

UNIVERSITY OF KENTUCKY  
SENATE

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Regular Session

March 10, 2003  
3:00 p.m.

W.T. Young Library  
First Floor Auditorium  
Lexington, Kentucky

Dr. Jeffrey Dembo, Chair

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**UNIVERSITY OF KENTUCKY SENATE**  
**March 10, 2003**

***JEFFREY DEMBO, CHAIR***

***GIFFORD BLYTON, PARLIAMENTARIAN***

***ANGELIQUE CLARK, SECRETARY TO SENATE  
COUNCIL***

***STEPHANIE K. SCHLOEMER, COURT  
REPORTER***

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1                   CHAIR DEMBO: Today's meeting  
2 has no formal action items. There are some  
3 announcements and some important discussion that we're  
4 going to have regarding Provost Nietzel's proposals  
5 regarding budget reductions.

6                   Let me start off by giving you some good  
7 news. The good news is that the Senate Council  
8 position was granted an exception by the president's  
9 office from the freeze. And as of today, we had 33  
10 applicants for the position. So that's wonderful. As  
11 soon as we get the dossiers in order, then Vice-Chair  
12 Waldhart and Vice-Chair Elect Edgerton and I will be  
13 interviewing the appropriate and qualified candidates.  
14 So we're really looking forward to that.

15                   In the meantime, a lot of thanks to  
16 Angel Clark who is sitting up front here next to  
17 Stephanie. And she's been doing an amazing job on a  
18 full-time part-time basis, is the only way I can  
19 describe it. So we're trying to do the best we can.  
20 And things will, as soon as we get a full-time person,  
21 I think, be right back on track. So to that end, we  
22 don't have minutes available for approval at this  
23 meeting. They all will be available at the next  
24 meeting, which will be the last meeting of the Senate.  
25 That's April 14th. And this is also in the face of

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1 Stephanie's office that had a fire on Upper Street and  
2 she had to move. This was during the ice storm. So  
3 it's been a heck of a time.

4 First announcement. I'd like to  
5 introduce the newest member of the University Senate.  
6 Mary Kathryn Thompson is the new President of SGA.  
7 Mary Kathryn, where are you?

8 (Ms. Thompson stands.)

9 Welcome to the University Senate. If  
10 you could just take a moment to describe what you've  
11 been busy with in the past, and to talk about the Board  
12 of Trustee's election.

13 MS. THOMPSON: My name is Mary  
14 Kathryn Thompson and I'm a senior here graduating in  
15 May. The--

16 COURT REPORTER: I can't hear  
17 you. I'm sorry.

18 MS. THOMPSON: Okay. I'm  
19 sorry. I'll speak up. I'm graduating in May. So I  
20 have basically six weeks or however long and then I'm  
21 finished with it. But I was thrown into this position  
22 pretty quickly and a lot has happened very fast. And  
23 we've tried to get an election together for the Board  
24 of Trustee position very quickly. Some students had  
25 dissatisfaction saying they didn't know about it, that

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1 they could run for it, yadda yadda. And it had to be  
2 done so quickly, because there is a meeting on March  
3 18th, which is a week from Tuesday. So we threw this  
4 all together last week.

5           And Dr. Dembo has really helped me out a  
6 lot and the guys over in the computing center have  
7 really helped us. And we're using the web-base system  
8 that you all use to vote for your member, to elect a  
9 new trustee so that we will have representation. I  
10 think student representation is crucial for this  
11 meeting on March the 18th.

12           And we have four candidates running and  
13 the election is going to take place this Wednesday  
14 through Friday online. So, therefore, we didn't have  
15 to have any funding for it, because UK owns that web-  
16 base system. And whoever wins will have to not go on  
17 spring break. So that's a pretty big commitment--  
18 (Audience laughs) --if you ask me, for a student,  
19 because that meeting is on Tuesday and that's the  
20 whole point of the election. There's going to be a  
21 discussion. We have a possible tuition increase and  
22 student fee that is possibly on the agenda.

23           A couple of other things that we're  
24 doing right now with Student Government is -- like I  
25 said, I don't have a lot of time but I've implemented

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1 an Ethics Committee to sort of oversee stuff that goes  
2 on in Student Government so that we don't have things  
3 that shouldn't be going on go on with people that are  
4 not in Student Government.

5                   And then we're taking a look at the  
6 budget right now and trying to work in internal audits  
7 and, like, see what happens, more money problems there.  
8 Because I didn't have a clue as to what went on until  
9 the past two weeks. We're trying to [unintelligible]  
10 clean it up. There are some other things that,  
11 hopefully, [unintelligible]. I don't have long.  
12 (Audience laughter.) The election is in two weeks.

13                   Thank you.

14                   CHAIR DEMBO: Mary Kathryn,  
15 when does this interim student trustee's term run until  
16 or when does the new term begin?

17                   MS. THOMPSON: The fiscal year  
18 June 31.

19                   CHAIR DEMBO: Are there any  
20 questions for Mary Kathryn? (No response.)

21                   In the last several weeks I've had more  
22 contact with the SGA President than I did during an  
23 entire year. And I'm thankful for that. I really  
24 appreciate it.

25                   Other things that have been going on on

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1 campus before we get to some of the formal reports...  
2 And I'd like to call on Phyllis Nash, the Chief of  
3 Staff, to describe a couple of those things. Phyllis,  
4 can you help us out here?

5 MS. NASH: Sure. Mary  
6 Kathryn, you've already told us about the board  
7 meeting, the special board meeting that's been called  
8 for the 18th to consider a tuition increase. And so  
9 we're looking forward to that.

10 Also, we've sent to all the vice  
11 presidents and the provost and to the senates a policy  
12 suggested by committee put together by Jean Williams on  
13 computer use. And so I would encourage you to take a  
14 look at that and we've asked for feedback by the 15th  
15 of March. So any feedback that you have, you could  
16 direct to Jeff.

17 MR. GROSSMAN: Where do we  
18 send that, to Jeff?

19 MS. NASH: You can send it to  
20 Jeff and he'll send it forward or you can send it  
21 directly to me if you so choose. And I'll make sure  
22 the president sees that.

23 Just to let you know that Bill Piffel's  
24 committee, the Implementation & Transition Committee  
25 for the consolidation to a Provost Model, has made

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1       their -- presented their reports to the president and  
2       he's going to be reviewing that and, hopefully, making  
3       decisions and moving that agenda along in the next  
4       couple of weeks.

5                       And then the only other thing to let you  
6       know is that the President has appointed a chair for  
7       the Commission on Women and that's Dr. Dorothy  
8       Brockoffna. Some of you may have known Dorothy when  
9       she was head of International Affairs for a year. So  
10      she's a faculty member in the College of Nursing.

11                      CHAIR DEMBO: Phyllis, I think  
12      I just got a memo today from the President's office  
13      asking for two more nominations to the Commission on  
14      Women because of resignations. So I'll send around a  
15      memo to the Senate requesting that.

16                      Speaking of -- Are there any questions  
17      for Dr. Nash? (No response.)

18                      MR. MAREK: I have a question  
19      but I don't know if it's related to this. You said  
20      resignations of the Commission of Women. Would you say  
21      there is a problem on campus with the college of women?  
22      I think that, you know, maybe the matter should be  
23      brought up if it is a problem. We can talk about it  
24      now or later.

25                      CHAIR DEMBO: Well, there's



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1       been some discussion. I think that the former chair  
2       had a lot of strong feelings about the way that issues  
3       related to women were handled or were not handled.  
4       There was at one time a Senate Ad Hoc Committee on  
5       Women, which I think became defunct, especially with  
6       the formation of a Commission, the President's  
7       Commission on Women.

8                       But if you as a senator, of if any of  
9       your members of the community, have ideas about a  
10      dialogue you'd like to continue, I'd be happy to help  
11      out with that.

12                      COURT REPORTER: May I ask for  
13      your name, please?

14                      MR. MAREK: My name is Victor  
15      Marek. I am from the College of Engineering.

16                      CHAIR DEMBO: And, again, on a  
17      very good note, I've heard more from the president's  
18      office in the last several weeks than I did probably  
19      during much of the year. So thank you very much, Dr.  
20      Nash.

21                      Is there a question?

22                      MS. WALDHART: Just a very  
23      quick question. Where is the information on the  
24      computer use, the policy? It's on the Senate page?

25                      CHAIR DEMBO: No, that was --

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1 I thought it was a broadcast e-mail, Phyllis, that was  
2 sent out.

3 MR. GROSSMAN: Do we have to  
4 change our password every eight weeks or--

5 MS. NASH: No. We actually  
6 just sent that to the chairs, the vice presidents and  
7 the chairs of the--

8 MS. WALDHART: Okay. Fine.

9 CHAIR DEMBO: Okay. So we  
10 need to send it out and post it to the web site.

11 MR. NIETZEL: It has been sent  
12 to the deans, as well.

13 CHAIR DEMBO: So the deans  
14 should also have sent it out? Okay.

15 There was one other announcement, I  
16 think, from Associate Provost Kraemer who said that  
17 there is two vacancies on the Undergraduate Council in  
18 the area of Mathematics and Natural Sciences?

19 MR. KRAEMER: Correct. So we  
20 need nominations. So if you think there's anyone  
21 particularly well suited for this position or someone  
22 you dislike (audience laughter) we need nominations for  
23 the Undergraduate Council. We run those elections now.  
24 We need to get the nomination process along.

25 CHAIR DEMBO: At the request

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1 of Provost Nietzel, we've put out an announcement about  
2 members for the College of Medicine, Dean Search  
3 Committee. There have been very few nominations to  
4 date. So I'd like to have you think, if you could,  
5 about some folks that would be qualified to serve on  
6 that. If you can send it to me within the next day or  
7 two, then I can forward it to the provost.

8 Now, in terms of formal reports, first  
9 it's probably appropriate to hear from our faculty  
10 trustees. How about our senior-most trustee, Michael  
11 Kennedy?

12 MR. KENNEDY: I'm senior-most  
13 by six months. There's a lot to cover there. And so  
14 what I'm going to do is just sort of give you a laundry  
15 list of thoughts and then if you want to ask questions,  
16 that will be great.

17 One change that's happened with the  
18 board, and it happened at the beginning of this year is  
19 that, instead of the board coming in on generally  
20 Tuesday -- I think the board generally met ten times a  
21 year. Some of those are mandated legislative --  
22 legislatively-mandated meetings. But the boards would  
23 come in and committee meetings at eight, nine, ten in  
24 the morning and then board lunch; and then in the  
25 afternoon the board meeting would go from, say, one to

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1       2:30. Sometimes that was followed by a hospital board  
2 meeting or an athletic association board meeting. But  
3 everything was concentrated in one day. And the  
4 president thought a better format would be to meet  
5 fewer times a year but have the meetings longer.

6                   And so what happens now is, the Board  
7 comes in on Mondays and meets at Maxwell Place, has  
8 dinner, a couple of hours of informal discussion. And  
9 then the Tuesday session is about the same as it --  
10 moved up a little bit. I think the board meeting is at  
11 ten in the morning. But what this does is let board  
12 members talk to each other, which there was no forum to  
13 do other than athletic events before. And, frankly, a  
14 lot of board business did get done at athletic events.  
15 And so the board has become more than, as one board  
16 member put it, a place where I come once a month and  
17 smile and nod and say "aye" and then go home. So I  
18 think this board is more engaged than boards have been  
19 previously.

20                   Another thing that's in the works is a  
21 board retreat at Robinson Forest coming up this summer,  
22 another opportunity for board members to interact.  
23 While I've been here for 30-plus years, I didn't know  
24 much about the board meetings until the last three or  
25 four, and you may not either. The present board is --

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1 it's not your Board of U.K. in the 1990s. It's a  
2 really different sort of group of people. Until  
3 December when Claire Pomeroy left, it was 50 percent  
4 women, had an African-American Chair, Steve Reed; a  
5 woman as vice chair; the secretary of the board is a  
6 staff person from the University, the staff  
7 representative Russ Williams.

8 Chair Steve Reed attended a Senate  
9 Council meeting a few months ago, which I think is  
10 probably a first. So there's a lot more interaction  
11 between the board members themselves and the board and  
12 faculty, and the board and the administration. The  
13 board was pretty much, if you can think of the outfit  
14 that runs the University, supposedly, as being isolated  
15 under the previous president, it was very isolated.  
16 And now it's not nearly so much.

17 Let's see ... I have a web page that you  
18 get to by saying [www.uky.edu](http://www.uky.edu) -- as standard where  
19 you've got the University web page -- slash Trustees.  
20 And then just go to my name and then follow a link that  
21 says "Notes and Comments" or something. And the idea  
22 is that it's a mechanism by which I can put my thoughts  
23 out in writing and you can look at them and you can --  
24 The first thing on there is contact information, how  
25 you can get in touch with me e-mail, snail mail,

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1 telephone, whatever. And I encourage you to do that.

2 I also encourage you to look at the  
3 resumes of some of the other board members and what  
4 they're doing. My e-mail is [Kennedy@uky.edu](mailto:Kennedy@uky.edu) if you  
5 want to use that, or you can pick it up off the web  
6 site. One of the things I hope to do is put together  
7 some ad hoc panels on various subjects. And, as I say,  
8 I've got sort of a laundry list of those. So if you'd  
9 like to volunteer, I'd be happy to hear from you, or if  
10 you'd like to comment I'd be happy to hear from you.  
11 Or complain or whatever.

12 The board has a number of committees.  
13 I'm on Academic Affairs -- I'm on too many and I'm sure  
14 I'm going to figure out how to drop one. But I'm on  
15 Academic Affairs; the Nominating Committee, which  
16 nominates the board officers and only meets once;  
17 Student Affairs; University Relations; and an Ad Hoc  
18 Committee on the President's Compensation. Other  
19 committees are the Executive Committee, Human  
20 Resources, Investments, and Finance. And all those  
21 meetings, all the committee meetings and the board  
22 meetings are open to the public, which means they're  
23 open to the faculty. They're on the 18th floor of the  
24 Patterson Office Tower. And if you've never seen a  
25 board meeting -- they're not very exciting because

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1 almost everything has been figured out ahead of time,  
2 but it would probably be worth your while to see the  
3 U.K. Board in action.

4 The hospital is run by a separate board.  
5 And the athletics operation is run by a separate board.  
6 And while supposedly those boards ultimately report to  
7 the board of trustees, again, things seem to be fairly  
8 isolated.

9 The big issues coming up are the budget  
10 shortfall and a tuition increase. And there was  
11 mentioned a special meeting on March 18th, which I am  
12 not going to be at since I've made my spring break  
13 plans before they called this meeting. Basically,  
14 Kentucky may get a budget in the next few days, if it  
15 hasn't already. And we're looking at something a  
16 little less than a five-percent cut and that's a  
17 tremendous cut when what you would like is an increase,  
18 since lots of stuff goes up, like medical costs and  
19 energy costs and so on. And a lot of our expenses are  
20 fixed; salaries, for instance. So four and a half  
21 percent to five percent is a large cut, not as bad as  
22 the nine-percent cut that it looked like it might be at  
23 one point.

24 A big issue, student on the board of  
25 trustees, already discussed. And this is an important

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1 time to have student input because of the -- The  
2 reason for this March 18th board meeting is to  
3 determine the tuition for next year.

4 There's also the issue of the drop fee  
5 for excess credit hours which the administration is  
6 implementing and there will probably be some discussion  
7 of that. I won't say more about it now. Where the  
8 Departments of Human Environmental Sciences go, into  
9 what other colleges in the reorganization... Medical  
10 Center is a big issue right now. The matter of faculty  
11 retention; matter of morale; the drop in research  
12 funding; the reorganization; health insurance.  
13 Lexington Community College, issue of its relationship  
14 to the rest of the other parts of U.K. That story in  
15 today's Kernel about the fact that it's bursting at the  
16 seams and so on.

17 University Investments, it's not my  
18 area. It's interesting that in the board meetings we  
19 have a piece of paper for every lease that the  
20 University signs. Hazard Community College - Some  
21 part of the University, not the community colleges in  
22 progress but some part of the University, say, in  
23 Hazard, rents some space for \$12,000 before it gets to  
24 hear about it, and still \$30,000 we get to vote on. On  
25 the other hand, we have millions and millions of



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1       endowments -- of dollars in endowments and we hear very  
2       little about that. And that takes the -- That's taking  
3       the same beating or a worse beating as your CREF  
4       investments, if any, have taken lately. So I think  
5       there's going to be more interest in the board looking  
6       at those issues.

7                       Robinson Forest is an issue that's going  
8       to come up. The Robinson Scholars Program is supported  
9       by money from mining, past mining in Robinson Forest.  
10      And that program is in some financial difficulty and  
11      there's a question raised by a board member and some  
12      legislators as to whether or not we ought to go in and  
13      mine more of Robinson Forest. And there's a lot of  
14      people who are opposed to that. It's one of those  
15      situations where two very good causes, environmental  
16      protection and student scholarships kind of sort of run  
17      smack into each other. So I have a little thing on the  
18      web site regarding that. And if you have -- I'd like  
19      your opinion.

20                      More than that, I'd like your ideas if  
21      you've got thoughts about how that whole issue might be  
22      dealt with. As I said, the board's going to have a  
23      retreat at Robinson's Forest. So the way that stands  
24      right now is there's a committee of the administration  
25      and some experts hired to look at that whole situation

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1 and report back to the board. And so nothing's going  
2 to happen immediately on that. It's not going to come  
3 up before the board for quite some time but it's  
4 something to keep our eye on.

5 There's a Joint Administration Search  
6 Committee on searches and other matters that this body  
7 authorized back in November and that hasn't reached the  
8 board yet, but it's an issue that we need to be  
9 concerned about.

10 Other issues are the program and design  
11 of U.K. buildings which, as you will recall, was in  
12 agreement with the Research Building on the other side  
13 of Limestone and caused quite a flap. Student  
14 recruitment and enrollment, first year undergraduate  
15 experience, Futures Task Force; Diversity; University  
16 Reorganization; Entrepreneurship; Outreach; et cetera.  
17 So there's a lot of things that will be surfacing in  
18 the next few months.

19 And, finally, just because I've gotten  
20 some e-mails about this, how many of you are in  
21 Patterson Office Tower? (Hands raised by audience.)  
22 How many of you are annoyed by the fact that there is  
23 an "18th floor express"? (Hands raised by audience.)  
24 I'm trying to decide about raising this with the board.  
25 I was very annoyed by it, especially when we only had

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1 three elevators and they were the old elevators.  
2 Remember those that barely worked? On the other hand,  
3 something like 200 people go up to those board  
4 meetings. It's not just the Board of Trustees; it's  
5 the media and their equipment and lots of people from  
6 the administration and so on. So, at any rate, that's  
7 something I'm going to take up. It's hardly one of the  
8 earth-shaking issues related to the University but on  
9 the other hand, it's been one that really annoys some  
10 people. So...

11 So I was taking too much time. But I'd  
12 be happy to respond to any questions, listen to any  
13 comments. Yes?

14 MR. GESUND: Hans Gesund,  
15 Engineering.

16 What's the web site where we can access  
17 board minutes?

18 MR. KENNEDY: That's the  
19 [www.uky.edu/trustees](http://www.uky.edu/trustees) -- forward slash, trustees.

20 MR. GESUND: Thank you.

21 MR. KENNEDY: And there's also  
22 a web site that you just recently got up. Remind me  
23 what that is for. For discussions--

24 CHAIR DEMBO: Of the bulletin  
25 board?

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1                   MR. KENNEDY:  --the bulletin  
2 board.

3                   CHAIR DEMBO:  Right.

4                   MR. KENNEDY:  I mean, I don't  
5 know.  I guess you'll talk about that.

6                   CHAIR DEMBO:  Yes.

7                   MR. KENNEDY:  Okay.  Other?  
8 Yes.

9                   MR. STABEN:  I guess my  
10 reading of the budget was a little different -  or part  
11 of the budget -  that five percent was considerably  
12 higher than we would expect the budget cut at U.K.  It  
13 was more like 2.6 percent.  Is there different  
14 information?

15                   MR. KENNEDY:  So what, the  
16 latest seems to be that it's only going to be a 2.6  
17 percent cut?

18                   MR. STABEN:  That's my reading  
19 of just the public media addressing the issue of higher  
20 education funding.

21                   MR. KENNEDY:  That would be  
22 great.

23                   MR. STABEN:  So your  
24 information is not necessarily current?

25                   MR. KENNEDY:  No, no, no.  You

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1 have to understand -- You know what Area Development  
2 Districts are, ADDs; there's like 17 of them in the  
3 state. They were composed of various counties. The  
4 final map for the Area Development Districts, when they  
5 produced that, was done in the men's room at the  
6 Capitol. That was where the final decision was made.  
7 So, you know, I guess what we can believe about the  
8 budget is, *when you see it, that's what it is.*

9 CHAIR DEMBO: I would like to  
10 give Davy a chance also to come up and then ...

11 Davy, our newest trustee.

12 MR. JONES: Thank you. I'll  
13 make this very brief.

14 I'm the greenhorn trustee up there right  
15 now. It's become very clear to me very quickly,  
16 though, how little most of the trustees understand what  
17 the faculty and the University do. The magnitude of  
18 the gap in the understanding was actually quite  
19 surprising for me. And this is not my inference; I've  
20 talked with a number of them and they tell me they do  
21 not have a clear idea of what the faculty are doing.  
22 Since the Botsa Raines Program is depending on the  
23 faculty to take University to a **Top 20** status, that  
24 seemed to me to be an urgent situation.

25 Part of this probably is a carryover

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1 from the previous administration, which there wasn't  
2 much information reaching the trustees. Another  
3 aspect, though -- I think you can see maybe a footprint  
4 in that -- is this is the official packet that you get  
5 as a trustee when you're newly oriented. And I had my  
6 orientation a few weeks ago with Dr. Todd and Dr.  
7 Nietzel over there. I want to, over time, de-mystify  
8 the board as much as I can.

9 Here they've got the governing  
10 regulations at the back but the governor appointees on  
11 the board are very externally directed. They've got  
12 lots of other things going. They don't have time to  
13 read every line in here and find, you know, the one  
14 place where faculty are delegated, you know, policy-  
15 making authority. So the president has a section in  
16 here in which he's summarized areas of things for the  
17 board, for the new board members to get oriented on.

18 And there's a section in here on the  
19 president that goes several pages on what the president  
20 does. There's five more pages on what do the  
21 chancellors and the vice presidents and the provost do.  
22 And then there's a flow chart called Management  
23 Organizational flow chart but it starts with the  
24 president and goes the implementation down. There's  
25 nothing in here about the faculties' policy-making

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1     role, sending policies up to the board or establishing  
2     policies by delegation from the board. I combed this  
3     and I found one sentence that says there exists a  
4     Senate, and nothing about the roles of the unit  
5     faculties. So this is just an example. I think it's  
6     very important for the two faculty trustees to work  
7     with the president - and this will take some time - to  
8     help the trustees up there understand what our role  
9     here is in the University. This is going -- If we're  
10    going to be major players, then it's important that  
11    they understand our contribution.

12                   I guess the second thing I think is very  
13    important is -- and Mike alluded to it a little bit --  
14    is information flow through the faculty trustees down  
15    to the Senate Council and the Senate to keep you  
16    updated on what's going on. It's very important that  
17    we keep you timely updated.

18                   You gave a very good summary of all the  
19    committees. One committee which probably got lost,  
20    that Mike is on that you might want to know about, is  
21    that there's a committee to establish criteria for the  
22    evaluation of the president's performance for his  
23    salary bonus. And I know a number of faculty are  
24    interested in that. So you might contact Mike since I  
25    know he wants your input. That committee is going to

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1 be very active for the next several weeks and give its  
2 recommendations to the board at the April 1 meeting.  
3 So if you want to get some input into that, do so.

4           And I guess the final thing I want to  
5 say is: Please keep me accountable. Okay? You elected  
6 me. I'm not up there to represent myself. I'm up  
7 there to represent you. So, you know, please don't  
8 hesitate to contact me and let me know, not just what  
9 you think I'm doing that's right but what I can do  
10 better to represent you. That comes with the turf.

11           Thank you.

12                   CHAIR DEMBO: Were there any  
13 questions for Davy? (No response.)

14           Okay. Thanks, Michael and Davy.

15                   Going on with our reports, we have  
16 Professor Jeng from the Library Committee.

17                   MS. JENG: Two major issues I  
18 want to report to the Senate. The first one is the  
19 Research Committee for the Dean of Libraries have  
20 concluded their work and we do have a new Dean of  
21 Libraries who will be here in July. Her name is Carol  
22 Deitrich. She is currently the Assistant Director of  
23 Technical Services and Collection at the Ohio State  
24 University Libraries. A wonderful, wonderful lady.  
25 And the Committee was very pleased with the selection



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1 and the library staff are very, very pleased and they  
2 are anticipating the changes.

3           The second that is also a very important  
4 issue is, during the last Senate meeting, I distributed  
5 this tiny little brochure to all the members of the  
6 Senate. And there are some extra ones outside at the  
7 door if you want to grab one. This brochure is about  
8 the symposium that will be held on April the 7th right  
9 here in this very room. It's called The Crisis in  
10 Scholarly Communication. And if you don't know what  
11 this fuss is about, it's about, it's about journal  
12 pricing, the sky-rocketing pricing structure of the  
13 journal; and also how, especially how it affected the  
14 way the faculty do their research and tenure promotion  
15 and publishing, especially publishing of our own  
16 research work. And we will have several very, very  
17 important people to come over as guest speakers,  
18 keynote speakers. And we also have some key speakers  
19 from campus. And it is free but we would -- the  
20 library does ask you to register. There's a tiny  
21 little thing that you fill out. And it's one day. And  
22 we promise it's going to be a wonderful, wonderful  
23 symposium. It is co-sponsored by the library and  
24 University Press and provost office, who is very  
25 supportive of this activity. And I hope that you will

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1 tell all the people in your unit to participate in  
2 this. There is a web site, the library web site. You  
3 could just go to the library and could find this web  
4 site about the symposium.

5                   There is also a really nice exhibit  
6 right here in the library in the lobby. Please take a  
7 look. It will be open. This is a wonderful event and  
8 we hope to raise the consciousness about the crisis  
9 that's coming and that has been going on for a while.  
10 And, hopefully, we will have the opportunity to discuss  
11 the alternatives to the traditional scholarly  
12 publishing activities.

13                   Those are the two items that we wanted  
14 to report. Thank you. Any questions? (No response.)

15                   CHAIR DEMBO: Thank you very  
16 much.

17                   Mary Molinaro, I think I saw her, Acting  
18 Dean of Lab. Is there any other announcements about  
19 your sector?

20                   MS. MOLINARO: No. No. We're  
21 just -- We're looking forward to having Carol Deitrich,  
22 as Ling Hwey mentioned. And I would like to second her  
23 invitation to our symposium. It's not just a library  
24 issue and it's not just about the cost of the journals  
25 and the articles. It's the availability of information

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1 for research and the ability of people to publish. So  
2 I hope everybody can be there.

3 CHAIR DEMBO: Okay. I'm going  
4 to change the order here because Provost Nietzel has to  
5 leave after a certain time. But I would like to  
6 encourage you to stick around after we have our  
7 discussion because John Hahn, who is the Chair of  
8 Academic Planning & Priorities Committee, he took on a  
9 charge that he was given early last year, was to look  
10 at the state of shared governance at the University.  
11 And he and his committee have met very frequently, have  
12 come up with a number of very good things that you need  
13 to be aware of. So that's going to come after our  
14 discussion with Provost Nietzel about budget reduction  
15 strategies.

16 PROVOST NIETZEL: Thank you,  
17 Jeff.

18 (PowerPoint presentation)

19 I have a quite few overheads that we put  
20 together hurriedly this afternoon right before the  
21 meeting started, which will provide you data, as we've  
22 been able to gather it, on one matter that I want to  
23 talk to you about. And we haven't had time to test  
24 these in terms of whether they're going to show up all  
25 the way to the back of the room; I hope that they do.

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1                   This is really a follow up of the  
2 meeting that I had with the Senate in December where we  
3 talked about teaching resources and the most effective  
4 use the University could make of those. That was  
5 followed by a meeting that I had with Senate Council in  
6 January to begin to talk about some more immediate and  
7 long-term actions or strategies that I thought we  
8 should consider, to try to manage the shrinking  
9 resources, particularly with respect to the way we  
10 approach some of the teaching and class scheduling  
11 obligations of the University.

12                   And I believe Jeff has circulated, sent  
13 a brief memo to Senate Council that talked about two  
14 specific actions that we really could take immediately,  
15 because in one way or the other they're already  
16 present. And then six that were much longer term, that  
17 obviously required a lot of discussion, as far as  
18 University calendar is concerned, consideration of the  
19 number of credit hours in programs. Those all would be  
20 major changes for the University and are obviously ones  
21 that we're not entertaining at all as possibilities for  
22 the fall, with the possible exception about -- I don't  
23 know how soon you might move on the four-year  
24 graduation contract. That has some possibility, I  
25 suppose, of coming in as a pilot.

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1                   On the budget, it is confusing in terms  
2 of the figures. And so Chuck's and Mike's exchange  
3 illustrates both the problem of -- Those budget  
4 reductions have changed a lot over the past month to  
5 six weeks but also some of the figures are easily  
6 transposed.

7                   I think that we're facing, if you want  
8 to go through the budget reduction, is the following.  
9 Remember, for this year, for '02-03, we had a \$6  
10 million reduction that was recurring from '01-02. So  
11 we began with a \$6 million reduction. We believe we  
12 will have an additional 8.6 million to give back this  
13 year. That will be another non-recurring. So for '02-  
14 03, the University will be reducing its budget by about  
15 \$14.5 million. The 8.6 is a 2.6 percent cut on higher  
16 education. Our share of that is actually a bit higher  
17 than 2.6, because of the vagaries of applying the  
18 benchmark model of funding. So we pay more than some  
19 other institutions do as a result of that 2.6 being  
20 benchmarked rather than being done across the board,  
21 which is what the University had requested.

22                   Then, in addition, we believe we'll be  
23 looking -- and this might be where the five figure  
24 came, Mike -- we believe we'll be looking at a \$5.5  
25 million cut recurring next year, which is about two

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1 percent. So at one point we thought it would be 8.6.  
2 It looks like it's going to be reduced by about a 3.1,  
3 an addition that the Senate has put in. So it will be  
4 down another 5.5 million next year. Depending on how  
5 you think about it, it's \$20 million out of the  
6 University's -- in terms of money being given back for  
7 these two years. So that's a sizable chunk in terms of  
8 the state support, which is at about \$305 million for  
9 the University.

10 Let me talk about two things, the  
11 immediate ones, that I recommend that we go ahead and  
12 think about doing. And on this so-called drop fee,  
13 what I really want to do is to share some data with you  
14 here and get your impressions of options about how to  
15 go forward with this. I suggested to Jeff we probably  
16 weren't quite ready to have a policy on this, but I  
17 wanted to show you the data and explain what we're  
18 really trying to accomplish here and what we're not  
19 trying to accomplish, and get your impressions about it  
20 in terms of the best way to go forward. Whether we can  
21 get this done in time for fall may or may not be  
22 possible.

23 Let's see ... How does this turn on  
24 here? Okay. Can you see that in the back?

25 (Affirmative) Yeah? Good. Okay. We were able to

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1 pull together some information from fall 2002 semester.  
2 And what I want to do is try to go through and explain  
3 how the current tuition obligation and drop-fee works  
4 now, because I think you need to understand that we, in  
5 fact, do have essentially a drop-fee in place. But  
6 it's only applied to some students, not to everyone.  
7 And that has implications in terms of the concerns that  
8 we have.

9           Let me begin by saying the issue here is  
10 not to generate revenue. As you'll see, we're prepared  
11 to not generate any revenue; or if we do, to give it  
12 back to students in the form of scholarships. This is  
13 not a revenue generator. What we are concerned about  
14 is the amount of money that we're spending on part-time  
15 instruction that perhaps we could conserve through a  
16 modification of the current policy. If you look at  
17 page 20 -- I won't bring an overhead of this -- all of  
18 this is described on page 20 of the University  
19 bulletin. And you'll see at the bottom of page 20 a  
20 table that explains the withdraw and drop-fee policy  
21 that the University has. Basically, it operates this  
22 way. It's only going to apply to the top half right  
23 now of this table; which is, if you are a part-time  
24 student -- that's a graduate student or an  
25 undergraduate student -- and you drop a course, you're

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1 obligated for a certain amount of the tuition on that  
2 course depending on when you dropped it. So if you  
3 drop it in fall of '02, if you dropped it by the 4th of  
4 September -- that's basically the end of the first week  
5 of classes -- you get 20 percent of the tuition that  
6 you paid for that course. It continues as an  
7 obligation. In other words, you get an 80 percent  
8 refund on that. If you drop that course by the 28th of  
9 September, which is essentially the end of the fourth  
10 week, you get half of the tuition back that you paid  
11 for that course. And if you drop it after that, but  
12 before the "W" period, anytime after the 28th of  
13 September, except for unusual circumstances in which  
14 the student can appeal, you're obligated for all of the  
15 tuition for that course, even though you dropped it.  
16 Now, that's true of part-time students and that's true  
17 of a full-time student who, as a result of dropping  
18 that course, becomes a part-time student. In other  
19 words, for the undergraduate who takes 12 hours, drops  
20 a three-credit course down to nine, they'd now become  
21 part time. They have a tuition obligation of 20 --  
22 Well, let's do it the other way -- of 80 percent  
23 refund, 50 percent refund, or no refund, depending on  
24 when they dropped it. Last year that amounted - last  
25 fall -- I don't have the spring date. Last fall that



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1       amounted to tuition of \$322,000. Now, that had already  
2       been collected. Obviously, the student had paid the  
3       tuition or on an installment plan they were paying it.  
4       In the fall there were 1128 drops that occurred of  
5       courses. Now, that's not students. That's actual  
6       drops. Some students may drop more than one course.  
7       But you can think of it as seats in your courses if you  
8       want, because that student's seat is multiplied by how  
9       many ever times that student happened to drop a course.

10                       Now, if you're a full-time student and  
11       you do that, you drop a course in any of those time  
12       periods, what's the implication for your tuition, your  
13       charge? Does anyone know what the fee is for that?  
14       There is no consequence. So the drop is applied only  
15       to a selective group of students here. Full-time  
16       students have no consequence for their dropping a  
17       course regardless of when they do it. So we gathered  
18       information on how many full-time students dropped at  
19       these various times. And you can see that there were  
20       7,223 drops. Of the 8,351 drops, 86 percent were by  
21       full-time students in the fall semester. Now, I don't  
22       want to talk about this figure quite yet but I will  
23       come back to it.

24                       MR. JONES: Were these drops  
25       that were not compensated for by the student taking



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1       about eight percent of the registrations end up being  
2       withdrawn, dropped, in the course of this at least in  
3       terms of up to the end of "W."

4                       MS. STATEN: Before you said  
5       that, what did you say the 300,000 was up there at the  
6       top?

7                       PROVOST NIETZEL: That's the  
8       tuition obligation those students had.

9                       COURT REPORTER: Who was  
10      speaking, please?

11                      MS. STATEN: Ruth Staten,  
12      College of Nursing.

13                      PROVOST NIETZEL: They owe  
14      that. They paid that tuition and they didn't get a  
15      refund for that amount. And that's true of our full-  
16      time who converts to part time as a result of the drop,  
17      or the part-time student.

18                      MR. TAGAVI: I have a question.  
19      Kaveh Tagavi, Mechanical Engineering.

20                      If the student has 18 hours, drops math  
21      and takes English 101 and still had 18, it's going to  
22      show as one in your 7,223; is that correct?

23                      PROVOST NIETZEL: No. We're  
24      only counting withdraws here. The only -- It could  
25      subtract -- The most it could subtract would be 67. A

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1 student can add a course after the 4th of -- after the  
2 end of the first week. So if you -- It's possible  
3 that some of those 67 added a course back, then. We  
4 don't know. In the top category of the part times, we  
5 know they didn't, because we know they had a tuition  
6 obligation. What the bigger number would be we don't  
7 know at this point.

8 MS. STATEN: Ruth Staten,  
9 College of Nursing.

10 This doesn't reflect on all the add/drop  
11 stuff that comes on before the semester?

12 PROVOST NIETZEL: No, no, no,  
13 nothing. There's no implications for that whatsoever.  
14 It does not reflect upon any of that.

15 Okay. Here are a few -- Well, let me  
16 go ahead and talk about two proposals then, about this  
17 problem which I think is a considerable problem, both  
18 from a pedagogic as well as a cost-of-education for the  
19 University. We had originally talked about a drop fee  
20 of \$20 per credit hour for students, regardless of  
21 whether they were part time or full time up to the time  
22 of the withdrawal. That was *Plan A* as a way to make,  
23 try to prevent this level of withdrawal.

24 Another way to think about it is that  
25 the current system we have is unfair, at least from the

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1 perspective of part-time students, it seems to me. Not  
2 unlike the fact that most part-time students will say,  
3 we're already subsidizing full-time students because we  
4 pay more tuition for credit hours than the full-time  
5 student. And that is a reason why, as you know, many  
6 universities are going to a straight per-credit-hour  
7 tuition. Northern Kentucky has done it. ACTS, KCTCS  
8 is doing it and others are considering just going to  
9 the straight per-credit-hour. We're not proposing that  
10 for next year.

11 But another way to think about handling  
12 this would be to propose, first of all, that we treat  
13 full-time and part-time students the same, as a matter  
14 of fairness, but that we go ahead and have the  
15 obligation on tuition be 20 percent regardless of when  
16 you withdraw up to the withdraw date. Further, we  
17 might want to propose with what I think is coming  
18 forward as a Senate item, moving the withdraw date back  
19 so that students can have mid-term grades before they  
20 have to make that decision. Right now, the timing is  
21 not ideal, my understanding, in terms of when mid-term  
22 grades are given to students. So we would be willing  
23 to say as an option to a drop fee, go ahead and make it  
24 20 percent for everybody. Don't stratify it at the  
25 first week and four week. Let it go all the way up to

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1 the "W" period. And, in addition, urge that we adopt a  
2 policy that pushes the "W" withdrawal date back to the  
3 point where students would have had information about  
4 how they're doing in class. Now if you had done that,  
5 if we'd had that policy in effect in fall of '02, the  
6 part-time students would have had \$200,000 less in  
7 obligation on their tuition refunds than they did.

8           It's tricky to figure out what this  
9 would have been because, presumably, you'd have the 20-  
10 percent obligation in there, it would have deterred a  
11 significant number of these from happening. But had it  
12 not deterred any, that's the revenue that you would  
13 receive in terms of the student - of tuition  
14 obligation. And the reason to put it in is to make  
15 this number go down. Presumably, it would go down but  
16 by how much, who knows.

17           One could say that the most reasonable  
18 thing to do would be take whatever additional revenue  
19 is generated by this and take 50 percent of it and put  
20 it in student scholarships, because we are going to be  
21 looking at a significant tuition increase. That would  
22 be a very reasonable thing to do. And I think the  
23 other thing would be take the rest of whatever is  
24 realized as a result of policy change like this and  
25 dedicate it to additional teaching resources,

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1 particularly in these courses where we understand that  
2 there is a lot of churning going on, students dropping  
3 out and switching sections. So the interest is not to  
4 get more money. We're willing to say whatever  
5 additional money we'd get either goes back to  
6 scholarships or it addresses the teaching pressures  
7 that exist in those courses where we know in the fall  
8 we have the most difficult.

9                   Okay. David?

10                   MR. DURANT: Dave Durant.

11                   Is there any experience other places  
12 that suggest that students will stick with courses more  
13 or sign up for fewer courses if there's an incentive?

14                   PROVOST NIETZEL: I don't have  
15 the data to present to you. Certainly, anecdotally,  
16 we've heard that that is the case. In fact, some  
17 universities, as you know, make it very, very difficult  
18 to drop a course, period, and have a much more  
19 constrained window for it.

20                   Right now, David, the students are doing  
21 what the advisors tell them. Full-time students are  
22 told generally by advisors, sign up for 18 or 21 hours  
23 and drop the two courses that, for whatever reason,  
24 don't work well for you. So the students aren't really  
25 to blame for this. It's a very reasonable thing for

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1       them to do. I don't think it's very good educationally  
2       to do it, and it clearly costs us a lot of money.

3                       Let me give you -- Okay. I've got  
4       another page I want to get to, but go ahead.

5                       MS. ARNOLD: Suzanne Arnold.  
6       Do you have any data? Maybe you're going to bring that  
7       up next -- as to how many courses would have been  
8       saved?

9                       PROVOST NIETZEL: Yes. It's  
10       very difficult to estimate that. But I'll point out  
11       some assumptions and you can think about it however you  
12       want to. That's the next page.

13                      Kaveh?

14                      MR. TAGAVI: Could I ask a  
15       question about this?

16                      So under the second-half scenario, if a  
17       student has 18 hours and then in the third week they  
18       drop to 15. Now, they already paid full-time tuition.  
19       You are actually going to charge them some more money  
20       for dropping?

21                      PROVOST NIETZEL: Correct.  
22       Just -- We're going to charge them the same amount  
23       that this student had to pay for that course if they  
24       dropped it at that point.

25                      MR. TAGAVI: But it would be



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1 more than the other person who has 18 but never dropped  
2 it?

3 PROVOST NIETZEL: Yeah. It  
4 would.

5 MR. TAGAVI: Have you  
6 considered that students who don't have the money to  
7 pay above and beyond, they already paid for it--

8 MR. CIBULL: That's not what  
9 you said, though. I don't think this--

10 PROVOST NIETZEL: The student  
11 who--

12 MR. CIBULL: You wouldn't give  
13 them back 80 percent of their tuition; right?

14 PROVOST NIETZEL: No. They  
15 will have an obligation. They will have an obligation  
16 that's equivalent to the 20-percent obligation that the  
17 students who dropped a course will have on that  
18 tuition. The difference -- And it's 95 bucks for our  
19 resident students.

20 MR. TAGAVI: If an 18-hour  
21 student and 15-hour student pay identical tuition, the  
22 only way you can distinguish between that is somebody  
23 that drops from 18 to 15, which are both full time, is  
24 to ask them to pay 20 percent of three hours--

25 PROVOST NIETZEL: Right.

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1 MR. TAGAVI: --above and  
2 beyond full time--

3 PROVOST NIETZEL: Correct.

4 MR. TAGAVI: --which means the  
5 15-hour person, student, is going to be paying more  
6 than the person who started at 18 and stated at it?

7 PROVOST NIETZEL: Correct.

8 MR. TAGAVI: Have you  
9 considered having already paid their tuition, maybe by  
10 scholarship or maybe by some loan, they don't have the  
11 money and they stay in the course and get a bad grade  
12 because they don't have the money to drop out?

13 PROVOST NIETZEL: Yeah, that's  
14 a consideration. But weigh it against this, now.  
15 About 80 percent of enrolled students in the fall are  
16 full time. 86 percent of the withdraws were by full-  
17 time students. Now, what did this cost us? And here's  
18 where you could come up with all kinds of assumptions  
19 about what it cost us. And maybe you're going to say,  
20 it's worth it. But I'd be hard-pressed to see how  
21 either from an educational or a financial point of view  
22 this is something that we should sustain.

23 If we assumed you had 50 seats per  
24 section, which very few individual sections at U.K.  
25 have, by the way. I think nine percent. But let's go

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1 ahead and assume it, that it's 50 seats. And they drop  
2 in a way that distributed them perfectly for the  
3 purpose of this assumption - which, of course, they  
4 won't - that would equal 167 sections in the fall that  
5 were taught to cover these 83/51 withdrawn students.  
6 At \$2,500 per PTI, that costs in the fall \$417,000.

7 Now, what might a more reasonable  
8 assumption is, because this is much closer to the  
9 average section size, you have 25 students per section,  
10 in which case that expense, of course, would be  
11 doubled. It would be about \$800,000.

12 Now, the third way to think about it is,  
13 well, it won't work out that way. They're not all  
14 going to be dropping out of the sections; you're not  
15 going to be conserving that many sections. So just  
16 take eight percent, if you want, which is about what  
17 the withdraw amount is, of the total PTI instructional  
18 budget in the University, and figure it that way. So  
19 from that low end, which clearly I think would be the  
20 low end, to the 800,000, which would be a top end,  
21 you've got some range about what it costs per semester  
22 to continue with the policy that we have.

23 Now, one other thing to say about it.  
24 To give you an idea about part-time instruction  
25 budgets, the recurring budget in the College of Arts &

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1 Science for part-time instruction for the whole year -  
2 and which is the biggest area for part-time instruction  
3 by far in the University; it accounted for 50 percent  
4 of the credit hours -- is \$265,000. They expend about  
5 500,000. A lot of this is non-recurring. So the range  
6 that we're talking about here in terms of expenditure  
7 is not, again, an inconsequential amount.

8           The second part, which I'll let the  
9 faculty decide, is whether the current policy which  
10 really does make it - we're encouraging students to  
11 sign up for courses that they don't intend to stick  
12 with is a very wise one. It presents two problems for  
13 us. It makes it much harder for students who do want  
14 that course to register for it because the seats are  
15 closed out. And, second, I can't believe that you  
16 really want to begin a course with the attitude that,  
17 *I'm in it*, in a kind of comparison shopping way, *to see*  
18 *which of the six or seven I signed up for, which five I*  
19 *want to keep after a week*. I think that's problematic  
20 in terms of the attitude that we're helping develop, to  
21 a certain extent, when we give students the advice that  
22 we're giving them. But that's really a matter for you  
23 folks to, I think, debate in terms of whether it's a  
24 policy that you want to keep in place.

25           Part of you - basically, it's not going

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1 to matter to the revenue of the University. It matters  
2 a lot in terms of how much we spend, not what we bring  
3 in. I think it matters a lot to the attitude students  
4 have sitting in those seats.

5 Yes, Bob?

6 MR. GROSSMAN: Bob Grossman.

7 There's one other assumption here that  
8 troubles me a bit. You're assuming that the students  
9 who are withdrawing classes, that most of these  
10 withdrawals are happening in classes that are taught by  
11 PTIs; is that the case?

12 PROVOST NIETZEL: Oh, no.  
13 It's not the case. But the additional sections that we  
14 generate in Arts & Sciences and most of the other  
15 colleges are taught by PTIs. Very little is done by  
16 internal overload. So I'm figuring the cost of this, I  
17 think, as conservatively as I can - I'm not figuring  
18 it at 25 percent of your salary. So, you know, if you  
19 look at it that way, it could even be more in terms of  
20 the loss. We're doing this at the lowest possible  
21 instructional rate that the University has, which is  
22 the PTI rate.

23 Davy?

24 MR. JONES: Is this all at the  
25 undergraduate level?

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1                   PROVOST NIETZEL: This is  
2 graduate and undergraduate. The vast majority is at  
3 the undergraduate level. And whether to apply this to  
4 graduate students - which is a complicated question  
5 because so much of their tuition is paid for on  
6 scholarships. So it's not money out of their pocket,  
7 even for the part-timers, is a real interesting dilemma  
8 that I'm not sure what the best answer to is. It's a  
9 different matter for them.

10                   And the problem we're trying to solve  
11 with them is much different. We don't teach multiple  
12 sections of graduate courses. The problem we have  
13 there is the course that -- and it begins with six or  
14 seven students. And one week later, it's down to two  
15 because students have been told, well, sign up for it,  
16 get you through this drop period and then drop it. So  
17 it's -- That's the problem we have there. It's a much  
18 different one than having AD instructors that cover the  
19 courses under, you know, the multiple sections.

20                   MR. GOVINDARAJULU: I just  
21 want information. Is there a graduate -- You talk  
22 about six courses, seven courses tuition is the same?

23                   PROVOST NIETZEL: For who?

24                   MR. GOVINDARAJULU: Suppose an  
25 undergraduate takes five courses, six courses, seven

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1 courses, the amount is the same, paid for the same?

2 PROVOST NIETZEL: Yes. That's  
3 why -- Part-time students subsidize full-time  
4 students under this arrangement, because the part-time  
5 student tuition gets cheaper and cheaper the more  
6 classes you take. And there's a policy reason why you  
7 want students to take more but you want them to stay  
8 enrolled in more. You don't necessarily want them to  
9 just sign up for more and in two weeks that demand is  
10 gone, but you've gone ahead and put the teaching  
11 resources in place to handle the demand that's no  
12 longer there. That's really what the savings issue is  
13 here.

14 CHAIR DEMBO: Mike, could I  
15 take the floor for one second?

16 PROVOST NIETZEL: Yes.

17 CHAIR DEMBO: I received more  
18 student e-mails on this issue than I had gotten the  
19 entire time and I was really gratified to see that  
20 students presented a vocal opinion about it.

21 It seemed to go into three categories -  
22 And I don't want to speak for the students. One was  
23 just the principle of the thing in the face of a  
24 tuition increase that we are nickel-and-dimeing the  
25 students. The second was from students who are on

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1 limited incomes and who had to make an honest choice.  
2 The third seemed to be from a quality standpoint, that  
3 if I have an instructor who can't speak English, by  
4 golly, I should be able to withdraw.

5 But could we take a moment to open the  
6 floor to our student senators? Because your voice is  
7 incredibly important here.

8 PROVOST NIETZEL: And I'm  
9 meeting with the students tomorrow; right?

10 MR. FALK: Yes. Matt Falk,  
11 College of Business & Economics.

12 COURT REPORTER: What was your  
13 last name?

14 MR. FALK: Falk, F-a-l-k.

15 I heard you mention \$95. Is that a new  
16 flat fee?

17 PROVOST NIETZEL: That's what  
18 the part-time students were paying last fall.

19 MR. FALK: Okay. So what will  
20 be a real number for a full-time student--

21 PROVOST NIETZEL: Twenty  
22 percent. If it's a three-credit course and you do it  
23 - You do it the same as the policy that you have now  
24 for part-time students. It would be 20 percent of the  
25 per credit hour tuition that is for the course the



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1 student is dropping.

2 MR. FALK: And is it applied -  
3 The 20 percent, is that the same for out-of-state  
4 students?

5 PROVOST NIETZEL: Which it is  
6 now. In other words, let me tell you, it's a whopper  
7 for the non-resident student but it's a whopper for  
8 them now. For fall '02 your resident student who  
9 dropped a three-credit course early, you know, before  
10 the four-week paid 95 bucks, had a 95-buck tuition  
11 obligation, 238 if they did it after that 20 percent  
12 cut off. Now, what we would be saying is we'd  
13 eliminate that difference. It would just be the 20-  
14 percent rate. This proposal takes off the difference  
15 between 20 and 50. Part of the reason for that is we  
16 think it might encourage students to hang in that  
17 course for a little longer. There's no incentive for  
18 them to drop out sooner rather than later if you just  
19 say we'll let it be 20 percent regardless of when you  
20 do it, up to that final withdraw date.

21 MR. GESUND: Hans Gesund,  
22 Engineering.

23 You make a very persuasive case for  
24 this. I would only ask that perhaps we exempt first-  
25 semester or maybe first-year students whether freshmen

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1 or transfers, because they don't really know when they  
2 first come in what they're going to be up against, what  
3 it's all about. And perhaps they should be exempt from  
4 this because, you know, they just don't know.

5 MR. TAGAVI: This is a little  
6 convoluted but this proposal doesn't work in my opinion  
7 on this because of the straight per-hour tuition. Let  
8 me give you one example. And as I said, this is  
9 convoluted so I'm not going to prove it. Is if you  
10 charge people an admission to go to a movie, that's  
11 reasonable. If you tell them to come before the middle  
12 of the movie, we give you only 50 percent of your money  
13 back or 20 percent money back, that's what's  
14 reasonable. What is very unreasonable is to say, if  
15 you out early, we're going to charge you even more  
16 money. So you'd better sit in the movie and watch it.  
17 Does that make sense?

18 (Laughter)

19 PROVOST NIETZEL: Then don't  
20 do it. But understand, you're spending between 500-  
21 probably and 600-thousand dollars of your resources and  
22 I think you're taking an approach to students'  
23 education that is not serving them well or the  
24 institution well, in terms of either retention or  
25 graduation.

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1                   We don't have to do this. This is not a  
2 money maker for the University, plus we're willing to  
3 say, *take whatever money you get and give it back to*  
4 *students* in the form of scholarships and in the form of  
5 additional teaching resources. But I don't think it's  
6 fair for what we're doing for the student who sits  
7 right beside the full-time student and is a part-time  
8 student, they do have to pay that 20 percent or that 50  
9 percent when they exit the class. The full-time  
10 student can do it without any kind of consequence. And  
11 I think you see the result of that. It's a pretty  
12 high-level of withdrawal in courses.

13                   MR. TAGAVI: But one is a  
14 refund. The other one is extra.

15                   PROVOST NIETZEL: What?

16                   MR. TAGAVI: Part-time  
17 students get a refund. You want to charge extra fee  
18 for full-time students.

19                   PROVOST NIETZEL: Well, we  
20 could presumably think about a way to describe it as a  
21 refund. (Audience laughs.) I think the part-time  
22 students already believe they're paying a fee.

23                   MR. TAGAVI: I'm not serious.

24                   MR. ALBISETTI: Jim Albisetti,  
25 Arts & Sciences.

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1                   We could debate the pedagogical  
2           desirability of having students take more than 15  
3           hours. I'm not sure that all faculty would agree with  
4           you on that. But it certainly does strike me that in  
5           that situation that the per-credit hours reaching  
6           across the board seems a much better approach to make  
7           sure that the people are going to try and take more,  
8           they are paying more for their studies and it may allow  
9           them to finish sooner. But I have had much experience  
10          with students taking too many courses and them saying  
11          they can't get their work done. They're trying to  
12          squeeze more things in for the same tuition amount.  
13          They might have been a lot saner if they took 15 or 16  
14          hours and plan to be here for eight semesters.

15                               MR. CANON: Let me ask a  
16          couple questions to see if money is going to be saved.  
17          Brad Canon, Political Science.

18                               Your main concern, the problem of adding  
19          new part-time faculty when enrollments are greater than  
20          estimates - That is, you know, in May or June we  
21          estimate the number of freshmen or transfers coming in.  
22          We scramble around to get the PTIs and then sometime in  
23          August we're told five, six, seven percent.

24                               PROVOST NIETZEL: Think of  
25          this way, Brad. What's the enrollment at UK, graduate

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1 and undergraduate? It's about twenty-two or -three  
2 thousand. This is equivalent, I think, to staffing a  
3 fall semester with 30,000 students. Eight thousand of  
4 them are gone within four weeks. That's basically what  
5 you're doing.

6 MR. CANON: But is this going  
7 to decrease the number of actual instructors? This is  
8 what you're trying to say.

9 PROVOST NIETZEL: With any  
10 kind of reasonable enrollment management, it should.  
11 Can we translate it into a fewer number of part-time  
12 instructors? I'm convinced that we can. But the  
13 question is how many, and I think that's a very good  
14 point.

15 MR. CANON: Yeah. And this is  
16 very vague. That is, for every-

17 PROVOST NIETZEL: Sure.

18 MR. CANON: --section of 30,  
19 it drops, reduces to 24, the instructor is still going  
20 to be teaching the course.

21 PROVOST NIETZEL: Right.

22 MR. CANON: No money is going  
23 to be saved there.

24 PROVOST NIETZEL: But in cases  
25 of English and Math, there can be real savings, and

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1       some other courses where we have multiple sections,  
2       there can be real savings if you could take those 24  
3       now and move them to other sections.

4                   MR. CANON:  You would have to  
5       do it --  I mean, you would have to--

6                   PROVOST NIETZEL:  Where there  
7       also were drops, sure.

8                   MR. CANON:  --so to speak.  
9       Yes.  So the money is largely going to be saved in  
10      English and Math and maybe Biology or....

11                  PROVOST NIETZEL:  How many in  
12      Chemistry do you have?  You've got a lot of sections of  
13      --  There are recitation sections in Chemistry; right?

14                  MR. GROSSMAN:  General  
15      Chemistry.

16                  MR. STABEN:  We don't teach  
17      recitation sections in Chemistry.

18                  PROVOST NIETZEL:  Well, what's  
19      your smallest section called?  Labs.  How many in Labs?

20                  MR. GROSSMAN:  I don't think  
21      there will be problems in --  With Lab, Labs are  
22      usually over-subscribed.  So there isn't going to be a  
23      problem with it.  There's no problem there.  Also, we  
24      don't have a lot of PTIs in Chemistry.  It's mostly  
25      taught by faculty.  So this wouldn't save much money at

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1 all in Chemistry.

2 PROVOST NIETZEL: Except that  
3 if there were - I don't know what the level of drop in  
4 chemistry is. I mean, there may be, in fact, a lesser  
5 number of sections that full-time faculty would be  
6 teaching depending on whether you had something like-

7 MR. GROSSMAN: Teaching  
8 graduate-level courses, perhaps.

9 PROVOST NIETZEL: Yeah. Sure.

10 MR. CANON: Maybe we can get  
11 the dean of admissions - But, also, you know, when you  
12 have TAs, you make a contract with them. You're going  
13 to pay them regardless of whether they're teaching.

14 PROVOST NIETZEL: Well, you're  
15 paying the PTIs regardless of whether there's three  
16 people in that section now or 12.

17 MR. CANON: Yeah. The PTIs  
18 can sometimes be hired on a contingency basis. That as  
19 would be, the PTI gets a contract with the  
20 understanding that if not enough people show up in  
21 August, it's cancelled.

22 PROVOST NIETZEL: Now, I --  
23 That's a pretty bad way to treat PTIs, but I guess you  
24 could do that. I wouldn't -- I mean, that just  
25 doesn't seem like the way we want to treat some part-

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1 time faculty.

2 MR. CANON: But my point is,  
3 and I'm not -- I'm a little dubious about how much  
4 money is actually going to be saved here. I don't  
5 think it's been thought out that much.

6 PROVOST NIETZEL: Well, you  
7 know, it's something between I think a hundred and 800.  
8 That's the best I can do. Because you don't -- Unless  
9 you really get into where are students -- what specific  
10 sections are they dropping out of, there is no way to  
11 really say how much is going to be saved. But think  
12 again, Brad, the entire part-time instruction budget  
13 recurring in the College of Arts & Sciences is  
14 \$265,000. Remember, this is just first semester.

15 MR. CANON: Yeah. I mean, I  
16 was acting dean at one time and I--

17 PROVOST NIETZEL: It's a  
18 pretty big expenditure.

19 MR. CANON: That was one of  
20 the major problems.

21 PROVOST NIETZEL: Dan?

22 MR. GRANT: Dan Grant.

23 I assume that we would save most money  
24 by keeping students from signing up for courses beyond  
25 which those that they intend to take. So it won't be a



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1 question then of dropping early or late. It will be a  
2 question of-

3 PROVOST NIETZEL: Right. The  
4 goal is to actually have students now signing up for a  
5 more realistic number. You're right. And so we don't  
6 have -- We're not even building this PTI obligation or  
7 other obligations. We have fewer sections. I think  
8 you're right. That's certainly the hope. Now, maybe  
9 this won't deter it. I think it would. And that would  
10 be a sizable amount of the savings.

11 MS. RUDER: Cynthia Ruder,  
12 Arts & Sciences.

13 Wouldn't it make sense, then, to  
14 simultaneously address the advising issue, number one--

15 PROVOST NIETZEL: Yes, it  
16 would.

17 MS. RUDER: --because if  
18 people are advising to take 21 hours and drop six, I  
19 think that that's not a good advising policy and it  
20 doesn't serve a lot of strong pedagogical goals.

21 The next thing is, are we really, then,  
22 if there's a pedagogical underpinning to the plan and  
23 what we do and how we do it, are we sending the right  
24 pedagogical message to students saying, *find out what*  
25 *your grade is and then drop the course?* I think that

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1       that is just a really awful and intellectually unsound  
2       and pedagogically unsound message to send to students,  
3       that the minute you find out you're doing badly in a  
4       course, you drop it.  Won't that impact our retention  
5       rates, our time to graduation, and it will still leave  
6       us with some of the same problems because you'll have  
7       students who drop because they're getting a low grade.

8                       It seems to me that if something like  
9       this is going to be put into effect and if students are  
10      going to ultimately save money, then you have to have  
11      firmer drop policy and you can't be so generous with  
12      the withdrawals.  I understand if someone has a  
13      personal crisis that there's some extenuated  
14      circumstance that comes up, of course the student  
15      should be given the benefit to withdraw.  That  
16      absolutely is part of a humane system.  On the other  
17      hand, you don't like the teacher, you're doing badly,  
18      you have too much work...  I mean, come on!

19                               PROVOST NIETZEL:  Darryl?

20                               MR. GENNIS:  Darryl Gennis,  
21      Medicine.

22                               Depending on which percentage, because  
23      at one point you used the figure of 100,000.  Was it  
24      8,000 and 2,000 out of 100,000 or 8,000 out of 22,000,  
25      in which case it's much higher, is it?

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1                   PROVOST NIETZEL: Well, we're  
2 thinking about is the total number of course  
3 registrations.

4                   MR. GENNIS: Out of 100,000.  
5 So, still, I mean, in essence, you -- No business  
6 could run with an eight percent variable in its -- I'm  
7 not a business major -- eight percent variation in not  
8 supply-and-demand but the two things you're balancing  
9 here.

10                   And, again, if you look at what the out-  
11 of-state tuition costs, which I presume reflects what  
12 the true cost of an education is here when it's not  
13 underwritten by the state, the bottom line is the state  
14 pulls dollars out of this institution. This may  
15 represent the kind of luxury that you can't afford, the  
16 ability to put -- I mean, you can't go to McDonald's  
17 and order three things and then pick the one that you  
18 like the way it looks. You can't run it that way.

19                   PROVOST NIETZEL: Chuck?

20                   MR. STABEN: I think -- Well,  
21 two comments, I guess. One, I think you probably have  
22 overestimated the financial impact at least in the  
23 College of Arts & Sciences because a huge number of  
24 drops do occur in courses like Bio and [unintelligible]  
25 105. There are very enrollments, single-section

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1 courses. Enrollments may go from 320 down to 250 and  
2 have no impact at all on--

3 PROVOST NIETZEL: Don't you  
4 have lab sections?

5 MR. STABEN: Not -- No, those  
6 are separate courses.

7 PROVOST NIETZEL: Yeah. But  
8 those lab sections--

9 MR. STABEN: They're not  
10 directly linked and many are not taken by the same  
11 students enrolled in the other. So I think it's much  
12 more complex than you presented in terms of the impact  
13 upon planning. Maybe more like what you present in  
14 Math and English, and a little less certainty there.

15 And then I guess the other thing is, I'm  
16 echoing some other comments. I guess I'd be more  
17 inclined to look at this as a sort of pedagogic matter,  
18 a matter of what behavior do you want to encourage the  
19 students in terms of their course planning? And I  
20 agree with the comment that was made earlier that you  
21 don't want actually to extend the drop date. Students  
22 have a just-in-time philosophy already - to use another  
23 business metaphor - and they'll get ten weeks into  
24 something and drop it with that.

25 So I'm very conflicted about this. I



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1 purposes, when we do that, when we direct behavior, if  
2 you will. But I really wonder, in terms of fairness -  
3 that's a word for discussion - it still seems to me  
4 that the fairest method would be with an eight-credit-  
5 hour basis. And I wonder why the university isn't  
6 looking more fully at that. Because that seems to  
7 address all of these problems.

8 PROVOST NIETZEL: The main  
9 reason, I think, is that you would want a policy that  
10 encourages students to take as many credits as  
11 necessary to stay on a four- to five-year graduation  
12 trajectory. And if you make it more and more expensive  
13 for them to take 15 and 16 hours, as opposed to 12 and  
14 13, you make it less likely they do that.

15 Now, we may get to the per-credit basis.  
16 It is something that a number of universities are going  
17 to. It will be much more costly to students than this,  
18 much more costly. So, again, if you're worried about  
19 the cost to students and the students are worried about  
20 it, going to per-credit-hour tuition will cost them a  
21 lot more than a refund policy on dropped courses.  
22 Part-time students subsidize full-time students here to  
23 a very handsome tune.

24 CHAIR DEMBO: Mike, let me  
25 take the floor for one second. I just wanted to let

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1     you know where we are in terms of the Senate.  Some of  
2     the long-term changes suggested --  The four-year  
3     graduation contract -- well, not four year but a  
4     graduation contract to graduate in a timely fashion,  
5     the final report is going to go to our graduation  
6     contract committee, then to the Senate Council.  So,  
7     hopefully, we'll see it at the Senate at the April  
8     meeting.

9                     Regarding number five, looking at low  
10    productivity programs, I've charged Kate Chard, who is  
11    Chair of the Academic Organization & Structure  
12    Committee, to get two committees together to come up  
13    with guidelines by which programs should be considered  
14    for discontinuation, nice guidelines that talk about  
15    what to do if you're reorganizing a department but very  
16    little to guide us in terms of program discontinuation.  
17    So that should be something good.

18                    Could you take one minute, though, Mike.  
19    There's a lot of faculty feedback regarding this  
20    strictly enforcing minimum enrollment requirements,  
21    because some people felt it just wouldn't work in their  
22    unit.

23                    PROVOST NIETZEL:  Okay.  Those  
24    that don't think it will work in their unit, I'll --  
25    Yes.

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1                   MR. JONES: Again, at the  
2 graduate level courses, this could be a real problem.  
3 You use the example like eight becoming two.

4                   Okay. Let's suppose we've got five on a  
5 course for teaching every other year and one student's  
6 father in India has a heart attack and then he has to  
7 go back. Shouldn't the faculty of the units be able to  
8 decide in that kind of a situation, rather than some --  
9 I don't know where you intend the strict enforcement's  
10 going to happen, but there needs to be some flexibility  
11 for that kind of situation and I don't see that in this  
12 language.

13                   PROVOST NIETZEL: Yeah, I  
14 agree, there should. We -- There always has been.  
15 There always will be. The easiest thing to do here is,  
16 I think, look at a history. Let's look at the courses  
17 that have routinely - which we can do - have  
18 routinely been above the threshold and then dropped  
19 below, above the threshold for minimum enrollments and  
20 then drop below. And those are ones that we need to  
21 pay much closer attention to. It's unlikely that the  
22 international student's health complications in the  
23 family would consistently account for one course of  
24 toxicology always dropping below the minimum but not  
25 the others. So we can do this. I think that's



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1 probably a reasonable way to begin to try to target  
2 that particular problem. I think it is most severe at  
3 the 500 level and less of these other ones. That's  
4 where we tend to have the biggest number of these at  
5 two and three.

6 MR. GROSSMAN: Bob Grossman,  
7 Chemistry. I agree that the problem is at the graduate  
8 level. I got a long e-mail from Dick Moker in Geology.  
9 And I don't want to go through it all but he's very  
10 concerned about this proposal because of its effect on  
11 smaller programs that are productive and do teach a lot  
12 of non-majors that produce - even though they produce a  
13 small number of majors, those people are critical to  
14 certain industries.

15 One thing you suggest is that  
16 departments that want to teach such courses look at how  
17 many PTIs they're using in teaching their larger  
18 courses. And if, in fact, they're using PTIs to teach  
19 larger courses and then regular faculty to teach the  
20 very small ones, perhaps they should be moving some of  
21 their regular faculty into the courses taught by PTIs,  
22 then teach the smaller courses as an overload. That  
23 was one thing that--

24 PROVOST NIETZEL: I think that  
25 has a lot of merit to it.

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1                   MR. GROSSMAN: There was  
2 something else but I can't think of it.

3                   PROVOST NIETZEL: We really  
4 want to deal here with the situations that I know many  
5 of you are familiar with, which is that the enrollments  
6 have been generated with students who don't intend to  
7 stay in the course. And I think we can do that through  
8 a careful course history.

9                   MR. BLACKFORD: George  
10 Blackford, Engineering.

11                   Another problem that we would have is in  
12 planning, is that new graduate students aren't allowed  
13 to register until shortly before the start of the  
14 semester. And it's kind of hard to tell a faculty  
15 member, whoops, your graduate class won't go, I'm  
16 moving you to some class you haven't taught in many,  
17 many years or maybe never taught. Whereas, if we could  
18 get that decision made sooner on the enrollment  
19 numbers, then we could more easily move faculty around  
20 to teach some of the other classes.

21                   CHAIR DEMBO: We'll take one  
22 or two more questions and then we'll move on.

23                   MR. GOVINDARAJULU: It should  
24 be said that we have required courses. Every graduate  
25 student should take those courses. And if the course

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1 is not offered but every so often, sometimes two or  
2 three-

3 PROVOST NIETZEL: Well, that  
4 becomes a matter for the individual programs to decide  
5 in terms of whether it's going to be--

6 MR. GOVINDARAJULU: Those are  
7 the programs that should be exempted.

8 PROVOST NIETZEL: --required  
9 or not. That's up -- I mean, programs can do that now  
10 in terms of what you're going to require.

11 MR. GROSSMAN: I remembered  
12 the other item, which was issue of courses taught in  
13 summer school. There are quite a number of departments  
14 where courses are taught in summer school by regular  
15 faculty, then courses are taught during the year by  
16 PTIs. And it seems to me that another way of saving  
17 money is to restrict the number of courses that are  
18 offered during the summer and instead some of those  
19 could be taught during the year. Of course, the  
20 regular faculty teach the regular courses during the  
21 year.

22 PROVOST NIETZEL: That might  
23 not be widely embraced.

24 MR. GROSSMAN: Oh, I'm sure.

25 CHAIR DEMBO: One more

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1 question.

2 MR. TAGAVI: I think we need  
3 rules which are going to encourage good behavior. The  
4 previous analogy, we all know students are rated first;  
5 but professors are rated first, too, because we used to  
6 be students. (Audience laughter.)

7 Take a 400 course, there will be a 20  
8 enrollment and then a 500 level course, there's a three  
9 enrollment. Push two of those 20 to the 500 and then  
10 you have both of the courses.

11 PROVOST NIETZEL: Yeah.  
12 You'll be able to outsmart anything--

13 MR. TAGAVI: Correct.

14 PROVOST NIETZEL: -that - I  
15 admit it.

16 MR. TAGAVI: There is a  
17 proposal recently came to one of the committees to  
18 allow undergraduate students and graduate students be  
19 in a 500 level course and have different criteria. So  
20 you're actually inviting us to come to take 300 level  
21 students, put them in the 500 level courses, so both  
22 courses will be-

23 PROVOST NIETZEL: No. Believe  
24 me, I'm not inviting you to do that. That would be  
25 something you would elect to do.



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1       it further.

2                       Let me take one here.

3                               MS. ARNOLD:  You've spoken a  
4       lot about ways to affect student participation in this  
5       issue.  Do you have any ideas about the mentoring issue  
6       and how would that affect the other by reviewing course  
7       history?  I mean, part of the responsibility is the  
8       mentor's advice to the young student who comes in and  
9       then is taking classes in the--

10                              PROVOST NIETZEL:  Right.

11                              MS. ARNOLD:  Do you know who  
12       that is?  I don't know how you're going to tell--

13                              PROVOST NIETZEL:  I think we  
14       can talk with DGSS is first of all about this and  
15       department chairs.  That would be the first thing to  
16       do.  And have discussions like this with the faculty  
17       where we acknowledge this is a problem that has real  
18       costs to it.

19                              But I believe it ultimately comes down  
20       to discouraging those conversations and those  
21       strategies from happening however best we can do it.  
22       And you have ideas about the best way to do it.  But I  
23       think maybe with the discussions with DGSS and chairs,  
24       very frank discussions about it.  And maybe even with  
25       the history there, say, gee, how come this happens in

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1       this one course in this department or these two  
2       courses, and not in any of the others, we can get to  
3       it.

4                       COURT REPORTER:   May I have  
5       your name, please?

6                       MS. ARNOLD:    Suzanne Arnold.

7                       CHAIR DEMBO:   Topic for  
8       discussions.

9                       PROVOST NIETZEL:  Right.

10                      CHAIR DEMBO:  I'd like to use  
11       what time we have to have Professor Hahn present what  
12       his committee has been working on.  There's some -- a  
13       lot of good things.  Come on up, John.  I think you're  
14       just going to give us a taste of all the things you've  
15       been talking about.

16                      MR. GESUND:  I'll hold it down  
17       to five minutes and then walk out.

18                      First of all, the Committee on Academic  
19       Planning and Priorities you can find on the web site.  
20       And you have a number of different programs.  You look  
21       at the web site and you'll find them.  This is our  
22       shopper.  And the shopper naturally includes identified  
23       major academic problems likely to be faced by this  
24       University in the foreseeable future, and all this.  
25       You can see it in the -- on the web.  And I don't want

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1 to take time to do that.

2 But for this academic year, we have a  
3 priority to evaluate the current state of shared  
4 governance at this University. And that is what we  
5 have been doing. And by looking at these items you'd  
6 want to look at, is practice consistency and  
7 codification. And look at additions and changes. Look  
8 at familiarity of concepts of the faculty. Look at the  
9 role of the Senate and the committees and look at  
10 practices at other institutions.

11 Now, if you look here at what we have  
12 done, we have review of present codification. We have  
13 looked at -- If you look at codification, you look  
14 naturally at some regulations and the codes and  
15 everything else and the operating guidelines we have.  
16 So we look at review and look at the clarification of  
17 present codification. Look at the consistency of  
18 present codification. Then we say, now, on what basis  
19 do we have that codification; is it on the basis of  
20 statute? Is it on the basis of regulation? Is it on  
21 the basis of past interpretations by the Senate? Is it  
22 on the basis of the desires of the president, provost,  
23 vice presidents, board, senate?

24 And so we came out and said, all right,  
25 we go for the review and look at these rules and we



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1 make some changes in our present regulations. We gave  
2 you a handout. I will get into that in a minute. We  
3 also interacted with other groups. We had some of our  
4 proposals reviewed by the legal office of the  
5 University and saying, well, this is consistent. We  
6 had some items passed over to the Senate Academic  
7 Organization & Structures Committee chaired by Kathleen  
8 Chard. And we also have the futures of other things  
9 scheduled.

10 But let me point out -- already it was  
11 mentioned by Davy Jones -- this is the organization  
12 which most of us recognize as the University, the  
13 president, provost, directors, deans. Now, you do not  
14 see this layout - it was just passed out - as the  
15 layout of the Senate. And the Senate has by law, by  
16 structure, certain responsibilities. So one which you  
17 all know, which everybody sort of recognizes over here  
18 is the Undergraduate Council, the Graduate Council, how  
19 it goes here is the Senate Council, some committees and  
20 here's the chair. So if they want to propose a  
21 program, it has to go through this particular  
22 structure. This cannot be done by the other  
23 administrative structure of the deans so it is very  
24 important that the faculty recognize we have two  
25 things, the administrator and the program development

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1       setup, program supervision. It's a program setup of  
2       everything else.

3                       Now, this is not consistent at all with  
4       the Senate regs and to government regs and all these  
5       regs. It's not consistent. You find pieces in these  
6       regs. Right here underneath some of these you'll see  
7       the reference to those in the Senate regs and in other  
8       regs and government regs. You will see also some regs  
9       tied to the laws of the state by which the Senate is  
10      established at the University.

11                      So the item which I want to bring to  
12      your attention, we are working on these things. Look  
13      at this. Let me give you sort of an example of what  
14      kind of changes we would be making and want to get your  
15      approval. And these things are very simple changes.  
16      These are changes to be consistent as existing items.  
17      We are not bringing this up here for your review and  
18      for your detailed comments but we bring these up here  
19      and you saw these and the governing regulations.

20                      We have other parts here and a Part IV  
21      as the Senate composition, how it shall be run, how it  
22      shall be done. Some of it, we have de facto  
23      compiled. But we have not set it up as a complete  
24      operation as such. As so, as a committee, what they  
25      are doing - and, essentially, we have gone through the

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1 governing regulations. We have gone through the  
2 structure. We have looked at that and we come to the  
3 conclusion that it should be more consistent and the  
4 faculty should be fully aware of what their  
5 responsibility is. And it's not fully advice and  
6 consent as we cannot have a program unless the Senate  
7 approves it. The administration can't get a program  
8 unless it comes through the Senate. And the Senate has  
9 certain things that they should do and should recognize  
10 they're responsible.

11 Shared governance. The presidents, the  
12 vice presidents, the deans all recognize they're shared  
13 governance. And we've got to take our part more  
14 seriously and recognize these structures. And we would  
15 love to have your cooperation and your assistance in  
16 helping change these components, and change these and  
17 bring them up to date. We're not trying to take any  
18 power away from the administration or take any away  
19 from the Senate. We've just like to bring that -- make  
20 it consistent, bring it up to the shared governance  
21 which it should be and put the responsibility where it  
22 belongs and put certain things, make us responsible for  
23 that just very much in the same line as Provost Nietzel  
24 tried to make us responsible for our advising.

25 And here is the Senate who represents

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1 the faculty. There's certain things we have to do.  
2 And we have to look at the program, program  
3 requirements, and these things are our responsibility.

4 And I remember not too long ago we had a  
5 program in the Senate which we did not approve because  
6 there was not the required approval for these from the  
7 faculty. So, yes, look at these lines. Look at how we  
8 have to cooperate, how we do that, and we want this as  
9 part of the package for every new trustee, for every  
10 new faculty member. How's my time? And also look at  
11 the things that you can find out.

12 I abbreviated that much more than I  
13 wanted to but I know you want to go home. Five minutes  
14 up. Any questions? (No response.)

15 See, I go so fast you didn't get any  
16 questions.

17 (Audience laughter)

18 CHAIR DEMBO: Professor  
19 Grossman has a question.

20 MR. GROSSMAN: Yes. Is this a  
21 motion for some changes that you want us to--

22 MR. GESUND: No.

23 MR. GROSSMAN: --or are you  
24 just informing us?

25 MR. GESUND: I'm bringing it

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1 to your attention. We will bring the total package to  
2 you in a month. And these things will be in there.  
3 But we wanted to give you the somewhat sample of what  
4 we are doing and let you know of what kind of changes  
5 we are making. If you want to attend the meetings, the  
6 meetings times are on the web. And we would love to  
7 have your input. But we expect to present that to you  
8 to make that consistent and makes the faculty aware of  
9 the shared responsibility which we have in the  
10 University in running this institution, because we are  
11 not in some cases doing it. We look at certain  
12 committees, certain colleges and we have handed them  
13 completely over to the administration because we didn't  
14 want to do it.

15 And this is very important that we take  
16 up our responsibility. And I wanted to bring it in a  
17 slow bite so that you have the indication of what we're  
18 up to. Perhaps you have an interest in helping us.  
19 There's no secrets, no hidden agenda, just make it  
20 consistent and inform you what you should be doing.  
21 Any other questions? (No response.)

22 I hope to see you back here in a few --  
23 not too distant future (audience laughter).

24 CHAIR DEMBO: We have one more  
25 report. John, thank you very much.

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1                   As a review, the governing regulations  
2 are approved by the Board of Trustees. And as a  
3 Senate, you have several different ways that you will  
4 give your feedback to the Board. One is through our  
5 faculty trustees. The other is through the president  
6 of the University, who is defined as being the Chair of  
7 the University Senate. So if and when we have the  
8 discussion, that's sort of the progression of events.

9                   One more report. I'd like to ask Brad  
10 Canon, Chair of the Rules & Elections Committee, every  
11 now and again the Rules Committee is asked to provide a  
12 rules interpretation. And if you read the rules book,  
13 you'll see these interpretations published usually as  
14 the asterisk items underneath the actual rule itself.

15                   So, Brad, your committee has had some  
16 activity in the recent past.

17                   MR. CANON: Well, not too  
18 much, fortunately. We had one ruling that should be of  
19 interest to you in Part VI of the Rules, Section 4, a  
20 question came up about what the minimum penalty was;  
21 and a chair wanted to impose a penalty that was less  
22 than what the rules seemed to say and what the  
23 committee eventually ruled was the minimum penalty,  
24 mainly "E" in the course. And the language seemed  
25 clear in the Rules Committee Rule that the minimum

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1 penalty in a case of cheating or plagiarism is an "E"  
2 in the course.

3 Now, the instructor in this course, as  
4 well as some members of the Rules Committee believed  
5 that this was perhaps too harsh a penalty and in  
6 conveying to the Senate Council and Jeff the ruling, we  
7 indicated that perhaps a committee should be appointed  
8 to look into whether a lesser minimum penalty should be  
9 allowed. And I believe Jeff plans to either send this  
10 to another committee or -- well, to take it to the  
11 Senate Council and presumably we will be asked to send  
12 it to another committee or to an ad hoc committee.

13 Let me mention one other ruling that is  
14 on - maybe on the horizon. What happens if the chair  
15 and the instructor disagree about whether an offense  
16 has occurred? Now, the rules don't seem to cover this,  
17 at least with any clarity. So far the ombud has talked  
18 with me about this and has had no formal request for a  
19 ruling and maybe this will be worked out and we won't  
20 have to be on that. But this is an issue that the --  
21 whomever considers this probably ought to consider, as  
22 well.

23 I'll take any questions. I don't think  
24 this is complicated.

25 MR. GROSSMAN: Yes. I'd like

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1 to make a few comments, if I might.

2 I was at this meeting of the Rules  
3 Committee where there was discussion. And one thing  
4 that came up which surprised me that the member from  
5 the College of Law - Is he here today? I forget his  
6 name.

7 MR. CANON: Doug Michaels.

8 MR. GROSSMAN: Doug Michaels,  
9 right. --made the point that an instructor and student  
10 can agree on an informal penalty cheating that is less  
11 than the minimum penalty. There's an informal way of  
12 handling it. But it has to be handled between the  
13 instructor and the student. The instructor can say,  
14 well, I think you did this, so I'm going to give you a  
15 zero on this assignment, or I'm going to make you do it  
16 again. And the student can accept that and it's quiet  
17 and handled like that. But if the case is handled like  
18 that, the instructor may not then go tell his  
19 colleagues that he was sure cheating happened in this  
20 case and he handled it quietly but next time you'd  
21 better hammer him, because he's a cheater.

22 If you handle it informally, you are  
23 obliged not to ever tell anyone who handled it  
24 informally, where you could be -- If you do that,  
25 you're violating federal law, you're violating privacy



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1 statutes. So if you want there to be a record that a  
2 student cheated, you have to go through the formal  
3 process of the University. You can't handle it under  
4 the table.

5 MR. CANON: Yeah. The rules  
6 do not countenance this but it's all done. One  
7 problem--

8 MR. GROSSMAN: But it's  
9 against the law, is the point.

10 MR. CANON: It's not against  
11 the law. The law just doesn't mention it. Now, the  
12 law--

13 MR. GROSSMAN: It violates  
14 federal law. It violates United States law.

15 MR. CANON: The revelation.  
16 Not doing it--

17 MR. GROSSMAN: Right. The  
18 revelation.

19 MR. CANON: Yeah. One  
20 problems with this, of course, if a student does not  
21 believe he or she is guilty, then nothing is formal.  
22 It can be worked out.

23 MR. GROSSMAN: Correct. And  
24 then the student has to either--

25 CHAIR DEMBO: Go through a

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1 grade appeals.

2 MR. GROSSMAN: Yeah, go to the  
3 appeals board and risk getting -- And that's the  
4 problem that I think -- one of the problems that needs  
5 to be addressed.

6 MR. TAGAVI: I have a quick  
7 comment. The other problem that came up and I think  
8 that part of the heart of the problem is if the  
9 instructor decides he'll be the chair - under penalty,  
10 not under guilt -- but says they have agreed on both  
11 sides, the chair's opinion prevails. I think perhaps  
12 maybe chair should not be even in the line of command.  
13 This is an academic matter that you go from faculty to  
14 the ombud to the appeal to the board. I just want to  
15 add that comment.

16 MR. CANON: The chair cannot  
17 recommend anything less than "E" in a course.

18 MR. TAGAVI: Correct. But, to  
19 me, that's not the professor's recommendation.

20 MR. CANON: They may want, you  
21 know, whoever handles it may want to keep the chair out  
22 of this. But the chair is doing this presumably to  
23 provide for some uniformity to the penalty policy in  
24 the departments. The deans have a uniformity problem.  
25 These are things that need discussion.

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1 MS. ARNOLD: Do I hear  
2 correctly that you are now alluding that someone is  
3 going to review the policy about the minimum penalty  
4 that can be given?

5 MR. CANON: Right.

6 CHAIR DEMBO: Suzanne, this  
7 will--

8 MS. ARNOLD: Like a little  
9 pregnant, a little cheating versus a lot of cheating or  
10 a lot of pregnant?

11 MR. CANON: Yes. Unlike  
12 pregnancy, there are levels of cheating.

13 MS. ARNOLD: Okay.

14 CHAIR DEMBO: And to take it a  
15 step further, Suzanne, we don't have very good  
16 definitions as to what plagiarism and cheating are, the  
17 various permutation. It probably is going to be a  
18 year-long discussion to revisit how we deal with  
19 academic integrity at the University, not just the way  
20 we codify it but how we help to create a culture of  
21 integrity, which is really what we're aiming at. So  
22 that's on the list of things that we need to start this  
23 summer.

24 You've been incredibly patient and have  
25 a good evening.

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1                                   Our next meeting will be the final one  
2   for the year, unless something comes up.

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(MEETING CONCLUDED AT 4:47 P.M.)

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