

Senate Council Minutes  
August 11, 2003

The Senate Council met in the Gallery at 1:00 pm and took the following actions.

The meeting was called to order at 1:05.

The Chair asked if the minutes had been reviewed. Saunier offered two changes: The status of LCC's accreditation should read "accredited for good cause and placed on probation" and that Saunier left the meeting at 1:30, not 2:00. The minutes were approved as corrected and will be posted. The Chair introduced student senator D.C. Storm, who was attending his first Senate Council meeting and introductions were made around the table.

Attention was turned to the first agenda item, the proposed STA 200 Distance Learning course that Lexington Community College (LCC) plans to offer this Fall and the Department of Statistics' objection. At its last meeting, the Senate Council charged itself with acting in place of the Rules Committee to determine which Council of the Senate was the appropriate Council for approving Distance Learning courses.

Items reviewed by Council members included Senate Rule 1.3.5.1, SACS criteria regarding substantive change, and the letter from former-President Wethington that was the source for the wording in SR 1.3.5.1.G and identical wording for the rules addressing the responsibilities of the other Councils of the Senate.

Tagavi asked where in the Rules it indicates that various Councils have the final approval of Distance Learning courses. The Chair replied that it was implicit but not directly stated. The Chair also noted the Undergraduate Council document entitled "Approval Guidelines for delivery of Undergraduate Courses in Multi-Media Format" but agreed with Tagavi's statement that the Senate Council was bound by Senate Rules, not by memos or guidelines. The Chair also noted that there was little to interpret in the rules themselves, and asked Council members to decide if they were going to interpret the strict letter of the rule itself or the intention behind the rules.

The Chair also noted that he had been directed by the Senate Council at the last meeting to determine if this issue was related to LCC's autonomy, and confirmed that members had received Sandy Carey's response via e-mail. Debski suggested that a copy of the e-mail be provided to the visitors from Statistics. Jones asked Carey to define what sort of autonomy was at stake. A brief discussion about statutory autonomy versus freedom of choice followed. Carey indicated that this issue was more about the process that was followed in approving Distance Learning courses over the past four years, but that the issue of LCC's autonomy as a separately accredited institution was involved as well, as was LCC's responsibility to SACS, CPE, and the students. Carey added that had

a different process been in place for processing these courses, LCC would have followed it; however, since this was the approved process for the past four years then LCC followed the process in good faith. Carey also noted that there were several instances over that time period in which both campuses had offered courses in distance learning format that were not offered in that format on the other campus.

Connie Wood stated that this change in STA 200 to offer it in a Distance Learning format was a substantive change in both emphasis and content. According to Wood, SACS criteria state that proposals with substantive change should originate with the faculty of the department with which the course is most closely associated, which she feels should be the Department of Statistics and go through the Undergraduate Council. She added that this usurps the authority of UK faculty.

Jones asked Carey if she had considered that the Senate Council's interpretation of the Rules might change the way that the process occurs. Carey indicated that they have followed existing rules and procedures and would be more than happy to be involved in a dialogue that might change the current process in the future. Tagavi added that LCC has followed the precedent exactly and commented that the other cases in which both LCC and main Campus departments had to go through Distance Learning approvals for the same courses were important to note. Tagavi also noted that other community colleges may deliver UK courses in distant learning mode without even notifying UK.

The Chair asked if the Senate Council was in agreement that the four Councils of the Senate were given ultimate authority in the matter of Distance Learning courses. Tagavi said no, adding that the Senate Council was sitting for the Rules Committee and he would be interested to see where the Rules delegate that authority to various Councils. He said that he would like to see this matter taken to the Senate if the final authority does not rest with the various Councils.

There was brief discussion between Carey and the visitors from Statistics regarding similarities between the class in question and the class being taught in the classrooms at LCC and the class taught at UK. Wood and Saunier described how the course would appear on a UK transcript if it were transferred from LCC. Wood added that the course would count toward the University Studies Program requirements once the student transferred, and the course equivalency was part of her concern due to the automatic transfer rule. Carey pointed out that the same concern could be raised with any other Community College in the state, some of whom offer many USP requirements in a distance learning format, including STA 200.

Tagavi indicated desire to move that the Senate Rules do not indicate that any Council has the final authority and that he'd like to send this to the Senate until a

new rule, if any, is enacted. Debski asked whether or not the course would be taught in the fall if Tagavi's motion passed. Tagavi responded that if another motion was made that, due to the exigency of the situation, the Senate Council would rule in place of the whole Senate because it was summer, that would be fine. Debski thought that was what was happening at this meeting. Tagavi noted that during this meeting the Senate Council was sitting for the Rules Committee, not for the Senate. The Chair stated that Tagavi's motion was premature.

Saunier agreed that the rules are unclear, adding that four years of precedent for all of the Councils of the Senate, not just LCC Council, had guided the processes in approving distance learning formats. Over that time there was never procedure for objections since the transmittals were circulated "for information only". Jones asked Saunier if she was suggesting that this course could be grandfathered in if the Senate Council decided that this needed to go to the Senate for Rule clarification. Saunier responded that the whole process needs to be rewritten, and anything processed after such a change should follow the new procedure. Jones noted that precedent gave no allowance for appeal, and once the matter was vetted by the appropriate Council the process had ended. He noted that the Senate Council was supposed to be meeting today to determine which Council is the appropriate Council. The Chair asked Carey if the LCC Council reviewed the course in question for quality and effectiveness, and Carey responded positively. The Chair asked if it had been reviewed in light of the substantive change policy of SACS, again with a positive response. Wood said this was satisfactory if there had been no substantive change, but that in this case the course was changed.

Tagavi restated his question about the Rules. The Chair responded that the appropriate point in the conversation had not yet arrived. The Chair read the Senate Rules relating to the charges of the Senate and the Senate Council. Tagavi suggested that the Rule indicates that the only final authority in this matter rests with the Senate and asked again that his motion be considered. Tagavi agree to have his motion broken into two parts:

We, sitting in place of the Rules Committee, find that no Council has the final authority over distance learning courses, according to existing Senate Rules. [Tagavi, Jones]

Debski noted that the Rules as currently written are incomplete and suggested the Rules Committee draft a more complete process this fall. Debski asked about the outcome of voting in favor of Tagavi's motion, including whether or not the class would be offered this fall. After discussion, an amendment to the motion was suggested by Debski and accepted by Tagavi. The amendment read

"Until those rules can be codified by the Senate, the appropriate Council, for not more than one year, will act as the final authority"

After brief discussion the Senate Council collaboratively attached this additional wording to the end of the amendment:

“and that Council is the Council that has acted in that capacity for the past four years.”

After more discussion regarding how these courses will be reviewed until a new rule can be established, the Senate Council added another amendment. It read:

“Moreover, this STA 200 class, and any other distance learning course approved from now until the new rules and interpretations are adopted will be revisited when the Rules are codified.”

After further discussion, Debski called the question. After further clarification regarding whether or not the course will be taught this fall, Tagavi called the question, the Chair called for a vote. Five were in favor, none were opposed and Saunier abstained.

Debski noted that in the spirit of congeniality and in the best interest of the students and the course itself the two parties involved should work together in the future. Tagavi added that he would like to make another motion. The motion read:

“The Senate Council refers to the Rules Committee the following question: which Council, if any, has authority for routing and/or final approval when courses are offered in a distance learning format?”

Saunier seconded the motion. Brief discussion followed regarding the implications for USP courses. Wood raised the issue of whether or not wording should be included as to the need for an appeals process in the future. The wording was added:

“and furthermore, we ask the Rules Committee to identify an appeal process, if any, under existing rules.”

The Chair called for a vote. The motion passed unanimously. The visitors from Statistics departed, as did Jones and Carey.

Prior to discussing the next agenda item, Saunier noted that an LCC transmittal that should have been sent through the full transmittal process in the fall was transmitted “for information only”. Saunier requested that the item be sent to the Senate for 10-day approval since it was submitted in December and the new “for information only” rule wasn’t passed until February. The transmittal in question was noted and will be posted. Saunier also noted that previously transmittals during the summer months were posted with objections being accepted until ten

days after the first day of class. This summer they were posted with only a ten day objection period. Saunier requested that in future summers the old method of accepting objections until ten days after the start of the fall semester be utilized. The Chair explained that this was done because of a backlog of transmittals owing to reorganization of the Senate Council office, but agreed that it should be deferred in future summers until the Senators returned.

The Chair presented the Provost's request for names for Promotion and Tenure committee to hear one Merit appeal case that has come up since the last committee disbanded for the summer. The Chair asked if the Senate Council would rather submit names of the College-level Promotion and Tenure Committee members that Ms. Scott compiled, or if they would prefer to use the new Administrative Committee on Promotion and Tenure that has already been named for the fall semester.

After brief discussion the Senate Council elected to suggest names from the College-level list. Edgerton and Tagavi suggested that since all of the people on the list were experienced they thought that the Chair should randomly select some names from the list and forward them to the Provost. The Chair agreed to do so.

The Chair reported that the Provost asked the Senate Council for suggestions on the composition of an Ad Hoc committee being formed to assess LCC's recent SACS accreditation issues. The Provost requested three names and will select one person from the three names suggested. Saunier suggested Bill Fortune, David Durant and Lee Edgerton, since all three were knowledgeable about LCC. The Chair asked if Edgerton would accept the nomination, who said that he would. Tagavi indicated his agreement. The Chair will suggest those three names to the Provost.

The Chair called upon the Administrative Coordinator to report her findings regarding the error that occurred in the presentation of the Business and Economics suspension policy the preceding spring. The issue was that Kraemer stated that the policy was not approved by the Undergraduate Council when the Senate Council was told that it had been approved by the Undergraduate Council. Ms. Scott reported that the error occurred when the two proposals that were submitted jointly were split. The first proposal regarding the number of electives necessary for a degree went to the Undergraduate Council and was approved. It was forwarded to the Senate Council Office. The second proposal dealing with the suspension policy was not acted upon by the Undergraduate Council because it was a policy issue. It was sent to the Admissions and Academic Standards Committee. The AAS approved the policy and sent it to the Senate Council Office. The suspension policy was typed up and given a number, as was the practice of the office administrator at the time, and at the bottom of the proposal both approvals were noted instead of just the approval of the AAS.

Ms. Scott assured the Senate Council that multiple processes were now in place in the office that would make this sort of mistake far less likely.

Debski noted that the incident cast a shadow on the credibility of the Senate Council and suggested that the Chair should acknowledge the oversight to Kraemer. The Chair agreed to do so.

The Chair drew the Council's attention to another agenda item regarding the need to replace committee chairs whose terms on the Senate have expired. The Chair noted that last year the committee chairs were elected from the body of the committee, with mixed results. This year he would like to appoint the chairs so the committees have a chance to get off and running and welcomed input from the Senate Council regarding those appointments.

Saunier stated her preference to review this matter in the future, and suggested that it would be helpful to have a list of the various committee memberships as well as a notation for each committee regarding the requirements for committee composition. The Administrative Coordinator will compile such a list and distribute it via e-mail.

The Chair asked when the next meeting should occur. The members indicated that they would like to meet on the 25<sup>th</sup> of August, which is the Monday before classes begin. At that meeting the final agenda for the first Senate meeting of the year will be set. Debski requested that the meeting time be changed back to 3:00 to 5:00 so more of the members could attend. The Chair agreed.

The meeting was adjourned at 3:30.

Respectfully submitted by Jeffrey Dembo  
Chair, Senate Council

Members present: Liz Debski, Jeff Dembo, Lee Edgerton, Davy Jones, Peggy Sauier, D.C. Storm, and Kaveh Tagavi. Guests present: Sandy Carey, William Rayens, Kert Viele and Connie Wood.