

FL UK SENATE COUNCIL 9-12-11.txt  
UNIVERSITY OF KENTUCKY

SENATE COUNCIL MEETING

\* \* \* \*

September 12, 2011

3:00 p.m.

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UNIVERSITY OF KENTUCKY  
WILLIAM T. YOUNG LIBRARY AUDITORIUM  
401 Hilltop Avenue  
Lexington, Kentucky

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HOLLIE SWANSON, CHAIR

ROBERT GROSSMAN, VICE CHAIR

SHEILA BROTHERS, ADMINISTRATIVE COORDINATOR

ANN CHASTANG, COURT REPORTER

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SWANSON: Welcome to the 129th year of the University Senate. It is my privilege today to introduce the twelfth University of Kentucky President, President Capilouto. President Capilouto?

CAPILOUTO: Thank you, Hollie. And I thank all of you for being here. I have to say that my first couple months in Kentucky I've been reminded how honest people are. I'm going to tell you two stories. The first, you know my wife and I made a sneak visit to campus the weekend before the final interviews were

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conducted. And we'd never been to Lexington and we wanted to see what it was like and we obviously love it and that's why we're here. When I returned as the preferred candidate, I walked into the bookstore and I encountered one of the sales persons there who recognized me and she looked at me and immediately said you turkey. And this weekend I decided I would get to the football game early and meet people. So I walked -- first I was at the College of Ag. They had their big roundup and I met wonderful alums and donors there and that was terrific. And then as I walked to the stadium though, a woman stopped me and said are you the President of the University of Kentucky? And I said I am; why do you ask? And she said you don't look so good on TV. And I said well, how bad do I look? And she said pretty bad. And then after she said that a couple of times she said well, let me put it this way. You look better in person. I'm glad to be here in person but I'm a little worried that you're live streaming today given what this kind lady said. Then she told me later she was a housemother at one of the fraternities there on campus. So anyway it's great. And that's the kind of welcome my wife and I've had. Last weekend, two weekends ago, I mean this honesty, this warm embrace, you know, that my wife and I felt every day, we went away to meet our daughter for a weekend in Boston. She got engaged and we were there to meet her fiance's family. We flew back to Lexington and my wife turned to me and said it's good when it feels like home. And that's the way it's been for us. So I thank all of you for your warmth and your hospitality. It's also fitting that I'm here returning to this library because when my wife and I made our visit to campus, we were wandering with a map that we picked up at the student visitor center and I had seen pictures of the campus and I have to admit, my curiosity was highest when I looked at this structure. I didn't know what it was exactly. And so we walked in and stayed about an hour here, and we spent a lot of time on the ground floor and observed

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students coming together with white boards and in small groups and engaging each other and teaching one another. When we left, my wife turned to me and said this is the sanctuary of learning. And I think it's best put by her words. So it's great to be here. I also feel at home with the Faculty Senate. I told Hollie I hate to set these kind of expectations, but for the last nine years I've been a provost. I think I've missed maybe one Faculty Senate meeting a year. I tried to make all of those along with my president. We both tried to make those. And once a month the president and I met with the Faculty Senate Executive Committee and I met individually with the Faculty Senate Chair. And that was to establish a bi-directional dialogue. We have much work to do together, and it's the only way it's going to get done. When I came in June before I started July 1st, I met with lots of people and get some ideas and insights. I can recognize some familiar faces. You were kind enough to share time with me then. But there's one story that shaped the way I've approached this job in the first two months. Someone described to me while -- well, she was pretty honest. She said look, I know how you new presidents are; you come in; you want to do a strategic plan; we don't want to do a strategic plan. So she told me that. What she really described was something I would call a little plan fatigue. We had done lots of planning. We had rich information already available to us. Our 2009 to 2014 strategic plan, had a lot of information. A lot of thought had gone into that. The Top 20 Business Plan similarly. And so hearing that and hearing it from more than one person, I've decided to embark upon something to develop what I hope is our vision. And many people have asked me it seems like every other day what is your vision and I stop and pause and say it's got to be our vision. So here's what I've tried to do. First off I wanted to be able to accumulate, integrate, synthesize and -- all this data we've collected previously. And I'm a data driven person so that's been a

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delight for me although I don't  
have as much time to do it as I'd  
like. The next thing I decided to  
do is while I may be integrating  
and synthesizing it and so forth, I  
wanted to have a group, a little  
independent of me, a lot  
independent of me, to do the same  
thing and try to interpret that  
information. So I asked Hollie to  
chair a group of mostly faculty,  
some administrators, and a staff  
representative. And I haven't seen  
that group since I charged them and  
spent ten minutes with them the  
first time we met. And I look  
forward to meeting with them again  
to hear what they have to say,  
taking a fresh look at what we're  
doing in a new environment. And  
then the last thing I've tried to  
do is get out and listen to you. I  
met with sixty faculty or so during  
my visit in June. Hollie arranged  
those for me. It was terrific.  
Eclectic groups from all different  
schools, some junior, some senior  
faculty, and that was very helpful.  
And then I've started visiting all  
of the colleges. I think I've made  
it to eight or nine. I spent three  
hours there. A third of the time  
with the dean, a third of the time  
with the administrative leadership  
and a third of the time with the  
faculty to hear what's on your  
mind. I have notes from all those  
meetings, and that's going to be  
part of my interpretation and  
understanding of what's going on at  
our campus as well. A little bit  
about what I've heard thus far.  
First of all, one of the healthiest  
things I heard when I asked people  
what makes you most proud of our  
University, it was usually the  
students and our graduates. And,  
you know, that's why we're all  
here. And the next thing I heard  
was the collegiality amongst the  
faculty, the ease with which you  
can work across college boundaries  
and so forth to engage in exciting  
projects. And that was terrific.  
And then also the respect that you  
have for one another and the work  
that you do and the mission that we  
all share. And over the past eight  
weeks I felt like someone invited  
late to the party that really gets  
to lead a celebration in some ways  
that I didn't have that much to do  
with it. And it could be from a

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couple of visits to Eastern  
Kentucky to announce programs that  
are going to really attack some of  
the most stubborn issues in this  
state thanks to our colleges  
working in partnership to a play  
put on by students during the first  
few weeks I was here where they  
took hours and hours of oral  
history from our Nunn Center on  
returning Iraq and Afghan veterans  
and translated that into a very  
powerful play. I could go on and  
on and on and on about all this to  
the first endowed chair at the  
College of Pharmacy. So I've had  
the delight of welcoming people to  
those kinds of ceremonies and  
enriching what I know about our  
University. I told people that my  
responsibility in these first few  
months is to understand our soul  
and all of these kinds of events  
along with some data help me  
define. And I've also heard what  
troubles people. And some of them  
are not so hard to detect. People  
are worried about conducting  
twenty-first century learning in  
nineteenth century facilities. And  
I recognize that. I recognized it  
when my wife and I took our little  
sneak visit on campus. It had me  
quite concerned starting on that  
day because I spent my last nine  
years conducting a lot of  
construction and watching it go on  
on other campuses. And I think we  
have our work cut out for us here.  
I also heard about administrative  
bloat and difficulties in  
conducting some of our work in  
which there are expectations that  
my office and offices that report  
to me need to step up our game.  
And I take those seriously. But  
underlying all of this is the most  
constructive tone anyone could  
expect. It is respectful. It is  
thoughtful, insightful, but always  
constructive and I welcome that. I  
hope it is the foundation of the  
trust that I want to establish with  
the Faculty Senate and indeed all  
of the faculty because I cannot  
tell you that there are easy  
answers out there. There are not.  
There just simply are not. And our  
answers aren't going to all rest in  
Frankfort or in Washington. Many  
of the answers are ones we're going  
to have to discover amongst  
ourselves. But I've always had

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great faith in empowering people to make the right choices with the right information. So that's indeed what I hope to bring to my job and hope to fulfill your hopes. I ask that we work on talking to each other and directly to each other and not at each other. I notice there's some temptation to try to communicate through other mechanisms since I've arrived, and, you know, let's just talk to each other. And I can't pretend that I can answer every e-mail, but I read every e-mail I get and I try to. But I ask that when you have issues that you think are of import that you do your best in directing those to Hollie because I'm going to maintain frequent communications with her so that I should know about these and through that mechanism as well. I hope to work to create the environment that you find is one is shaped around success. Success for our students and success for you in terms of meaningful careers. Lives that are fulfilling in doing what I know is a deep passion. So I thank you, Hollie, for this time. And if you don't mind, I'd love to learn more from people if there are any questions people want to ask or you want to tell me what makes you most proud or where you think I should direct my attention in these next days, I'd love to hear it. Thank you.

SWANSON:  
CAPILOUTO:

The floor is open.  
I'm going to take you to that lady I met in the parking lot and the bookstore. They're not shy.

JONES:

Davy Jones, Toxicology. You'd mentioned some people had conveyed to you concern about administrative bloat. And I guess that would be right there in your baby to do something about. What have you chewed on that about?

CAPILOUTO:

Well, I'd have to say that I've taken those issues seriously in my past, and to take them seriously you can't take them cavalierly. And I don't know entirely now. It's on my radar screen. I want to focus sequentially on some things. Our educational mission, research mission are things I want to be discussing first. But I wanted you to know that I recognize that as a concern that's been expressed to me.

GROSSMAN:

Bob Grossman, Arts and Sciences.  
You mentioned buildings. So do you  
have any -- can you share with us  
any ideas about how to fund new  
construction especially given the  
constraints that we're put under by  
the legislature?

CAPILOUTO:

Yes. So I've certainly learned  
that it gets up and constructed in  
Kentucky. Often times you have to  
work closely with the legislature.  
And especially any monies that you  
want to get through bonding which  
is, of course, money that we don't  
pay the debt on. And that's good.  
Most states have that. This is a  
little different in that most of  
your building projects have to be  
eventually approved. You can do  
agency bonding where you're just  
going to accept the debt and billed  
it. And I think quite frankly if  
you look at states that don't have  
routine capital budgets for higher  
education, most of the universities  
take those projects on amongst  
themselves. My previous  
university's \$500 million in  
construction in the last ten years  
probably roughly and of that seven  
percent came from the federal  
government. Seven percent from the  
state. The rest was internally  
financed. Many universities  
approach it this way. And that's,  
you know, a challenge of our time.  
So, you know, how can we -- and  
believe me, I want to be the  
strongest advocate in the world for  
getting the capital support that we  
need not only in Frankfort but I've  
also spent a great deal of time  
meeting with people who have  
histories of tremendous generosity  
when it comes to this University,  
and I hope that we can work with  
you, encourage them to make further  
investments in our University. But  
we're going to have to be creative  
when we do these things.

BRION:

Gail Brion, College of Engineering.  
If you could just close your eyes  
and dream for a minute, and in ten  
years like this place of learning  
that you've seen here was the dream  
of one of our previous presidents,  
what would you like to see here in  
ten years if you could?

CAPILOUTO:

Well, I'm going to (inaudible) tell  
you exactly what it's going to look  
at, but I'm going to tell you what  
I hope we all share great pride in  
and that is that students that have

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the good fortune of coming to this University are living rich and meaningful lives. And this has me of great concern. If you haven't read it yet, I suggest -- and I may say the wrong magazine. I think it was in the Atlantic. It has a front page cover that says will the Middle Class Survive? It's a very disturbing article. But I don't know if this particular fact was in there. Someone asked Larry Somers, the former Secretary of Treasury what had him most concerned and he said in 1970 -- that happened to be the year before I graduated from college -- one out of twenty persons was unemployed in the ages of twenty-five to fifty-four. That's a time we should be working, okay? Today it's one out of five. And if you look at what has happened to this recession that continues, people with college degrees are protected. I mean the unemployment amongst those with college degrees is about four and a half percent. With those with a high school degree it's twelve percent. But if you look within those -- the category of college graduates, there are people that have had great declines in their real income and their income period, okay, and sort of who is succeeding in this kind of environment. And I think the question that is, you know, confronts us and that is it's really folks with the sophisticated set of skills in a toolkit. I told the group I spoke to Friday, I shared the same information, but I also said what encouraged me about the University of Kentucky is when you look at what that toolkit is going to require, you can find in our new UK core many of those attributes. So that we've taken on those responsibilities. So that's what I'm really hoping for is our generation of citizen leaders that help move this country and this state first to a better place than we are now.

BRION:

CAPILOUTO:

TRUCZCZYNSKI:

CAPILOUTO:

Kind of like the new middle class? That may be a good term. Thank you.

Truczczynski, Engineering. Could you give us some idea of the time line you have for developing what you quite rightly call our vision?

Right, the last question I had with



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the search committee, Hollie served on it, they asked me if I had any questions. And the question I had for them was how do you plan? And the reason I really ask that question and I've been out there alone not talking to anybody besides my wife and my president at my previous university, I told her that I was a candidate for this position. So you're out there alone trying to go through all these data and getting information off the web and I'm reading all the plans and all. So I asked the Board how they planned and I think the concluding statement was they wanted to be involved in the plan. So they scheduled a retreat for October 1st. Hollie will be there for much of this. And I'm going to share information that I've learned and what I'm going to learn from Hollie's review committee. And these are individuals that represent the state. And I think for, you know, issues at a very high level, not the programmatic issues about degree programs and those kinds of things, I look forward to their further interpretation of information that we'll share. I think I then need to come back and spend some time, hopefully before that and certainly after that, a lot of time with our deans, and I certainly want to come back and talk to you. But we have some compression in time here. And one constraint is the legislature goes into session after the first of the year. And so some of these capital meetings we're going to have to define and figure out what's going to work best for us.

DAVIS:

Allison Davis, College of Agriculture. I'm wondering how your stance as president of a land grant university would differ if you had taken a position as a president of a non land grant university. And it's coming from the College of Ag where we have a very, very strong outreach extension base and all of us at the College of Agriculture are wondering how you feel about that. You know, and I want to have more conversations about that because I know it means a great deal to people here. That was one of the points of pride that I heard in my small group meeting. And while I

CAPILOUTO:

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came from a university that was not a land grant, you know, what I understood about what we were doing is you had to be relevant. And the only way to be relevant quite frankly was working on some of the issues of day and those issues of the day were most often the issues that people in communities, not just in my state, but all around the world face. So I'm not finding conflict with land grants, but I will be interested -- and I'd love to hear from two or three people -- I'd love to hear your definition. I really would appreciate it. I mean -- and I'd love just for somebody to speak up now and tell me what it means. But if you can't or you don't want to, I'm pres@uky.edu. Let me know.

DEBSKI: Liz Debski, Arts and Sciences. So I'd like to push the time line question a little further and just simply ask when you come back next year and address us, what would you like to be able to tell us? What will you have done? Where will we be then?

CAPILOUTO: Sure. Well, I certainly hope that we will have made progress on some of these facility issues because I think where people live and learn are important to a campus. I don't know if we'll have cranes on the campus, but I hope we have progress in that area. I hope that we outline some things that we're going to work on together for which you'll be encouraged by the progress. And those need to lead towards what means most to me and that is that we are educating and graduating that student as I've described and that the discoveries that come out of such a creative community are manifest in many different ways from plays to the latest breakthrough in science. And I have to share this story with you. I get to represent you in lots of places. So yesterday I decided -- I got an e-mail from somebody who told me his or her spouse was hospitalized, and this was not somebody who's a member of our community but somebody who is a member of the University community, but somebody I thought I'd go visit. In my car I heard him say when I came to my first meeting, he said when he arrived, one of the things he used to say was I want

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every Kentuckian when they go to bed at night to feel confident if they needed medical care in the morning that they could get it here; they wouldn't have to go somewhere else. So this person told me that they had decided to get their care here. It's a very serious medical misfortune. It will require a very serious surgery which wouldn't have been here six months ago. And they had made their decision not to go to a center. If I named it, you would immediately recognize it as worldwide recognition. That the care here was as good as they were going to get there. And, in fact, they had been going there for care for the last two years. So I hope we're extremely proud of what we make available here to our students, to our patients, to our fellow citizens. That's what's going to be very important to me. You have that land grant definition for me?

DEBSKI:  
SWANSON:

CAPILOUTO:

Oh, yeah, it's coming. President Capilouto, do you compare what's going on nationally in other institutions, the entire education, how would you compare our status? Well, these are the things that I see going on that will impinge upon us, I think, some of the things. First of all, you've got students and families who worry about cost. You have some of your traditional revenue sources that we'll have to acknowledge maybe are flat or declining, especially those out of the federal government when you look at the service. I think you can see how competitors are starting to move in the market in different ways. We can debate, but it's the reality. You can see how universities working more closely with private industry to tap into resource development funds. You can see universities moving into different markets, especially those ones that involve students who can't access the traditional education and find more convenience by doing so online. And you can find in many of those that if you look carefully, that they're not even competing on price. I mean the price is enormous for some of those. They're competing simply on the access which is powerful people. I see those kinds of

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forces that I think are ones that we're going to have to certainly recognize. And then, you know, I think the recognition that the state is going to have the capacity to solve all of our problems. It's not to say for a moment I will yield on my advocacy there, you know, but some of those realities. So those are, you know, those set up many difficult set of challenges and choices we'll have to make together. But I'm still most encouraged and confident that these are challenges if we work together we can overcome. Thank you so much. And I appreciate the questions. I look forward to hearing from you, and more often I look forward to coming back and working with you. Thank you very much.

SWANSON:

Thank you, President Capilouto. I'd like to take a few minutes and introduce our cast of characters here. I'm your Chair of the Senate Council. I'll be ending my term at the end of May. Bob Grossman, Arts and Sciences, is our Vice Chair. Sheila Brothers is in the Office of Senate Council, and she does most of the hard work. And she is also serving as the Staff Trustee on the Board. We have a new individual that we hired not too long ago, Janie Ellis, in our office. So we have one and a half persons in our Senate Council not counting me. And then these are the folks that I rely on for their wisdom. We meet once a week, Monday afternoons, when we're not here from three to five. Any time you'd like to run ideas, concerns, questions by us, please do not hesitate to contact us. We're a pretty well-balanced group with respect to different colleges and our expertise. And I'd like to remind you that some of these good folks will be rolling off and we will be electing new people in November. I'm also -- we're also one person short and so what I've proposed to the Senate Council and have given the blessing is that we would like through the ranks and find and under represented college and vote on a member to serve just until the end of December. Is there any objection to us doing that?  
(No response.)

SWANSON:

Okay, so we'll go ahead and do that

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in the next week or so just so we  
can fill out our ranks. We've had  
some problems with quorum. But I'd  
really like to thank these people  
for all of their support. We have  
Michelle Sohner. And I forgot to  
mention to you, but she told me  
that we do have quorum. She is our  
Sergeant at Arms and she also  
serves in the Office of the  
Academic Ombud. And we have a  
Parliamentarian position that is  
open. We've got a very attractive  
candidate who is considering the  
position, so we'll get back in  
touch with him. And then I would  
also like to tell you that we had  
Gifford Blyton. It would have been  
his one hundred third birthday  
yesterday and I regret to tell you  
that he passed away last December.  
He was our Parliamentarian for a  
long period of time. And then we  
have Ann Chastang as our court  
reporter. Thank you. We have  
faculty representatives to the  
Board of Trustees. As you know,  
Irina Voro is our newest Trustee.  
She's in the Fine Arts Music  
Department and she will be  
presenting the Board of Trustees  
report in November. And we have  
Joe Peek, the Gatton College of  
Business and Economic Management.  
Do you want to give them a wave,  
please? Joe Peek. And he will be  
giving his Board of Trustees report  
next month. We also have our  
student government representatives,  
Micah Felding is the SGA President.  
Joining us at our Senate Council  
meetings is Mary Ellen Wimberly.  
And we have a new Associate Provost  
for Faculty Affairs, Lynda Brown-  
wright. You're shaking your head.  
That should have been Assistant.  
Yes, thank you. Heidi is serving  
as -- she's waving me off. And  
then we have Assistant Provost and  
Senate Liaison, Richard Greissman.  
And Richard helps us manage some of  
our misunderstandings and he's a  
very patient man. Our Academic  
Ombud is Sonja Feist-Price. She's  
from the College of Education. We  
have thirty-five new Senators from  
fifteen colleges. Could you please  
stand and be recognized? Thank you  
very much. We really appreciate  
your service. This is my please  
slide. Please give your name and  
affiliation when you speak.  
Communicate with your

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constituencies. As I mentioned to the new Senators, what one of our larger colleges do is they elect one spokesperson that will then broadcast whatever is relevant to your college that happened in the Senate that day. So they usually broadcast it via an e-mail. Please turn your pagers and cell phone to vibrate and please attend meetings. We've got a record of good attendance and we'd like to keep that up. Our minutes are not yet ready. For our announcements because we had so many we put most of those in the handout. There are a few announcements I'd like to bring to your attention. President Capilouto will be having an investiture ceremony. That will be October 18th at 4 p.m. in the Singletary Center for the Arts. Please plan on joining us. That will be a ceremony that involves academic regalia. We have exceptions for the UK Core courses that will be approved and reviewed by the interim IGEOC committee. They will submit formal recommendations for exceptions with its other suggestions. Armando Prats would like to give us a few comments about the Work Life.

PRATS:

This is an update on the development of a second child care site on the UK campus. The update was provided to the Work Life Advisory Council of which I am the Senate member by Stella Crutcher who is Executive Director of the Child Development Centers for the Bluegrass and Mark Birdwhistell who is Associate Vice President for UK Health Care Marketing and External Affairs, whatever that is. The center is the result of a partnership between UK Health Care and the Child Development Centers of the Bluegrass. The center is not intended -- we were told this repeatedly -- not intended to solve all child care problems on campus. The purpose is to add one more option. Groundbreaking ceremonies for the new sites will take place sometime this month with plans to open in August 2012. So these are some of the highlights of the new facility. We have space for as many as a hundred seventy children. Approximately fifty slots will be reserved for children with special needs. There will be discounts for

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children with disabilities since this is the primary mission of the center as well as health care coverage for therapies. The process for admission will be forthcoming, but the center will be open to all UK employees. Child care fees will be comparable to those with child care centers in the surrounding area. The center is to be located on land near the arboretum. The facility is designed to accommodate an additional three thousand square feet. I guess when the original design (inaudible.) And the hours will be similar to those of the existing center's hours. That's 7:30 a.m. to 5:30 p.m. But additional hours will be considered after initial months of operation. UK will maintain ownership of the property and will lease it to the Child Development Center of the Bluegrass who will operate it independently of the University. Fund-raising efforts are underway so maybe the Senators can pony up although we did not talk about the projected costs. And the last thing to mention is that the Board of Trustees has approved the lease, and the builder has been identified after request for proposal. That's all I have to say.

SWANSON:

Thank you. Questions for Senator Prats?

GROSSMAN:

When did you say -- Bob Grossman, Arts and Sciences. Did you say when that facility was expected to be open?

PRATS:

August of 2012. So it's (unintelligible) pitched to younger faculty members (unintelligible.)

SWANSON:

Thanks for your hard work. Joe Peek, would you like to tell us about progress on the employment ombud, please.

PEEK:

We've been working on that for quite some time. It's a joint faculty and staff initiative. The staff have been doing an awfully lot, probably more than the faculty. We've made great progress. We visited the University of Cincinnati's Ombud Office. We visited the University of Louisville Ombud Office. We've written up a big report. We fine tuned the report. We've met with a host of administrators and so we're at the very final stages. We've gotten positive responses from

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essentially everyone we've talked  
to although, you know, there were  
minor tweaks that people were  
concerned about. I think we've  
adapted to most of those concerns.  
We have another meeting coming up  
later this week with Bill Swinford,  
the Chief of Staff of the  
President. There's one issue left  
about exactly who the ombud office  
is going to report to. And so  
we're trying to iron that out.  
Other than that, I don't think  
there's anything in the way of  
getting this to actually happen. I  
think it will be a big improvement  
here so --

SWANSON: would you mind clarifying for folks  
what the purpose of the Ombud  
Office is.

PEEK: Right, the Ombud Office is  
informal. It's really a mediation  
arbitration. I guess really more  
mediation. And there is an  
International Ombud Association and  
they have criteria for how an ombud  
office should work. And we want  
ours to adhere to those rules. And  
so what we really need here is  
someone who's trained in mediation.  
These are going to be informal  
consultations, I guess. An ombud  
office is not able to take sides in  
any formal proceeding. In fact,  
it's not able to participate in any  
formal proceeding. But the idea is  
that if a faculty or staff member  
has an issue, they can go to the  
ombud office anonymously, talk  
about what the problem might be,  
and it may be an information and  
communication problem. We have  
lots of communication problems at  
UK. And so it may be that we're --  
that the ombud office is able to  
work something out and say look, do  
you think you have a problem; here  
is where you should go. In many  
cases the faculty or staff member  
doesn't really know what their  
rights are or where they should go  
for help. And so this is going to  
be independent and that's really  
important that it's independent.  
The ombud doesn't take sides and  
doesn't really advocate at the  
higher level. But the other thing  
that's -- that you might not think  
about at first is that the ombud  
office is a tremendous source of  
information to the administration.  
If we see a pattern of problems  
being reported in a particular



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college or a particular unit, the  
ombud is going to see that pattern.  
And as such, they can go to the  
head of that unit or higher up in  
the University and say you know,  
this is a concern because we're  
seeing this pattern; something is  
probably going on there that should  
be addressed. So I think problems  
and behavior can be addressed much  
sooner and perhaps much more  
effectively rather than letting  
things go on. And I think this  
will be a morale booster. I think  
it will be good for UK faculty and  
staff. And I think it will be good  
for the administration. It will be  
good for the University in general.  
But as designed right now, this is  
an office for faculty and staff,  
not for students. And some places  
like Cincinnati, it's combined with  
student, faculty, and staff. We  
have a separate student ombud. So  
I think this will be a good thing  
and it's very inexpensive to have  
such an office. And we've actually  
had some of the administrators say,  
you know, how much money do you  
want; I presume you're here for  
money. No, we're here for approval  
and for ideas, but we'll take your  
money. So I think getting the  
money is not going to be a problem,  
and I actually, you know, it's a  
personal belief, but I think in the  
end it will save UK money because I  
think we will have fewer lawsuits  
against UK because we'll head off  
these problems much earlier in a  
much more effective way. So in the  
end I think we're going to win.  
We, meaning the entire university,  
will win from this initiative. So  
I think it's a good deal. And I  
think it's going to happen.  
Thank you. Any questions for Joe?  
Thank you. We will be sending you  
an e-mail soliciting volunteers for  
eight committees that need faculty  
participation so please look  
through those requests carefully.  
We would invite you to serve, or if  
you know of a colleague that you  
think would be a good person to  
recommend, please forward it to  
that colleague and they can  
respond. We've got committees  
looking at program reviews,  
summative reviews. We have a dean  
search going on -- that will be  
going on in the College of  
Engineering and area committees.

SWANSON:

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Please save the date for the Annual Stakes Reception. This is with the faculty, staff, students, and Board members. That will be October 25th at 2:30 in the eighteenth floor of the Patterson Office Tower.

President Capilouto mentioned the review committee that I am chairing. These are the members of that committee. We have been meeting since August. We will have our last meeting on the 21st of September. We are working on our executive report and then after we have the Board meeting, then we'll start planning. We're starting to plan it now is how to engage the entire University in this planning process. So if you have additional ideas of how to engage and how you'd like to be involved, please let me know. I'd like to give you a report, and this report has to do with the April 11th faculty perspective that we had. And in this faculty perspective what you said was the Senate approval processes are inefficient, lengthy, and plagued by poor communication. Who said we couldn't critically evaluate ourselves? It stymies innovative and creative teaching. It undermines trust in faculty governments. All right, so we've taken a few steps. And I'm not promising this will solve the whole problem, but these are some of the steps that we've taken. We asked the Provost for additional help for our one and a half people in the office and he said yes, and so we had Joni help us to get us through the rest of the semester. And believe it or not, she had a little bit of extra time left and so what I asked her to do is to prepare a report. And what I asked her to do is ask the simple question, how many courses did we review. And she said six hundred twelve. So that's about double what we saw the previous year. And then I asked her well, how many of those required corrective action, and she said about three hundred. And so if we were looking at an error rate of fifty percent, maybe some of our clinical colleagues could tell us whether or not that error rate would be acceptable or not. I expect not. So we're looking at that fifty percent error rate and we're asking how could we reduce

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it. And the next question, once we get this number down, what would be an acceptable number, maybe about five percent. And then if we get it down to five percent error rate, then I think the next question we could ask is how could we streamline our processes. But right now we're just going to try to work with this problem. All right, and then the third question I asked, well, what are the problems. And here are the list of the items that she came up with. These are what came up the most of the times. Missing signatures, unspecified incorrect meeting patterns, old academic offenses languages, and distance learning issues. So they're not difficult problems to solve. All right, and so here are some of our corrective actions. We said that well, proposals no longer needed certified, digital, wet signatures. We could accept the fact that we could type a responsible individual's name in, submit the proposal in Microsoft word instead of PDF because what was happening at different layers in our process that our staff would have to print it out, make the change, scan it in, and put it back in so we had multiple PDFs of different forms. And then by the time it got up to our office, we weren't really sure what form we had anymore. So this would help that. And then the other thing we decided at the Senate Council level is that we've been enablers and that it's time to practice some tough love. So here's our tough love. Remember what I said about three times now is that we have one and a half people in our office and we have six hundred courses coming from sixteen different colleges? They have more staff than we do. So what we're arguing is that we are going to send those proposals back from where they came and so that may be a bit of a problem to get people used to the idea, but I think this is the only way we can start improving some of these problems. Now, the other thing that we did is we asked Sheila Brothers and Mike Mullen if they would be willing to present a workshop and they did. And Sheila has even offered to contact her and

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they will present any of that workshop to your unit if you would like. And so it's just a description of how to make sure you've got the course proposals, program proposals and so on. Any additional comments? Mike.

MULLEN: I will point out that the other three hundred twelve we probably -- about half of those we probably had to fix and missed them on the way up to the next level. It's all the way through the system. We've got to get it stopped at the department level so that we're not having these issues at the high end of the process.

SWANSON: Right. And so Mike is at the undergraduate council. I heard the same thing from the graduate council and I heard the same thing from the age, CCC council. So they're already correcting some of these same issues.

BRION: Gail Brion, College of Engineering. Is there some way that the training sessions for the PDFs or something that were put out in this workshop that was given could be linked online for people to look at?

SWANSON: Yes, thank you very much. We could do that. We also developed an electronic document handling system. And I told you a little bit about that last spring. What we did was with several of us cheerleading, we went to the Provost and asked for this, and then with that catalyst from the Provost, this team was formed and so we have an administrative team listed there. We have faculty. Debra Anderson, who couldn't be with us today. And then we have the staff people who are actually doing the work. And so what they've been doing is working with Kathy Crouch in IT. They've been working through this electronic document handling system. And so with this system, then you'll have drop down menus that will ask you for the information about your courses. And then once you finish that application, it will go on to the next level which will be your college and so on, and you'll be able to track where that proposal is at any particular time. So we are still working on that. The pilot is underway right now, and so we should be able to get that off and going this year then. And then

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the next in line we'll be doing the same thing for our program. The other thing that we looked at is when it came up to Sheila and we had problems having to do with distance learning, and Sheila had asked me and I thought, you know, the last person you want to make decisions with distance learning is me. And so I started asking questions, and it turns out that we have a number of people who are experts in this area, and we have formed a committee. We're still really in the process of getting this committee together in charge, but we asked this group of people to serve as an advisory committee. And so those will be the people that we can ask any time we have questions. So some of the questions that really are still unresolved is if you're generating a course for distance learning, how do you determine what a credit hour is. And so if you're converting your classroom course into distance learning, that's relatively easy because you're taking that same course content, that same learning outcome into your distance learning. But what if you're creating now a distance learning course de novo. And so that is one issue we really need to get resolved, and that's being asked at the CPE level. And then -- I don't know if my link is working. I hope so. And then this is what the Undergraduate Council did is they generate a sample syllabus for us and I'm going to send this out to you in a link in an e-mail tomorrow. So they generated this sample syllabus for you -- and yes, here it is. This is what it looks like. So we'll get this posted so you can look at it. So this is a suggested -- keep in mind suggested -- a suggested format, but this would really help if we followed this kind of format with our reviewing. And then what they've done here is these are the boilerplate policies that we have to have into our syllabus anyhow. You've got all the words right here that you can cut and paste at will, and then look how easy that is. Okay, so we've done that. That's the Undergraduate Council. And then the IT committee got concerned, and again, this goes

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back to the manager expectations. And so if we in the Senate Council Office or the IGEOC committee, if we get a course submitted to us by April 15th, what's the probability that it's going to be on the books for fall. That would be an unrealistic expectation. And so what Bill Ranz asked -- and he's in charge of the IGEOC committee is he asked would it be reasonable, and we said yes. Would it be reasonable to set a deadline. And if you could get your course for fall to them by December the 1st, then we would be in reasonably good shape because what happens is at the end of the spring we have this mad rush of courses. So we're hoping that that helps alleviate some of those problems. All right, so the other thing we've been doing is working then on program approvals, and that's in development. We're looking at that online system. And then we also asked the Senate Committee on Academics Programs to develop guidelines. And so that will be their charge for this upcoming year so that we can get a better sense of what we should be looking for on these programs. If you have other suggestions, please contact me. There's my e-mail. There's a Senate Council number, 859-5309 -- no, 867-5309. Ask for Jenny. My students tell me not to quit my day job. All right, so the next issue is this change in SR1.3.3.A. And so if you remember, we presented this change in the rule last May and we decided it was of importance enough that we should give it a second reading. And so I can just imagine the dinner conversations that must have occurred over the summer and what do you think about Senate Rule number 1.3.3.A. And so we can find out today. Let me describe a little bit before we open up the floor for discussion. Currently the Senate Chair, the Senate Council Chair, that's me, would be elected only by the Senate Council. And so it currently happens is that we go through those -- we look for the membership. We ask for nominations. And then within that member of nine, then we ask for a Senate Chair we elect from there. And the idea here is to expand the voting to all of the

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elected Senators. So the candidate would still come from the Senate Council but the voting would be expanded. And then the second change would be currently our Senate Chair terms are one year. So I'm in my second one year term. And I can tell you that it took me at least six months to figure out what I was supposed to be doing. And then the next six months to start doing what I'm supposed to be doing. And so the idea here is that if you gave that person more time to learn on the job, we could be more effective within our body. And so here then we're proposing to extend the term of the Chair to two years. Okay, so what I'd like to do now is put that up. First, let's hear a motion.  
Shelly Steiner, Arts and Sciences.  
So moved.

STEINER:

GROSSMAN:

I second the motion. If you don't mind, I'd like to make it a little more specific with the language on page six of our handout be made part of the Senate rules, proposed rule that's on page six of our handout.

SWANSON:  
GROSSMAN:

Is that an amendment?

Is that an amendment, friendly amendment, Shelly?

STEINER:  
SWANSON:

Friendly amendment.

All right, I'd like to open the floor.

WOOD:

Constance Wood, Arts and Sciences. Point of information, some of us are working electronically.

SWANSON:

Okay, it's on page six of the handout. Is everybody there? Would you like a few minutes to look it over?

BRION:  
SWANSON:

On the page I have 1.3.1.3. Yes, that's what it should be. That is correct.

BRION:

I just thought it might help you recognize it.

SWANSON:  
JONES:

Thank you.

Yes, I'll share some of my feelings on this. The major issue here is that there are two valid competing interests here and because the Senate Council Chair wears two hats. The Senate Council Chair presides at the meeting of the Senate but also is the Chair and presiding officer at the Senate Council. Now so this sounds egalitarian and from the point of view of this faculty body in terms of the meetings of this body, it has a legitimate interest in who's

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going to be presiding officer at meetings of this body. But for the purposes of the Senate Council had, the Senate Council meets at least three to four times a year more than the Senate does. The nine member elected faculty and the Senate Council have much more opportunity to see how each of the Senate Council members operates in that body, who shows up, who shows leadership, who has the trust of the others to help move the group forward to a consensus. We depend upon the Senate Council to do a great deal of heavy lifting to give proposals to us in good form so that we can enact legislation. So, again, from the first hat about well, maybe the input of the Senate on determining the Senate Council Chair, several weeks ago there was a Senate Council election in which there was some very serious issues involved, and I actually instigated that Senate -- faculty Senators input e-mails to the Senate Council. I actually got some Senators to come to the Senate Council to describe the issues that they had and so I've been there. I've done that. I understand that direction and the importance of having some mechanism of the input of the Senators into that. But from the other side most of you here, there's no way for you to know how well and which of the nine Senate Council members operates well within the environment of the Senate Council because you're not going to those meetings. Several years ago there was an election in which there were two candidates, one candidate got one vote, and the other candidate got all the other votes. This group here voting somewhat blindly might have put that one person in who none of the others had confidence in the leadership role. So there's some legitimate competing interests here that I'm not sure the language here that we've got maximizes to the best outcome for both interests minimizing to these (unintelligible.) That's the substance of policy aspect. There are also some -- on the rules committee I can see there are some issues with just the way this is phrased and the language here that the Senate -- I think this would



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have benefitted by the Senate Rules  
Committee inputting to the Senate  
Council on this. Just take the  
first sentence. Given that the  
Chair of the Senate Council is also  
Chair of the University, that's not  
true. The President is the Chair  
of the University Senate. The new  
Senators just heard that. We  
cannot by vote here make that. The  
Board has decided. Now the  
President can delegate presiding  
officership at a meeting to the  
Senate Council Chair and that's  
what the President has done here.  
But as this says right here, that's  
wrong. It's just flat wrong.  
There are several other issues here  
that create some operational  
issues, some parliamentarian things  
that really the rules committee  
would need to adjust that language.  
So I would urge that the best way  
to keep this moving forward to its  
best added value outcome is to have  
this go back to the Senate Council  
they and choose some more on those  
substantive policy aspects on  
what's the best way to maximize,  
the best value, the interest and  
also have the Rules Committee input  
to the Senate Council on cleaning  
up some of this language.

STEINER:

Shelly Steiner, Arts and Sciences.  
I certainly supported this and do  
support it currently. I think it's  
very important for the Senate to  
buy ownership into the Senate  
Council if the Senate Council is  
going to be relevant. I mean on  
campus the Senate is not considered  
as a very strong body. It has not  
been considered as a very strong  
body partially because the  
disconnect between the Council  
which does most of the  
administrative stuff and the Senate  
itself. And I think they have to  
buy into it. If the Senate -- the  
committee set up by the Senate  
Council took every aspect of campus  
life from which building should be  
built to which courses should be  
taught, the Senate has to buy into  
the Senate Council. And the future  
Senate Council members would have  
to state, at least those that we  
want to become President, hopefully  
even the Senate Council members,  
what their positions are on certain  
things because you have no idea.  
At the current time, you have no  
idea what -- the Senate Council

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President is picked on a ma and pa basis. A few people get together, go around, who do you like the best and then they're chosen. In some cases we get wonderful Senate Council Chair or Presiding Officer or whatever you want to call it as we do in this case. In other cases it's hit or miss. I think the Senate has to buy into it if it's going to be a relevant body. And that's one of the reasons I really support this. Now whether it can be cleaned up, I'm sure -- I'm sure nobody would object to having some of the words cleaned up. To me that was trivial to point out, actually. Nonetheless, I think the basic underlying point is that either we're going to be a unit that's forceful or we're not. And I think unless the Senate buys into the Senate Council, they can't. Well, I've said what I'm going to say.

BRION: Gail Brion, College of Engineering. It seems to me that we have two issues here that we're linking that perhaps could be attacked separately. I personally think, you know, that the expand voting to all elective Senators may want to be discussed more, may need the language discussed more, but I have no issues with the second part of extending the term. So perhaps it could be better attacked if it were disjoined from each other.

GEDDES: Jim Geddes, College of Medicine. With the two year term, would that preclude someone who's in the last year of your term on the Senate from being elected as Senate Council Chair or would there be provision to extend the term for another year? And if it would restrict the pool, what -- the question is what -- to what extent would that restrict the pool of individuals eligible for Senate Council Chair?

SWANSON: Davy, you could address that.  
JONES: Right now the person who are ending their Senate term can be elected into the Senate Council and just continue their Senate membership in that capacity. And nothing in this language here affects that.

SWANSON: Thank you.  
LOWRY: Lowry, new Senator for Nursing. How are the Senate Council members elected?

SWANSON: They're elected from this body. So

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in November we will --  
December.

BROTHERS:  
SWANSON:  
BROTHERS:  
SWANSON:

Pardon?

December.

December. I'm rushing us, I guess. In December we will have several slots open. We'll ask for nominations and then we'll vote on those nominations. And so, yes, you'll have to -- when you do that, you'll have to keep in mind that you're electing somebody who could be the next Chair. Is that -- That's exactly right. So we do have input on to the potential because we elect the people that serve on the Council. So we do have input.

LOWRY:

BUTLER:

J.S. Butler, Graduate College. So far I've heard -- and I'm new -- but so far I've heard the language is in part wrong. I have heard today about one proposal. I observed this has two completely different items that I would prefer to have divided to be precise. I make a motion to divide it. So I cannot at this time vote for this. I would prefer the solution to return to divide it, to fix any errors, and to work on the possibly controversial aspects of at least one of the two.

SWANSON:  
BUTLER:

Are you making a motion?  
I move to return to the Senate Council for further discussion of matters.

SWANSON:  
BUTLER:  
BROTHERS:

Do you want to put a date on it?  
Next meeting, a month.

I'm sorry, move to return to the Senate Council for further discussion?

BUTLER:

Yes, of the matters discussed here to return next month. This would require a second.

WOOD:  
GROSSMAN:

Bob Grossman, Arts and Sciences. First of all, this language has been discussed extensively both in the Senate Council and there was a presentation of this very language at the last Senate meeting. In fact, Davy himself suggested some changes to this language which were incorporated. The very last sentence of the first paragraph, this language that Davy suggested be incorporated into this paragraph. And so I'm a little surprised to hear all of a sudden that there are more -- well, actually I'm not that surprised because I'm sure if you read  
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something again and again, you often find new things. But the business about the first sentence, that first sentence has not changed this proposal was first brought forth maybe a year ago and can easily be addressed by a friendly amendment. This has been discussed again and again. I do not oppose separating these two points into two separate motions, so I'm going to -- what I would do is vote against the current motion and then invite Gail, who I would hope would have made the motion earlier, to separate these two proposals into two separate motions so they can be discussed separately.

SWANSON: All right, so --  
SPEAKER: (Unintelligible) so many motions (unintelligible.)  
SWANSON: Yeah, well, that's --  
GROSSMAN: No, I know. That's why I said I'm going to vote against this.  
SWANSON: So the motion on the floor -- so the motion on the floor is that the proposal be sent back to the Senate Council to be reconsidered.  
SPEAKER: Can there be an amendment on the floor?  
SPEAKER: No, a friendly amendment.  
SPEAKER: There was a second amendment made.  
SPEAKER: We have two amendments.  
SWANSON: That's why we don't have a Parliamentarian today.  
BUTLER: What you have is -- this is not an amendment. I vote to return. I did not move to amend.  
SPEAKER: We have to vote on the first one before we can amend --  
SWANSON: We'll vote on the first one then.  
BRION: Please restate.  
SWANSON: We'll vote on the first one. The proposal of the first motion, I don't have anything written in front of me, the motion is to -- did you state the motion? The first motion was to amend the Senate Rule 1.3.3  
STEINER: Yes.  
SWANSON: As stated as written on page six.  
STEINER: Right.  
SWANSON: Is that an acceptable way to state that motion?  
STEINER: Yes, that's an acceptable way.  
SWANSON: We'll go ahead and vote to accept -- pardon?  
GROSSMAN: No.  
WOOD: Point of information, what are we voting on?  
SWANSON: I'm trying to tell you. I don't have anything in front of me. So as I understand the parliamentarian

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rules is that we have to go back  
and vote on the original amendment  
or -- I'm sorry -- the original  
motion.

GROSSMAN: I don't think so if we have a  
motion at table here.

STEINER: That takes precedence.  
WOOD: There is a motion to remit to  
previous committee. That's  
allowable before voting on the  
motion.

SWANSON: Thank you. would you like to state  
your motion, please.

BUTLER: J.S. Butler, Graduate. I move to  
return the motion to the Faculty  
Senate Council for consideration of  
the issues discussed here.

SWANSON: Okay.  
BUTLER: And report at the next meeting.  
That's my motion.

SWANSON: Okay, that's the motion.  
BROTHERS: Excuse me, that this return to the  
Senate at the next meeting or that  
it go to the Senate Council at its  
next meeting?

BUTLER: Return to the place from which this  
motion came.

BROTHERS: So it goes back to the next Senate  
Council meeting?

BUTLER: Yes.  
SWANSON: Goes back to the next Senate  
Council meeting to be reconsidered  
here.

BUTLER: Yes, in light of the discussion  
that just occurred.

SWANSON: Okay, all right.  
BUTLER: And there was a second.  
SWANSON: There was a second. So we're  
voting now. We're going to vote by  
hands.

GROSSMAN: Are we allowed to have a discussion  
on this?

SWANSON: Yes, you can have a discussion.  
BUTLER: It's debatable.  
SWANSON: Yes, it's debatable.  
JONES: Davy Jones, Toxicology, just point  
out this has come to us with a five  
to four vote out of the Senate  
Council so that itself shows that  
there's still some digesting that  
needs to be done here. And that  
wasn't my language, Bob. I don't  
know where you got that. It was  
decided by a show of hands. That's  
not mine.

SWANSON: Irrelevant. Pros or cons of the  
following motion?

WOOD: One of the most disturbing things,  
and it may be a technicality, but  
it's one that can have severe  
ramifications for this body is --  
and it can easily -- but  
legislation should not be written

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on the floor. The first thing is that it says that there has to be a majority vote with a quorum vote. There is no provision for what happens if there is no quorum. And do they mean majority or do they mean morality? Also, the other issue is, is what do you do in the case of a tie? And even though I'm very empathetic to my colleague in Arts and Sciences, I also agree with our former Chair of the rules and elections committee this needs to go back to the Senate Council to get the advisement of the rules and elections committee to clean up the language and bring back a document where you all can focus on the substantive issues before you.

SWANSON: Any other discussion? Okay, let's go ahead and vote then. We'll vote by a show of hands. All in favor? I got sixty-five.

SPEAKER: I got sixty.

SWANSON: Let's go with the opposed to see how we are. Well, I think that's fairly clear. All right, the motion is approved and will go back to the Senate Council for further revision. Thank you. Our next item of business is the August 2011 degree list. This is the second of two August lists. I'd like to thank the colleagues who made a number of changes. A removal of two PhD students who did not turn in dissertations, a correction of spelling of one Bachelor's degree, and a removal of three Bachelor's degree students. So the motion on the floor -- actually I need a motion on the floor from the floor.

JONES: I move that the elected faculty Senators approve the second August 2011 degree list for submission through the President of the Board of Trustees.

SWANSON: Is there a second?

BRION: I so second.

SWANSON: Gail Brion, College of Engineering, thank you. Discussion? All in favor?

GROSSMAN: I just have a question as to why there's an August degree list being submitted in September to the Board of Trustees. Can someone answer the question? I'm just wondering.

SWANSON: Those are from the summertime. Jeannine Blackwell.

BLACKWELL: The registrar's offices around campus are given about three weeks to one month to gather up and certify all of the degrees at the

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end of the exam period to make sure  
that all requirements have been  
fulfilled. That goes to the  
registrar. Then it comes to  
Senate.

GROSSMAN: So this is different from the votes  
that we have prospectively for  
degrees when we send a list of  
people who we expect will be  
graduating at the end of the  
semester?

BLACKWELL: Well, actually this is rolled  
together with a more specific list  
because there's enough time between  
the end of the August -- the end of  
August summer session and the first  
Senate meeting. So it's very  
(unintelligible.)

GROSSMAN: That doesn't -- usually we vote for  
people -- like in the spring we  
vote for these are the people who  
are going to graduate in the  
spring, like in May. So we vote  
for that and then we're told if  
they don't fulfill their  
requirements, they won't actually  
graduate. This is a different  
list.

SWANSON:  
HAGER: Jacquie, could you clarify, please?  
The reason they're on the list is  
that the Board of Trustees doesn't  
meet in July or August and neither  
does the Senate. And the cutoff  
with graduate students to apply for  
an August degree is some time in  
June. So for us to be sure that we  
have everybody, we do two lists.  
The first list is intended to catch  
those students that we know are in  
a program that requires  
certification, licensure, or  
something that's going to affect  
them that if they get delayed until  
the middle of September, it could  
hurt their chances for graduate  
school, promotion, job, or  
something like that. So we work  
very, very hard to try to get all of  
those students. But again, the  
graduate school deadline is not  
until June. So that's why there is  
another list to catch everybody  
else that didn't make the first  
one.

SWANSON: Any other questions?

BUTLER: Yes, J.S. Butler, Graduate. I'm  
looking at two names that shouldn't  
get a degree and I know that. What  
do I do?

SWANSON: Contact Sheila.

JONES: Contact Jacquie Hager immediately  
after this meeting.

BROTHERS: If the people that are on this  
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list, the assumption is that they have completed all the requirements according to their unit, then they will receive their degree if it's approved, if this list is approved by the Senate and the Board. However, if there is a student on here that hasn't completed the requirements, it doesn't matter who approves it. They're not getting a degree because they have not completed the requirements by their unit. So the critical thing is to make sure people get added to the list so they get their degree. But if they are on the list and shouldn't get their degree, they won't be getting their degree.

BUTLER:  
CHRIST:

Thank you.  
Alice Christ, Fine Arts. The current list here doesn't reflect the whole list of added students of the BA level from the College Of Fine Arts.

HAGER:

Those students were on the first list.

CHRIST:  
SWANSON:  
OSBORNE:

Okay, thank you.  
Any other questions?  
Jeff Osborne, Arts and Sciences. So in terms of the third point here, removal of three Bachelor's degree students, we can assume that that's due to the not completing a requirement based on their unit of their college?

SWANSON:  
BROTHERS:

Could you clarify, Sheila?  
Well, I can't specifically clarify. Sometimes folks will interact directly with the registrar when they see these lists and sometimes they don't. Sometimes they come through me and sometimes they don't. It could be that the students were already on the list that was approved in May and so they were removed because they already got their degree. Sometimes there are various things that occur. But a removal of somebody is not really what the registrar's office and I try to capture. What we are critically looking for are folks who need to be added.

SWANSON:

Jacquie, do you have any more information on those three?

HAGER:

What we're looking at here is the situation we don't normally deal with in the spring and the fall in that on August the 4th we posted degrees for the students who were on the first list. Because semester has been over for a month



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now, degree checkout has occurred  
and the students that we thought  
had applied and were going to get  
their degree we now know are not.  
So last week when you got that  
list, it's very possible that  
that's some of the students. I  
don't normally take those names  
off, but we were requested to do  
that this time so we did take those  
off.

SWANSON: Thank you. Any other questions or  
concerns?

(No audible response.)

SWANSON: Okay, let's go ahead and vote  
those. All in favor?

Aye.

ASSEMBLY:

SWANSON:

Opposed?

(No audible response.)

SWANSON:

Abstained?

(No audible response.)

SWANSON:

Motion carries. Thank you. One of  
the things that we did last year is  
when we set up our committees we  
asked them to give back specific  
reports. And with those reports we  
incorporated some of the results  
into the April prospective that I  
told you about. And then thinking  
about that whole process then we  
also questioned well, what should  
we have people do with these  
reports. And we wanted to  
highlight the success of these  
committees in putting forth these  
proposed reports. And we've asked  
them to present those today. But  
one of the things that I really  
dropped the ball in is when you  
think about what a report is  
supposed to do, the intent of the  
report was to start a dialogue.  
And what we failed to do in this  
process is to start that dialogue.  
And so essentially what you see in  
the reports today is a one-sided  
conversation. And so what we will  
be doing is now that the committees  
have submitted the report, we will  
go back to the appropriate parties,  
for example, this is the research  
committee. We've got two reports  
here. One on animal care. We've  
asked the research committee to go  
back and engage in some dialogue  
with Vice President Jim Tracy and  
then we've got a report here on  
graduate studies, and we'll ask  
them to engage in additional  
conversations with Jeannine  
Blackwell. But I'd like really  
like to thank our Chairs. Todd,  
are you giving your report today?

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PORTER:

So I think -- is wally here? I think wally is planning on giving --

WHITEHEART:

Yes.

SWANSON:

Excellent thank you.

WHITEHEART:

My name is wally whiteheart. I was tasked with looking at the animal care and use issues and my subcommittee was -- took the strategy of doing a SWOT analysis on the animal care of the University. To start this off, I need to give you the statement of what we saw the problem was and then give you an overview of the animal care and use program at the University so you'll understand it's the report of its strengths, weaknesses, opportunities, and threats. Basically animal care or animal use is an increasingly important part of research programs at the University. And this increased use of research animals strains both the husbandry aspect and the regulatory aspect that supports these research programs. So this analysis is designed to identify things that we do well, things that we don't do so well, and perhaps things that we can improve on. Now to understand the scope of the animal use at the University, you have to realize that there are animal research programs at three different colleges, the College of Agriculture, the College of Medicine, and the College of Arts and Sciences. These three programs are the animal care and use involves three different programs on campus. There's the Department of Animal -- or Laboratory Animal Resources or DLAR which is responsible for animal husbandry. There's a care program at the College of Medicine which is driven by the individual departments. And then there's the institutional animal care and use committee the so-called IACUC which is responsible for the regulatory aspect. In addition there is an attending veterinarian on campus which is a federally mandated position. And this individual is responsible for animal care in general and specifically responsible for making sure that all of the animals used in research receive the appropriate animal care that they need. The IACUC Chair is

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a faculty member and he has to be approved by the Vice President of Research. Now the Vice President of Research acts as the institutional official and is responsible for signing off on our reports to the various federal agencies. So if you understand the hierarchy, the institutional official is the highest ranking official in the animal care tree. The IACUC consults and reports to him and together with the IACUC the institutional official sets animal use policies on campus. All of this is federally mandated through the Animal Welfare Act regulations, USDA regulations, and Public Health Services regulations. Now DLAR, the Department of Laboratory Animal Resources, is responsible for the animal husbandry part. And their activities are overseen by IACUC, and the Director of the Animal Husbandry facility reports directly to the Vice President of Research. DLAR is responsible for ten separate facilities on campus and their daily census is about 23,000 animals per day. So that's quite a number of animals. They have a staff of fifty-six. They have four accredited laboratory animal veterinarians on staff. And they have an approximate \$5 million budget. This is subsidized by the Vice President of Research. So DLAR is responsible for animal husbandry at the College of Medicine and the College of Arts and Sciences. The College of Agriculture has its own animal care program that is basically run by the individual departments. Each unit manages their own veterinary care and they're ultimately responsible for reporting to the attending veterinarian, but each individual department runs their own programs. Now the IACUC in consultation with the IO or the institutional official has the final authority and is responsible for interpretation and enforcement of all federal guidelines and regulations concerning the use of animals on campus. This committee, as I said, oversees DLAR and also oversees about four hundred fifty different protocols where animals are being used. It's a fifteen member panel. It's made largely of volunteer faculty members like

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yourselves. There's some in the room. And these individuals are responsible for revising and approving all animal use protocols on campus. So it's quite a job. The IACUC is advised by the attending veterinarian and is also advised by an executive secretary who is also a veterinarian who works out of the Office of Research Integrity. There's a staff of three people that assist the IACUC in its processes and the IACUC meets once a month to go over protocols and to discuss policy issues that come up as part of the animal use program. The committee has a federally mandated responsibility to look at all animal use programs and has a federally mandated responsibility to investigate all concerns and reports of noncompliance to protocol activities or to approved activities. Once investigated, the committee is responsible for setting punitive action if necessary, setting remedial action, and hopefully to correct the non-compliances and is also responsible to report to the federal agencies that govern funding of animal use protocols. So in terms of strength of the program, and we looked at the University as a whole, the fact that we have four board certified veterinarians on staff is actually a great strength. We have a new bio farm building which expands the animal housing capacity. We have grants to remodel the Sanders Brown facility which will expand the capacity of that facility and also allow the purchase of new caging systems. There's a quality DLAR animal husbandry staff. And more specifically to the investigators, the cost of animal housing has actually maintained stable despite diminishment in subsidies from the BPR's office has maintained a stable level for a number of years. So the cost to the investigators has been held constant. We have an active IACUC. The fifteen members on the IACUC are a very -- engaged, they're knowledgeable. They cross all elements of campus. Almost all of them have their own protocol and they're very engaged in the process. We have an online animal ordering system and billing system which functions very effectively

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and all animal facilities that are governed by the DLAR, controlled by DLAR, so that means College of Medicine and College of Arts and Sciences are accredited by the Association for Assessment and Accreditation of Laboratory Animal Care, the so-called AAALAC. And this accreditation is very important for funding purposes and for funding agencies. And finally one of the strengths is that investigators can -- and frankly often do -- voice their concerns regarding animal care and there's an open door policy with the IACUC Chair. They can call the IACUC Chair at any point for concern. Now, weaknesses of the program, the online system for submitting animal use protocols is actually very difficult to use. These are the so-called IACUC protocols that people turn in. It's a very time-consuming process and this has been a problem. Another weakness is interaction between the investigators and the staffs of DLAR and IACUC have often been adversarial. Animal use standards are not uniformly followed across the entire University. And this is something we're working towards. The College of Agriculture is a place where that can be improved. Some of the animal care facilities on campus are in desperate need of renovation and replacement. And I will draw your attention specifically to Kastle Hall and to the NPR3 building which frankly should have been torn down years ago. The animal use protocol approvals can be a very lengthy process requiring a number of revisions. And part of this is because of changing federal regulations, and part of this is because the members of the IACUC are actually busy as well and can't get to the review process. University-wide there is a lack of understanding of the different roles between IACUC and DLAR, and this is some of the things I'll answer questions about. And as I said, there's no overarching care program over the entire campus. The College of Medicine and the Colleges of Arts and Sciences are both overseen by DLAR and all animal husbandry is controlled by DLAR. College of Agriculture

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manages its own facilities and thus  
no consistency of cross programs.  
That said, the College of  
Agriculture is not accredited by  
the AAALAC. That's the weakness.  
Now opportunities for the program  
as we saw it. One opportunity are  
educational programs from both PI  
and staff so that it's clear what  
parts of the animal care program  
are responsible for what aspects.  
Another aspect or opportunity is  
better communication between the  
investigators and the staff of DLAR  
and IACUC. This is something that  
clearly is in need based on the  
adversarial relationships that we  
found. There's an opportunity here  
also to develop what's called good  
laboratory animal practices or  
programs whereby there's a set  
standard where animal care or  
animals are used and that will  
allow investigators the opportunity  
to apply for different funding  
sources from federal agencies as  
well as from corporations. So it's  
good laboratory animal practices  
will be important as helping  
individuals get better funding.  
And then finally we saw as an  
opportunity is to institute a  
systematic program for  
noncompliance investigations. This  
is one of the things that is  
becoming increasingly more  
difficult investigating concerns.  
And we thought that this was an  
opportunity to try to come up with  
a systematic way of going about  
these investigations. So everyone  
knows what to expect in the  
process. Now, threats to the  
animal care program. First of all,  
a lack of sufficient veterinarian  
care to certain College of  
Agriculture's programs. In fact,  
on the daily census, the IACUC is  
responsible for all of this really  
doesn't know how many animals are  
at the College of Agriculture on a  
day to day basis, and this poses a  
potential reporting problem for  
federal agencies. The decreasing  
subsidy to DLAR from the Vice  
President's office will perhaps  
precipitate increasing cage charges  
to investigators that are using the  
facilities. One other threat to  
the program is the fact that cage  
costs paid to DLAR by College of  
Medicine and College of Arts and  
Sciences investigators are actually

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also being used to subsidize veterinary care at the College of Agriculture. And this is perhaps sort of an unequal distribution of costs. The recent resignation of the IACUC Executive Secretary has developed uncertainty in that support function for the IACUC. And I can say that's actually been rectified. A new person has been recently hired within the last week or so to fill that position. Finally, the last two points, the adversarial interaction between PIS and DLAR and IACUC staff. This is something that we felt was the most -- or the biggest threat to the animal use program. And then finally, investigator resistance to improvements in animal care. This is something that we ran across as well. And, again, these last two things are people to people interactions which we felt were the biggest threat to animal care use. So any questions?

SWANSON: Would an ombud help there?  
WHITEHEART: I think we were thinking a tranquilizer dart gun would actually be more appropriate.

SWANSON: Any questions for Wally?  
DEBSKI: Liz Debski, A and S. You mentioned I thought several times that there were A and S facilities, animal facilities that were AAA lab accredited.

WHITEHEART: Yes, they are.  
DEBSKI: Which ones are those?  
WHITEHEART: All of the ones that are covered by the Department of Laboratory and Animal Resources. So Kastle Hall is one.

DEBSKI: AAALAC accredited?  
WHITEHEART: Yes.  
DEBSKI: When did that accreditation occur?  
WHITEHEART: The most recent one was three years ago, and they're coming back actually this fall so --

SPEAKER: (Unintelligible.) You only mentioned three colleges in this report. Aren't there other colleges available for research, Pharmacy guys, Health Science, Dentistry maybe?

WHITEHEART: Yeah, the major ones are College of Medicine, College of Arts and Sciences, College of Agriculture. There are a few programs in the College of Pharmacy and a few programs in -- that's an omission, yes. There are a few in Dentistry as well. There are not many, but there are a few. The major gorilla

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in the room is the College of  
Medicine.

SWANSON: Any other questions?  
(No audible response.)

SWANSON: Thank you very much. Our second  
report, Nathan DeWall,  
Undergraduate Studies.

SPEAKER: By the way, Jurgen Rohr was the  
Chair (unintelligible) but Jurgen  
is away today.

SWANSON: Okay, thank you.

DEWALL: Hello, I promise I'll only take a  
couple of your minutes. So as Tom  
mentioned, Jurgen Rohr from the  
College of Pharmacy was the Chair  
of this committee. Ed Morris back  
there in Sociology was also on this  
committee. And I'm Nathan Wall  
from Psychology. I'm just going to  
go over our SWOT analysis of the  
graduate programs very briefly  
here. You can sort of follow along  
with me in the handout. The big  
strength that we found is that  
there are lots of diverse programs  
offered for graduate students here.  
We counted a hundred fifty-three  
total with over 5400 students which  
we thought was very impressive.  
Another strength was that there  
were lots of ways to support  
graduate students either through  
TAs or RAs. And our programs are  
of high rankings so we have lots of  
programs ranked in the Top 50  
nationally. And Lexington itself  
was a strength. It's a place that  
offers low cost living and is also  
ranked as a desirable place to live  
for graduate students. Some  
weaknesses that we identified was  
that there is great disparity in  
support across graduate programs  
for students. Some students get  
paid \$9,000 a year. Others get  
paid three. And that can be a  
problem especially for a student  
within programs when there is this  
great disparity. Tuition support  
being paid for -- primarily for out  
of state students. The National  
Research Council data that we use  
to see how we stack up can be very  
outdated making it very difficult  
for us to see where we stand.  
Although graduate enrollment was up  
last year, it was up 0.7 percent.  
It had been down for several years  
prior to that. So we're playing a  
game of catch-up. We have some  
opportunities ahead of us that we  
identified to have sort of more and  
higher paying TA or RA-ships. We



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can do a better job of advertising  
Lexington as a desirable place to  
be a graduate student for the  
reasons that I talked about. And  
we can have -- by doing that we can  
have greater opportunities to be a  
national visibility for our  
graduate programs. Some threats  
that sort of follow from these  
things that I've been talking about  
are recruitment problems because of  
this disparity in pay. And also  
due to the current state of our  
budgetary concerns at the  
University, it might not allow us  
to give increases to how much we're  
funding graduate students. The TA  
support budget has remained largely  
the same for the past couple of  
decades, and there are, as I  
mentioned, some gaps in funding  
both in terms of how much we're  
offering students in different  
programs but also offering student  
support during the summertime and  
disability support for both long  
term and short term disability.  
Some other issues that we talked  
about were how we can best serve  
our graduate students in terms of  
enabling them to have full-time  
status if they are sort of in the  
pre-qualifying part of their  
graduate program. And so right now  
at least in some graduate programs  
there is no mechanism to hold full-  
time status for research conducted  
over the summer. We talked about  
some potential recommendations that  
we could have. There was another  
issue that came up in terms of  
short term disability for support  
for RAs. And this came from a  
member of the Senate which really  
we discussed quite a bit about this  
balance between investors,  
fiduciary responsibility to their  
research sponsors to get their work  
done and our moral responsibility  
to help students if they become  
unable to work because of sickness.  
And so what one recommendation that  
we had was to establish a mechanism  
through which the University can  
bridge such funding gaps for our  
graduate students. But that's it.  
Any questions, comments?  
Carl Lee, Arts and Sciences. I  
know that the stipends are varying  
program against program, but how do  
we stack up when we compare a given  
program, say chemistry, against a  
benchmark institution's chemistry

SWANSON:  
LEE:

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(unintelligible.) Typically a  
student will be comparing one  
(unintelligible) discipline that  
they're interested in.

GROSSMAN:

LEE:

GROSSMAN:

Can I answer that for chemistry?  
Even generally where do we stand?

I can tell you for chemistry  
there's -- Bob Grossman, Arts and  
Sciences. There's a Southeast  
Chairs, chemistry chairs group that  
puts together a survey every year.  
And in the last survey I saw, which  
was maybe one or two years ago, out  
of about twenty-five or thirty  
schools we were second from bottom.  
We beat only University of  
Mississippi. Louisville was  
several thousand dollars higher  
than us.

DEWALL:

And one point that I also want to  
bring up is that we're really  
looking at sort of a thin group  
analysis of programs here at UK and  
not necessarily in comparison to  
other universities. But that's a  
very good point.

SWANSON:

Other questions?

SWANSON:

(No audible response.)  
All right, well, thank you very  
much, Nathan. We have co-chairs  
that are new for our research  
committee. Mike Covash. Are you  
here, Mike? Mike is our new co-  
chair and Lisa Tannock. So they  
will be taking over for our  
research committee. Thank you very  
much for your service. Our  
recommendation that the Senate  
receive the reports from the  
research committee in its finalized  
form, we'll post them.

GROSSMAN:

So moved. Bob Grossman, Arts and  
Sciences.

SWANSON:

Discussion?

STEINER:

Second.

SWANSON:

Discussion?

(No audible response.)

SWANSON:

All in favor?

ASSEMBLY:

Aye.

SWANSON:

Opposed?

(No audible response.)

SWANSON:

Abstained?

(No audible response.)

SWANSON:

Motion carries. Thank you. Our  
second committee report I don't  
think that Brian Lee -- Brian is  
here.

LEE:

I'll do it.

SWANSON:

Great, thank you. So this is the  
Senate Academic Organization and  
structure committee.

LEE:

Hello, Brian Lee, College of  
Agriculture. I'm not the chair of

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the committee. Dwight Denison is the former chair. There was a number of other committee members in the room. What our committee deals with is essentially looking at structures and how they're coming up through the change, the structure from a unit level basically and so a group of us got together along with the rest of the committee to say what are the common questions that are often raised in the proposals and how can we give some sort of proactive feedback to proposal writers to address these issues before they come before the committee so we're not going back and forth over and over and over again as things come up. And that's the essence of what the list of questions are here or areas to address. Every proposal is different. So some of the items may or may not apply to a given proposal. So that's it in a nutshell. If there are other committee members here who like to add, please do.

JONES: Davy Jones, toxicology. Just to note here that the rules committee is updating the section of the Senate rules on the routing and evaluations of proposals to create new educational unit or in these times to consolidate and whatnot. This is very helpful metrics to incorporate and (unintelligible) Senate rules, and this body will see those Senate rules hopefully this fall.

SWANSON: Another thing I'd like to point out is I'm on a committee that Mia Alexander has put together and what we're looking at is program reviews. And so we're still working through processes. But once we get a form, I'd like to send it to this committee to look over and try to get everything standardized.

GROSSMAN: And who is Mia Alexander?

SWANSON: Mia Alexander's official title is?

BROTHERS: Director of Assessment.

SWANSON: Director of Assessment, thank you. Any other questions?

PRATS: Armando Prats, Arts and Sciences. I submitted some revisions (unintelligible.) Are they going to be reflected in the later document? I don't know if, Sheila, I sent them to Sheila.

SWANSON: Yes, Armando made some editorial comments.

PRATS:

Yeah, just some editorial comments. For example, if I may, sorry, what is the impetus for the proposed change? So you don't want that in a document. So things like that. So I would like to see them reflected in the final version of this. Maybe Sheila can send them.

BROTHERS:

That's fine. I'll take those and I'll incorporate them in and then I'll send them back to the committee to look at to make sure it hasn't changed their intent. When you sent me the request, it had already been posted so I didn't want to change the agenda at that point. Duly noted though.

SWANSON:

We'll make sure we only have the finalized form. Thank you. Thank you, Brian.

LEE:

Thank you.

SWANSON:

So the recommendation that the Senate receive the report from the SAOSC and post them online once they are finalized as official senate guidelines, do I hear a motion?

JONES:

So moved.

SWANSON:

Second?

Second, Grossman.

GROSSMAN:

Discussion?

SWANSON:

Rafael Finke, College of Engineering. What does it mean for us to receive the report? If we should choose not to receive the report, what does that mean?

FINKE:

SWANSON:

It will go in the report repository.

FINKE:

So receiving it means to put it in a repository. Failing to receive it means not to put it in a repository?

SWANSON:

That's right. We really want your blessing that if something that would be at value. You know, if you say no, then it doesn't add value and we won't post it. Any other questions or discussions?

SWANSON:

Comments?

ASSEMBLY:

(No audible response.)  
All right, all in favor?

SWANSON:

Aye.

SWANSON:

Opposed?  
(No audible response.)

SWANSON:

Abstained?  
(No audible response.)

SWANSON:

Motion carries. Thank you. We have the ombud's report for 2010-2011. Professor Lee Edgerton is our ombud.

EDGERTON:

Thank you, Professor Swanson and Senators. And, yes, it's a pleasure to present the report. I  
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want to first thank Michelle Sohner for having put together a very concise report. I want to apologize because I'm now officially retired and my mind retired on this. I didn't check to make sure that you were going to have a copy of that very fine, concise report so you don't have it in front of you. Let me mention just a few things. In large part the report is similar to last year's in terms of numbers. We have been asked in the past to list numbers of the students in each college so that there would be some comparison. Arts and Sciences routinely comes out looking rather bad. Those of us in other colleges like to point out that based upon our student numbers we don't have nearly as many cases. This year I looked at the student credit hours per college, and on that basis Arts and Sciences will be happy to know that they look very much like other colleges in terms of numbers of complaints.

GROSSMAN:  
EDGERTON:

We were just more vigilant. Well, you can claim that with respect to the number of academic offenses, Bob, because in that category you come out ahead and think that is, in fact, because English and chemistry is more vigilant than some other programs and perhaps have more reason to check on that. So you have a legitimate argument there. The number of complaints handled by the Office of Ombud this year was 367, just slightly down from 377 last year. Number of academic offenses, 139 this year is up from 105 last year. Of those 139 charges of academic offenses 17 students contacted the ombud but did not appeal. Eleven of those who contacted the ombud did appeal the charge. Of that eleven, eight appeals were denied by the appeals board. One appeal was upheld. One student received a reduced penalty. And then what I believe may be a first, one student going to the appeals board received an increased penalty. So that caught me off guard as the ombud, and I have been forewarning other students that there is that possibility. Four of these academic offenses this year represented a second offense and one represented a third offense.

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So we're beginning to track that in the new academic offenses policy. So you will have -- unless the Senate decides not to receive the report, you will have the complete data set available in the Senate minutes. In closing, I would just like to say I continue to believe that in most cases both faculty and student, although they perhaps start from a different perspective, start from a spirit of wanting to do what they believe is right, and we have a spirit of goodwill that prevails. In those cases when that is not the case, we have an increased likelihood of going to the appeals board. I think it is beneficial in such cases that we as faculty advise the students of their right to go to the ombud. Having a neutral party look at things I think gives the student a sense that the faculty really care that they're doing what they believe is right but are open to a neutral party or the appeals court looking at the issue, and I think that helps. I did not clarify this or did not validate this statement with Sonja Feist-Price, the new ombud, but I think she would agree that she would like to have you send students to the office when you think there is a problem that the office might help with. And so I want to thank Sonja for taking over. I think she's going to do an excellent job. I think I want to thank Michelle Sohner for her excellent support over the years, and I want to thank the University for allowing me to serve in the role for the last two years.

SWANSON:

Thank you. We have a few changes. Proposed change is Senate Rule 6.2.1.1, 6.5.1.2, and 6.5.1.3. These came out of our rules committee; is that correct, Davy?

JONES:

Uh --

SWANSON:

It's been through Senate Council?

JONES:

Yeah, yeah.

SWANSON:

Did you want to say something about them?

JONES:

No, no.

SWANSON:

Okay, so the first one, 6.2.1.1 is on page twenty-three. And the intent here is to clarify the process by which a student can appeal. All right, and so that's the intent of that rule change. Any questions or discussion on that?

CHARNIGO:

Richard Charnigo, Public Health. Just a question and maybe somebody can clarify this on the rules committee or who is on Senate Council. The text 6.2.1.1 says in part of the procedure for appealing a grade or another academic action is outlined below. And then when I look below, I see cases of great appeal, see section 621 above. Is there some missing text here that would --

GROSSMAN:

Yes, sections 6.2.1.2 all the way through section 6.4 isn't included here. So that text outlined below is the procedure for appealing a grade for another academic action. I didn't include it because that's unchanged.

CHARNIGO:

So that would be like immediately following this but it's not part of the change?

GROSSMAN:

Yes, correct.

CHARNIGO:

Okay, thank you.

SWANSON:

Any other questions? Okay --

GROSSMAN:

Can I just make a comment?

SWANSON:

Yes.

GROSSMAN:

This language was proposed by me because I got a call from the good Richard Greissman here who said hey, where's the language that tells students how to appeal a grade. And I said I don't know; isn't it in the Senate rules. And he said well, I couldn't find it. So I went and looked. I couldn't find it. So I asked Davy. He said oh, yeah, it's right there. I said but it doesn't say that that's how you appeal a grade. The word "appeal a grade" or "grade appeal" did not appear in the language at all. So there was really no way to tell. So this is just clarification here and Dr. Feist-Price looked at it and agreed that it was just clarification. It does not change anything about how we do things at the University.

SWANSON:

Okay, and so the 6.5.1.2 is to clarify that part. And then 1.3, so it's just to make it all more standardized in the appearance. So is it all right if we voted for them in block?

BROTHERS:

If you --

SWANSON:

Could I have a motion?

GROSSMAN:

I move that we approve the changes in our handout.

SWANSON:

Second?

BRION:

Gail Brion, College of Engineering, second.

SWANSON:

Any discussions?

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(No audible response.)

SWANSON:  
ASSEMBLY:  
SWANSON:

All in favor?  
Aye.  
Opposed?  
(No audible response.)

SWANSON:

Abstained?  
(No audible response.)

SWANSON:

Motion carries. Thank you. All right, the second one is Senate Rule 5.2.4.7. And what this rule has to do with is in our final exam the registrar is giving us two hours upon which to administer an exam. Now here's the question. How do we interpret that? Do we say the final exam shall be of two hours? Is that how we want to interpret that? If you give a final exam that is thirty minutes, is that in violation of this Senate rule? And so we deliberated at the Senate Council and this is the way we interpret the rule. The final exam is a two hour exam unless indicated otherwise in the syllabus and must fall within the time allotted by the registrar. Okay, any discussion on that?

PORTER:

Todd Porter, Pharmacy. And if it's a three hour exam, how does it fall in a two hour block?

SWANSON:

It doesn't.

PORTER:

Is that in conflict with what you're saying?

SWANSON:

Yes.

JONES:

Part of what a question that arose here was suppose the professor gives an exam and he wants to cut it off after an hour, hour and a half. I've got two hours to take the exam. That's what the rule intends. And what the Senate Council has done is said this is what we think the rule should be.

DEBSKI:

Liz Debski, A and S. Can I ask if you have any documentation if that has ever happened.

JONES:

That which --

DEBSKI:

Somebody has cut off a student.

JONES:

In preparing a syllabus this fall an instructor contacted the ombud who contacted us that the syllabus was going to say hour and a half for final exam. Is this compliant or not. That caused this discussion.

DEBSKI:

But you have no complaints about anyone ever cutting off a student?

JONES:

He was concerned in advance that students are using -- students may be used to having two hours to take the exam even though everybody else has walked out an hour ago. They



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still have the full two hours. He wanted to have it cut off at ninety minutes and he just wanted to make sure is this compliant or not. That was such a meaty issue that the Senate Rules Committee basically handed it to the Senate. This is almost like making policy and the rules committee doesn't make policy. So the Senate Council voted.

GROSSMAN:

I attended the first Senate Council meeting that discussed this, and in my memory of that discussion the language that's up here is a little bit misleading. What I remember we said was that the rule was silent about how long the examination should be. It didn't say it should be two hours or one hour or half an hour or whatever even though that was the current interpretation of the rules committee that it had to be two hours. It had to fill the whole time allotted by the registrar. What we then decided was to clarify the matter by proposing this language to be a new rule or a sentence inserted as part of the rule so that it would be clear to everyone that the instructor had the option of making a final exam shorter but they needed to give the student notice.

SWANSON:  
GROSSMAN:

That's right.

So the current rule, at least Senate Council discussed at that meeting, is silent on how long the exam should be other than it cannot exceed the time allotted by the registrar.

SWANSON:  
PRATS:

Thank you for your clarification. Armando Prats, Arts and Sciences. Are you saying the case that the student has to be allowed two hours? Say if everybody left and there's still one student, that student has the full two hours?

SWANSON:  
PRATS:  
SWANSON:

That is the issue.  
Or is that not true?  
That is not true because it is not in the Senate rules. We have assumed it because that is the period of time the registrar has given us. We have assumed it. But when you actually go into the Senate rules, it doesn't say that.

PRATS:  
PFEFFER:

Wow. Thirty-seven years. Sean Pfeffer, Gatton College of Business. Why do we need it in the rules how long an exam is? I thought that was the purview of -- and I understand you can change it

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if you put it in the syllabus. But I'm kind curious why doesn't that just say the final exam must fall within the time allotted by the registrar. Why is it that there needs to be something in there that says our exams are two hours and who's decided that.

BAKER:

Michael Baker, College of Fine Arts. Is there any rule that says the exam has to start at the beginning of the time period because say if your exam is 8 to 10 on Monday, you could say our exam is going to start at 8:30 and that blocks it at ninety minutes rather than giving the full two hours or so for such and such. Is there any rule in that regard?

GROSSMAN:

Again, under the old -- correct me if I'm wrong, Davy -- but under the previous interpretation of the rules committee, the student had to be given the entire period allotted by the registrar to take an exam, period. Under this proposed rule the instructor says here's the time of the exam and it has to fall within that time given by the registrar, but it can be shorter than the time given by the registrar. That's the purpose of the clarification. Now as to why it needs to be indicated in the syllabus, the students just don't need two week's notice. The Senate Counsel was to decide that it should be in the syllabus.

DEBSKI:

Liz Debski, A and S. It really seems to be an intrusion and to address the problem that's not -- I go back to the point that was made over here that hasn't been discussed. Why can't -- why do you have to say it has to be a two hour exam? Why can't you just say it has to fall within the time allotted by the registrar?

SWANSON:

Other comments?

(No audible response.)

SWANSON:

YOST:

Then we're going to go for a vote. Scott Yost, Engineering. I read this literally which you want this worded here. I read this first as saying I have to make my exam two hours long unless I tell them I'm not making it two hours long. In other words, I don't have the option to make it a thirty minute exam. Legally, based on this, I have to make sure students sit there for two hours, okay, the way I read that, okay? That's the

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first thing. The second thing is where is the purview of the faculty to make this determination? We have a two hour block of time. If we want to give them five minutes, two hours, an hour and a half and start at (unintelligible) why is the Senate even getting involved with this when it's a faculty purview of these things. I don't understand this.

SWANSON:  
FERRIER:

Any other comments?  
Walter Ferrier, College of Business. It seems that the Senate rule was intended to speak to the characteristics of the window of time, not the characteristics of the exam. So then you fall into a slippery slope of what is an exam. I don't want to go down that slope.  
PORTER: Todd Porter, Pharmacy. Again, I object. This states that an exam can be no longer than two hours. In Pharmacy we have high standards. We have three hour exams in some cases. We'd like to continue our high academic standards and not be restricted to two hours.

SWANSON:  
WATKINS:

Any other comments?  
John Watkins, Public Health. This is just a question that is sparked from this and how does this relate to distance learning courses, online courses, anything like that where time structure is going to be very different? Are they also governed by the same sort of thing and by extension are other Senate rules similarly flexible so they accommodate distance learning?  
SWANSON: The distance learning issue is a difficult one and this just pertains to the two hour window as allotted. Did you have something else?

GROSSMAN:

No, not to that. I have a question for you since you recognized me. Bob Grossman, Arts and Sciences. I have a question for Dr. Porter. Do your classes have times scheduled by the registrar that fit within these two hour windows?

PORTER:

You know, to be honest, I don't know the answer to that. We schedule our exams and the students know how long the exams are, but I don't know how that works through the registrar. I'm assuming it does.

GROSSMAN:

Do you have the same final examination period that most people on campus have or do you not?

PORTER:

Again, I can't answer that. You

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may be exactly right. We may not  
be in this game.

GROSSMAN:

This is part of an existing rule.  
And the existing rule says if a  
final examination is to be given,  
it will be administered during the  
examination period as scheduled by  
the registrar for the semesters of  
the regular school year, okay.  
That's an existing rule that's been  
here for a long time. So it's  
possible that there's some colleges  
that don't follow the standard  
University schedule, and I believe  
Pharmacy is one of them, and it's  
possible that -- so your  
examinations wouldn't fall under  
this.

SWANSON:

Okay, I'm going to go ahead and  
we've got an interesting vote ahead  
of us again. I'm going to go ahead  
and ask for a motion.

PORTER:

Move to table until it's clarified  
what this really means, the two  
hour.

BRION:

Second.

SWANSON:

All in favor?

ASSEMBLY:

Aye.

SWANSON:

All right, so what I'm going to ask  
if I can amend it to table it. Do  
you want to send it back to the  
rules committee? All right, and  
our next motion to adjourn, may I  
have a motion to adjourn?

SPEAKER:

(Unintelligible) Public Health,  
motion to adjourn.

SWANSON:

No objection, the meeting is  
adjourned. Thank you.

(Thereupon, the University of  
Kentucky Senate Council Meeting for  
September 12, 2011 was adjourned.)

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I, ANN E. CHASTANG, the undersigned Notary Public in and for the State of Kentucky at Large, certify that the facts stated in the caption hereto are true; that at the time and place stated in said caption, the UK Senate Council Meeting, was taken down in stenotype by me and later reduced to computer transcription by me, and the foregoing is a true record of the proceedings which took place during said meeting.

My commission expires: May 12, 2015.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office on this the 11th day of October, 2011.

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ANN E. CHASTANG,  
NOTARY PUBLIC, STATE-AT-LARGE  
K E N T U C K Y  
ID #442199

