

Senate Council
September 24, 2018

The Senate Council met in regular session at 3 pm on Monday, September 24, 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 3:01 pm. Chair noted that SC was scheduled to meet for one hour and said it had been too long since SC last met. Therefore, she opted to hold a short meeting, in part because it was both Firey's and Hamilton's first regular SC meeting. She thanked Senate Parliamentarian Douglas Michael (LA) for also attending the day's meeting.

1. Minutes from August 27, 2018 and Announcements

The Chair reported that no edits had been received for the minutes from August 27. There being no objections, the minutes from August 27, 2018 were **approved** as distributed by **unanimous consent**.

The Chair offered a series of announcements, noting that the announcements were a large part of the reason for meeting.

The Chair named the three faculty members who had been identified as the SC's nominees to participate in the Board of Trustees' evaluation of President Eli Capilouto. In response to Firey's request for more information about what the faculty members had been chosen to do, the Chair said that the SC performs a Senate-level evaluation of the President each spring, by soliciting input from all faculty via an email survey. The names sent forward were part of the same overall process, but from a different angle. She asked Grossman, faculty trustee, to describe the process. Grossman opined that the SC's survey of the faculty was, from the point of view of trustees, unsolicited input from the faculty. The trustees do review that information but the Board has its own process to evaluate the President. The Board identifies a few individuals from different constituencies (alumni, students, donors, etc.) and asks them a series of questions about the President; those responses are used to create the Board's evaluation of the President. There were a few additional comments about the Board's evaluation.

The Chair reminded SC members about the composition of the Senate's Institutional Finance and Resource Allocation Committee, specifically that this year's composition was perhaps not in compliance with the *Senate Rules (SRs)*. As discussed via email, the Chair said that the chair was not a senator, nor was a majority of the faculty membership comprised of senators. Via email, SC ultimately balanced the importance of expertise in finance and budget with the *SR* on its composition and approved a waiver of the composition requirements. The Chair noted that during the email conversation, there was also a suggestion that the recently established Senate's Committee on Committees discuss the larger question of how and why certain Senate committees must be chaired by a senator and have a majority of members be senators, and why others do not have that requirement. She said she thought it might make sense to place that issue on the SC agenda for the following week.

Referring again to work via email, the Chair thanked SC members for approving the usual composition of the Reinstatement Committee (chair, vice chair, and president of Student Government Association). She said that she, Osterhage, and Hamilton had a meeting scheduled for later in the week for a pending case and she appreciated SC's approval of the composition so the meeting could be scheduled.

Moving on, the Chair referred SC members to the screen, noting that she had begun the work of drafting a possible charge to and composition of a group to, at a minimum, provide feedback on various subjects related to *Administrative Regulations 6:2* ("Policy and Procedures for Addressing and Resolving

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Allegations of Sexual Assault, Stalking, Dating Violence, Domestic Violence, and Sexual Exploitation”). She said that what was on the screen was what she had drafted and shared with President Capilouto, noting that she welcomed feedback on every part of it. She said she was providing the update merely to give SC members an idea of where things stood in the process of developing an advisory group. She said that she had checked with staff in the Legal Counsel’s office and that there was no *Administrative Regulation (AR)* describing workgroups, so there were no particular requirements that had to be met. The diversity in types of members would address one of Tagavi’s previously expressed concerns that an advisory group might be misconstrued as speaking on behalf of the SC or University Senate (Senate).

SC members offered a variety of comments regarding the proposed advisory group. In response to a question from Tagavi, the Chair said that, despite how the composition was currently written, the intention was that the President would choose the advisory group’s chair from one of the seven faculty, not identify a 12th member as chair. Tagavi suggested that the Chair not participate in the advisory group, given her current position as SC chair. The Chair said that she anticipated there would be objections; Tagavi was welcome to propose different language. She said it was her understanding that it was the President’s preference that she serve as the group’s leader, but Tagavi was free to recommend other language. Cross suggested that she serve as a nonvoting chair of the advisory group, which would provide a way for the Chair to be involved, but also take away any possible conflict. Tagavi clarified that he thought the Chair should recuse herself from being in charge of the advisory group because it would be too close for comfort if she was presiding over SC and providing information as the advisory group’s chair. Grossman said it was very important for the Chair to serve on the advisory group, but said that he agreed with Tagavi that she should not be SC Chair and chair of the advisory group. The Chair said that she would ask next week for SC member to consider the language and have a formal conversation about changes then. She said that if SC decided next week that it was too much of a conflict of interest, then she would pass that information on to the President.

Hamilton asked about the disproportionate number of faculty compared to the single student member and staff member. Grossman explained that the SC created the last ad hoc committee on *AR 6:2* due to being upset with the regulation’s revision process. At that time, the number of and types of members were identified by SC. The Chair said that Hamilton was welcome to discuss the number of student members when the item was an agenda item, the following week. She said it was her understanding, from past conversations with SC and from her conversations with the President, that there was an intention to stay with the same ratio of members as the ad hoc committee on *AR 6:2*, as well as the same members, if they were willing to continue. Because it was slated to become an “advisory group,” she was not sure if the group would have any voting authority. Grossman suggested that the group make its own rules of operations on how to do a report. The Chair reminded SC members of the large difference in responsibilities for an ad hoc committee of the SC versus a joint President-SC advisory group.

Tagavi stated that the Chair was too important to not preside over the Senate, so she should not chair the advisory group. The Chair suggested that such changes be presented to the SC the following week. Firey suggested that if there was an issue of passionate debate that a presiding officer wants to participate in, the Chair could yield the podium to the Vice Chair and become an ordinary member of the assembly and be governed by those rules of debate. Cross thought that point was a good one to remember.

The Chair said that in drafting the description of the proposed advisory group, she was careful not to include “issue recommendations” as a responsibility of the advisory group. Grossman suggested that the

advisory group make recommendations. The Chair said that would be a good topic for discussion the next week – should the group gather information and make a report, or should it make recommendations. She said it sounded like SC might also be discussing the numbers of members and representation. She also asked suggested that consideration be given to how long the advisory group should exist. The Chair said she would include her draft language as part of the next week's agenda.

The Chair described the last announcement as pertaining to the SC's discussion on August 20 regarding a student who earned two degrees but graduated with one degree and two majors. Noting that SC had asked the SREC about the possibility of waiving, she said that the SREC had met and there was useful information available. The Chair said that she did not plan to bring anything forward, however, until the student confirms their intent to bring something forward. She said she would bring the issue to SC again when the SC office heard more from the student.

2. Terms for UK Core Education Committee Members

The Chair explained that of the ten regular members of the Senate's UK Core Education Committee, eight of the 10 members' terms ended or were not returning. She noted that repopulating had been a somewhat painful process and realized that little attention had been paid to terms of new members. The Chair said that the SC could set all the terms, in large part because all the new members had agreed to serve without knowing the exact term length. The Chair drew SC members' attention to the handout and said that those with term end dates in red were the terms that needed to be approved. There were a variety of comments and questions from SC members. Grossman **moved** to set the new members' terms as described and Hamilton **seconded**. A **vote** was taken and the motion **passed** with none opposed. Hamilton said that one student member was likely to continue and that he would check on identifying the second student member.

3. Senate Meeting Roundtable

Noting the tradition of asking SC members to go around the table and offer their perspectives on the most recent Senate meeting, the Chair said that she especially wanted feedback on how the meeting was run, given it was her first Senate meeting as Chair.

Tagavi suggested that the new Title IV [student financial aid and class attendance] initiative was not going well and Brion agreed. Firey suggested that the issue be placed on a SC agenda for full discussion, given that the day's meeting was intended to be shorter than usual. She said she also had many comments, but perhaps the discussion should happen at a different time. The Chair asked Provost's Liaison Turner if she had any information to share about the initiative. Turner said that the Title IV requirement was a federal law and that compliance was required, although UK could think about how best to implement processes to ensure compliance. In response to a question from Grossman, Turner said that overall, UK was implementing ways to ensure compliance similarly to other institutions like UK. After additional comments, the Chair said that she would invite the Registrar to attend a future meeting to discuss all aspects of the federal requirement regarding student financial aid and class attendance and also ensure that a few other key people were present to inform the SC's discussion. In response to a question from Grossman about how many students were ultimately affected, Turner said that it was her impression that it affected fewer than 10 students.

Brion said that the presentation on sustainability from the Provost's Faculty Sustainability Council was somewhat confusing. Spear concurred, saying that it was not made clear how and why the information was important. He added that it was unfortunate that neither the President nor Provost David Blackwell was in attendance. The Chair said that the SC office first discussed moving the Senate's September

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meeting date, to not conflict with Rosh Hashanah, but that the Board of Trustees met at the end of the week and that degree lists needed to be approved. She said that a similar activity would have to occur again in the spring. She said she hoped she could better anticipate those issues in the future. Ms. Brothers indicated that the Provost's office had notified her months prior that the Provost had a conflict and could not attend the September meeting.

Firey said she wanted to offer her compliments to Parliamentarian Michael and to the Chair for a snappy Senate meeting. She said she could not remember ever being finished with a Senate meeting at 4:30 and said the agenda and debate was presented with great clarity from the podium. Firey agreed that the sustainability presentation was somewhat muddied. She added that she had also recently been forwarded a link to a movie ("Paywall: The Business of Scholarship") that focused on how many resources used by academics were beyond paywalls and how that impacted future decisions on tenure, science and partnership, etc. She said she wondered if sustainability of academic resources was included in the idea of "sustainability," too.

Cross said he would like to repeat the compliments regarding the meeting, saying he appreciated a well-conducted meeting. He said he had the same concerns about the sustainability presentation. He said he was intrigued by the subject but thought it would be hard to overlay "sustainability" over everything that UK does. In response to a question from Cross about next steps for the report, Turner indicated that she thought there might be a meeting about the report within the next day or so. The Chair said that the presenters could be invited back to SC if SC members requested it.

Walker said she appreciated the early adjournment and agreed that the sustainability presentation was confusing. Hamilton agreed about the presentation and was also glad for the early adjournment. The Chair accepted the compliments about the meeting length by clarifying that it was unlikely that early adjournments would be routine. Hamilton said that there was a lot of student enthusiasm about how to incorporate sustainability into the curriculum; he said the idea was becoming more than just recycling within a student's life. He said that there were aspects of sustainability, such as finance, resources, and health, which made it a broad idea. He said he was anxious to see what of the Provost's Faculty Sustainability Council's would be developed further, especially how it would apply to various fields.

Osterhage extended her compliments to the Chair and to the Parliamentarian. She said that the Chair laid out very clearly for senators a description of how discussions would be managed. She said she appreciated having the rules simply explained. Osterhage commented that many senators were surprised by some of the numbers provided by the Senate's Admissions Advisory Committee in their report. She said it will be important for the Senate to be kept up to date regarding how those higher numbers will be achieved.

Grossman commented that he was not present, but at the Chair's questioning he responded that he did have a very enjoyable Rosh Hashanah.

4. Items from the Floor (Time Permitting)

There were no items presented from the floor.

After a reminder about the President's "Welcome Back" reception for senators, Brion **moved** to adjourn and Firey **seconded**. A **vote** was taken and the motion **passed** with none opposed. The meeting was adjourned at 4:54 pm.

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Respectfully submitted by Jennifer Bird-Pollan,
Senate Council Chair

SC members present: Bird-Pollan, Brion, Cross, Firey, Osterhage, Grossman, Hamilton, Spear, Tagavi and Walker.

Provost's Liaison present: Turner.

Prepared by Sheila Brothers on Wednesday, September 26, 2018.