

UNIVERSITY OF KENTUCKY

SENATE COUNCIL MEETING

\* \* \* \* \*

APRIL 26, 2021

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AARON CRAMER, CHAIR

DESHANA COLLETT, VICE CHAIR

SHEILA BROTHERS, ADMINISTRATIVE COORDINATOR

STEPHANIE WOOLERY, STAFF ASSISTANT

TRISHA B. MORLEY, STENOGRAPHER

\* \* \* \* \*

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CRAMER: Hello everyone, welcome to the Special

3

University Senate Meeting on Monday, April

4

26th. This meeting was called at the request

5

of at least ten elected senators, presented to

6

the Senate Council. We're still having some

7

people filtering, this is not sort of not

8

regularly scheduled meeting, so if you're an

9

attendee, but you're supposed to be a voting

10

Senate member, perhaps use the "raise hand"

11

feature and if we see you, we'll move you

12 over into the panelist window to allow you to

13 vote. Stephanie, are you going to be able to

14 do that if you see their hands? Okay. Good.

15 All right. Melissa, Shannon, I see you

16 guys both as panelists here, you're both set.

17 It's only if you're an attendee, not a

18 panelist that I have to worry about you.

19 John, you're okay too.

20 I will start with a few technicalities:

21 Senators, please type your name and

22 affiliation in the chat box to record your

23 attendance. The chat function is only used

24 for attendance during the meeting, it's not

25 monitored during the meeting, so don't use

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1 it, for example, to get the Chair's attention

2 I don't see it very well during the meeting.

3 mute yourself when you're not speaking,

4 although Stephanie is empowered to mute you

5 if you accidentally leave yourself unmuted.

6 The meeting is being recorded for note-taking

7 purposes. If any member of the University

8 Senate is disconnected and can't reconnect,

9 please send an email to Sheila Brothers so

10 we're aware of the situation.

11 Senate meetings are open meetings. We

12 follow Robert's Rules of Order. No voting by  
13 proxy. Be civil during the conversation. Be  
14 a good citizen here, that particularly means  
15 communicating, caring about the activities of  
16 the Senate with your departmental and college  
17 colleagues to make sure they're aware of your  
18 activities on their behalf. And participate.  
19 specifically, that means to discuss the  
20 debate motions.

21 We have a large number of non-voting  
22 senators participating in this meeting,  
23 individuals that are either guests or non-  
24 voting senators. You also can seek the  
25 privilege of the floor by using the "raise

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1 hand" feature, I will generally privilege in

2 calling voting senators first, but if I see

3 people and the flow of the conversation

4 permits it, I will certainly call and allow

5 people to speak that aren't voting senators.

6 During motions, if there's motions being

7 considered by the body, and they're being

8 debated, I will call primarily on voting

9 senators to debate those motions. If you've

10 already submitted motion you'd like to

11 introduce during this meeting to me, I'm in a

12 preferences over motions that they've not  
13 been prepared ahead of time.

14 In Zoom participants are divided into  
15 two categories, panelists and attendees.

16 Both can participate in the meeting, but  
17 voting senators are classified as panelists.

18 Panelists would have received a specific  
19 email from Stephanie Woolery with Zoom  
20 information that they're eligible to vote.

21 Nonvoting senators and guests are attendees.

22 Attendees can get the Zoom link from the

23 Senate web page and do not vote, so that's

24 the distinction between those two categories.

25 To speak for any reason or otherwise be

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1 recognized, including to make motions/seconds  
2 or vote, use the "raise hand" button at the  
3 bottom of the screen. If you cannot see this,  
4 click on the three dots with "more" beneath  
5 it, and then click the "raise hand" button.

6 The way that voting will go, how we've  
7 done all year, I will call for votes in  
8 favor, then I'll call separately for votes  
9 opposed, and then for votes for people that  
10 specifically want to abstain on the motion.

11 And when each of these calls are made, voting

12 members that is panelists in this Zoom  
13 webinar will vote by clicking on the Zoom  
14 button "raise hand" you got to leave your  
15 hand up so we can count the votes, and then  
16 Stephanie will clear the votes.

17 Then, once the votes have been cleared,  
18 then I'll call for those who opposed the  
19 motion, again, leave your hands up until  
20 Stephanie clears them, then I'll call for  
21 abstentions, leave your hands up until we  
22 have recorded this, and Stephanie clears  
23 them.

24 As we've done throughout the year, we'll  
25 document the votes of those voting in the

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1 minority and those abstaining. These are  
2 smaller numbers and easier to record if  
3 you're not in either of those sets and you're  
4 assumed to vote with the majority. If the  
5 vote's perceived to be close, then Stephanie  
6 is prepared to assist with a roll call vote,  
7 which we'll do if necessary.

8 As in all Senate Meetings, before  
9 speaking, please remember to state your name  
10 and college affiliation before your remarks.

11 The first item on the agenda is a review

12 of Senate Council's actions after the  
13 announcement of a single finalist for the  
14 position of Associate Provost for Graduate  
15 and Professional Education and Dean of the  
16 Graduate School. This item will be presented  
17 by Senate Council Vice Chair, Deshana  
18 Collett. Deshana, are you ready?

19 COLLETT: I am. Thank you very much. Let me share  
20 my screen.

21 CRAMER: Deshana, I think you can.

22 COLLETT: Okay. Let's see. Can you make sure it's up?

23 CRAMER: Yep.

24 COLLETT: Perfect. Thank you everyone for  
25 attending today. Let me just give you a brief



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1 overview of kind of where we are up to date  
2 and some of the actions that Senate Council  
3 has taken over the past several weeks.

4 So the UK Board of Trustees is  
5 academically organized the university upon  
6 the premise of shared governance. In shared  
7 governance, the board expects of the quality  
8 of the University decision-making will be  
9 best when the faculty and administration each  
10 solicit the input of each other before making  
11 final decisions in their respective areas.

12                   When the University Senate and the  
13                   Educational Unit Faculties decide educational  
14                   policies, the administration is always  
15                   transparently availed the opportunity for  
16                   impact by virtue of their ex-official  
17                   membership in these faculty bodies.

18                   However, there is an increasing trend  
19                   that administrative decisions on academic  
20                   organization, leadership positions, and  
21                   implementation policies, all of which are  
22                   instrumental and formulated educational  
23                   policies, have neither the expected  
24                   transparency nor adequate design for  
25                   effective faculty input.

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1           So this increasing trend can be seen  
2           with Provost Blackwell's recent announcement  
3           on April the 12th of a single sole-finalist  
4           for the position of Associate Provost for  
5           Graduate and Professional Education and Dean  
6           of the Graduate School.

7           The process of this search was met with  
8           frustration among the elected University  
9           Senators and their faculty constituents. This  
10          subsequently led to Senate Council Meeting on  
11          the following day of April the 13th. During

12 the April 13th Meeting and recorded in the  
13 minutes, Senate Council noted his concerns  
14 related to the search process and not the  
15 candidates themselves. While no special  
16 invitations were extended, many attended that  
17 meeting, including the two Search Committee  
18 co-chairs.

19 One of the Search Committee cultures  
20 expressed concerned that the sole finalist  
21 could interpret Senate Council's actions, as  
22 a judgment on her capabilities. At the Search  
23 Committee and Culture recommendation, Senate  
24 Council expressed that Aaron Cramer, Senate  
25 Council Chair, should contact the sole

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1 finalist to indicate that this was not indeed  
2 the case.

3 Both Search Committee Co-Chairs were  
4 present at that Senate Council Meeting and  
5 neither expressed concern that this  
6 informational contact would negatively impact  
7 our effective search. Similarly, the Vice-  
8 Provost was present and also did not indicate  
9 any concerns about such contact.

10 Senate Council drafted a letter to  
11 encompass the concerns expressed by Senate



12 Council, and Senate Council also agreed that  
13 the correspondence would only be addressed to  
14 the university administrators and not the  
15 Board of Trustees.

16 At the direction of Senate Council Chair  
17 Aaron Cramer formally addressed the letter to  
18 President Capilouto and copied it to Provost  
19 Blackwell and members of the University  
20 Senate.

21 It is important for me to clarify that  
22 Chair Cramer is elected representative of  
23 Senate Council, the Senate and, therefore,  
24 the university faculty. Any modes or content  
25 of communication by Chair Cramer are at the

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1 direction and on the behalf of the Senate  
2 Council and/or Senate. Chair Cramer's letter  
3 to the President or Provost was on behalf as  
4 representing the Student Council, Senate, and  
5 University faculty.

6 On April the 16th, President Capilouto  
7 and Provost Blackwell each emailed a formal  
8 response to the letter. This correspondence  
9 between the Senate Council, the President and  
10 the Provost were all posted on the Senate  
11 website. Senate Council has continued to

12 receive supportive messages from faculty and  
13 groups of faculty. These messages conveyed a  
14 valid concern that the insufficient provision  
15 for faculty impact on administrative  
16 decisions will cumulatively harm the  
17 attainment of our University's educational  
18 objectives.

19 At his regular meeting on Monday, April  
20 the 19th, Senate Council received a petition  
21 Pursuant to GR IV to be from elected senators  
22 to call a special Senate meeting. At that  
23 meeting, Senate Council scheduled the meeting  
24 and arranged its agenda. Out of their  
25 concerns, over 35 faculty senators have

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1 exercised for the first time in 50 years, the  
2 petition mechanism to cause a special meeting  
3 of the University Senate, which is why we are  
4 here today.

5 CRAMER: Are there any questions for Vice-Chair  
6 Collett on the activities that have happened  
7 so far and how we got here today?

8 Seeing none -- actually, Alan Brown.

9 BROWN: Just a question: Arts and Sciences  
10 submitted a letter that was just on behalf of  
11 Arts and Sciences faculty, so I assume that

12 didn't make its way into this timeline, I'm

13 assuming. Just want to clarify.

14 COLLETT: We did receive that letter. I just

15 didn't add all of the letters because we're

16 going to address that later in our next

17 several discussions, but we have received

18 formal contact from those groups of faculty

19 and senators.

20 BROWN: Okay. So that letter was received by

21 the Senate Council. Thank you.

22 COLLETT: Yes. Thank you very much.

23 CRAMER: If there are no questions at this point

24 for Vice-Chair Collett about what's happened

25 over the past couple of weeks, then I'm going

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1 to turn it over to Senator Herman Farrell who  
2 is going to speak on behalf of those that  
3 petitioned the Senate Council to have this  
4 special meeting today. Herman, are you ready?

5 FARRELL: Yes, I'm ready. Can you hear me?

6 CRAMER: Yes.

7 FARRELL: Herman Farrell, College of Fine Arts.

8 Hi, everyone. I'm glad that we're having  
9 this meeting. I'm glad we're having an  
10 opportunity to discuss with each other our  
11 concerns about shared governance. I'll just

12           briefly note that where I and many other  
13           concerned faculty came into this conversation  
14           was pretty much after the Friday meeting two  
15           weeks ago, a week from last Friday, are  
16           commonly referred to it as "pushback Friday"  
17           when the Provost and the President made their  
18           written statements to Senate Council Chair  
19           and the Senate Council.

20           And part of what concerned me and I  
21           think concerned many other faculty members  
22           was this suggestion that they did not speak  
23           for the Senate, or in particular, for  
24           faculty. And so there was a lot of concern  
25           that that was being suggested by the

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1 administration and we all felt that it was  
2 completely false. And as Deshana has just  
3 pointed out, the Senate Council Chair speaks  
4 on behalf of the Senate Council.

5 So I refer to that as like "pushback  
6 Friday", but also the, how that came after  
7 that and the how came from not only the 35  
8 co-signers of the written request, but from  
9 A&S there were concerns that were expressed.  
10 They have put together a very good strong  
11 letter to the Board of Trustees that I think

12 they just finished taking signatures on. I

13 know it was -- last count to was over 400

14 faculty members.

15 On top of that, the union met on Friday

16 and they discussed this issue and they

17 weighed in with Aaron Cramer today with their

18 thoughts on how to proceed. The law faculty,

19 as well as just a variety of different other

20 faculty members, have all weighed in with

21 their concerns.

22 But essentially, what I'm asked here to

23 talk about is the written request. The

24 written request, as everyone will note, does

25 sort of go through our governance structure.

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1           And for the sake of faculty members who are  
2           listening in who may not be familiar with the  
3           structure, I'll just briefly go over it  
4           because it gives a real clear understanding  
5           of what we mean by shared governance.

6                 First of all, our governing regulations:

7           Let's think of simply as our constitution.

8           It's basically the constitution of the

9           University of Kentucky. It governs all the

10          rules and regulations that come thereunder.

11          It's promulgated and put together and

12 authorized by the Board of Trustees. It  
13 creates an organizational structure within  
14 our college, within our University and  
15 basically delegates authority, it delegates  
16 authority to the President. The president is  
17 the Chief Administrative and Educational  
18 Officer. And then the President has basically  
19 two sort of sides to his administration,  
20 which includes the educational part, and the  
21 administrative part.

22 The administrative part is headed by a  
23 variety of different members of his  
24 administration, including the Executive Vice-  
25 President for Finance and Administration, as



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1 well as VPS, and then the Provost and the  
2 University Senate are on the educational side  
3 of the equation.

4 And basically, what the Board of  
5 Trustees has established in the governing  
6 regulations is -- I've literally written it  
7 down -- a clear statement of what we mean by  
8 shared governance. And it is very clearly  
9 stated in the document that was shared with  
10 you, but the key elements are that it's a  
11 sharing of power and governance and expertise

12 among the four basic constituencies, and  
13 that's the faculty, the administration, the  
14 staff, and the students. And the idea here is  
15 that there's value in all of our  
16 contributions to the University's future, its  
17 present, and its past, as well as not only  
18 have those valuable resources, but the idea  
19 of getting us to share together, there's a  
20 purpose behind it. It's not just a rote idea  
21 that what stated very clearly in the GR rules  
22 or the GR section on the principle. It  
23 basically says that the purpose of this is to  
24 lead to maximum effectiveness, and more  
25 importantly, better decision-making. And

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1 with regard to the decision-making on the  
2 academic side, the faculty feels like they  
3 want to ensure that that shared governance  
4 takes place.

5 So we're at an impasse right now, simply  
6 because of the idea that the administration  
7 has its own understanding of what shared  
8 governance on particular faculty involvement  
9 in that shared governance is and the  
10 faculty's understanding of what their own  
11 involvement in the shared governance scheme

12 needs. And basically that's the impasse that  
13 we're at right now, and we hope that at the  
14 end of this meeting, that we'll move a little  
15 bit forward in terms of getting the  
16 administration to understand very clearly  
17 what our concerns are. So basically what has  
18 been put together -- is it all right, Aaron,  
19 for me, now just to mention the five  
20 proposals?

21 CRAMER: Briefly. The one is the one that's on  
22 the agenda. The other four you'll be  
23 introducing from the floor, so just briefly,  
24 please.

25 FARRELL: Just briefly. But, basically, if

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1           there's any sort of summary goal of this  
2           afternoon's work, it's to very clearly state  
3           from the faculty's perspective what their  
4           expectations are with regard to shared  
5           governance, and these five proposals are ways  
6           of articulating, expressing, and creating a  
7           record of what we believe are those  
8           principles in those ideas and actual  
9           practical solutions.

10           And so we've come forward with five  
11           proposals: The first one is already on the



12 agenda, and that one's a broad-based proposal  
13 that reaffirms the Senate's commitment to  
14 shared governance; asks for the President and  
15 the Administration to also affirm their  
16 commitment to it as well as to call for  
17 affirmative steps. And it's a very broad-  
18 based resolution that we think everybody  
19 hopefully will be able to sign on to.

20 There's two more resolutions that are  
21 very specific: One, dealing with the A&S dean  
22 search, and the other one dealing with the  
23 Grad School dean search. And we believe that  
24 a lot of feedback about coming up with very

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1 specific responses to what is going on right

2 now.

3 And then the fourth and the fifth ones

4 are a little more long-term because they're

5 really addressing the GRs and what we feel

6 maybe needs some reform and some amendment,

7 and we have a vehicle for doing that. We can

8 make recommendations to the Board of Trustees

9 from the Senate for such revisions.

10 And then the fifth and last one is very

11 specific notions of what we consider to be

12 best practices when you're dealing with  
13 Search Committees. So those are the five, and  
14 that gives you an outline of where things are  
15 going as we're making our way through the  
16 different proposals. And Aaron Cramer has  
17 already noted that there are other proposals  
18 that can come from the floor. Thank you all  
19 very much for your time.

20 CRAMER: Are there any sort of factual questions  
21 for Herman at this point? Otherwise, we can  
22 move on to sort of more debate discussion  
23 items.

24 The next item is a resolution on shared  
25 governance broadly. This is the first one

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1           that Herman mentioned. And, Herman, I'll let

2           you move this motion.

3    FARRELL:       Is it going to come up, because I don't

4           see it and I don't have it on my screen.

5    CRAMER:        No, it's not in the PowerPoint.

6    FARRELL:        Well, it basically is what I just said.

7           I think I just gave a quick outline of what

8           it involves. It basically has aware of

9           sections sort of describing exactly where we

10          are at this moment, and then it just

11          basically calls upon the Senate to reaffirm

12 its commitment to the spirit and letter of  
13 shared governance, requests, the provost, and  
14 the administration to reaffirm their  
15 commitment and their requests for affirmative  
16 steps by administrators to demonstrate such  
17 commitment. And that's -- I'm sorry, I don't  
18 have it in front of me right now, but --

19 BROWN: I can read it if you want, Herman.

20 FARRELL: Yeah, please.

21 BROWN: This is Alan Brown, Arts and Sciences. I  
22 can just read it if you want.

23 CRAMER: Alan, please. You can make the motion if  
24 you'd like.

25

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1 BROWN: I'll make a motion to -- what motion are  
2 we making exactly? To have this accepted by  
3 the Senate?

4 CRAMER: If it's a resolution you're moving I  
5 think for the Senate to adopt the resolution.

6 BROWN: Resolution, okay. This is from the PDF I  
7 received. It says, "Whereas the University of  
8 Kentucky University Senate serves as the  
9 official representative of the University of  
10 Kentucky Faculty;  
11 Whereas the University Senate must

12 respond to the concerns and demands of the

13 University of Kentucky faculty;

14 Whereas the Board of Trustees in its

15 adoption of the Governing Regulations of the

16 University of Kentucky has clearly defined

17 shared governance principles as follows; the

18 diverse expertise collectively available to

19 the University in its faculty,

20 administration, staff employees, and students

21 is a valuable resource. The university as a

22 whole will be able to function at maximum

23 effectiveness where there is an environment

24 in which the sharing of this expertise is

25 valued and promoted. If this expertise is

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1 shared, it will enable policy-makers at every  
2 level of the organization to make better  
3 decisions. To achieve this objective in an  
4 environment of shared governance, faculty  
5 bodies and administrators will reciprocally  
6 solicit and utilize the expertise of the  
7 other as each makes decisions in their  
8 respective areas of policy-making authority.  
9 Through these empowering processes of shared  
10 governance, the administration, faculty  
11 members, staff employees, and students all

12 share the responsibility of attainment of the  
13 university's goals. That's GR I.E.

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

21 Resolved, that, the University Senate:

22 1. Reaffirms its commitment to the  
23 principles of shared governance as  
24 established by the Board of Trustees, that  
25 provides for the sharing of expertise among

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1 faculty, administrators, students, and staff,  
2 in order to enable policy-makers at every  
3 level of the university to make better  
4 decisions.

5 2. Request that President Capilouto  
6 similarly reaffirm the administration's  
7 commitment to principles of shared  
8 governance, both in spirit and in letter.

9 3. Requests that president Capilouto and  
10 the administration, at all levels, take  
11 affirmative steps to solicit and utilize the

12 experience of the faculty to attain academic

13 objectives."

14 CRAMER: That's a motion from Alan Brown. The

15 text of that resolution is on the screen. I

16 think Deshana has shared there. Is there a

17 second for that motion? Gail?

18 BRION: Second the motion.

19 CRAMER: So we have a motion and a second for the

20 Senate to adopt this resolution. Is there a

21 debate on this motion? Stefan?

22 BIRD-POLLAN: Sorry. I was -- Stefan Bird-Pollan, A&S.

23 I was actually just trying to second the

24 motion, but I would like to say that I think

25 we need to affirm as a body shared



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1 governance. This is what the Senate is based  
2 on. I mean, we wouldn't really be able to do  
3 our work without shared governance. So I  
4 think this is axiomatic to our nation.

5 Thanks.

6 CRAMER: Is there any further debate on this  
7 motion? Rudy Bucheit?

8 BUCHEIT: Hi, Rudy Bucheit, Engineering. I think  
9 it's important that we draw a distinction  
10 between policy-making and implementation in  
11 shared governance. Generally, it's the

12 faculty body and the Senate that is  
13 responsible for policy-making or leading  
14 policy-making and it's the administration's  
15 role to lead implementation. And then there  
16 is a reciprocal responsibility for each to  
17 share with the other.

18 I haven't been fully satisfied with the  
19 distinction drawn between policy-making  
20 responsibilities and implementation  
21 responsibilities in what I've heard. So I  
22 just ask for some clarification. I wish I  
23 could have brought it to a specific --

24

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1 CRAMER: I was hoping you might have an amendment

2 to offer there.

3 BUCHEIT: I didn't get this one before the

4 meeting, so I'm just seeing it now, so I

5 apologize for that. And if I can't give you a

6 specific one, I won't be able to even make an

7 amendment. I apologize.

8 CRAMER: Doug Michael?

9 MICHAEL: Yes, I just wanted to nitpick a little

10 bit. It talks about the University Senate

11 being the voice of the faculty, and actually

12            their students and administrators, and it's a  
13            University Senate, and I just wonder if we  
14            need to do any tweaking in light of that  
15            fact.

16    CRAMER:        Bob?

17    GROSSMAN:       Yeah. Two things: First of all, in  
18            spirit of nitpicking, I just -- when Alan  
19            read the text, the last sentence was,  
20            "utilize the expertise of the faculty" not  
21            the experience of the faculty. So for those  
22            of you who are just listening and not  
23            reading.

24            In response to Rudy Bucheit's comments,  
25            the language about the policy-making and

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1 such, it comes from the GRs directly, and we

2 don't have any authority over those. The

3 only people who can change those are the

4 Board of Trustees, so it doesn't really have

5 much to do with what we should say or refer.

6 So I just wanted to make those two comments.

7 CRAMER: Herman?

8 FARRELL: Yes. In response to Dean Bucheit's

9 question, I'll note that in Section 1 of the

10 "be it resolved" that does specify enabling

11 policy-makers and it's not referencing



12 implementation. So I feel like that kind of

13 satisfies the concern that he might have in -

14 - he can correct me if I'm wrong on that.

15 CRAMER: Rudy?

16 BUCHEIT: Rudy Bucheit, Engineering. Yeah, Bob and

17 Herman, thanks. I want to clarify the group's

18 thinking on implementation and policy-making.

19 I totally agree Bob, with what you say about

20 policy-making in the way it's referred to in

21 the GRs. Drawing this distinction may not be

22 so important in this particular resolution. I

23 think it's quite germane to the other ones

24 that I think we're going to be taking a look

25 at.

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1

2 CRAMER: Is there any further debate on this

3 motion? If not, then we have a motion to

4 adopt this resolution.

5 Voting senators, if you'd like to vote

6 in favor of this motion, please use the

7 "raise hand" feature now.

8 All right. If you'd like to vote against

9 this motion, please use the "raise hand"

10 feature now.

11 If you'd like to abstain on this motion,

12 please use the "raise hand" feature now.

13 That motion passes, so the Senate adopts

14 that resolution.

15 The next item on the agenda is further

16 discussion. Any next steps on this number of

17 proposed resolutions have been sent in

18 advance of those items. I'll allow those to

19 be introduced first. If you have motions that

20 you'd like to introduce at the time when

21 there's not another item being considered,

22 those would be an order, but I would go ahead

23 and call on Herman Farrell.

24 FARRELL: Well, for this A&S dean search proposal

25 I'd call upon my colleagues, Stefan Bird-

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1 Pollan and Akiko Takenaka []to make the

2 motion.

3 CRAMER: Stefan, are you prepared to make this

4 motion? I think this is Deshana sharing this

5 resolution.

6 BIRD-POLLAN: Thank you, Deshana. Yeah. So I'd like to

7 make this motion on behalf of a number of us

8 in Arts and Sciences and also other members

9 from the University Senate at large drafting

10 this resolution. So I'd like to represent

11 this motion on behalf of all of us. Should I

12 just read it?

13 CRAMER: Sure. There are some people listening in

14 without video.

15 BIRD-POLLAN: Okay. "Whereas, in the Fall of 2020, the

16 appointment of the Acting Dean of the College

17 of Arts and Sciences occurred without faculty

18 consultation:

19 Whereas the College of Arts and Sciences

20 required a regular leadership appointment in

21 order to attain academic objectives; and

22 Whereas a search process for the Regular

23 Appointment of the Dean of the College of

24 Arts and Sciences has been paused;

25 Be it resolved that:

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1           The University Senate requests that the  
2           President and the Provost adhere to the  
3           process for regular appointment of a new dean  
4           of the College of Arts and Sciences, and  
5           resume the paused search by the beginning of  
6           the Fall semester, 2021 pursuant of GR VIII,  
7           and our shared governance principles,  
8           pursuant of GR I.E.

9           And can I just say in general, I mean,  
10          the thought is here that this falls within  
11          the issue of shared governance, we're calling

12           upon the administration to pursue a shared  
13           governance in the usual manner? I think some  
14           members of Arts and Sciences, perhaps the  
15           university at large perceive the stopping of  
16           the search to have been unexplained  
17           fundamentally and we're calling upon the  
18           administration to take up the search again,  
19           as it was originally planned in the Fall of  
20           2020. Thank you.

21   CRAMER:       Is there a second for this motion?

22           Akiko?

23   TAKENAKA:     I second.

24   CRAMER:       So we have a motion and a second. Is

25           there debate on the motion to adopt this

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1 resolution?

2 PEFFER: Can I ask you a question? Sean Peffer,

3 Gatton College.

4 CRAMER: Sure.

5 PEFFER: Did this come out of the faculty of the

6 College of Arts and Sciences? And, if so, is

7 there a vote on it from the faculty of

8 College of Arts and Sciences? So we can get

9 an idea of what percentage what's behind this

10 in the college. Thanks.

11 CRAMER: Stephan, do you want to respond to that

12 question?

13 BIRD-POLLAN: Yeah, I do. There's a nonofficial vote,

14 that there was a sort of a large group of the

15 senators involved in this, also in the

16 drafting of this proposal. So I think that it

17 has the support of the senators from Arts and

18 Sciences.

19 CRAMER: Rudy?

20 BUCHEIT: Rudy Bucheit, Engineering. Question for

21 you Chair Cramer. So the resolution

22 appropriately points to GR VIII and GR 1. I'm

23 curious if there was conversation in Senate

24 Council about the part of GR IV that

25 specifies the scope of University Senate

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1 functions.

2 CRAMER: So Senate Council has not considered

3 this motion, right? This was introduced

4 today, but I would say generally the Senate

5 has authority to make recommendations to the

6 President on matters that involve the

7 University. There's a pretty broad ability

8 for the Senate to express its concerns about

9 things that involve the university. It's

10 advice, right? It's not -- this is a request

11 to the President. There's no authority that

12 the Senate has to order this to be true,

13 right? This is not a matter for which the

14 Senate enjoys direct authority, right? It's

15 the ability to speak.

16 BUCHEIT: Great. I would urge consideration that

17 we also point to GR IV, just to make that

18 point clear.

19 CRAMER: Rudy, can I ask you just a quick

20 question? So it sounds like you're close

21 enough to an amendment here on where this

22 would go. Where would you put that if you are

23 making an amendment?

24 BUCHEIT: So just not being cryptic about it, you

25 know, GR IV says that the University Senate



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1 is not assigned any management or  
2 administrative functions. So my amendment  
3 would be along the lines of the Senate in  
4 making this resolution: The Senate does not  
5 seek to act or exert undue influence outside  
6 the responsibilities assigned to it in GR IV.

7 CRAMER: And you would move to add that where in  
8 the text?

9 BUCHEIT: At the very end.

10 CRAMER: Okay. So we have a motion on an  
11 amendment from Dean Bucheit. Is there a

12 second for that motion? Lee? Trustee Blonder,

13 seconds that amendment.

14 All right. So is there a debate on this

15 amendment to the motion, which is to insert

16 the Senate at the end. Dean Bucheit, can I

17 get you to repeat that sentence one more

18 time?

19 BUCHEIT: Yes. In making this resolution, the

20 Senate does not seek to act or exert undue

21 influence outside the responsibilities

22 ascribed to it in GR IV.

23 CRAMER: We have a motion to amend this

24 resolution along those lines. Is there debate

25 on that motion? Herman?

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1

2 FARRELL: I'm a little concerned about the idea

3 behind the amendment. The GR IV talks about

4 shared governance, not only shared governance

5 in the best decision-making and that sharing

6 of expertise does cross lines between the

7 Senate sort of realm, which is an educational

8 policy-making, as well as the

9 administration's role in -- as Dean Bucheit

10 just said, implementation.

11 But I'm a little concerned that it's

12 suggesting that we might be stepping out of  
13 our bounds, by sharing that expertise with  
14 the administration and just as the  
15 administration shares its expertise with us.

16 Let's just note the fact that Dean Bucheit is  
17 a voting member of the University Senate, so  
18 even within our structure, we have sharing of  
19 expertise among Deans as members of the  
20 Provost office, administrators, staff,  
21 students, as well as faculty representatives.

22 On the administrative side, there are  
23 Advisory Committees from the Senate that go  
24 over and provide advice on an advisory level  
25 to the Administration. We have no voting

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1 rights over there. So all we're suggesting

2 here is that when we do have input in a

3 decision as we do in any dean or any provost

4 search or any chair or any of those

5 educational unit administrators who are both

6 administrators and educational officers, that

7 we still have the authority to weigh in and

8 do what we're doing right now is making a

9 recommendation that regular order be followed

10 here that a regular appointment be made.

11 So I would oppose this amendment. I



12 would amend it if it would be friendly to  
13 Dean Bucheit to just include GR IV, to say  
14 pursuant to GR IV, GR VIII in our shared  
15 governance principles and then I feel like  
16 maybe that would cover his concerns about us  
17 leaving out a very particular section which  
18 deals with the Senate power. But I would have  
19 a problem with any language that kind of puts  
20 the Senate in a box. I don't think that's  
21 what the shared governance principles are all  
22 about.

23 CRAMER: Bob?

24 GROSSMAN: Yes. I also oppose this amendment, and  
25 mostly due to the terms "undue influence." I

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1 don't know what undue influence is. I think  
2 we're just asking for a particular process to  
3 be taken off pause and resumed. I don't think  
4 that's undue influence. Undue influence is a  
5 way of telling people to be quiet and stay in  
6 their place, and I don't think that's  
7 appropriate at a university. Acting is  
8 different -- I don't mind, you know, acting  
9 outside of our authority is something that we  
10 should not do, but simply speaking our minds  
11 I think is something we should do and we are

12 expected to do. And I don't think the  
13 administration would want a faculty where we  
14 just sit in our offices and didn't say  
15 anything.

16 CRAMER: Gail?

17 BRION: I would like to suggest a friendly  
18 amendment with Dean Bucheit. I would like to  
19 suggest that instead of making this  
20 resolution "The Senate does not seek to act  
21 or exert undue influence outside the  
22 responsibility to ascribe to GR 1.E and GR  
23 IV.C that we just say pursuant to GR IV and  
24 GR VIII.

25 CRAMER: I think compartmentally there's no such

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1            thing as a friendly amendment. I think we're  
2            going to have to actually amend amendments,  
3            and we can only get about one more level deep  
4            on these. So maybe -- if you don't like that  
5            language, strike it down. But, yeah. Alan?

6    BROWN:        Yeah, I was going to say I agree that  
7            the exerting undue influence, we do have the  
8            right to exert influence. That's our job.  
9            And so I think that that word is problematic.  
10          I like -- and again, we're bouncing around  
11          language here. I don't know where we'll

12 land, but something along the lines of  
13 pursuant to GR 1.E within the strictures  
14 outlined in GR IV.C or something that we're  
15 aware of.

16 I think it's important to show that we  
17 are aware of the fact that we know our  
18 limitations, but we don't have to spell those  
19 out, within the strictures that are, or the  
20 powers or the responsibilities ascribed to  
21 the Senate found in GR IV.C and call it at  
22 that, something along those lines. I don't  
23 know how we massage the language together as  
24 a hundred people, but some thoughts there.

25 CRAMER: Right. Rudy, I'm going to thank you in

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1 advance because you're the one that's  
2 consistently said your name and your college  
3 every time you've spoken. Thank you and,  
4 Rudy, go ahead.

5 BUCHEIT: Rudy Bucheit, Engineering. Appreciate  
6 the comments of my Senate colleagues. I put  
7 the word "undue" in that on purpose because I  
8 do believe it is appropriate for the Senate  
9 to try to exert influence. We're in a game of  
10 persuasion with one another. That's part of  
11 shared governance, but I think there's an

12 opportunity to latch on to this, to try to  
13 push inappropriate way to influence it in an  
14 appropriate way so the modifier undue  
15 influence represents a boundary. Influence,  
16 yes. Undue influence, no. That was on my  
17 mind when I crafted that. Thank you.

18 CRAMER: All right. Is there any further debate  
19 on what our parliamentarian has described the  
20 proposed amendment to at the end of the  
21 resolution add, "In making this resolution,  
22 the Senate does not seek to act or exert  
23 undue influence outside the responsibility  
24 ascribed to it in GR IV.C." Is there any  
25 further debate on that amendment? Lee?

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1 BLONDER: Yeah. I'd like to speak in favor of it  
2 for the reasons that Rudy just mentioned. I  
3 think it's important that we express that we  
4 fully understand the boundaries so that we  
5 can have influence. And that I think makes it  
6 more powerful, not less powerful.

7 CRAMER: Bob?

8 GROSSMAN: Yeah. I guess I'd like to just take up  
9 what some other people have said and offer an  
10 amendment to Dr. Bucheit's amendment, which  
11 is to strike the language that he suggests

12 and just insert GR. So is it GR IV.C after  
13 the mention of GR VIII in the last sentence.  
14 So it would read "pursuant to GR VIII, GR  
15 IV.C in our shared governance principles. I'm  
16 offering that amendment to Dr. Bucheit's  
17 amendment.

18 CRAMER: This is as deep as we can go on amending  
19 amendment. So Bob has offered a substitute  
20 motion.

21 GROSSMAN: Bob Grossman, A&S.

22 CRAMER: Thank you, Bob. Is there a second for  
23 Bob?

24 BARRON: I'll second. Susan Barron, A&S.

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1 CRAMER: So now we have a motion to change Dean

2 Bucheit's text to strike the language he

3 said, but to add GR IV.C after GR VIII to

4 accomplish that effect. Is there debate on

5 that motion, which is to essentially change

6 Rudy's motion? Scott?

7

8 YOST: Sorry. I had two things I had to turn

9 off here. When you look at the structure of

10 the original motion here and then the

11 amendment and the second amendment, I believe

12           that the second amendment put forward by Bob  
13           was clearly consistent with how this is run  
14           together, and that was, we don't go into  
15           qualifications pursuant to GR VIII. We don't  
16           go into qualifications pursuant to GR I.E.  
17           So I think it's totally appropriate to keep  
18           the parallel structure, but yet reference  
19           where we draw our authority and where we draw  
20           our limitations from. So I'm in favor of this  
21           second amendment put forth by Bob.

22   CRAMER:       Herman?

23   FARRELL:       Yeah. I would just echo the comments of  
24           Scott. I'm in favor of this amendment to the  
25           amendment. I think it's just clear in terms



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1 of what's within our authority. I don't think  
2 any of these resolutions go beyond our  
3 authority. We're just trying to reaffirm and  
4 reassert our authority within the shared  
5 governance structure. So I would have issues  
6 with the notions of even suggesting that we'd  
7 be doing anything that has to do with undue  
8 influence, so that's why I'm in favor of this  
9 amendment, to the amendment.

10 CRAMER: Any further debate on the motion to  
11 change the amendment to add GR IV after GR

12 VIII?

13 All right. Then we're voting now to  
14 change Rudy Bucheit's motion, by striking out  
15 the words he added and inserting GR VIII  
16 before or after GR VIII, I think, in the  
17 text. Any further debate on this, are you  
18 guys debating or voting? If you're not  
19 debating, put your hands down.

20 So we have this motion, then. Senators,  
21 if you like to vote in favor of this motion,  
22 please use the "raise hand" feature now.

23 If you'd like to vote against that  
24 motion, please use the "raise hand" feature  
25 now.

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1           And if you'd like to abstain on that  
2           motion, please use the "raise hand" feature  
3           now.

4           That motion passes.

5           So now, we're voting on a -- or we're  
6           considering a modified amendment now. The  
7           amendment originally proposed by Rudy Bucheit  
8           to change this text has now been modified to  
9           add GR IV.C in that place, that's what we're  
10          considering is whether we want to actually  
11          make that amendment to the resolution.

12                   We voted just now to accept that as a  
13                   change. Now we have to decide whether we  
14                   want to actually make this change to the  
15                   resolution; is there any further debate on  
16                   that question? Herman?

17    FARRELL:       I'm in favor of voting for this amended  
18                   version.

19    CRAMER:       Any further debate on this? This is a  
20                   motion to accept a modified amendment to the  
21                   resolution.

22                   Senators, if you'd like to vote yes on  
23                   the amendment to the resolution -- not that  
24                   we're still not voting on the resolution.  
25                   We're voting on the amendment to the

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1 resolution. Please, use the "raise hand"

2 feature now.

3 If you'd like to vote against the

4 amendment, please use the "raise hand"

5 feature now.

6 If you'd like to abstain on the

7 amendment, please use the "raise hand"

8 feature now.

9 That motion passes.

10 So now we're debating the amended motion

11 to opt the resolution that Stefan presented



12                   that it was amended ultimately by Bob. Is

13                   there a debate on that motion? Bob?

14    GROSSMAN:       Bob Grossman, A&S. I am an A&S Senator

15                   and I don't recall, and it's possible we've

16                   had a hellacious week in chemistry this week,

17                   but I don't recall being asked about whether

18                   I favor this amendment before it got

19                   submitted. So I guess I would like to

20                   respectfully dispute Stefan's

21                   characterization of this proposal as one

22                   that's supported by the A&S Senators. He's

23                   shaking his head, but it's possible it went

24                   by email at one point, but I don't recall.

25                   Actually, I don't think we've had a

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1 chance to debate the reasons why the Provost  
2 decided to postpone the search for a  
3 permanent dean of A&S. He did offer reasons  
4 when he announced that he was going to  
5 propose it. I think those reasons were  
6 reasonable reasons, and I guess I am not  
7 willing to substitute my judgment for his on  
8 this particular matter. So unless someone can  
9 persuade me otherwise, I'm inclined to vote  
10 against this motion.

11 CRAMER: Herman?

12 FARRELL: I asked the question of the Provost at  
13 our regular meeting two weeks ago on Monday  
14 and did ask about what was happening with the  
15 dean's search and his response for me was  
16 unsatisfactory. What was interesting about it  
17 was the first thing he brought up when saying  
18 that there may be some continued delay. He  
19 did honestly say that there would be an  
20 acting dean put in for the next year and then  
21 a redetermination at the end of next year,  
22 which again was suggesting that this would go  
23 on a little bit further. But, Bob, you can  
24 correct me if I'm wrong in terms of what he  
25 said on the record.

Trisha B. Morley, Court Reporter

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1           First thing he said was the \$6.4 million  
2           deficit, that was part of the reason why he  
3           had fired Mark Kornbluh. I thought it was  
4           interesting that when the question was really  
5           -- and all of these questions and issues are  
6           about our educational aspect of leadership,  
7           academic leadership that he talked about the  
8           money instead of, I have to say, a lot of the  
9           great accomplishments of Dean Kornbluh.

10           But getting to that specific point about  
11           his justification, for me, I find that very

12 interesting that that is the reason why that  
13 should continue on into a third year, in  
14 terms of not having a permanent dean in  
15 place, when interestingly enough, there was  
16 an audit, I remember him telling us that  
17 there was an audit that was conducted this  
18 past year.

19 And so the issues of the economics of  
20 the college suggests that there's room for at  
21 least at the beginning of that, or return to  
22 that search process next year, and then that  
23 person would be coming in, in the third year,  
24 in 2021 in the fall anyway -- 2022 in the  
25 fall anyway. And so for those reasons I'm in

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1 support of this resolution.

2 CRAMER: Stefan?

3 BIRD-POLLAN: Yeah. Stefan Bird-Pollan, A&S. So the

4 point of the resolution is to call on the

5 administration, to call on the provost,

6 specifically, to adhere to normal principles

7 of shared governance. That's what we're

8 asking for. We are -- the college's states is

9 the way it is, but the colleges require

10 leadership and they require permanent

11 leadership, and that's what we're asking,

12           that's what we're asking for. I'm sure that  
13           an administration which was willing to find  
14           an appropriate permanent replacement would be  
15           able to do so. And so that's what we're  
16           encouraging. There may be reasons why this is  
17           difficult, there are always reasons why it's  
18           difficult to do so but I don't think that  
19           those reasons prevail. I think that the  
20           process is what's important here, and that's  
21           what we're asking for.

22   CRAMER:       Akiko?

23   TAKENAKA:     Akiko Takenaka, Arts & Sciences. I just  
24           want to add that the reason that Herman just  
25           gave about not doing the search yet doesn't

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1           really hold because the search had been  
2           started already last fall, last winter, and  
3           it was paused. But when the search started  
4           and we had a search committee, we hired, we  
5           interviewed, and selected a search firm. So  
6           we went through the initial processes while  
7           knowing that there was the deficit. So I  
8           don't think that's a legitimate reason.

9    CRAMER:        Is there any further debate on this?

10           Rudy?

11    BUCHHEIT:      Yeah. I think you could launch a search

12 immediately, resume the search. You could  
13 find candidates and you could make an offer,  
14 but given the current prevailing financial  
15 circumstances in Arts & Sciences, you will  
16 not attract the best candidates to this  
17 search. You just simply won't. I don't know  
18 the details of what happened, but it would  
19 not surprise me if they began to shop the  
20 position around in this issue came to the  
21 fore and it became clear that you could not  
22 put together the quality in the candidate  
23 pool, given the current fiscal circumstances.  
24 So under those situations, I do think it is

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1           essential to further the interests of  
2           administration in this particular case.

3           Implementation: This is about  
4           implementation. Implementation has serious  
5           accountability attached to it. That's part of  
6           what has brought us to this situation, to  
7           begin with. If you don't implement  
8           effectively, administrators are separated  
9           from their positions. So we have to be  
10          cognizant of these issues. I'm all for  
11          getting this back on process, but I think

12           you've got to do it under conditions where  
13           you can get an exceptionally qualified  
14           candidate pool. And I just don't think those  
15           conditions exist right now.

16   CRAMER:        Stefan?

17   BIRD-POLLAN:    Stefan Bird-Pollan, Arts & Sciences.

18           With all due respect to Dean Bucheit, I don't  
19           think that we know in advance who will apply.  
20           And I think that the Arts & Sciences requires  
21           needs, wants, permanent leadership. I mean,  
22           it's possible that the applications will come  
23           in and they will be very weak and then  
24           administration will -- it seems to me on very  
25           reasonable grounds, say, look, we couldn't



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1 find anyone, but I don't think we should  
2 think in advance that that's going to be the  
3 case. And I think that that's not a reason  
4 that it's sufficient to disrupt ordinary  
5 procedure, that comes to filling these  
6 vacancies. That's what the resolution -- I  
7 asked for normal process to be adhered to, if  
8 there are reasons to halt the normal process,  
9 then so be it. But currently we don't see  
10 those reasons, many of us who bring this, and  
11 that's not all of us, but those who bring

12                   this resolution, I believe that it's

13                   necessary. Thank you.

14    CRAMER:        Susan.

15    BARRON:        Yeah. I'm just going to strongly agree

16                   with Stefan, we're not saying someone has to

17                   be hired, but we have to go the process. And

18                   there's no way to predict who will or won't

19                   apply. So I strongly support this resolution.

20    CRAMER:        Herman?

21    FARRELL:       I will just echo what Susan said. Thank

22                   you, Susan.

23    CRAMER:        Is there any for -- Akiko?

24    TAKENAKA:      Akiko Takenaka, Arts & Sciences. I just

25                   want to add that I was on the Search

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1           Committee and that concern came up from the  
2           committee members and it was the search firm  
3           that told us do not worry. It is our job --  
4           by our -- I mean the search firm's job to  
5           present the position as attractively as  
6           possible. And they repeatedly told us do not  
7           worry about it.

8   CRAMER:        Julia?

9   JOHNSON:       I just want to also express my support  
10           of Stefan's comment. Thanks.

11   CRAMER:        Phoebe?

12      GLAZER:      Yeah. I just wanted to say looking at  
13                    this from a different angle, having an  
14                    interim dean in place for a long period of  
15                    time might be the way to identify the very  
16                    best dean candidate, but the damage it would  
17                    do to the faculty and staff, I think is  
18                    significant. We need to consider, what will  
19                    existing faculty and staff feel if we can't  
20                    get leadership that we can count on in our  
21                    college. What will new hires think about  
22                    coming to an institution that has two and a  
23                    half years of limbo in front of them? So, you  
24                    know, this is more than just about the person  
25                    at the top of the food chain, it affects

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1 everyone going down the line to graduate

2 students. How do we tell graduate students to

3 come to UK that this is a great institution

4 when we don't have a leader?

5 CRAMER: Marc? Marc, can you --

6 KIVINIEMI: Yeah. Oh, my apologies. Marc Kiviniemi

7 from the College of Public Health. I just

8 wanted to put a thought on the table for the

9 senators to consider in this amendment, which

10 is I would disagree with Senator Farrell's

11 assertion that administration primarily



12 should focus on the academic and not the  
13 financial, because the central part of being  
14 an administrator, is handling the financial  
15 side of the operation and in support of the  
16 amendment, you might consider making the  
17 point that the level of the financial  
18 situation in Arts & Sciences is going to  
19 require long-term structural measures to  
20 address it. And that those kinds of long-term  
21 structural measures are better put in place  
22 by permanent leadership than they are by an  
23 interim whose time is limited often, if not  
24 formal authority, at least feeling of  
25 authority and power is limited. So I would

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1            assert that you might consider including  
2            language that says that you feel that the  
3            financial situation in and of itself is a  
4            reason to go with a permanent search rather  
5            than an interim.

6    CRAMER:        Herman?

7    FARRELL:        I guess I just wanted to respond. I  
8            wasn't suggesting that the administration  
9            should only focus on administration. We  
10           should only focus on educational policies.  
11           Their shared governance scheme does allow for

12 some sort of connection in exchange of ideas

13 between both.

14 Interestingly enough, deans, provosts,

15 and the President have dual roles in terms of

16 financial responsibility, as well as

17 educational policy and they're ethical

18 they're educational officers. The Senate has

19 a role, certainly in terms of the educational

20 policy and academic policy decision-making,

21 but we also have the authority to make

22 recommendations with regard to even

23 administrative side. So I just wanted to make

24 that clear.

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1 I'm still in favor of leaving this as is  
2 and going forward with the vote because I'm  
3 getting a sense from many of the A&S,  
4 senators and maybe that's  
5 mischaracterization, but there's a lot of  
6 strong support on the academic side of this  
7 conversation to have a leader in place going  
8 forward. Not only in terms of hiring faculty  
9 members, but maybe even in perhaps a way to  
10 attract good candidates for this position. So  
11 I support it as is.

12 CRAMER: Marilyn?

13 DUNCAN: Yes. Just an additional point to

14 consider: I think that when the search was

15 stopped, we still had a provost in place.

16 Wasn't that the case? But since then, we know

17 that the provost is stepping down, and then

18 we will soon have an interim provost who has

19 not yet been appointed, and that means that

20 candidates that would be identified by the

21 Search Committee and possibly brought in for

22 interviews, would not know who was going to

23 be in the provost position. And I guess, I

24 wonder if that might impair the search or

25 discourage candidates in some way.

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1                   And I thought I would also share one  
2                   other point that the President raised that he  
3                   said, applications for higher-level  
4                   administrative positions are down about 30%  
5                   this past year during the pandemic. So those  
6                   might be reasons why we wouldn't get as many  
7                   or as many good candidates as we might at  
8                   another time. Thank you.

9    CRAMER:       Beth?

10   GUITON:        Yes. Beth Guiton, A&S. I had a question

11                   about Akiko's point about the search firm,

12 encouraging us to go ahead with the search.

13 And I was wondering if they have a financial

14 incentive for the search to go ahead, or if

15 that would be a conflict of interest or not.

16 CRAMER: Katherine?

17 COUNTS: Hello, my name is Katherine Counts. I am

18 the President of the Graduate Student

19 Congress that oversees graduate student's

20 post-docs and professional students and their

21 interests, that's about 8- to 9,000 people.

22 I just want to say, when it comes to the

23 Arts & Sciences issue, I think it is

24 important to consider having a permanent

25 person. Students want to feel safe. Students

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1 want to know that they have tangible people  
2 in leadership that they can count on. Not  
3 saying that the person currently there is not  
4 doing that, but there is a distinct  
5 difference in having someone as an interim  
6 position, then having someone somewhere who  
7 is a permanent person.

8 I would also like to say, this goes into  
9 the point of the graduate school because it  
10 does kind of connect in the sense of, the  
11 graduate schools Dean has been interim for

12 almost eight years, now? The question I have  
13 to the entire body of University Senate, do  
14 you really want to wait eight years? Do you  
15 really want to wait a long period of time for  
16 graduate students, for professional students,  
17 for those who work within the graduate  
18 school? It is frustrating to have someone in  
19 a position that's interim for almost eight  
20 years.

21 I don't know if Arts & Sciences really  
22 wants to do that as big as they are, as much  
23 as they have to use their resources for, is  
24 that really what we're saying? I know that  
25 there's some hesitancy to make the decision

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1 of fully supporting this, but I would just  
2 like to make sure you understand from a  
3 student's perspective. I don't know how  
4 you're going to get more people to come into  
5 the university knowing that there's nobody  
6 permanent in those positions, knowing that  
7 that person can't make new hires, there's  
8 been a hold on a lot of things that the Arts  
9 and Sciences College is doing right now, so I  
10 just want the student perspective also to be  
11 really thought through, and really considered

12                   during this time. Thank you.

13       CRAMER:       All right. Last one maybe, Tom?

14       TROLAND:       Tom Troland, College of Arts & Sciences.

15                   I would like to say as an A&S Senator, I

16                   support this resolution, I think it's a good

17                   idea to move forward. And with regard to

18                   students, I can't speak for students, I'm not

19                   a student. All I can say is when I applied to

20                   Graduate School eight years ago, the concern

21                   about who was dean or wasn't dean or what the

22                   dean was doing was the very last thing on my

23                   mind. It never even crossed my mind. So I

24                   dealt with this issue that affects many

25                   student's applications or decisions to help



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1 me here. Anyway, that whole big step as an

2 A&S Senator, I support this resolution

3 favorably.

4 CRAMER: All right. Senators will take up the

5 question now of adopting the resolution as

6 amended. If you'd like to vote in favor of

7 that motion, please use the "raise hand"

8 feature now.

9 If you'd like to vote against the

10 motion, please use the "raise hand" feature

11 now.

12                   If you'd like to abstain on this motion,

13                   please use the "raise hand" feature now.

14                   That motion passes.

15                   I'm looking for Herman. Herman, there

16                   you are.

17    FARRELL:       Yeah. So the next proposal that was put

18                   forward by the group of senators yesterday is

19                   on the Graduate School. And I'd call upon my

20                   colleagues; is somebody within that group

21                   would care to make the motion? I'll do it if

22                   nobody else is ready and prepared to do it.

23    CRAMER:       Looks like it might be you, Herman.

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1 FARRELL: Okay. So I make this motion on the

2 Graduate School associate provost/dean

3 search. Should I just read it out, Aaron?

4 CRAMER: Sure.

5 FARRELL: Okay. "Whereas the search process for

6 the associate provost/dean of Graduate School

7 resulted in one finalist candidate, who was

8 chosen by the outgoing Provost without

9 adequate consultation with the Associate

10 Provost Graduate/Dean Search Committee about

11 finalist candidates;

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

19                   Whereas the Senate Council recently  
20                   called upon the President to share all  
21                   feedback on finalist candidates obtained  
22                   through public forum with the Search  
23                   Committee, so that the committee is given an  
24                   opportunity to share its responses to the

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1 feedback, before a decision about the

2 finalists is made.

3 Be it resolved that:

4 The University Senate requests that the

5 Provost not make a decision on the

6 appointment of an Associate Provost/Dean of

7 the Graduate School until additional

8 candidates have participated publicly in the

9 final round of the search; and

10 The university requests that the Provost

11 share all feedback on finalist candidates



12           obtained through public forum with the Search  
13           Committee so that the committee is given an  
14           opportunity to share its responses to the  
15           feedback with the Provost before a decision  
16           about the finalist is made."

17           And I make this motion.

18   CRAMER:       Is there a second for that motion?

19           Roger?

20   ROGER:        Second.

21   CRAMER:        Roger Brown from the CAFÉ. Is there  
22           debate on this motion? Bob?

23   GROSSMAN:      Bob Grossman, A&S. I do support this  
24           motion. I thought this was really a poor  
25           decision on the part of the provost. I don't

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1 think it would have hurt anyone or anything  
2 to have invited more finalists. And I think  
3 the faculty need to be able to compare the  
4 finalists to make adequate contribution to  
5 who they would like to see filling the  
6 position.

7 And honestly, it's in the benefit of  
8 whoever is the person who is named to have  
9 the benefit of having the faculty's  
10 confidence that they were the best candidate.  
11 Not that they were just the ones who the

12 provost thought was the best candidate, so  
13 that they were the ones that the faculty  
14 thought was the best candidate, and it would  
15 help that person do their job in the future.

16 So I thought -- I think this is actually  
17 handicaps. If this process goes through and  
18 the provost appoints the only finalists, we  
19 were able to see, I think it will hurt that  
20 person's attempts to gain the faculty's  
21 trust. So I support this motion.

22 CRAMER: Alan?

23 BROWN: Yeah. Alan Brown, Arts & Sciences. I  
24 support this motion as well. I think it's  
25 also important to realize I liked what the

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1 Graduate Students said, and I'm sorry, I  
2 don't remember her name. You know, eight  
3 years of an interim and then one finalist for  
4 the position, it doesn't -- the optics are  
5 bad of course.

6 I do have a question or a point of  
7 debate. The Provost's letter in response or  
8 the Provost's response to your letter, Chair  
9 Cramer, was heavily dependent on precedent  
10 and that this has happened before and in  
11 conversations I've had with others, there has

12           been referenced to precedent and I'm  
13           wondering, meaning that this has happened  
14           before, this shouldn't be surprising to the  
15           Senate.

16           I don't know that we need to amend this  
17           resolution, but I feel like precedent is a  
18           tool that's going to be used. You know, you  
19           can use precedent for just about anything it  
20           seems. So I didn't know if any senators have  
21           any information on how we counter the  
22           argument of precedent because evidently this  
23           has been done before, and specific cases were  
24           given in his response. And so I invite my

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1                   colleagues to clarify for me how we brought

2                   that issue.

3    CRAMER:       Herman?

4    FARRELL:      Well, I guess we're not really

5                   responding to what they said, we're just

6                   going forward with what we believe should

7                   take place here. What this resolution does is

8                   backs up our Senate Council. Our Senate

9                   Council already made this request that's

10                  where and, whereas, and we're just continuing

11                  on to back them up and to say we, as

12 University Senate, completely agree with what  
13 their simple request was a week ago for more  
14 finalists, as well as more transparency in  
15 the feedback loop. And so we're just making  
16 that point.\

17 I do think this notion about precedent  
18 is problematic as a factual matter, they  
19 referenced three dean searches that in terms  
20 of the affected faculty and students is a  
21 much smaller cohort those three colleges that  
22 were referenced, as compared to a Graduate  
23 School dean, whereas we just pointed out with  
24 the A&S dean, who impact -- I don't know if  
25 someone can correct me on the numbers, I

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1 think Graduate School students represent a  
2 quarter of our students, as well as our  
3 majority of our faculty, as well as the A&S,  
4 has huge impact on our undergraduate students  
5 and our graduate students. So for those  
6 reasons, the notion of the precedent of these  
7 three other searches where I guess we weren't  
8 even alerted to the problems, I don't think  
9 is a fair analogy.

10 CRAMER: Shannon?

11 OLTMANN: Shannon Oltmann, College of

12           Communication and Information. Furthermore,  
13           to Herman's comments, my understanding is  
14           that Provost Blackwell reference three  
15           previous searches in which there was one  
16           finalist. In two of those searches, there was  
17           only one applicant. And in the third search,  
18           the interim Dean was invited to apply. So I  
19           think those are-- I think it's quite  
20           disingenuous to reference those as comparable  
21           to the current search for the dean of  
22           Graduate School.

23   CRAMER:       Marilyn?

24   DUNCAN:       Marilyn Duncan, College of Medicine. I  
25           don't think this should go in the resolution,

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1 but just to deal with this issue of

2 precedent, I brought this up at a meeting

3 that the center --

4 CRAMER: Sorry, Marilyn. We lost you. We had a

5 little audio trouble for a second.

6 DUNCAN: Okay.

7 CRAMER: You were saying -- I don't think this

8 goes in the resolution.

9 DUNCAN: Well, to address this issue of

10 precedent, we had a -- in a faculty meeting,

11 a Senate Council meeting with the President

12 on Friday, I reminded the President that the  
13 search for the dean of the College of  
14 Medicine about five or six years ago, had  
15 brought in four candidates. And I discussed  
16 how valuable I thought that was in  
17 identifying the one best candidate who was  
18 eventually hired.

19 CRAMER: Susan?

20 SEGARSTROM: Susan Segarstrom, Arts & Sciences and  
21 member of the A&S Executive Committee. In  
22 looking at the Provost's response to the  
23 Senate letter, he says, "I would like to  
24 emphasize that it is not at all unusual for  
25 internal dean searches under my leadership to



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1 result in sole finalists. And I want to  
2 emphasize under my leadership because it's  
3 exactly that leadership that is being pointed  
4 out as problematic."

5 So the fact that he has done this  
6 before, I don't think should be taken in  
7 mitigation as the problem.

8 CRAMER: Gail?

9 BRION: I also want to point out that having  
10 gone through a long time where we've had  
11 several interim Deans for a long time, and

12 we've had interim candidates that have ended  
13 up being, or only a single candidate, this  
14 might impact our ability as Dean Bucheit was  
15 saying earlier to actually get good  
16 candidates. We don't want to become known as  
17 a University, where only a single candidate  
18 is invited, and that single candidate happens  
19 to be an internal candidate. We want to make  
20 sure that we're open to getting the best  
21 candidates that we can from everywhere.

22 CRAMER: Rudy Bucheit?

23 BUCHEIT: Rudy Bucheit, Engineering. I just want  
24 to put a marker in Aaron. I'd like to amend  
25 the motion just in the same way that we did

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1           the last one. Sorry. I didn't want to

2           interrupt the debate.

3   CRAMER:       Think about where—

4   BUCHEIT:       I will. I will. I'll be ready for you

5           when debate is done.

6   CRAMER:       Hollie?

7   SWANSON:       I just wanted to point out to back the

8           previous conversation. I've been talking to

9           other people involved with those previous

10          searches that the provost mentioned, this is

11          not -- this is an "apples and oranges" issue,

12           because from what I understand, the previous  
13           committees put forth one candidate. In this  
14           case that that was not the point.

15   CRAMER:       Katherine?

16   COUNTS:      Again, hello everyone. My name is

17           Katherine Counts, the President of the

18           Graduate Student Congress. I have a couple of

19           things to mention. Number one, the Graduate

20           School oversees graduate and professional

21           students, which is around 8- to 9,000

22           students, they also are a part of the post-

23           docs.

24           So any post-docs that anybody might

25           have, there are things that the Graduate

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1 School does for those scholars, is what we  
2 call them and I don't know what everyone else  
3 does, but we call them "scholars". So that's  
4 also on the table.

5 To the point someone made about the  
6 decisions that graduate and professional  
7 students make, is it determined by the Dean?

8 It actually does matter. And let me explain  
9 to you why. That Dean does decide the  
10 financial status of that college. They decide  
11 the policies of that college. So if that



12 particular dean has certain inclinations  
13 about how they want to move forward, it does  
14 impact a student. Honestly, in some ways, it  
15 impacts a student before it impacts a faculty  
16 member because we have direct ties to what  
17 happens from that Graduate School and how our  
18 money, so if you have an associate-- I mean,  
19 assistantship of any type, that goes through  
20 the Graduate School as well. So financially  
21 this is a problem, and from the Graduate  
22 School's perspective, we are disappointed  
23 from the Congress's perspective. We are  
24 disappointed that there's only one single  
25 candidate.

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1 I also think that there was not enough  
2 time to actually talk with that one single  
3 candidate. I don't know if that's also  
4 mentioned as this as well, they were very  
5 short and very brief conversations, not  
6 enough time to actually ask in-depth  
7 questions and in-depth concerns. I don't know  
8 if anybody's thinking about our International  
9 Student Community, there is a large  
10 population of International Student Graduate  
11 and professional students. And I don't know

12 if it's been mentioned yet, but that's also  
13 very important. And if you don't have anybody  
14 who has a tie to international students, as  
15 well as a part of other things, I think  
16 that's also going to be a concern, and I just  
17 don't know how we could move forward because  
18 honestly, and you all helped me to understand  
19 this because I need to graduate education, so  
20 help me. But if you add a second person and  
21 helped me to understand this, if I say, okay,  
22 he adds another person, they've already made  
23 the decision kind of.

24 So adding that other part -- like how  
25 would that other person feel coming into a

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1 situation, and they kind of already know  
2 who's going to get the cupcake. Like we  
3 already know who's getting it. I'm just  
4 trying to understand how we fix this, cause  
5 like the -- Provost already made the cupcake  
6 with the President, put the sprinkles on it,  
7 and said, here you go, you ain't get nothing  
8 else." And then everybody else is saying,  
9 wait a minute, how could one person get this  
10 and when we haven't even had a conversation  
11 about this? And so since you already have

12 this one single candidate, I don't know how  
13 you say, okay, let's add Sarah and Paul into  
14 the conversation to have two new candidates  
15 added for these interviews when we know that  
16 the Provost and the President already want  
17 Michael. Like that's what I'm seeing, that's  
18 what a lot of graduate students and  
19 professional students and post-docs have  
20 talked to me about, like what is adding that  
21 other person doing in this situation?

22 And graduate students kind of feel  
23 vulnerable because this person can affect  
24 decisions within the Graduate Student  
25 Congress. So funding for students and the

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1 things that we do for students are in

2 jeopardy. That's all I have to say, but thank

3 you.

4 CRAMER: Herman?

5 FARRELL: I just wanted to quickly respond to

6 Katherine's great comments about this. I

7 think that's a real concern about potential

8 problems with other finalists coming forward.

9 But having said that part of what we're

10 trying to do here is really get us back to

11 regular order, to put a line in the sand and

12 say that this action of only one finalist is  
13 hugely problematic and we would like to at  
14 least go back to the Search Committee and  
15 have an opportunity to have more than one  
16 finalist reviewed by all of us. And again,  
17 then graduate students and faculty and a  
18 whole bunch of other folks would get to come  
19 forward to the forums and weigh in with what  
20 they think. And if there's transparent  
21 feedback, we know exactly what all the  
22 responses were with regard to X candidate  
23 versus Y candidate, and X candidate being the  
24 one that's already there, and Y being the  
25 additional, and Z, maybe being one more.

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1                   Then because of this request, we would  
2                   at least be able to see what the response  
3                   was, and if there's more favor towards Y and  
4                   Z, that will hopefully factor into the  
5                   decision-making from the administration on  
6                   this very important and long-awaited change  
7                   in academic leadership.

8    CRAMER:       Is there any further debate on this  
9                   motion? Rudy, where are going to add a --  
10                  have you found a place to put it?

11   BUCHHEIT:     Yeah. I think in the spirit of being

12 consistent since this is also an appointment

13 action, I think you can add the clause

14 pursuant to GR VIII, in our shared -- sorry.

15 Yeah, pursuant to GR VIII, GR I.E, and GR

16 IV.C. I believe that can be a clause after a

17 comma at the very end of the resolution.

18 CRAMER: So is there a second for that amendment?

19 Herman, are you seconding? Sorry. You're

20 muted, Herman.

21 FARRELL: I was just going to ask a question about

22 if it's seconded, can it be adopted by me as

23 the motion maker, or does it still have to go

24 through a separate --

25 CRAMER: I think because the motions in front of

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1 the assembly, I think we start the debate

2 there and vote on the --

3 FARRELL: I'm only talking about the interest of

4 time, speed --

5 CRAMER: I know. We'll go fast if we can.

6 FARRELL: Thank you.

7 CRAMER: So are you seconding that, then, Herman?

8 FARRELL: Yes, I will.

9 CRAMER: Okay. So we have -- adding pursuant to

10 GR VIII, GR I.E, and GR IV.C after a comment

11 at the end of the resolution. We have a

12 motion and a second. Is there any debate on

13 that motion? Lee?

14 BLONDER: I just want to make sure that we've

15 carefully reviewed the wording of those GRs

16 to make sure this applies in this case.

17 CRAMER: So are you speaking against the motion

18 then, or...

19 BLONDER: No, I'm not.

20 CRAMER: Herman?

21 FARRELL: And I think they all three apply. So

22 (I), is the shared governance, (IV), is the

23 Senate's Authority, and GR VIII is about

24 appointments at this level. So they all three

25 apply.



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1 CRAMER: Any further debate on the motion to  
2 amend the resolution?  
3 Senators if you'd like to vote in favor  
4 of the amendment, please raise your hand now.  
5 The "raise hand" feature.  
6 If you'd like to vote against the  
7 motion, please use the "raise hand" feature  
8 now.  
9 If you'd like to abstain on the motion  
10 to amend the resolution, please use the  
11 "raise hand" feature now.

12                   The motion to amend the resolution

13                   passes.

14                   Now, we're finalizing debate on the

15                   amended motion then with the amendment

16                   offered by Dean Bucheit. Shannon?

17    OLTMANN:       Sorry. I know we're -- but I'm just

18                   going to speak to reiterate what Katherine

19                   the graduate students said. I have a lot of

20                   concerns with the process behind the search

21                   for the dean of the Graduate School, but I'm

22                   not sure this motion is the best way to

23                   rectify those concerns. I don't know that

24                   having another candidate put forward at this

25                   juncture will be a meaningful action. So I'm

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1 really hesitant about this motion.

2 CRAMER: Any last debate on adopting the amended

3 resolution? All right. Senators, if you'd

4 like to vote in favor of adopting the amended

5 resolution, use the "raise hand" feature now.

6 If you'd like to vote against adopting

7 the amended resolution, please use the "raise

8 hand" feature now.

9 If you'd like to abstain on adopting the

10 amended resolution, please use the "raise

11 hand" feature now.

12                   That motion passes.

13                   Herman, do you have someone that's going

14                   to introduce --

15    FARRELL:       This one I'd like to make the motion.

16                   Are you going to bring it up or should I?

17    CRAMER:       Deshana. Yeah, there she is. Oh, maybe.

18                   Deshana, we can only see like an inch of the

19                   screen. There it is.

20    FARRELL:       Okay. Thank you. "Whereas Governing

21                   Regulation Part VIII on University

22                   Appointments provides the governing

23                   principles for Administrative Appointments,

24                   including Regular Appointments, Acting

25                   Appointments, and Search Committees;

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1           Whereas the subsection on Search  
2           Committees is silent or insufficient on key  
3           elements for the Search Committee process,  
4           that would ensure the shared governance  
5           intended and meaningful and effective  
6           involvement of faculty expertise, in order to  
7           attain academic objectives;

8           And whereas Governing Regulation Part  
9           XIII on University Regulations, Section C.  
10          "Amendments of these Governing Regulations"  
11          provides for University Senate



12 recommendations of amendments to Governing

13 Regulations, through the President, to the

14 Board of Trustees;

15 Be it resolved:

16 The University Senate requests that the

17 Senate Council, with all deliberate speed,

18 and earnest consultation with the President

19 and the administration, discuss, draft, and

20 introduce to the University Senate a

21 recommendation of amendments to the

22 Administrative Regulations and/or Governing

23 Regulations, as it relates to Search

24 Committees (See GR VIII), in order to

25 articulate and clarify key elements of the

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1 Search Committee processes that would ensure  
2 effective and meaningful involvement of  
3 faculty expertise in order to attain academic  
4 objectives; and

5 Upon the University Senate  
6 recommendations of amendments to the  
7 Administrative Regulations and/or Governing  
8 Regulations, as it relates to Search  
9 Committees (See GR VIII), such AR amendment  
10 recommendations shall be transmitted to the  
11 President, and such GR amendment

12 recommendations shall be transmitted through  
13 the President, to the Board of Trustees for  
14 further action, pursuant to GR IV.C.10 and GR  
15 XIII."

16 And I make this motion.

17 CRAMER: Second for that motion? Roger?

18 ROGER: Roger Brown, CAFÉ. Second.

19 CRAMER: We have a motion and a second to adopt  
20 this resolution. Is there debate on this  
21 motion? Herman?

22 FARRELL: Since I offered it, I'd just like to  
23 just explain the rationale behind this. This  
24 is one of the proposals coming out of today's  
25 meeting, that has a long-term impact and long

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1 long-term effect. What we're doing here is  
2 what we're allowed to do under the governing  
3 regulations. Anyone at the constituencies can  
4 offer revisions or amendments to the GRs. And  
5 so we as the Senate are doing that.

6 And the reason why we're doing that is,  
7 again, getting back to the thing I said,  
8 colloquially in my introduction, is that  
9 there's a kind of a disconnect between the  
10 understanding of a shared governance and  
11 faculty involvement from their perspective,

12 the administration's perspective, and the  
13 faculty's perspective.

14 There has been all these questions about  
15 the spirit and the letter, there's been some  
16 suggestions by administrators that they are  
17 following the letter of the law, and letter  
18 of the shared governance principles. And so  
19 this is an effort to go back and revisit the  
20 GRs to amend them so that they can  
21 incorporate into their language at the GR  
22 level, and then maybe even subsequently at  
23 the administrative regulation level  
24 particular insight and ideas and concepts  
25 about what we mean by our involvement in

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1 especially the Search Committee process.

2 The next amendment, if we get to it,

3 we'll have more specific language on what we

4 consider to be those best practices. But just

5 in terms of just a game plan going forward,

6 this vehicle is the Senate basically charging

7 the Senate Council to work with the President

8 to come up with GR and AR revisions along the

9 lines of everything that's just been said,

10 they will then report back to the Senate and

11 Senate will vote on those recommendations or

12 not, and then the recommendations go to the  
13 President as full stop, if it's AR revision,  
14 suggestions, recommendations, and they go  
15 through the President, to the Board of  
16 Trustees and all of that's in GR XIII in  
17 terms of the transmittal of such a  
18 recommendation.

19 CRAMER: Is there any further debate on this  
20 motion?

21 All right. Seeing none, if you'd like to  
22 vote in favor of this motion, please use the  
23 "raise hand" feature now.

24 If you'd like to vote against this  
25 motion to adopt this resolution, please use

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1 the "raise hand" feature now.

2 If you'd like to abstain on adopting

3 this resolution, please use the "raise hand"

4 feature now.

5 All right. That motion passes.

6 That's a motion of the Senate asking the

7 Senate counselor to do something. I suspect

8 we might do that by establishing an ad hoc

9 committee. So send me names, if you are

10 interested in working on that particular

11 task. Otherwise, we'll come find you. Herman,

12 are you?

13 FARRELL: I asked for the resolution number 5,

14 which is on Senate Committee on specific

15 language to defer to any one of the 11 people

16 I met with yesterday to help me with this.

17 I'll do it if nobody else will, but maybe

18 somebody else can do the reading and the

19 motion.

20 BARRON: I'll do it if no one else will, Herman.

21 FARRELL: Susan?

22 BARRON: Yeah. So I'll just read the motion, I

23 guess. "Whereas there has been a long

24 tradition of meaningful and effective faculty

25 engagement in the shared governance structure

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1 of the University of Kentucky;

2 Whereas such meaningful and effective

3 faculty engagement historically, has involved

4 the following best practices for

5 administrative appointments, practices that

6 are valued because they effectively utilize

7 the expertise of the faculty to attain

8 academic objectives and ensure stable

9 university, college, and education unit

10 leadership, in furtherance of our education

11 mission;

12                   The Search Committee for administrators

13                   overseeing academic activities in

14                   instruction, research, and/or social service

15                   are composed of majorities -- sorry, there's

16                   noise going on here -- or pluralities of

17                   faculty members and such faculty members are

18                   full-time faculty, not faculty with

19                   substantial percentage of their DOE in

20                   Administration, for example, associate

21                   deans/chairs and such faculty members are

22                   chosen by or from this provided by the

23                   University Senate and/or relevant faculty

24                   units;

25                   Search Committee members, meeting at a



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- 1 collegial body, participate in the review of
- 2 candidate, identify qualified candidates,
- 3 rank or provide values, strengths or
- 4 challenges for each candidate, leading to
- 5 recommendations that identify at least 2 or 3
- 6 finalists candidates;
- 7 On-Campus interviews, forums and/or
- 8 presentations are made by the finalist
- 9 candidates to all affected constituencies,
- 10 students, staff, faculty, administrators.
- 11 Feedback mechanism involve the review of

12 all input from all effective constituencies;

13 Transparency as to the decision-makers

14 deliberative process, specifically,

15 communication of factors considered, input

16 received, an overall rationale for the choice

17 to all affected constituencies;

18 Be it resolved that:

19 Until such time that the GRs/ARs are

20 changed to ensure meaningful and effective

21 faculty involvement in shared governance, it

22 is the expectation of the University Senate

23 that the President and the Administration

24 adhere to the best practices referenced

25 above, as a President/Administration carries

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1 out their duties and responsibilities under  
2 GR VIII and as the President and the  
3 Administration solicit and utilize the  
4 expertise of the faculty to attain academic  
5 objectives."

6 CRAMER: Is there a second for that motion?

7 Michelle? Michelle? Roger?

8 ROGER: Roger Brown, CAFÉ. Second.

9 CRAMER: We have a motion and a second to adopt

10 this resolution. Is there a debate on this

11 motion? Roger, are you debating, or are you

12 still seconding? Michelle? Herman?

13 FARRELL: I'm speaking on behalf of this motion; I

14 think it's probably one of the most effective

15 ones of all of them because it's very

16 specific as to what we mean on the faculty

17 side of the equation about our participation

18 in shared governance structure. It contains a

19 variety of best practices that many of us on

20 the committee and many folks over the years

21 have kind of experienced, and so it's kind of

22 a call to that kind of regular order.

23 One thing I want to clarify is that the

24 issue about faculty representation on any of

25 these Search Committees and their DOE, it's

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1 not to say that chairs and associate deans  
2 can't be represented on those committees,  
3 that's not the point. It's just that if  
4 they're going to be considered the "faculty"  
5 representatives that are either chosen by the  
6 Senate Council or by the particular  
7 educational unit, then they should not be  
8 counted as faculty representatives in that  
9 sort of makeup of the entire Search  
10 Committee. They would be considered to be on  
11 the administrative side.



12                   And this is not to suggest that our  
13                   colleagues who are associate deans and chairs  
14                   are not faculty members, they most certainly  
15                   are, but because of the -- if they have a  
16                   high percentage of administrative duties,  
17                   there is a bit of a conflict of interest  
18                   between their interests that may be coming to  
19                   them from administrative desires versus their  
20                   faculty members desires and so we want to  
21                   clear that up because there actually has been  
22                   a lot of experiences by many faculty members  
23                   over the last couple of years from Search  
24                   Committees, not just at the high level, but  
25                   even at the micro-level where we have seen

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1 folks who have those higher administrative  
2 DOE percentages being designated as faculty  
3 representatives, and a lot of us just feel  
4 like that's a problematic notion and so we're  
5 specifically dealing with that.

6 And then the collegial body thing, I  
7 think is just a critical notion there when  
8 these meetings take place, these Search  
9 Committees that are done as a group where  
10 there's sharing of conversations among  
11 members of the committee or faculty members,

12 administrators, and students, and all the  
13 representatives, in that conversation, that's  
14 where we'll get the best ideas coming  
15 forward. If they're siloed off, if it's just  
16 the lead decision-maker, making conversations  
17 individually with the various groups, we  
18 don't have that shared communication and you  
19 don't have that achievement of a better  
20 decision-making, and that's why that's there.

21 CRAMER: Rudy?

22 BUCHEIT: Hi, Rudy Bucheit, Engineering. Question  
23 here, this resolution is formed differently  
24 than the other ones we've looked at. Here in  
25 the second line, it says, "After the comment,

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1           it is the expectation of the University  
2           Senate that the President and the  
3           Administration adhere to best practices. The  
4           other resolutions were requests of President  
5           and Administration by the University Senate."

6           So my question is, is that just a  
7           difference in phraseology or is there a  
8           substantive difference implied in the phrase,  
9           "it is the expectation of the University  
10          Senate."

11       CRAMER:       Herman?

12 FARRELL: Quickly the first resolution that we  
13 passed -- it's a good point. The first  
14 resolution that was passed very specifically  
15 asked for a requested action and basically  
16 action taking further steps to adhere to the  
17 shared governance.

18 Here since we're drilling down with the  
19 specifics of what we think goes into Search  
20 Committees in that faculty involvement, we're  
21 just raising this as an expectation. And  
22 interestingly enough, passing this resolution  
23 will also telegraph to the Senate Council, as  
24 they are considering those GRs, that this is  
25 the kind of standard that the University

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1 Senate believes maybe should be incorporated  
2 into those GR changes. So the notion of using  
3 the word "expectations" is basically to say,  
4 this is what we expect and hope. And it's  
5 really aligned with the strong requirement in  
6 the first resolution.

7 And so it was a little softer, and we  
8 did that deliberately in order to say that  
9 these are the best practices that we know are  
10 out there and we are just expecting that  
11 there'll be an application of them, as we go

12 forward before there was any more revisions

13 to the GR.

14 CRAMER: Gail?

15 BRION: These are also best practices that have

16 precedent here, and best practices that have

17 been raised to the administration in their

18 bi-weekly administrative leadership meetings.

19 Specifically, that all feedback be provided,

20 not predestined feedback or only positive

21 feedback, which has been crept into the

22 practice of the presidential review, as well

23 as the practice of the review of candidates.

24 In fact, there was a question asked,

25 would all feedback be provided to the Search

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1           Committee on candidates, and I think this is  
2           important. People need to be judged on all  
3           information available so we can fulfill our  
4           responsibility as faculty, and as senators,  
5           to further our education mission, to achieve  
6           our academic objectives.

7   CRAMER:       Is there any other debate on this motion  
8           to adopt this resolution? Marc?

9   KIVINIEMI:     Yeah. Marc Kiviniemi from Public Health.  
10           I don't know the parliamentary procedure well  
11           enough to know if a non-member can make a

12 friendly amendment or if I can suggest that a  
13 Senator make a friendly amendment, but  
14 whichever those two things is appropriate, I  
15 think the resolution does a really good job  
16 in bullet points three and four of  
17 representing the entirety of the  
18 constituencies of the University Senate, in  
19 addition to faculty, students, staff, and  
20 administrators. I would suggest that the  
21 first bullet point could be modified such  
22 that it recommends that the Search Committees  
23 for administrators and so on, include  
24 representatives from each of the affected  
25 constituencies. The first bullet point very

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1 specifically focuses on faculty, whereas many  
2 of the others, I think very appropriately  
3 call for broader representation. And so I  
4 would suggest that that amendment to the  
5 first bullet point.

6 CRAMER: So Marc can't make that motion, but  
7 somebody can on his behalf if you'd like to.  
8 Shannon?

9 OLTMANN: I just have a couple points of  
10 clarification for Herman or someone else  
11 maybe Susan, since she made the motion

12 formally in the -- I take Marc's point, but

13 since that's not why I raised my hand, I'm

14 not going to make that amendment.

15 So my questions of clarification have to

16 do with the first bullet point: The Search

17 Committees for administrators overseeing

18 academic activities. What level is

19 administrators meant to be? Dean, associate

20 dean, chair, director, I think we might need

21 a little clarification there. And then also

22 later in that paragraph, "Faculty with a

23 substantial percentage." What does

24 substantial mean?

25 CRAMER: Bob?



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1 GROSSMAN: Bob Grossman, A&S. Yeah. I'm trying to  
2 formulate an amendment that reflects what  
3 Marc has suggested, rather than appending it  
4 to the first indented paragraph, I guess I  
5 would like to add a new indented paragraph  
6 after the first indented paragraph that says,  
7 "The aforementioned Search Committee, shall  
8 also include representation from other  
9 constituencies, such as students, staff,  
10 and"... Was there another one? Another group  
11 or just students and staff? Oh, let's just

12 leave it at students and staff.

13 Representation from students and staff. So I

14 typed it into the chat, so people could see

15 it, what I wrote.

16 CRAMER: Is there a second for Bob's motion to

17 amend the resolution? Herman, are you

18 seconding or?

19 FARRELL: I will, yeah.

20 CRAMER: Oh, okay. So Herman seconds.

21 All right. So this is to introduce the

22 texts, "The aforementioned Search Committees

23 also include representation from students and

24 staff" in between the first and second

25 indented paragraphs in the resolution. Is

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1           there any debate on that amendment?

2           Senators, please use the "raise hand"

3           feature to vote yes, on the amendment.

4           If you'd like to vote against the

5           amendment, please use the "raise hand"

6           feature now.

7           If you'd like to abstain on the

8           amendment, please use the "raise hand"

9           feature now.

10          That motion passes. So the resolution's

11          amended as indicated by Bob Grossman.

12 Further debate on now the amended motion

13 to adopt this resolution as amendment. Susan?

14 BARRON: Susan Barron. I'm actually just, I'm

15 filling in for Deshana. People noticed in the

16 chat said that "Substantial generally means

17 over 50 percent DOE in Administration." So

18 for people that didn't see the chat, I

19 thought I just clarify that for us.

20 COLLETT: Thank you.

21 CRAMER: Jennifer, hang on. There you go.

22 BIRD-POLLAN: Thanks. This is Jennifer Bird-Pollan

23 from the College of Law. I think I'm still ex

24 officio on the Senate as well, so I think I

25 can propose an amendment to this language,

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1           which I'd like to do. I'd like to propose in  
2           the second paragraph, in the second "Whereas"  
3           clause after the language "Best practices for  
4           administrative appointments" I'd like to  
5           propose adding, "Including appointments in  
6           newly created administrative positions." The  
7           rationale for that is that I think sometimes  
8           we've seen the creation of new high-level  
9           administrative positions that have been  
10          filled without searches that have included a  
11          Search Committee, and I think that's an



12                   unfortunate practice that we should see at  
13                   the end of. So I would propose that amendment  
14                   to this resolution.

15       CRAMER:       Jennifer is an ex officio member of the  
16                   body and is in order to make that motion. But  
17                   I would ask her to restate it one more time.

18       JENNIFER:     Oh, okay.

19       CRAMER:       Oh, actually -- yes. Doug's making his  
20                   money today. Jennifer, does that agree --

21       JENNIFER:     It is. Yes, thank you.

22       CRAMER:       Is there a second for that? Herman?

23       FARRELL:       I'll second it.

24       CRAMER:       Is there any debate on this motion to  
25                   amend the resolution text? Herman, are you

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1           debating, are you -- Bob?

2   GROSSMAN:     Bob Grossman, A&S. Sorry. I need to put

3           my pedant hat on. Newly created is not

4           hyphenated, there's a space there. Yeah,

5           sorry, Doug, but can we please be

6           grammatically correct when we send these

7           resolutions? Thank you.

8   CRAMER:        We'll call that just a typo then. Susan?

9   BARRON:        I'm just the sharer of other people's

10           comments at the moment, but it suggests that

11           there's language in GR VIII, that identifies

12                    what's called "other interested constituents

13                    or stakeholders." And that might be good when

14                    we're trying to come up with grad students

15                    and staff, it's kind of broadens it a little

16                    bit in case, you know, there's something

17                    we're not thinking of at the moment, but yet

18                    it's really relevant for a particular search.

19        CRAMER:            So that's probably, let's say out of

20                    order for this debate on the amendment to

21                    deal with newly created positions.

22        BARRON:            Sorry.

23        CRAMER:            No problem. Is there any further debate

24                    on the amendment to apply to newly created

25                    administrative positions?

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1                   Senators, please indicate, sorry-- if  
2                   you'd like to vote yes in the motion, please  
3                   use the "raise hand" feature now.

4                   If you'd like to vote against the  
5                   amendment, please use the "raise hand"  
6                   feature now.

7                   If you'd like to abstain on the  
8                   amendment, please use the "raise hand"  
9                   feature now.

10                  That motion passes. So now the  
11                  resolution has been amended to wants to

12 insert the language, and then a second time

13 to insert the bit about newly created

14 administrative positions.

15 Is there further debate on the motion to

16 adopt now the amended resolution? Herman?

17 FARRELL: No, I'm sorry. I was going to speak to

18 the motion, so I withdraw.

19 CRAMER: Seeing no further debate, if you'd like

20 to vote in favor of the adopting the amended

21 resolution, please use the "raise hand"

22 feature now.

23 If you'd like to vote against adopting

24 the amended resolution, please use the "raise

25 hand" feature now.

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1           If you'd like to abstain on the question  
2           of adopting the amended resolution, please  
3           use the "raise hand" feature now.

4           That motion passes.

5           That is the entirety of the motions that  
6           I've received ahead of time. This item is up  
7           for discussion in the next steps, mindful  
8           that it's 5:01; is there other discussion in  
9           next steps that need to be heard by the body  
10          now? Herman?

11       FARRELL:       I just want to be clear. Did we just

12 vote on the amended motion, or did we vote on

13 the amendments to the motion? I'm confused as

14 to where we are.

15 CRAMER: We voted to adopt the amended

16 resolution.

17 FARRELL: Okay. Just want to be clear. Okay.

18 CRAMER: Is there any further -- Shannon?

19 OLTMANN: Yeah. I know that Senate staff is taking

20 notes. I just wanted to ask what will be the

21 feed out from this meeting, not to be

22 circulated to senators, to faculty as a whole

23 and what level of detail will the notes get

24 with regard to resolutions? Thank you.

25 CRAMER: So I was asked this question actually by

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1           one of the Senate Council office staff just a  
2           minute ago. First of all, the meeting will  
3           have its minutes, right? Which the Senate, I  
4           don't know if there'll be a ready for  
5           approval next week, because we get to meet as  
6           the Senate next week also, but there will be  
7           minutes for the meeting.

8           The resolutions all address specific  
9           people and I will sort of communicate  
10          directly to those people. I heard the Senate  
11          adopted this resolution, you know, to each

12 person that the resolutions are addressed to.

13 So that's how -- I will intend to implement

14 the Senate action on these issues.

15 OLTMANN: But will the language of the resolution

16 be shared with the senators and, or broader

17 with faculty?

18 CRAMER: Oh, like the adopted resolutions?

19 OLTMANN: Yes.

20 CRAMER: Yeah, I mean, because I'm going to send

21 them to the people that they're addressed to

22 essentially as amended. And so that's right.

23 I'll certainly -- how are we going to

24 distribute this? I'll figure it out. Yes,

25 they will be. I mean, they were publicly

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1           adopted by the Senate, so, yeah.

2    OLTMANN:       I just want to make sure that all

3           senators see them and that all faculty have a

4           chance to access them, you know, very broad

5           distribution. Thank you.

6    CRAMER:        Any further discussion or next steps?

7           Patrick? Hang on. Okay, Patrick. Sorry,

8           Patrick, can you -- I think you're able to

9           unmute yourself now.

10   WALKER:        That was a bad mistake. My bad.

11   CRAMER:        No problem. Deshana?

12 COLLETT: I just want to note that I put something

13 in the chat. I had several people ask about

14 this substantial amount of time, so I

15 actually put the URL to the Senate website of

16 what we use as far as the HR policy, the GR

17 3,A, and what we use for college election

18 eligibility. So you can go there and read in

19 more detail of how that 50 percent count

20 saying. Someone said they have people at 10%,

21 but it's not just 50 percent, it's also

22 having the title at the level of the cheer or

23 above. So there are several eligibility

24 criteria that we actually use.

25 CRAMER: Gail?



Trisha B. Morley, Court Reporter  
An/Dor Reporting & Video Technologies, Inc.

1 BRION: I just want to thank Carmen bell for  
2 taking the lead for concern senators who  
3 wanted to bring this to the Senate. And I  
4 want to thank all of the Senators for their  
5 time in considering this carefully. Thank  
6 you.

7 CRAMER: I see no further hands at this time.

8 Unless I hear objections now, we will  
9 adjourn.

10 We are adjourned. I will see you all  
11 next week for the regularly scheduled Senate

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meeting.

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Trisha B. Morley, Court Reporter  
An/Dor Reporting & Video Technologies, Inc.

STATE OF KENTUCKY )

)

COUNTY OF FAYETTE )

I, TRISHA B. MORLEY, the undersigned Notary Public

in and for the State of Kentucky at Large, certify that at

the time and place stated, the proceedings were conducted

via teleconference;

That the proceedings were taken in stenotype, later

reduced to computer-aided transcription under my direction,

and that the foregoing is a true and accurate record of said

proceedings.

My commission expires: April 23, 2022.

IN TESTIMONY WHEREOF, I have hereunder set my hand and  
seal of office on the 31st day of May, 2021.

Trisha B. Morley, Court Reporter

Notary Public

My commission expires: 4/23/22

Trisha B. Morley, Court Reporter  
An/Dor Reporting & Video Technologies, Inc.

