

Minutes of the Meeting of the Board of Trustees
University of Kentucky
Tuesday, May 4, 2021

The Board of Trustees of the University of Kentucky met on Tuesday, May 4, 2021, via Zoom Webinar.

I. Call to Order

Bob Vance, chair of the Board of Trustees, called the meeting to order at 12:05 p.m. and reflected on former trustee and Investment Committee member Myra Tobin who had recently passed away. “Myra Tobin was a force of nature. She was relentless in advocating for what she believed in, for strong and steadfast support for her alma mater, and in fighting illness for so many years with an incredible unwavering spirit. Myra went to New York for a successful business career, but her heart never left Kentucky; her heart was always focused on this place, her alma mater.”

Chair Vance continued, “Myra supported UK in many ways – donations to health care, as alumni trustee and as a community member of the Investment Committee. She seemed to always be on campus attending games and student events and other occasions that mark the life of a university. There is not another Myra Tobin, but we are left with her spirit of generosity, her graciousness, her tenacity and boundless sense of compassion. Her passing leaves the world with a void no single one of us can fill, but we are collectively called to make whole using her example as a guide. May we seek every day to follow that example.” The Board then took a moment of silence in honor of Myra.

Chair Vance asked Secretary Webb to announce the members present.

II. Roll Call

The following members of the Board of Trustees were in attendance: Claude A. “Skip” Berry, Cathy A. Black, Lee X. Blonder, Joe R. Bowen, Michael A. Christian, Ray Daniels, Ron Geoghegan, Kimberly McCann, Elizabeth McCoy, David Melanson, Paula Leach Pope, Derrick K. Ramsey, C. Frank Shoop, Sandra R. Shuffett, Bryan Sunderland, Hollie Swanson, Robert Vance, Rachel Watts Webb, Courtney Wheeler and Barbara Young. Carol Martin “Bill” Gatton was not in attendance.

Secretary Webb announced a quorum was present.

III. Approval of Minutes

Chair Vance reported that there had been no petitions to address the Board since the last Board of Trustees meeting and stated that the minutes of the Friday, February 19, 2021, meeting had been distributed and asked for a motion to approve. Trustee Pope moved approval and Trustee Melanson seconded the motion. The motion carried without

dissent. (See meeting minutes on the Board of Trustees website, www.uky.edu/Trustees, under “Agenda”)

Chair Vance called attention to the 26 consent items on the agenda.

PR 2	Personnel Actions
ASACR 1	Candidates for Degrees December 2020
ASACR 2	Candidates for Degrees May 2021
ASACR 3	In Memoriam Degrees May 2021
ASACR 4	Candidates for Degrees August 2021
ASACR 5	Academic Degree Recommendation College of Engineering
ASACR 6	Academic Degree Recommendation College of Engineering
ASACR 7	Academic Degree Recommendation College of Engineering
ASACR 8	Academic Degree Recommendation College of Engineering
ASACR 9	Academic Degree Recommendation College of Public Health
ASACR 10	Academic Degree Recommendation College of Engineering
ASACR 11	Establishment of the Center for the Environment
FCR 1	Gift Estate of Henry Vickers
FCR 2	Pledge Tempur Sealy Foundation
FCR 3	Pledge Toyota Motor Engineering & Manufacturing North America
FCR 4	Acceptance of Interim Financial Statement
FCR 5	Approval of Lease: UK Healthcare Hand Center Clinic
FCR 6	Approval of Lease: Physical Medicine and Rehabilitation
FCR 7	Approval of Lease: Center for Children and Trauma
FCR 8	Approval of Disposal: Dairy Research Barn
FCR 9	Coldstream Public Infrastructure Capital Project
FCR 10	Construct Beam Institute II Capital Project
FCR 11	Construct/Expand/Renovate UK Healthcare Ambulatory Care Capital Project
FCR 12	Construct Cancer Treatment Center/Ambulatory Surgery Center Capital Project
FCR 13	Construct College of Medicine Education Building Capital Project
FCR 14	Capital Construction Report

Chair Vance asked if there were any requests to remove items from the consent agenda. Hearing none, Chair Vance asked for a motion to approve the consent agenda. Trustee Melanson moved approval, Trustee Sunderland seconded the motion and the consent agenda passed without dissent. (See consent items on the Board of Trustees website, www.uky.edu/Trustees, under “Agenda”)

IV. Chair’s Report

Chair Vance stated, “This is our last board meeting before finals and graduation. I think we all know it has been a challenging year, for all of us and this campus community. I know you join me, though, in a sense of thankfulness at what this community has been able to accomplish; from testing to vaccines, from new ways of learning to new

partnerships in health care, from groundbreaking research to national championship seasons. This campus has endured and found ways to thrive. On behalf of the Board of Trustees, I offer my thanks to the faculty, staff and students who have faced so many challenges, yet still done so much. Thank you. Mr. President, we look forward to your report.”

V. President’s Report

The president began his report by thanking the chair and members of the Board of Trustees. “I have reflected a lot over the last year, certainly about what makes us the place we are. By design, this is with purpose, as an institution, we are both a purposeful and powerful paradox. There are many people and many identities, but one community and one university. And out of this, this mix of ideas and personalities, people and perspectives spring forth, miraculously to me, learning, discovery, healing and service. Over the last several weeks, in particular, that confluence, people and ideas and what they can generate when they come together has been continually revealed to me in so many profound ways.”

The president continued by reflecting on the academic year, “So think about it: We have now administered nearly 240,000 doses of life-saving vaccines at a makeshift clinic outside the concourse of a football stadium. Hundreds of people from across colleges and units, backgrounds and areas of campus came together, came into this place in common cause to inject hope into our community. And it was recently announced that a team from UK’s Department of Physics and Astronomy had contributed to a major study some herald as potentially transforming an entire field, shifting how we understand the subatomic world. On that UK team, among 200 scientists from 35 exemplary universities stretched across seven countries, is an undergraduate student from Louisville, Kentucky, Mitchell Turner. A little more than a month ago, one of our own, Crystal Wilkinson, who grew up in Casey County, was named the state’s Poet Laureate. Professor Wilkinson said, ‘I am hoping that young girls can see they, too, can be writers as well as people of color. Our seeds of promise will blossom into those flowers of creativity.’

The president continued by outlining three topics he wanted to share with the Board. “First, strengthening our commitment to shared governance among faculty, staff, students and senior administrators as a foundational value of how we move forward, and reinforcing accountability in our performance of teaching, research, healing and service. Second, I want to provide you a review of the university budget you will consider in June, a budget that invests in our most precious resource, our people. And last, and certainly not least, looking ahead at the framework, the guiding principles we must use as a campus as we seek to honor our most precious and sacred mission, and that is advancing Kentucky. This is why we are here.”

The president stated, “Yesterday I forwarded to you a communication I sent to the campus and the comments I offered to the University Senate regarding a renewed commitment I must have and that we all should affirm to support shared governance amongst faculty, staff, students and senior administrators. It takes us all. I am redoubling

my commitment and my efforts to that goal. That commitment to our values and our principles is so important because the truth is our state needs us now more than ever before. To that task, we have so much potential and so much promise. This last year should only reinforce to all of us what is possible, or what I really like to say is what is wildly possible.”

The president continued, “One way we reflect on those values is how we spend the resources entrusted to us. So, Mr. Chairman and the members of the Board, in the budget I will propose to you in June, we will put forward investments that would help us continue our progress. We will invest in our people by holding down costs for students while investing more in their success; by investing in our staff at all levels with higher compensation, and particularly those on our team who need the most support; by restoring benefits such as the 10 percent retirement match while adding additional leave options for our people who must take care of their families in times of need, and by creating and implementing, as we have started, performance indicators that are linked to our budgeting so that our continued efforts in serving students, conducting research, advancing diversity, equity and inclusion and everything we do in support of our students is made clear.”

The president continued, “We will propose investing millions each year over the next several years in our colleges, but they must commit to and make measurable progress year after year in those priority areas. We will match money to principles, resources to priorities. The way we earn our way forward must recognize the time that we live in and our respective revenue streams.”

President Capilouto highlighted examples where performance is linked to funding. “State revenue increases this year are totally allocated, every nickel of the increase, with performance-funding indicators largely linked to student success. Our external grant support totaling over \$400 million is determined by fierce national competition and steep peer review for the very best ideas.” He continued by discussing the investment families and students make to prepare graduates for a meaningful job and purposeful life and the importance of keeping this focus.

The president continued by highlighting the third topic – new resources through entrepreneurial approaches in order to meet UK’s mission, adding that these resources represent a new revenue stream, not just for the university, but for the entire Commonwealth.

“Further, as we begin the process of a new university strategic plan, and as this Board prepares this fall for its annual retreat, I will outline a framework of priorities that I believe we must share to enjoy future success. They will support a central idea. How does this institution in everything that it does, work to advance Kentucky and its future – Advance Kentucky.”

The president continued, “We will focus on five areas: Number one; it is not a new one, but it just gets more important every year, and that is the success of our students,

all students. Two: Our willingness to foster greater trust, transparency and accountability with each other. Three: Our distinctive capacity for innovation and discovery. That is why universities are here. The essentiality and necessity of taking care of our people, taking care of each other, taking care of those students who are here because of us. Our fundamental faith in the idea I began with: We are many people, but one community.”

The president continued, “So where did all these principles come from? They were the themes I heard repeatedly, consistently and with great passion in what is now more than a hundred conversations with members of this community over the last few months. I was so gratified to hear this and the deep commitment and love people have for this place. Make no mistake. There remains anxiety and uncertainty, both about the trajectory of the virus, but also about what the future looks like in a world that we all know will not be the same, even as we return to something more normal tomorrow.”

“I know there is much we can do together to meet this moment, but it is only together that we truly honor the mission that binds us: The success of our students; they need to trust each other by acting in ways that build faith and sustain credibility; the support of our talented and industrious people who make this place work. That creative spark of innovation that leads to discovery, transformation and healing. All of that, I know, is wildly possible because we are many people with many perspectives and still one community, a community unlike any I have seen in my lifetime. It is a community inextricably bound to the state we were created to serve, and we all stand dedicated to advance. I look forward to working with you in seizing this moment to determine what is wildly possible when we come together like no time before.”

Chair Vance thanked the president for his report and for sharing his remarks to the University Senate. “On behalf of this Board, I want to echo your support for the work this campus has done and is doing for Kentucky. We know how difficult this year has been for all of us and this community. But what this institution and its people have done, led by you, has been remarkable. We are proud. We add our hopes that there will be a time, as one academic year ends, for our people to rest, reflect and reconnect. We know challenges remain, but we are also excited about what the future holds for Kentucky’s university because we have seen firsthand what it can do when challenged to meet the moment. We look forward to the future.”

University Staff Emeritus (PR 3)

The president introduced PR 3, the recommendation that the Board of Trustees confer upon Adrienne McMahan the title of University Staff Emeritus in recognition of her many years of service, dedication and loyalty to the University of Kentucky.

Chair Vance asked for a motion to approve PR 3. Trustee Black moved approval. Trustee Wheeler seconded the motion and the recommendation passed without dissent. (See PR 3 on the Board of Trustees website, www.uky.edu/Trustees, under agenda.)

Chair Vance congratulated Ms. McMahan and invited her to make remarks. “I want to thank the university for allowing me to grow up here, which is literally what I have done. I appreciate so much the people that I have worked with, the accomplishments we have made. I have met a lot of doers, and I have met a lot of innovative people who sincerely care about the students, and I have met a lot of students who are so appreciated and appreciate when you do care. Some of the phrases they have said to me I will never forget. I am so proud of so many of them and what they have been able to accomplish. When you see them walk across that stage, there is just no greater thrill. I am leaving at a time when I feel like the university is in such great hands with President Capilouto.”

She continued by thanking Executive Vice President of Finance and Administration Eric Monday and Vice President for Student Success Kirsten Turner. The Board recognized Ms. McMahan with a round of applause.

Research Professorships 2021-2022 (PR 4)

The president introduced PR 4 that the Board of Trustees approve the naming of the individuals on the attached Exhibit I as University Research Professorships for 2021-22. The University Research Professorships were established by the University of Kentucky Board of Trustees in 1976 to recognize outstanding research achievements by members of the faculty.

The president invited Vice President for Research Lisa Cassis to introduce the honorees.

Dr. Cassis described the University Research Professors Program and how it recognizes excellence across the full spectrum of research, scholarship and creative endeavors within each college at UK. College leadership develops criteria for excellence in research and scholarly activity within their area of expertise, and then nominate faculty who excel in these criteria. The purpose of the program is to recognize and publicize the research accomplishments of these scholars across the full disciplines at UK. Dr. Cassis introduced the following 2021-22 University Research Professors:

Dr. Surendranath Suman is a Professor of Meat Science in the Department of Animal and Food Sciences in UK’s College of Agriculture, Food and the Environment. He is internationally recognized for his research program focused on fundamental and applied aspects of meat color in livestock and nontraditional meat animals. He has authored more than 200 scientific publications, including 90 peer-reviewed journal articles and seven book chapters.

Dr. Anne-Frances Miller is a Professor in the Department of Chemistry in the College of Arts & Sciences. She is internationally known for her work on enzymatic redox catalysis and particular mechanisms by which proteins control bound co-factors to optimize specific reactivity. With more than a hundred peer-reviewed manuscripts and 4,000 citations, her research is within several textbooks and has led to international collaborations. Notably, a larger objective of her research is strengthening public trust

and interest in science through outreach in schools and churches, as well as citizen science and water quality.

Dr. Carol Mason is a Professor of Gender and Women's Studies and English in the College of Arts & Sciences. Her interdisciplinary and intersectional research spans Appalachian American and social theory and has been funded by the Rockefeller Foundation for the Humanities, the Bunting Institute of Harvard University and the National Endowment for the Humanities. She is the author of three books examining different aspects of the rise of the "Rise of the Right" since the 1960s.

Dr. Maria Cahill is an Associate Professor in the School of Information Science in the College of Communication and Information. Her research centers on improving literacy and learning outcomes for children and adolescents by tending to resources, services and programs that are available through the libraries. She has been recognized as one of the leading scholars in library programs and services for children with more than 45 publications and 13 peer-reviewed articles in prestigious library science journals.

Dr. Xin Ma is a Professor of Quantitative and Psychometric Methods in the Department of Educational School and Counseling Psychology in the College of Education. He serves as a Spencer Fellow of the National Academy of Education. His research contributed to more than 120 publications focused on advanced statistical methods, large-scale data analysis, program evaluation, policy analysis, organization effectiveness in the improvement and the psychology of mathematics education.

Dr. Issam Harik is the Raymond Blythe Professor of Civil Engineering and the manager of the structures program at the Kentucky Transportation Center within the College of Engineering. Dr. Harik is recognized internationally for his innovations and contributions to structural preservation with over a hundred peer-review articles. He is co-recipient of the American Concrete Institute Design Award, which will be presented this spring.

Dr. Jonathan McFadden is an Associate Professor of Print Media in the School of Art and Visual Studies in the College of Fine Arts. His research centers on the integration of commercial printing processes into the creation of large-scale installations and print ephemera integrating photolithography, risographs, photogravure and photopolymer plates. His work has been exhibited at many academic and prestigious galleries in both the U.S. and abroad.

Dr. Christopher Bollinger is the Sturgill Endowed Professor of Economics at the Gatton College of Business and Economics. His research published in high-impact journals of this field focuses on data quality issues and the impact of survey data quality on the estimation of microeconomic models. He is currently the Director of the Kentucky Research Data Center and serves on the Consensus Forecast Group for the State of Kentucky and the Board of the Kentucky Economic Association.

Dr. Christopher Fry is an Associate Professor in the College of Health Sciences, Department of Athletic Training and Clinical Nutrition and serves as a member of the Executive Committee for the Center for Muscle Biology. His research, which has received extramural support from the National Institutes of Health (NIH), and other private sources focuses on elucidating mechanisms that govern skeletal muscle plasticity to establish interventions that promote functional recovery following an injury. He has published 76 peer-reviewed manuscripts and high-impact journals.

Dr. Richard Underwood is the Edward T. Breathitt Professor of Law in the J. David Rosenberg College of Law. He clerked for U.S. District Judge David S. Porter and practiced law at Columbus, Ohio before coming to the University of Kentucky. Professor Underwood served as the Chairman of the Kentucky Bar Association Ethics Committee, Chairman of the Unauthorized Practice Committee and Chairman of the Kentucky Bar Association (KBA) Model Rules Committee. He is a Fellow of the American Bar Foundation and Life Fellow of the Kentucky Bar Foundation.

Dr. Thomas Curry is Professor and Vice Chair for Research in the Department of Obstetrics and Gynecology in the College of Medicine. He has had a long career interest in ovarian physiology and has built an internationally renowned research program studying defects in human ovulation, which are a major cause of female infertility. His research has been continuously supported by extramural funding since 1990 and includes large programmatic grant support from the NIH. He is Director and Principal Investigator of the NIH Center of Research Excellence in Women's Health; the NIH Careers Program in Women's Health and he administers pilot seat support programs for several high-impact centers across campus.

Dr. Yvonne Fondufe-Mittendorf is an Associate Professor in the College of Medicine's Department of Molecular and Cellular Biochemistry. Since coming to UK in 2011, her research has focused on mechanisms regulating the dynamic nature of chromatin with a long-term goal to understand how chromatin structural changes are modulated and then affect gene-regulatory programs and their relevance to cancer and in response to environmental queues. Dr. Fondufe-Mittendorf has been continuously funded by the National Science Foundation and the NIH, and she is the recipient of the prestigious NIH IDeA Thomas Mackey Award for Excellence in Scientific Discoveries and Mentoring.

Dr. Jill Kolesar is a Professor of Pharmacy at the University of Kentucky College of Pharmacy and holds administrative positions at Markey Cancer Center and is the Director of the Precision Medicine Center, Co-Chair of the Molecular Tumor Board and Co-Leader of the Translational Oncology Program. She is a member of the Markey Cancer Center and holds joint appointments in gynecologic oncology in the College of Medicine. Her research focuses on drug development of anti-cancer agents with an emphasis on targeted therapies and biomarkers contributing to four patents and more than 300 abstracts, publications and book chapters.

Dr. April Young is an Associate Professor in the Department of Epidemiology, College of Public Health. She is a nationally recognized expert in rural substance abuse and the application of risk network analysis in substance use research contributing to more than 75 peer-reviewed publications. She has led or co-led five NIH-funded studies, including a cooperative agreement under the National Rural Opioid Initiative to reduce harms associated with substance use in 12 of Kentucky's hardest-hit rural counties and is the lead for the community engagement team for the HEALing Communities Studies of Kentucky.

Dr. Cassis announced, "Please join me in celebrating the success of these incredible faculty. We will be holding a reception in the fall to celebrate the recipients from this year and last year, and we look forward to working with them and the impact of their research across the institution and Kentucky in the future."

Chair Vance thanked Dr. Cassis and asked for a motion to approve PR 4. Trustee Wheeler moved approval. Trustee Shuffett seconded the motion and the recommendation passed without dissent. (See PR 4 on the Board of Trustees website, www.uky.edu/Trustees, under agenda.)

Gluck Equine Research Foundation, Inc. Appointments (PR 5)

The president introduced PR 5 that the Board of Trustees approve the appointment of Elisabeth M. Goth to the Board of Directors of the University of Kentucky Gluck Equine Research Foundation for a four-year term, ending April 2025; and a term extension for Stuart Brown to serve an additional two years ending February 2023, so he may continue his appointment as Board chairman.

Chair Vance asked for a motion to approve PR 5. Trustee Shoop moved approval. Trustee Melanson seconded the motion and the recommendation passed without dissent. (See PR 5 on the Board of Trustees website, www.uky.edu/Trustees, under agenda.)

Chair Vance then called on Committee chairs for their reports.

VI. University Health Care Committee Report

Trustee Young stated that she and Trustee Daniels met with Executive Vice President for Health Affairs, Dr. Mark Newman, and his team to discuss compliance-related issues as required by UK HealthCare regulatory oversight policies.

She reported that the University Health Care Committee met the day before and heard reports on UK HealthCare's annual engagement survey for staff and providers. "Despite the global pandemic, gains were reported for the provider results. Staff survey results are down slightly, but still above the national average. Overall, the results were very positive, particularly given the circumstances of last year."

Trustee Young continued, “The Committee recommended approval of four FCRs, initial plans for a cancer and advanced ambulatory complex, a pediatric center capital project, and leases for a hand center and UK HealthCare Physical Medicine and Rehabilitation Department were among those approved.”

Trustee Young reported that last-minute preparations to launch Epic, UK HealthCare’s new electronic health record were reported by Chief Information Officer, Cecilia Page and the new system will launch in 32 days. Additionally, Ms. Young announced that Chief Financial Officer Craig Collins, reported that in March of FY21, UK HealthCare had a negative 3.9 variance to budget, but a year-to-date positive variance of 5.2 percent or 108.6 million.

In closing, Trustee Young reported that the committee approved the list of privileges and appointments submitted by UK HealthCare medical staff.

VII. Investment Committee Report

Trustee McCoy reported that the Investment Committee met the day before to review performance results and to conduct other business. “The endowment pool had a market value of \$1.85 billion as of March 31, 2021 and gained an estimated 17.4 percent or \$268 million in the nine-month fiscal year-to-date period. U.S. and international equity exposure were the primary contributors to performance for the period.”

VIII. Other Business

Chair Vance recognized Trustee Blonder and Trustee Swanson who had requested to address the Board.

Trustee Blonder opened her remarks by discussing a letter forwarded to the Board on April 29, 2021, regarding shared governance. “In these remarks, I hope to provide further context regarding the petition that Chair Vance forwarded to you, my fellow trustees on April 29th. The petition was a grassroots activity initiated by faculty. It circulated for six days and was signed by 546 faculty members from across campus in support of shared governance in the Senate Council Chair Aaron Cramer’s April 20th email to President Capilouto and Provost Blackwell.”

“The information I am about to present is organized as follows: First, I discuss UK’s shared governance policy; second, I describe the events regarding two dean search processes and, third, I explain the Senate Council and Senate responses to these events. I want to emphasize that the concerns expressed are about process and principles.”

“UK’s shared governance is explained in the Board’s Governing Regulation Part I, Section E, and an expert from GR I asserts that faculty bodies and administrators will reciprocally solicit and utilize the expertise of the other as each makes decisions in their respective areas of policy-making authority. In addition, the Board’s Governing Regulation VIII prescribes requirements for consultation with faculty bodies with respect to appointments of high-level administrators.”

Trustee Blonder continued, “Let me turn now to the events that have occurred over the last academic year with respect to two dean searches. First, I would like to address the position of the Arts & Sciences dean. Last fall the Senate Council and the faculty of Arts & Sciences objected when the provost abruptly fired beloved Dean Mark Kornbluh with no explanation and then failed to consult with faculty when appointing the interim dean of the College of Arts & Sciences (A&S). This appointment was made not only without input from A&S faculty leadership but without their prior knowledge. According to GR VIII, “If the officer administers a college, center, school or department, the provost also shall request a recommendation on matters of acting appointment or acting reappointment from a committee which includes faculty members from that unit.”

“This did not occur. The outrage felt by the Arts & Sciences faculty prompted letters, as well as meetings, between the provost and Arts & Sciences faculty in the College of Senators and Executive Committee members. The provost expressed to these groups a renewed commitment to adhere to shared governance, principles and the faculty consultation requirements of GR VIII. This morning in the Academic and Student Affairs Committee the provost explained his adherence in this process.”

Trustee Blonder continued her remarks, “Let me now address the position of the associate provost for graduate and professional education and dean of the graduate school. The Graduate School, which has had an interim dean since 2016 oversees graduate and professional education across the university, as well as overseeing the Martin and Patterson Schools. This is a very important position. Faculty, staff and students are deeply committed to graduate education and impacted by it. The master’s, doctoral and professional degrees we offer to distinguish UK and contribute to our classification as a Carnegie Research 1 institution. Our post-doctoral scholars are also part of the Graduate School. Faculty have been advocating for increased investments in graduate education for years, including the appointment of a permanent dean.”

“Thus, it came as a shock to the university faculty to learn that of the seven applicants identified as semifinalists by the Search Committee, only one would be put forth publicly. This was widely perceived as a slap in the face to the consultation expectation of shared governance and of the pivotal contribution of the faculty to graduate education and training. To quote one of our faculty members, “Faculty expertise in teaching students is what the university relies on to operate. This expertise goes beyond curriculum and should be leveraged to help make the best personnel decisions, especially ones that will profoundly affect faculty and students. In this case, the graduate teachers at this university should have full and meaningful input into the person hired to oversee the education of thousands of graduate students.”

Trustee Blonder continued, “So how did this happen? At the April 12th University Senate meeting Provost Blackwell reported that the internal search for graduate dean was paused and then restarted as President Capilouto wanted more involvement given that the provost was transitioning. According to the provost, he and the president together reviewed each of the seven semifinalists and met with Search Committee Chairs, Donna

Arnett and John Balk. Even though the Search Committee identified seven highly qualified individuals, the provost's April 12th campus email announced that only a sole finalist was selected. He also indicated that this finalist would participate in virtual interviews on April 19th and 20th. This announcement was viewed as a violation of shared governance principles as described in our Governing Regulations. This process of identifying a sole finalist in a pool of several highly qualified candidates has not occurred since 2011 when then Provost Capilouto came to campus as the sole finalist for the presidency of UK."

"Recent provost searches have included two to three finalists. In three recent dean searches, the Search Committees only recommended one finalist, and in two of those three, there was only one applicant. On April 13th, the Senate Council directed that its Chair, Aaron Cramer, send a letter to the president and the provost expressing concerns. That letter that you have received has since been endorsed by 546 faculty across the university, including at least 26 department chairs."

"As stated by Chair Cramer in his letter, "Of the most concern to Senate Council members is the appearance of a general pattern in administrative decision-making that faculty members are to be consulted only because of a regulatory requirement. The embodiment of shared governance is valuing the input and participation of diverse populations because they offer a valuable and different perspective on shared priorities. After the announcement of a single final candidate, Senate Council and many other faculty members across campus are uncertain about the extent to which senior administrators value the role of the faculty and shared governance." The Senate Council letter also requested that the president and provost refrain from making a decision on the associate provost graduate dean search until additional candidates have been offered the opportunity to be public candidates."

Trustee Blonder continued, "On April 19th, one week later, DeShana Collett, vice chair of the Senate Council and the secretary of the University Senate received a letter signed by 34 university senators requesting that the Senate Council convene a special meeting of the University Senate to address issues of shared governance. The request describes several examples of areas where shared governance has not been exercised in a balanced way over the past year. That special University Senate meeting took place on April 26th with over 250 people in attendance on Zoom. During that meeting, five resolutions were passed and those were posted on the University Senate website on April 26th. Each resolution has been sent to the president and the provost and Trustee Swanson will discuss them shortly. "

"During President Capilouto's address to the University Senate yesterday and in his communication to campus, he unequivocally affirmed his commitment to shared governance. We ask that that commitment translates into specific actions taken to honor the senate's resolutions."

Trustee Blonder concluded, "The Board's regulations on shared governance serve us well and are adhered to with commitment. Trustee Swanson and I relay these concerns to you, our fellow trustees and the university administration as representatives of the

faculty of the university and in our role as fiduciaries for this university. I would like to turn this over if I may, Chair Vance, to Trustee Swanson for her remarks.”

Trustee Blonder yielded the floor to Trustee Swanson for her remarks.

Trustee Swanson began her remarks, “Chair Vance and fellow trustees, I appreciate the opportunity to speak on this matter. I will be following up on Trustee Blonder’s remarks by providing additional context.”

Trustee Swanson continued, “First, I will address the responsibilities of the Board and then explain its importance. I will then summarize the resolutions of the senate that have been passed to rectify the issues described by Trustee Blonder.”

“A few words about shared governance: Kentucky state law, KRS 164.200 charges a university Board with a specific responsibility to promulgate proper regulations for the character and welfare of the university. In 2017 the Association of Governing Boards (AGB) issued a statement on shared governance and stated that one of the most distinctive values of higher education is its commitment to shared governance. It is defined as a fundamental principle of inclusion in both institutional responsibility and decision-making. The AGB’s statement further emphasized that governing boards need to be better educated about the state of shared governance on their campus, understand its potential value in executing needed institutional change and help ensure its effectiveness in strengthening the institution for which they are responsible.”

“The AGB recommends that the Board should be intentional in assigning appropriate accountability for shared governance to the president, as well as periodically reviewing policies that define shared governance. I quote one of our faculty members who stated, “The strength of this university, the University of Kentucky, is its brain trust. Our faculty, who collectively have the expertise to solve many of the world’s problems. This university will run best if the president mobilizes his problem-solving expertise in shared governance, rather than wasting this incredible resource at hand. Faculty also work best and are most productive and innovative when they feel they are included in decision-making. Feeling excluded from shared governance leads to lower morale and less productivity, doubling the squandering of university resources.”

Trustee Swanson continued, “With respect to accreditation and compliance, as you know, we are currently preparing for upcoming reaffirmation as outlined by our regional accrediting body, the Southern Association of Colleges and Schools Commission on Colleges. Our success in this endeavor requires that we demonstrate our ability to abide by required standards and that would consistently follow our own policies and procedures. For example, in our most recent interim report to our accrediting body submitted in March 2019, several statements assuring our compliance with Standard 5.4 were made. This standard refers to appointments of our administrators, such as deans and our provost. Page six of this report cites our own Governing Regulation VIII where it is stated that the Search Committee evaluates the candidates for these positions and makes recommendations on a chief administrative officer of an educational unit. Evidence

of this process being followed was then provided by the processes used to appoint Provost Blackwell.”

Trustee Swanson continued by discussing the senate resolutions, “As noted by Trustee Blonder, more recent events have taken place that deviate from these established processes. On April 26th, the University Senate met to address these events and passed several advisory resolutions. First, the faculty expressed concerns that actions by the administration have violated the shared governance principle stated in GR I. Their first resolution passed by the senate reaffirms the senate’s commitment to the Board’s policy on shared governance and requests that President Capilouto similarly affirm the administration’s commitment to the shared governance policy. It further requests that President Capilouto and all administrators take steps to solicit and utilize faculty expertise in these shared governance matters.”

Trustee Swanson continued, “The next two resolutions address the appointment of the dean of the College of Arts & Sciences and associate provost, dean of the graduate school, and request that all upcoming actions by our administrators abide by the process as described in our Governing Regulations.”

“The final resolutions suggest changes to be made to our Administrative Regulations and/or Governing Regulations that specifically ensure effective and meaningful involvement of the faculty and Search Committee processes. Prior to the incorporation of these changes, the Senate requests that current best practices be adopted by the administration to ensure that Search Committees are properly represented with the faculty, staff and students, that the committees recommend two to three finalists, that these finalists participate in presentations and that all constituencies be provided with an opportunity to provide feedback.”

Trustee Swanson concluded, “In conclusion, as a fellow member of our Board that is responsible for the welfare of our university, I feel it is very important to share with you these urgent concerns expressed by your University Senate. Thank you for your kind attention.”

Chair Vance introduced the president to recognize some special guests.

President Capilouto thanked Chair Vance and stated, “I think we have all taken a heightened interest over the past few months in successes we have had in parts of our university. We have highlighted a lot over the last two days. I would like to introduce Athletic Director (AD) Barnhart to share some of those individuals who have made some of the success possible.”

Director Barnhart thanked the president and Chair Vance for the opportunity to attend, “Thank you for the opportunity to be here today. This is our championship season when coaches and student-athletes work diligently to try and put their best foot forward in the best way possible to represent the university and the Southeastern Conference (SEC). We have been unbelievably fortunate to have a unique and special group of

student-athletes and coaches, but specifically, we are going to focus on the last 60 days in early March.”

Director Barnhart continued, “We are fortunate to have experienced the first SEC Championship in women’s swimming and diving history when our team went to Athens, Georgia and completed a championship season. Lars Jorgensen and our team brought home the SEC title, the first time in the history of the school.”

“Abby Steiner is a young lady that came to UK as a soccer player and a track athlete, and she went on to win the 200-meter indoor national championship. She is currently in class, and although she could sprint here and go back before you knew she was gone, she will not be able to attend today.”

Director Barnhart continued, “But with us today are other national champions, which has been documented well in the last 30 – 45 days. First, a gentleman who has been at this university for almost four decades and over three decades as a coach, Head Rifle Coach Harry Mullins who has just completed the journey for his third national championship. I go back to last year when our team was literally ready to shoot the first shot on our own campus when the pandemic hit. We were the favorites to win it last year and they had to put that on pause, and brought a championship back to Lexington, Kentucky this year.”

Director Barnhart then introduced Volleyball Coach Craig Skinner, “Another coach with us today is a well-documented national coach of the year. Coming off a week ago Saturday in Omaha, Nebraska, Craig Skinner brought home the first-ever volleyball championship in the Southeastern Conference. No team in the SEC has ever won a volleyball national championship until Kentucky did it with Craig’s leadership.”

Director Barnhart introduced Coach Skinner and Coach Mullins for remarks.

Coach Skinner thanked the Board for having them and remarked, “I want to offer a huge thank you to Mitch, our administration, the university and the state for allowing us to even compete this year in such unprecedented times. It is amazing that we are sitting here today when August 4th we had no idea we were even going to compete during this season. Thank you for entrusting in me the opportunity to be the coach here at Kentucky. Several years ago, one of the biggest reasons my wife Megan and I wanted to come to Kentucky was because it was a place of substance and people, pride and loyalty. We felt like if we could build something special, people would want to come and join, and people would follow us and get in the stands with us. The outpouring has been unbelievable the last ten days.”

Coach Skinner continued, “When recruiting, I always feel like we need to get great athletes, but we have to get the right athletes and people like Madison Lilley are the right type of person to represent the University of Kentucky, along with her teammates. This has truly been a dream come true for myself and this program and I could not be prouder to be representing everyone in the Commonwealth and the University of Kentucky.”

Coach Skinner then recognized senior volleyball national player of the year, Madison Lilley, for brief remarks.

Miss Lilley discussed how she committed to the University of Kentucky when she was 14 and had visions of making this championship come true. She thanked everyone for their support and leadership and discussed her teammates. "We have such a diverse group of girls on our team as far as what we are studying and where we are from, and that has been a huge factor in our success. We appreciate what you do for our university. It is far beyond what I could ever even imagine. Go Cats."

Next, Coach Mullins thanked the Board for the opportunity to attend and for making it possible for the student-athletes to compete. "Being able to travel, even though we ate lunch out of boxed lunches, six feet apart, sitting on a bus four rows apart, everything was different, except for the opportunity to be able to play the game. For that, I cannot thank you enough. It kept the athletes motivated to continue the pursuit of excellence."

Coach Mullins continued, "For this team to win their third national championship made me tremendously proud. My peers were calling me asking how we were managing COVID and keeping everybody safe? The team felt safe. We felt like we were in the best hands possible and, again, I cannot thank you enough for giving us the opportunity to play."

Coach Mullins then invited rifle team member Mary Tucker to make comments.

Miss Tucker discussed how different the year had been from what they would have expected and why she came to UK. "In contrast to what Madison said, I have only been at UK for one year, and have three years left. One of the things that attracted me to Kentucky was how supportive everybody was. It seemed like a big family, and I think that was shown. Last year things got canceled pretty quickly for us and shortly after NCAAs were canceled, the Olympics were also canceled, so I took that really hard."

Miss Tucker continued, "But I think that fueled our fire. I know this team – I have a lot of confidence in this team and I appreciate everybody's support. Thank you for having us here today, and I will see you in Tokyo. Go Cats!"

Chair Vance thanked the special guests, "Coach Skinner, Coach Mullins, Mary Tucker, Madison Lilly, you have made us proud. Director Barnhart, thank you for having this group in.

IX. Adjournment

Hearing no further business, the meeting adjourned at 1:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rachel', written in a cursive style.

Rachel Watts Webb
Secretary

(PR 2, ASACR 1, ASACR 2, ASACR 3, ASACR 4, ASACR 5, ASACR 6, ASACR 7, ASACR 8, ASACR 9, ASACR 10, ASACR 11, FCR 1, FCR 2, FCR 3, FCR 4, FCR 5, FCR 6, FCR 7, FCR 8, FCR 9, FCR 10, FCR 11, FCR 12, FCR 13 and FCR 14 are official parts of the Minutes of the meeting)