

Senate Council  
August 27, 2018

The Senate Council met in regular session at 3 pm on Monday, August 27, 2018 in 103 Main Building. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise.

Senate Council Chair Jennifer Bird-Pollan called the Senate Council (SC) meeting to order at 3:00 pm. Due to the number of guests, she suggested that those present introduce themselves.

1. Minutes from August 20, 2018 and Announcements

The Chair said that no edits had been received for the August 20 minutes. There being **no objections**, the minutes from August 20, 2018 were **approved** as distributed by **unanimous consent**.

The Chair then turned to announcements and yielded the floor to Vice Chair Schroeder. Schroeder announced her intent to resign from all Senate-related activities (SC vice chair, Senate's Academic Programs Committee (SAPC) chair, and SC member) effective August 31; she said that she will be accepting an associate dean position in her college, effective September 1. Schroeder said that she was deeply appreciative of all the time spent with SC members, saying that she had learned a lot and made great connections. Schroeder said she would look forward to working with senate in a differing partnership role, as her new position will include working on degree programs in the College of Education. Brion commended Schroeder on all of her hard work and SC members expressed their appreciation of Schroeder's Senate-related efforts with a round of applause.

The Chair explained that Schroeder served in three specific positions, all of which would need to be filled; SC member; SC vice chair, and chair of SAPC. The Chair said that because Schroeder had shared her intent to resign towards the end of the previous week, there was time to identify, from the most recent SC election, the highest vote getter who was not elected, which was Abigail Firey (AS/History). The Chair explained that Firey was attending the day's meeting as a guest and will formally join SC after Schroeder resigns. Also, Aaron Cramer (EN/Electrical and Computer Engineering), a current member of SAPC, was willing to serve as chair when Schroeder's resignation takes effect. The Chair thanked both Firey and Cramer for their willingness to serve.

The Chair then noted that the *Senate Rules (SRs)* stated that in the event of a vacancy in the position of vice chair, an election was to be held "as soon as possible." Schroeder **moved** to amend the day's agenda to include the election of a new SC vice chair and Grossman **seconded**. The Chair summarized by saying that the motion on the floor could certainly be described as "as soon as possible" but the SC could also conceivably wait until its next meeting on September 17 to hold the election. SC members discussed the motion. During discussion, Brion asked if there were any willing candidates and Osterhage indicated that she was willing to serve. Discussion continued. In response to a question from Tagavi, Guest Doug Michael, University Senate (Senate) parliamentarian, indicated that a two-thirds vote was required to change the agenda.

A **vote** was taken and the motion **passed** with six in favor and three opposed. The Chair indicated that the item would be added to the agenda but acquiesced to Brion's suggestion that it be placed at the end of the agenda. The Chair shared other announcements.

- President Eli Capilouto and Provost David Blackwell will be visiting all colleges to invite faculty feedback. The Chair encouraged each SC member to attend their college's visit and welcomed hearing more about the events.

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- Registrar Kim Taylor will attend the September Senate meeting to provide an update on UK's efforts to better comply with Title IV (financial aid/attendance).
- The Chair has spent some time recently on the composition of Senate's UK Core Committee. The SRs require there to be a campuswide solicitation for members, which occurred this past spring, so there are some possibilities in terms of new members. The (former) chair is currently on sabbatical so the Chair said she was working on identifying a new chair. She said that the SRs prohibit members from serving consecutive terms, so there may be a request forthcoming to change that.

## 2. Degree Recipients

### a. May 2018 In Memoriam Degree Recipient

#### i. College of Agriculture, Food and Environment Student WH-86

The Chair invited Guest Kristine Urschel (AG/Animal and Food Sciences) to present the request and Urschel did so. SC: Schroeder **moved** that the elected faculty members of SC approve College of Agriculture, Food and Environment student (WH-86) as the recipient of an In Memoriam honorary BS in Animal Sciences, for submission through the President to the Board of Trustees. Brion **seconded**. In response to a question from Grossman about timing, Urschel explained that she was unaware of the In Memoriam degree possibility but as a senator, she saw one presented to the Senate this past semester and that caused her to initiate the request. Grossman suggested to the Chair that colleges might not know about this option and asked the Chair to help spread the word. A **vote** was taken and the motion **passed** with none opposed.

### b. Second August Degree List

The Chair presented the second August degree list. Brion **moved** that the elected faculty members of SC approve UK's second August 2018 list of candidates for credentials, for submission through the President to the Board of Trustees. Schroeder **seconded**. A **vote** was taken and the motion **passed** with none opposed.

### c. Late Addition to Second August 2017 Degree List (per Senate Rules 5.4.1.1.D.1-2)

#### i. College of Arts and Sciences Student MB-56

The Chair invited Guest Ruth Beattie (AS/Biology, associate dean for advising) to explain the College of Arts and Sciences' request and Beattie did so. Cross **moved** that the elected faculty members of SC amend the second August 2017 degree by adding the Bachelor of Arts in Geography with a Minor in Mapping and GIS for student **MB-56** and recommend through the President to the Board of Trustees that the degree be awarded effective August 2017. A **vote** was taken and the motion **passed** with none opposed.

## 3. Committee Reports

### a. Senate's Academic Programs Committee (SAPC) – Margaret Schroeder, Chair

#### i. Proposed New Undergraduate Certificate in Environmental Engineering (pending receipt of SAPC documentation)

Schroeder, chair of the SAPC, explained the proposal and SC members asked questions of Schroeder and Guest Kelly Pennell (EN/Civil Engineering). During discussion, Grossman suggested that the faculty of record be adjusted so that, after the initial constitution, the college dean and department chairs and program directors no longer appoint members of the faculty of record. Grossman suggested that after the faculty of record was established, it would be better to have the faculty of record to make changes in its own membership, not someone in college leadership. The language could be rewritten to clarify

that one faculty member from each of the four collaborating departments will serve. Wood suggested that membership should be changed from one-year appointments to rolling appointments with terms of two or three years, to help build continuity and institutional memory.

The Chair explained that the **motion** from the SAPC was a recommendation that the University Senate approve the establishment of a new Undergraduate Certificate in Environmental Engineering, in the College of Engineering. Because the motion came from committee, no **second** was necessary. There were no further questions. A **vote** was taken and the motion **passed** with none opposed and one abstained. Grossman reiterated his suggestion that Pennell ask the faculty of record to reconsider how members are added and removed.

#### 4. Review of Board of Trustees' 2017-18 Questions Used in Evaluation of President Eli Capilouto

The Chair asked SC members if they had any suggestions. Tagavi suggested that in the first question, "weakness" should be changed to the plural form of the word. He also suggested that the "General Comments" be modified to just be "Comments." There were no additional suggestions regarding the questions.

Blonder requested that the Chair find out which faculty (from the list provided by the Chair) had been chosen to participate in the interview portion of the Board of Trustees' evaluation and the Chair said she would ask.

#### 5. Response to President Capilouto's Email Regarding Policies on Sexual Assault (*Administrative Regulations 6:2* ("Policy and Procedures for Addressing and Resolving Allegations of Sexual Assault, Stalking, Dating Violence, Domestic Violence, and Sexual Exploitation"))

The Chair explained that President Capilouto expressed interest in reopening a conversation on *Administrative Regulations 6:2* ("Policy and Procedures for Addressing and Resolving Allegations of Sexual Assault, Stalking, Dating Violence, Domestic Violence, and Sexual Exploitation"), to continue the collaboration with faculty, as described in the email from him that the Chair forwarded to senators. The Chair said that it was her impression that the President was open to suggestions regarding a description of the body that would provide input. Rather than being a group to provide a report or recommendations, the Chair suggested that the group's efforts might be centered on being a forum for gathering information and providing opportunities for the campus community to provide input.

SC members discussed the issue. In response to a comment from Brion, the Chair explained that the current chair of the Senate's Rules and Elections Committee (SREC), Davy Jones (ME/Toxicology and Cancer Biology), had been on the SC's earlier ad hoc Committee on *AR 6:2*. The President was supportive of the Chair asking ad hoc Committee members if they wanted to participate in this most recent initiative and that Jones was willing to participate, not as SREC chair, but as someone with knowledge of the *SRs*. Discussion continued.

Grossman suggested that a motion might help focus the discussion and he **moved** that the SC work with President Capilouto to establish a joint committee on soliciting feedback on the current *AR 6:2* and that the members of the previous committee be invited to join the new committee. Brion **seconded**.

Grossman suggested that the Chair could share this motion with the President and work with him on developing a charge for the group. In response to a comment from Tagavi, the Chair said that she would clarify for the President that if the not-yet-formed group provided suggestions that resulted in changes to a regulation, the SC would like it and the Senate to have the opportunity to vet the regulation separately; the joint group's input should not be construed as SC or Senate input. There was additional

discussion. Grossman accepted as a **friendly amendment** Tagavi's suggestion that the composition and charge of the committee be approved by SC. Brion also **accepted** the change.

A **vote** was taken on the motion that the SC work with President Capilouto to establish a joint committee on soliciting feedback on the current AR 6:2; that the members of the previous committee be invited to join the new committee; and that the composition and charge of the committee be approved by SC. The motion **passed** with none opposed.

#### 6. Tentative Senate Agenda for September 10, 2018

SC members reviewed the agenda. Ms. Brothers suggested adding the proposed new Undergraduate Certificate in Environmental Engineering to the agenda, as well as switching the order of agenda item 3a and 3b. Grossman **moved** to approve the agenda with those two changes and Schroeder **seconded**. SC members discussed the agenda, specifically the placement of "Update on Title IV (Student Financial Aid and Class Attendance)." SC members ultimately opted to move that item before "Committee Reports"; Grossman and Schroeder **accepted** that third change as a **friendly amendment**. A **vote** was taken on the motion to approve the agenda with the three changes and the motion was **approved** with none opposed.

#### 7. Report from Parliamentarian Douglas Michael

The Chair welcomed Guest Doug Michael, Senate parliamentarian. She asked Michael to offer some comments about issues that SC had struggled with in the past.

Parliamentarian Michael began by thanking SC members for appointing him. He explained that the role of the parliamentarian was to be seen and not heard, to provide whispered suggestions to the chair. The parliamentarian should not serve as an ombud for the body, but said he was willing to respond to the body if the Chair asked him to do so. He said that his general philosophy was that Robert's Rules of Order (Newly Revised) (RONR) were intended to facilitate business, not hinder it. He said there were a few issues he had been asked specifically to address, such as the role of the SC chair as a voting member and describing committee items that move to Senate through the SC.

Parliamentarian Michael stated that if a chair was a member of the body, and the SC chair was always a member of the SC and Senate, the chair would have a vote in situations where the chair's vote would be outcome determinative, e.g. making a tie or breaking a tie. Normally a chair of a small deliberative body, described by RONR as about 12 members, can always vote. Parliamentarian Michael noted that the SC chair should always remain impartial in her duties but within the SC it was always proper for the SC chair to vote and could vote when outcome determinative in the Senate.

In terms of from whom a motion comes after a committee sends a proposal to the SC for forwarding to the Senate, it seemed reasonable to Parliamentarian Michael that the motion would become SC's motion and the SC chair would then present it to Senate, but the SC chair could opt to yield the floor to someone who the SC chair believes can better describe the motion and/or proposal. There was brief discussion and the SC members present did not object to the assertion that degree list-related agenda items would be presented to Senate as SC motions.

SC members discussed whether or not proposals from joint Senate-administration committees, such as from the University Joint Committee on Honorary Degrees (UJCHD), would be proposals from committee and need no second because they came from committee, or if they would be proposals that would be moved and seconded by SC members. Parliamentarian Michael said he was unaware of any

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formal rule that indicated that motions from committee did not need a second; there was simply an implied assumption that the committee was comprised of members of the body and if the committee put forward a proposal, there was no perceived need for a second because the proposal had the votes it needed to leave committee. There were no objections from SC members present regarding Grossman's assertion that recommendations from joint committees, like the UJCHD, would need to be moved and seconded by the SC.

Grossman referred to past discussions about how discussion on proposals should be arranged and handled; he added that he was asking about a committee chair who has a proposal that their committee has sent forward to Senate – he wanted to know the appropriate role for the committee chair. Parliamentarian Michael said that RONR indicate that unless stated otherwise, the chair is in charge of everything. If the SC chair recognizes that there is an item that perhaps not everyone has read in advance, the SC chair can recognize individuals as the SC chair deems fit. There were questions about this and Michael asserted that the presiding officer would always be the SC chair. The Parliamentarian said that it was within the SC chair's authority to delegate responsibilities, perhaps allowing someone to speak to explain a proposal and also allowing that someone to take questions. He said the SC chair also could end that other person's ability to speak if the comments were no longer productive. In response to a question from Tagavi, Michael added that if the SC chair delegates the ability to speak to someone else and it became apparent that the person was not being unbiased, it was incumbent on the SC chair to wrap it up and take questions on their [SC chair's] own.

The Chair said that she had asked Michael to make a similar report to senators at the next Senate meeting. Wood asked a clarifying question regarding the SC chair's right to vote and Michael explained that a chair of any body, if a voting member, has the right to vote when it is outcome determinate, such as making/breaking a tie or making/breaking two-thirds of those present. If the SC chair's vote makes a difference, then the chair always has a right to vote if the SC chair is a member. Parliamentarian Michael said that RONR was pretty unclear but the premise is that the SC chair should remain neutral. In the larger Senate body, the SC chair runs the meeting and takes no sides but in the smaller group it is more informal; Michael pointed to the custom that SC members do not stand to speak as one indicator of the SC being less formal than Senate.

The Chair commented that she had not yet voted on anything while conducting an SC meeting, including a tie vote from the May SC retreat in which SC members were discussing the voting rights of the SC chair. She said she did not intend to vote in Senate unless it would be outcome determinate. She also opined that an SC chair should have the right to vote in the election of officers. She reminded SC members that they asked at the retreat that she work to clarify the voting rights for an SC chair, which is what she asked of the Parliamentarian; she asserted that Parliamentarian Michael's input had resolved the matter nicely. She said that she did not think there was a need for additional SRs to clarify the matter, but if someone wished to modify the SRs it could be done if someone wanted to. She opined that because the SRs point to RONR on matters not addressed in the SRs, it seemed that the matter had been clearly resolved. Michael commented that in cases of voting by ballot, the SC chair could always vote.

Grossman commented that there was a certain matter of trust that was required for the SC and Senate to do business. One of the qualities that he looks for when voting for the SC chair is determining if the person would be impartial and vote when appropriate. He said that in the case of the current chair and past chairs, he had not seen any evidence that input was being stifled or discussions were going astray because a SC chair was pushing an agenda. He said SC chairs had generally bent over backwards to avoid

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pushing their opinions on controversial issues. Grossman ended by saying that if at some point an SC chair tried to ram things through that were contrary to the will of the body, SC members would recognize that and take appropriate action.

8. Update on Initiative to Move Program Approval Process into Curriculum

Ms. Brothers provided an update on the project to move the program approval process into Curriculum.

Officer Election – Vice Chair Election

The Chair indicated that the floor was open for nominations for the position of vice chair. At Blonder's request, the Chair asked each SC member individually if they were willing to serve. Osterhage and Tagavi were the only two who expressed a willingness to serve if nominated and elected; the Chair noted they were both eligible to serve. A suggestion was made that voting be conducted via blank slips of paper and Ms. Brothers distributed them. Michael collected the slips and tallied the votes. He announced that Osterhage received eight votes and Tagavi received two votes; therefore Osterhage takes over the position of SC vice chair as of September 1.

Wood **moved** to adjourn and Brion **seconded**. A **vote** was taken and the motion **passed** with none opposed. The meeting was adjourned at 4:58 pm.

Respectfully submitted by Jennifer Bird-Pollan,  
Senate Council Chair

SC members present: Bird-Pollan, Blonder, Brion, Cross, Grossman, Osterhage, Schroeder, Spear, Tagavi, Walker, and Wood.

Provost's Liaison present: Turner.

Invited guests present: Ruth Beattie, Aaron Cramer, Abigail Firey, Douglas Michael, Kelly Pennell, Kristine Urschel, and Annie Weber.

Prepared by Sheila Brothers on Thursday, August 30, 2018.