the learning outcomes in
22 the course requirements
23 successfully. So, we know, of
24 course, there are many issues,
25 one of it, you know, being the

1 age of the policy, the technology
2 changes, but also, you know, is
3 it clear in course syllabi, you
4 know, how are we writing our
5 course syllabi. There's still a
6 lot of confusion on where to go,
7 there's some clarification that
8 needs to happen and also around
9 the 20 percent rule that
10 threshold that we have, is it the
11 best one out there, are we using
12 best practices should this be
13 changed. So, we're kind of
14 opening up -- the next slide for
15 me. So, as I said before the
16 Senate has recommended that -- or
17 SREC came to Senate Council and
18 actually asked us to look into
19 forming an ad hoc committee that
20 would broadly review this Senate
21 Rule particularly. So, as I
22 said, the Senate Council is going
23 to get together after this
24 discussion and hopefully we can
25 formulate a charge, we can also

1 determine who are potential
2 members that need to be part of
3 this ad hoc committee, because
4 again it's -- it's likely going
5 to take several different people
6 to actually weigh in on how this
7 rule has affected folks from even
8 -- you know, folks that deal with
9 the veteran -- students who are
10 veterans, how missing for
11 military action and deployment
12 really kind of weighs into this
13 as well. So, from here the
14 committee will deliberate once we
15 figure out what the charge will
16 be and they're going to meet with
17 Senate Council off and on during
18 the year. We'll have regular
19 updates, but at a minimum we do
20 know already that this ad hoc
21 committee is going to need some
22 help from the SREC as well just
23 to codify this new policy and
24 maybe check on internal
25 contradictions and

1 call University of Health
2 Services and say, "Should I come
3 in?" usually they'll say, "No,
4 stay where you are. Get better,
5 but don't come visit us, because
6 you'll infect other people," but
7 then they can't say, "I visited
8 Health Services and that's my
9 proof, that's the evidence that I
10 have for being sick. I don't
11 have any other evidence for it,"
12 and that creates a problem then
13 for the instructor who wants to
14 verify such an absence. I
15 usually just say, "Fine, you were
16 absent. No problem. Don't worry
17 about it," but I can see there
18 other circumstances where that
19 might not be appropriate, so
20 that's -- I'd like to involve
21 University Health Services
22 perhaps in addressing that kind
23 of an issue.

24 MS. COLLETT: Who else do you have?

25 MS. VINCENT: We have another. Oh, sorry.

1 MS. COLLETT: No, I just said, who else do you
2 have in person?

3 MS. VINCENT: Oh; okay. Molly?

4 MS. BLASING: Molly Blasing, Arts and Sciences.
5 Just in response to Bob
6 Grossman's question about
7 documentation. When I -- shortly
8 after I arrived here in 2014
9 there was a system of tiered
10 reporting structures and there
11 was a Tier One Form where
12 students could self report and
13 put sort of a witness, like their
14 roommate, attesting to the fact
15 that they were sick and I thought
16 it was a really good way to get
17 at this problem of accounting for
18 unexcused absences if indeed
19 that's what we want to continue
20 doing, but I don't know the
21 status of that program anymore.
22 I wonder if anyone could speak to
23 that Tier One Reporting Form.

24 MS. VINCENT: Allison?

25 MS. SALT: Allison Salt, Arts and Sciences.

1 I believe that still exists,
2 because there's still a thing
3 where you can say in your
4 syllabus like, "Will accept Tier
5 One absences for class, but not
6 for an exam," so I'm not sure
7 it's advertised heavily to
8 students because concerns for
9 overuse of it when maybe it's not
10 merited, but I believe it's still
11 out there.

12 MS. VINCENT: We have another hand. Alice?

13 MS. TURKINGTON: Alice Turkington, Academic Ombud
14 Office. I would like to Thank
15 you for taking this charge on and
16 make a request. The 20-Percent
17 Rule, as it's called, is
18 understood in a wide range of
19 ways by faculty and some of those
20 under -- some of those kind of
21 misapprehensions date back to
22 maybe perhaps decades, so it
23 would be great to have
24 clarification on what exactly the
25 intent of that rule is. Faculty

1 sometimes think that they have
2 the right to force a student out
3 of their class, which they do
4 not, and so, establishing exactly
5 what the spirit of the rule is
6 would be great and whether or not
7 the student has a right to an
8 incomplete. I'd also like to add
9 some consideration of attendance
10 on snow days as well, which I
11 think we looked at fairly
12 recently and maybe -- the rules
13 are quite clear on military
14 related absences at the end of
15 the semester, but for students
16 who miss a lot of the start of
17 the semester it's not quite as
18 clear what can be done. So,
19 those are some ideas I had.

20 MS. COLLETT: Thank you.

21 MS. VINCENT: Oh; okay. Sara?

22 MS. POLICE: Sara Police, College of Medicine.
23 From a distance learning
24 perspective, because I teach a
25 couple of online fully

1 asynchronous courses where I will
2 never see a student and don't
3 expect to, I interpret missed
4 attendance as a delay in
5 assignments and so if students
6 can communicate with me in
7 advance and provide any evidence
8 of the reasons that are laid out
9 in the syllabus, so I use the
10 current verbiage for that to
11 justify a delay in assignments.
12 I just wanted to chime in from a
13 distance learning perspective,
14 because for fully online students
15 it's a different bear I think and
16 the College of Social work could
17 be a great resource in the
18 instructors there because they
19 have so many online courses and
20 programs.

21 MS. COLLETT: Thank you. Jane?

22 MS. JENSEN: Thank you. Jane McEldowney-
23 Jensen, College of Education. I
24 coordinate our first-year
25 experience course for the college

1 and so we are definitely trying
2 to handle first semester, first
3 time, first year student
4 attendance issues. And I would
5 point out that attendance is
6 pedagogically has two different
7 ways of thinking of it in terms
8 of being that you are required to
9 be present for some kind of
10 dissemination of knowledge or are
11 you required to be present to
12 participate in activities. So,
13 we take the participation
14 approach that you get points for
15 participation and you are there
16 for participating, it means that
17 our instructors do have to have a
18 -- kind of a grab bag of
19 alternative activities for
20 students who have excused
21 absences and can't participate on
22 a given day, but I think it's
23 just a different pedagogic way of
24 thinking. And one of the reasons
25 that we have our grab bag of

1 activities and that we had to be
2 so much more flexible about this
3 idea of participation was trying
4 to teach this first year class
5 through Covid and I think that it
6 took a little while for all of
7 the instructors to get away from
8 the idea of attendance being, you
9 know, the responsibility to be in
10 the room to being the
11 responsibility to be an active
12 learner. Thanks.

13 MS. COLLETT: Thank you. That's a good point.
14 Jennifer?

15 MS. CAMPBELL: Jennifer Campbell, College of
16 Fine Arts. I also want to think
17 about how students who have DRC
18 accommodation letters, especially
19 with flexible attendance, how
20 this factors in, because I know
21 that's a case-by-case basis, but
22 -- and it's to sort of be worked
23 out with the instructor, however,
24 I find that some students are
25 just sort of blanketing their

1 flexible attendance and thinking
2 that their letter is working as
3 more of an excuse for them to not
4 show up when they don't feel like
5 it and then when I reach out by
6 email they still aren't
7 communicating with me. So, I
8 think just the conversation that
9 we had earlier about DRC and
10 accommodations, I think that also
11 should be in the conversation
12 here.

13 MS. COLLETT: Anything additional? I have
14 Aaron Garvey.

15 MR. GARVEY: Hi, thanks. Aaron Garvey, Gatton
16 College. So, I guess this is
17 kind of to Alice's point, is
18 there anyone that does have --
19 that's quite confident that they
20 understand what the 20-Percent
21 Rule really means when it comes
22 to if a student misses more than
23 20-percent excused and/or
24 unexcused? I mean I probably
25 have a misinterpretation. My

1 of can you -- can you impose a
2 grade on a student, a withdrawal
3 or an incomplete if they -- if
4 they don't want it or what are
5 the instructor's options, what
6 are the student's options.
7 That's part of what made us come
8 to the Senate Council and say,
9 "We need clarification and while
10 you're at it can you look at
11 these other aspects of the
12 absences rule as well," because
13 as it's been pointed out it's
14 been a very long time since much
15 of that policy was written.

16 MS. COLLETT: Thank you, Bob.

17 MS. VINCENT: We have one more comment. Yeah,
18 go ahead.

19 MS. LANPHERE: Rosie Lanphere, College of
20 Education. Okay. So, on the
21 Senate website this is what it
22 says, "If a course syllabus
23 requires specific interactions,
24 e.g. with instructor or other
25 students in situations where a

1 student's total excused absences
2 exceed one-fifth or 20 percent of
3 the required interactions for the
4 course the student shall have the
5 right to request and receive a W
6 or the instructor of record may
7 award an I for the course if the
8 student declines a W," so I have
9 a question and that is, what if
10 it's past the deadline to receive
11 a W, do we -- can the student
12 still request that W? Does
13 anybody know?

14 MS. COLLETT: So, Roger is the chair of the
15 SREC and I'm going to let Roger
16 respond to that.

17 MR. BROWN: Okay. Thank you. Roger Brown,
18 CAFE. So, the current 20-Percent
19 Rule was last discussed at length
20 by the Senate Body in 2016 and at
21 that time it was very clear what
22 the Senate intent was and it was
23 very favorable to students, I
24 think is a fair characterization.
25 So, basically if a student has 20

1 percent or more excused absences,
2 and emphasize excused absences,
3 in a course then the student has
4 a right to receive either a
5 withdraw from the course or to
6 require -- to demand an I in the
7 course. And so, I can articulate
8 in an email to anyone who has
9 interest why that's the case. As
10 to the question about how long
11 after the course a student can
12 request those things, as long as
13 the period of excused absences is
14 ongoing then even if you record a
15 grade in the course, an E or
16 lower grade or whatever, if the
17 period of excused absence carries
18 on through final exam period and
19 so forth, once that's over then
20 the student can contact the
21 instructor and make the same
22 request. Although, that's very
23 insightful to notice the
24 timeframe because that is the one
25 hole that I think does still

1 exist in the 20-Percent Rule.

2 MS. VINCENT: We have another hand raised.

3 MS. SALT: Alison Salt, A and S. The other
4 issue with the incomplete is, a
5 student can have 24 excused
6 absences and request an
7 incomplete even though there's
8 mathematically no way they can
9 possibly pass the class, which is
10 creating some conflicts as well.

11 MS. COLLETT: Okay. Any other thoughts before
12 I move this a little bit forward?
13 I think we've got some good
14 discussion going on here and
15 please feel free to think about
16 it and send the Senate Council
17 Office any other thoughts you may
18 have as we lead up to, you know,
19 the next steps of forming this
20 committee and figuring out who
21 needs to be on it. We welcome
22 your input. Bobby, you have your
23 hand raised?

24 MR. SCROGGINS: Yes, Bobby Scroggins again. You
25 guys are going to get know me

1 pretty well after awhile.
2 Anyway. The other question, I
3 noticed you used the term,
4 "demand," an I or something like
5 that on the student's part, is
6 that -- that's a pretty strong
7 word in terms of whether a
8 student can demand a -- you know,
9 a professor to change or give an
10 incomplete, especially when that
11 might not be possible with
12 regards to student fees and what
13 have you and other issues where
14 things are not -- just not
15 physically able to be done. So,
16 yeah, I think we need to look at
17 that term, whether they are able
18 to demand an incomplete or when.
19 And also, when you're talking
20 about excused absences, sometimes
21 there's a combination of excused
22 and unexcused absences that would
23 actually impact upon the
24 student's ability to be able to
25 do the work within that course

1 and there's timelines of course
2 of whether that cannot be
3 repeated necessarily. And that's
4 it.

5 MS. COLLETT: And we have a definition for
6 incomplete, so there's some
7 contradiction right, right there,
8 because it's supposed to be
9 around the student being able to
10 successfully complete the course,
11 right, in some point in time, so
12 it's usually like that year
13 limit, but can somewhat be
14 extended if I remember it
15 correctly, but you know, if they
16 miss 12 weeks out of 15 weeks of
17 a class, even though it may be
18 excused, can -- getting an I can
19 they successfully still complete
20 that course in a year from now, I
21 don't know. So, there are a lot
22 of questions absolutely out
23 there, I think Roger has been
24 inundated with several, I'm sure
25 SREC has talked about a lot of

1 these, but again, I want to open
2 (Inaudible). I'm hearing
3 feedback. Open up that with the
4 option for you all to email the
5 Senate Council Office with
6 additional information and we'll
7 kind of move that forward and
8 give you all an update on where
9 we are on this at the next time
10 we meet. Perfect. All right.
11 So, now it's items from the
12 floor. It is 4:00 o'clock on my
13 end, but it's 5:00 o'clock on
14 your end. This is an opportunity
15 for Senators to raise any issues
16 that are not on the agenda.
17 There is no further business to
18 conduct at this point. Roger?
19 MR. BROWN: Yes, Thank you. I just want to
20 remind everyone, the elected
21 Faculty Senators, that I sent an
22 email to you at the beginning of
23 this meeting encouraging and
24 inviting you to make nominations
25 for the three open seats on the

1 Senate Council. The Senate
2 Council Body is an extremely
3 important group of people that
4 does very important business and
5 we need to have strong
6 representation on there, so
7 please respond to my email and
8 consider nominating your
9 colleagues or yourself. Thank
10 you.

11 MS. COLLETT: Thank you so much for putting
12 that plug in, Roger, I appreciate
13 that. All right. If nothing
14 else, I think it's time to move
15 to adjournment. I just want to
16 remind you though that remember
17 that the next Senate Meeting is
18 November the 13th, so put that on
19 your calendars. If there's no
20 objections to adjournment then we
21 will be adjourned by unanimous
22 consent. I don't see any hands
23 up. All right. So, we're going
24 to be adjourned. Thank you all
25 so, so much for attending today

1 and again don't forget to report
2 back to your constituents about
3 what we discussed today and any
4 important items, so particularly
5 even around this item we just
6 discussed, the unexcused/excused
7 absences and 20-Percent Rule. We
8 would love to get some feedback
9 from everyone, so please report
10 out. You all have a wonderful,
11 wonderful day and the rest of
12 your week.