

Senate Council Meeting September 27, 2004

The Senate Council met on Monday September 27, 2004 at 3:00 pm in the Gluck Equine Building Room 118 and took the following actions.

1. Approval of the Minutes from August 30, 2004.

Tagavi stated that on the first page of the minutes he did not recall suggesting two committees, and that the new sentence should read, "Tagavi suggested that such committee should be controlled and appointed by the USP Committee with perhaps half of the composition of the committee taken from the USP Committee and the other half from the English department." Tagavi also noted that the last sentence of the minutes was not correct in that he did not recall closing the session and that the council kept visitors during that time which was not allowed, so that statement was a contradiction. Jones agreed that the sentence cannot say "closed session" and Staben and Bailey agreed this did not happen. The council agreed to delete the last sentence in the minutes. Being no further discussion or corrections the August 30 minutes were **approved as amended**.

2. Chair and Committee Discussions for the Two Newly Formed AD Hoc Committees.

The Chair read the names of suggested people he had received and then asked for further input for the committees. For the Academic Offense Policy Committee the Chair named; Robert Grossman (Chemistry) as the chair, Pat Terrill (Student Services), Randall Roorda (English), Douglas Michael (Law), Kaveh Tagavi (Engineering), Enid Waldhart (Communications). There was general discussion that there should be more than eight names mentioned, perhaps two more, one being from Agriculture and the other from Medicine. The Chair suggested that Lee Edgerton (Agriculture) and Tom Foster (Pharmacy), recommended by Mike Cibull, would make the list comprehensive and balanced. There were no other recommendations or discussion and the Chair mentioned there was discussion on Listserve of Bob Grossman as the possible chair and there were strong opinions on the matter. Jones made the **motion** that Grossman be named chair. Staben **seconded** the motion. The motion **passed** without dissent.

Tagavi said that it would help to give a time by which the report should be due. The Chair replied that he hoped it would get to the Senate Council in time for it to be sent to the University Senate by the February meeting. Tagavi felt that it should be communicated to the committee to have the report done by January. The Chair replied he would communicate that charge to the committee and send the charge to the Senate Council members.

The Chair next listed the names put forth for the second committee on Writing Across the Curriculum which were; Janet Eldred (Engineering), Jane Riggs (Engineering), Mike Mullen (Agriculture), George Blanford (Engineering) and two other spots proposed from the Natural Sciences and from Business & Economics. Tagavi asked if Eldred was a senator and the Chair replied affirmatively. Staben noted that the committee needed

some representation from the Natural Sciences because there could be major consequences for that department. Staben suggested that department could be asked to nominate a member. Jones agreed that senators and council members from that department could be contacted. Greissman noted that technical writing was an important component of the committee and the issue should be represented. Duke asked if there was a person from student services on the other committee and if they were needed on this one? Discussion followed about the purpose of the committee and if it needs code infraction involvement. Greissman also pointed out that there was not a Medical Center representative. Dembo also questioned if there should be community college input on the committee? He reminded the council that they made a promise to keep LCC in mind, and that many students start there and that close collaboration across institutions could be helpful.

Tagavi, Staben and Greissman discussed whether the LCC faculty should be involved in the conversation. Also, questioned was if LCC was able to teach W courses, and the council was not sure if they have that distinction. The Chair agreed to consider the issue and suggested Eldred should be consulted for her views if it is appropriate for an LCC representative to be on this specific committee. Jones asked if the Chair was going to pursue contacts in other departments. The Chair was undecided if there needed to be more representation, so far there was potential for six members. Jones suggested mentioning others when speaking to Eldred. Dembo questioned if the committee had a student representative. The Chair replied that student membership will be sought and asked the council how they would like him to proceed with this. Jones said he supported the Chair to go with the names we have now, but to report back what member selection is decided between the Chair and Eldred. Jones also put forth that Eldred should be the chair of this committee and the Chair agreed. Jones made the **motion** that the committee should be established with Janet Eldred as the chair, and to get back to the council on the committee appointments. Staben **seconded** the motion. The motion **passed** without dissent.

Kennedy stated that he felt the Senate Council should survey the entire faculty, and in that survey ask if they care about University governance, and within governance what do the specifically care about. He advised all of this information be put into a database and to refer to this database for future appointments. Kennedy proposed the survey would raise overall awareness about what the University Senate and Senate Council do. The Chair replied that the survey was the beginning of a good idea, but he feared no one would take it a step further. The Chair suggested that the issues be discussed further and the proposal formalized at a meeting on a later date.

3. Orthopedics Proposal

The Chair asked Bailey to summarize the Academic Organization & Structure committee's findings on this proposal. Bailey summarized the committee findings and concluded that the chair of the department of surgery was not in favor of the proposal, but the committee voted unanimously to support the proposal. Debski pointed out that the ACMC focused on the academic aspect of the proposal for which no problems were noted, but there was concern about resources going into this department. An example

was the creation and filling of new positions in this department. There was also concern about movement of other divisions to department status.

Duke wanted to clarify that Debski meant other surgical divisions. Debski replied yes, that other divisions were against the proposal, while others were for it saying they were going to take the same action. Staben asked how many charter members there were and pointed to trouble with faculty retention. Debski stated this should help faculty retention. Bailey said there are eleven faculty members, and thinks this might be too much for them; they are undersubscribed as a faculty title series and among the smaller departments in the college.

Cibull expressed ambivalence, stating that the strongest reason for the change is that other programs are now departments and not divisions, and was worried this change will hurt surgery. He believed they will be the first of several divisions to try this and other divisions could make a stronger case. He did not want to hurt the department of surgery as a whole, was not willing to stop the proposal at this point, but still did not believe the proposal was in the best interest of the college.

Jones questioned how the proposal would help faculty retention. Cibull replied that they will have more access to funding and they would not submit their budget directly to the dean. It would be a more powerful position for them. Debski raised the concern that a number of people are leaving the department. Cibull replied it had more to do with other issues, and it ultimately comes down to money. Duke mentioned her surprise that the dean did not have something to say about this proposal, because it was not the first time this issue had come up. Jones questioned whether the benchmarks have divisions or departments. Cibull stated some are divisions, but others act more closely together as departments, but it really all comes down to money and how to keep the largest amount.

Bailey noted that the chair of surgery declined to appear before the committee and also declined to send a representative. The surgery chair seemed to think that the proposal is a done deal, even though he is against it. Bailey pointed out that there were letters of support for this proposal going back to 1998; the letters state this division will operate better as a department. He also said this is the second division to do this. Bailey informed the council that many of the questions the committee and the Council brought forth and were mentioning now fell outside of the realm of what the committee was responsible for deciding. Debski, the ACMC representative, stated the proposal was reviewed with regard to its impact on academic issues, but there were concerns about the repercussions of the decision. She reported the committee at the time did not have documentation to review what other problems could arise and there were no problems based on academic merits, so it passed. Bailey reported their aspirations are to have a greater academic presence, not to take away from other sources and that growth would occur because of the changes.

Kennedy questioned how many other divisions/units exist within Surgery. The conclusion was there are about ninety-two faculty. Dembo made the point that these

are the same issues as we dealt with the HES, and made a comparison of problems. He pointed out that he has not heard how Surgery will be hurt, but he has heard how Orthopedics will benefit. Cibull and Greissman both were concerned about why the Surgery chair would not come speak, and Greissman commented it is odd why important info is being withheld.

The Chair now offered what actions could be taken and suggested the Council send the proposal to Academic Organization & Structure Committee so they could potentially hear from Surgery; this would then help the council make a better recommendation to the Senate. Tagavi agreed with the Chair. Cibull did not think this was a good idea, saying there had been ample time to do research and for Surgery to speak, he suggested that the proposal be sent to the Senate without a recommendation, and that Surgery or others could speak directly to the Senate if they cared to. Bailey agreed.

Cibull made the **motion** that the Orthopedics proposal be sent to the Senate without a recommendation. Kaalund **seconded** the motion. Tagavi asked if the Council is going to convey to the Senate why we are not sending a recommendation. Staben stated there are individual reasons why council is not sending a recommendation. The Chair agreed with Staben and stated the Council does not have to have a reason to send the Senate. Cibull replied it should go before the floor of the Senate and be decided there. Bailey stated it is a respectful option and it would not be a problem to send with out a recommendation. The Chair thanked Bailey for a job well done and a good discussion, and then called for a vote. Five Council members voted in favor of the motion, with one opposed and no abstentions. The motion **passed** and will be taken to the University Senate without a recommendation.

The Council now decided to switch the order of the agenda and go to item five next.

5. BOT Post-Mortems and Invitation to Meet with the President

The Chair turned to Moore and Kennedy for comments. Moore stated he lobbied individual members of the Board to postpone consideration of the Boone Center renovation proposal because there was apparently little faculty support and more faculty input was needed...It was clear there was a lack of understanding about the renovation on campus. Moore also made the recommendation to the Council that President Todd meet with the Senate Council on this topic, and in the future meet with this body on a regular basis. It was suggested there could be a rotating schedule between the President and the Provost monthly, to meet with the Senate Council. The Chair asked about the context of this proposal. Jones replied it was increased communication with the Senate Council.

Kennedy outlined the position of the President, stating President Todd felt this would be a good investment, and that he wanted to bring in greater numbers of people and solicit larger donations. Kennedy's feeling was you can't invest money that you don't have, even if there might be a large return. The investment should be in people, and if there is non-recurring money to be spent, it should be spent on other things. He believed he gave the President some food for thought in that there are other more important things

to spend the money on, and he believed that the President is also aware of other responses, such as the ones in the newspaper recently.

Staben next asked if there was some authorization for this project that the President did not get. Kennedy stated he did get permission from Frankfort, and the President thought it was in the budget already. This project is a different situation because there is no state funding involved. Staben asked if the proposed renovation was in the six-year plan. Kennedy replied it was apparently not in the University's budget. Moore interjected that it would be very informative for this body to meet with President Todd. Moore relayed that he had been informed that one-half of the funding was already secured and rest had good prospects. Kennedy interjected that he saw this as a critical issue, and that it is the First Lady who is pushing for this project.

Debski made the point that she is not concerned how much money there is right now, but there needed to be strong justification for this project. Also, there needed to be some other potential use for this space besides for when large groups come in. Kennedy and Moore both pointed out that most faculty clubs lose money. Debski stated it is irrelevant to the justification that we presently spend money outside the University for catering as it does not mean such spending will necessarily stop once we have this renovated facility. Moore again stated this topic needed to be discussed with the President face to face.

Staben asked the council to consider what standards they are asking the President to adhere to, and that we don't demand other projects to put forth projections of what they need. The Chair surmised that this explanation of the project did not seem to pass muster and there was a "firestorm brewing" because of other decreases. Also, it could appear this project did not suggest real concern for the faculty or was really a faculty project, as it was being touted. Dembo stated the Senate Council did not want to tie the hands of the President, as Staben said, but the President is contradicting past actions and there is not as much data on this project as there has been for past projects.

Tagavi questioned why the council was even talking about this topic. He noted the Boone Center was already closed and renovations underway. He questioned if we can reverse this. He partially agreed with Staben's suggestion to give the President a chance, noting this is not an academic building, and the numbers should be examined. It sounded like a good idea to make more money in donations in the future. Kennedy relayed that he made the point to the President that the word *faculty* should be removed from the name of the center. He pointed out also that it was the President's job to look after this aspect of the University. Cibull believed there is reason to discuss this project more widely, that this could be an even bigger project, even seeking corporate partners in the venture. The Chair asked the council to come to a consensus, or motion, on an invitation to the President to come visit on this topic or to come regularly. Moore put forth the **motion** to have an informal breakfast meeting with the President. Kennedy **seconded** the motion. The motion **passed** without dissent.

4. Voluntary Faculty AR for Senate Council Review

Jones briefly discussed the issue and made clarifications in the language of the document. Jones then made the **motion** to make changes as indicated. Tagavi noted that this was a very poorly written document, that the faculty does not have a choice and there is too much power taken away from the faculty. Also they do not have the chance to change what the rank that is being considered, and on number five he did not think that the Deans should communicate with the Board directly. Jones then tried to clarify those issues. Tagavi questioned if it meant in the last paragraph that the Provost has to approve a recommendation. Jones asked that the change be formally submitted so it does not have to go back through the process. More discussion was led by Tagavi of what the Council believed happened with faculty appointments. Tagavi agreed with the motion. Kaalund **seconded** the motion. The Chair made clear that the Council is acting on behalf of the Senate and they are approving the AR to be sent to the President. The motion **passed** without dissent.

Other Business

The Chair stated that the Council on Aug. 16 and the Senate on Sept. 13 voted for the proposal to rotate Deans for the chair position of the ACMC, but it had not made clear when this would come into effect. There was some discussion that it should be implemented on Oct. 1. The Chair reported that he discussed the issue with the Provost, and the Provost urged delay until some concerns were cleared up and there were sufficient staff available for the Deans. The Provost indicated that some Deans were not knowledgeable enough at this time or able staff-wise to take over the position right now. The Provost also did not see the issue of staff support as fiscally feasible. The Chair would like to see the present chair of the ACMC continue until January 2005 to allow time to work out the difficulties.

Cibull asked if he meant the dean or the designate. Bailey stated the designate could take over the position in January. The Chair stated he believed this would give time to implement or modify this action and perhaps secure the appropriate resources. Tagavi stated he believed by not saying when the proposal goes into effect that it implies it would go into effect immediately. Tagavi believed it should go into effect no later than January 1, 2005. Moore discussed the possibility of the designate declining, and stated it would go to the next person. The Chair did not want to get into a situation in which the deans could decline over and over again.

Tagavi stated that this proposal was a poor decision. Staben stated that this was not a decision that was going to work. Dembo did not see it as such a big deal to enact. Cibull stated that yes, it was a hasty decision and that this body did not have the power to make a person take the position. Debski reported that Watt appears upset with the Council because of the lack of communication with him or with any of the Deans. The mistake was no communication to Watt.

The Chair noted that this issue was caught up in emotion and that there was a paper trail from when Dave Watt was selected through when the actions that were taken. He

also pointed out that communication of the action's rationale was made to Watt. Despite this, there had still been ill will about the decision. The Chair just wanted to get a sense of when this policy should take effect.

Cibull stated the need to invite parties involved with the Council and not to make a unilateral decision on this issue. The Chair again urged the Council to make a decision on the topic at hand. Tagavi did not believe that the action could be stopped and it was immediate. Staben agreed with Tagavi, but asked what we can do and gave some past insight. Debski pointed out that it was confusing to try to determine the best governance mechanism, particularly in light of diminished resources. Debski believed the council should begin to repair some of this and invite Dave Watt to a Council meeting to get him on board with all of this,. Tagavi suggested a general date of Spring 2005.

Cibull recommended that the council admit its mistake, that there was no way this can work by the proposed date. He stated we need to admit this and take the blame that the Council for trying to push this proposal through too soon. He concluded that we need to start fresh. Dembo pointed out that Dentistry is under a crunch with an upcoming accreditation visit and that may attribute to why they wanted a delay in the start date. The Chair asked the Council to trust him to convey the message to the appropriate people.

The Chair mentioned also that he will put off the issue of the LCC liaison to the Council and send out another request.

The last business the Chair brought up was the role of grants in the promotion and tenure process. Jones mentioned that there is a continuing problem with this issue across the University and that he had communicated with the Provost to encourage him to clarify to the appropriate parties what the regulations really require. That is, there appears to be pervasive confusion about whether or not obtaining grants is itself a criterion, or whether or not it counts as evidence of a candidate's research, and whether or not obtaining grants can be considered a requirement or condition of promotion and tenure. As an example of this confusion, the council discussed the College of Medicine faculty performance evaluation form, and it was noted that on the form the word "publications" had been completely removed from the box headed as "research" and extramural funding was substituted in that box as the only activity of research. The Council thought that this designation would be confusing to the faculty and inconsistent with standing Administrative Regulations. Regarding the Provost's stance on this university-wide issue, Bailey recounted the direction given by the Provost to the Area Committees at a meeting Bailey attended as an Area Committee member. There, Bailey stated, the Provost made it clear **success in obtaining grants** is not a criterion for "Research," in evaluations for promotion and tenure, though grant getting could be considered in an overall evaluation.

The Chair stated that he had discussed this issue with the Provost at a recent informal meeting, and reported the Provost affirmed to him personally what he stated explicitly at

the Area Committee meeting that Bailey attended. The Provost pointed out that obtaining a grant could be offered by the candidate and considered by evaluators as one kind of evidence of “peer recognition.” Elaborating, the Provost indicated, according to the Chair, that in some disciplines it might be necessary to acquire extramural funding to the extent that it is necessary to support the generation of publications, but it is the publications, not the grants, that constitute the evidence of research activity. Bailey also recalled the Provost stating that if an area committee letter stated that promotion was not recommended because the individual had not obtained grants, then this letter could become legal evidence that the university was not following it’s own criteria.

On the matter of the COM evaluation form, the Provost also related that he believed the discrepancy between stated written University policy and the College of Medicine evaluation form could be resolved at the College level. Staben asked if there was a path of action that the Chair was going to take in this matter. The Chair stated that Jones would be meeting with Watt concerning the matter, and that the Council would be attentive to the final outcome of any placement or revision of the designations on the College of Medicine form.

There being no further business, the meeting adjourned at 5:34.

Respectfully submitted by
Ernie Yanarella, Chair

Members present: Bailey, Cibull (3:22), Debski (3:22), Dembo (3:20), Duke, Jones, Kaalund (3:22), Kennedy, Moore, Staben, Tagavi, Yanarella

Liaison present: Greissman

Prepared by Megan Cormney on September 28, 2004.