

Senate Council Minutes
November 3, 2003

The Senate Council met on Monday, November 3, 2003 at 3:00 pm in the Gallery of the W.T. Young Library and took the following actions:

1. Approval of the Minutes from October 27, 2003

The Chair called the meeting to order at 3:00 pm and asked for comments on the minutes. Kaalund requested the spelling of his first name be corrected. Otherwise the minutes were approved as written.

2. Report from AO&S Committee on College of Pharmacy departmentalization:

Bailey reported on the item in lieu of Kate Chard, who was not present. Bailey reported the committee's unanimous approval of this item and provided some background. After brief discussion of the item, Cibull **moved** to approval the proposal and Kaalund **seconded** the motion. Edgerton asked if rationale was given at the college level for the votes against the proposal. Bailey said a few of the faculty had reservations about the lack of integration of the two units, but added only two votes were cast in opposition. The Chair asked if Cibull would like to amend his motion to include a positive recommendation and the waiving of the ten day rule. Cibull agreed and Kaalund's second stood. The motion **passed** without dissent.

3. University Extension Issue:

The Chair called attention to a letter from the Provost on this matter. There was brief discussion concerning the definition of Extension within this context. Jones asked what the Senate does in relation to Extension and wondered if the move would provide a threat to the Senate's roll in the Extension process. Saunier noted all of Extension's curricular activities would still need to be sent through the Senate. Cibull asked if this move will impact Senate's responsibility to implement educational policy. He asked the Chair to address a letter to the Provost requesting an answer to this question in writing. The Chair agreed to send such a letter.

4. Representation on University Studies Program Committee:

The Chair noted some vacancies on the committee and asked for suggestions as to who should fill them. Saunier suggested finding a representative from KCTCS to fill the other community college vacancy. Tagavi recommended Blandford for the Engineering vacancy. Cibull suggested finding a person from HES for the remaining vacancy. Saunier suggested Ray Fogue. The Chair will ascertain their willingness to serve.

Other business:

The Chair noted other vacancies, including the need for a representative from main campus for Lexington Community College's Academic Council. The Senate Council members suggested contacting Enid Waldhart or David Durant.

5. Representation for Committee on Campus Facilities, Environment and Planning:

The Chair reminded the Senate Council members of the committee's charter, noted the e-mail on the subject from Warren Denny, and asked for volunteers to serve on the committee. Kennedy volunteered. The Chair will forward his name.

6. Chair of the Academic Council of the Medical Center:

The Chair noted the lack of definition in the Senate Rules as to who should head this body now that Phyllis Nash was no longer in the Medical Center. He reported David Watt is now acting as Chair, though he was not appointed by the Senate Council. Tagavi noted the SR's still refer to the old Chancellor system. There was general discussion that the Rules Committee should examine the Senate Rules for references to the out-of-date administrative structure.

Cibull noted Watt's appropriateness for Chairpersonship. Bailey expressed his concern that the Associate Provost for the University was expressly involved with the Medical Center in his capacity as Chair, but was not involved similarly in the rest of the University. Tagavi noted Watt's title does not include anything about the Medical Center. Cibull voiced no objection to Watt being Chair but asked if the Senate Council should have been consulted. Tagavi replied the ACMC is a Council of the Senate.

Debski, a member of the ACMC, said Watt's Chairpersonship was very sudden and occurred with no explanation. She said though she had no objection to Watt as the Chair, she would have appreciated knowing how the decision was made.

Jones suggested endorsing Watt as Chair *pro tem* until the Senate Rules and the Rules Committee decide what should happen to this position. Saunier asked if anybody in the Provost's office already has the responsibility for the Medical Center in their job title or description. Cibull said there was not. Cibull voiced his support for the Chair *pro tem* idea. Jones said he had the same concerns as Bailey. Tagavi suggested requesting an Associate Provost for Medical Center Affairs. Dembo pointed out the current lack of parallel at the Council Chair level in the Medical Center and reminded the Senate Council members of who chairs the other Councils of the Senate.

Tagavi said he was not entirely comfortable with Jones' Chair *pro tem* suggestion since the primary issue was the lack of consultation. Cibull **moved** to appoint Dr. Watt as Chair *pro tem* until such time as the Senate Rules can be amended to address who should be in charge of that body within the confines of the University structure. Bailey **seconded** the motion. After brief discussion the motion **passed** without dissent.

The Chair asked if the matter should be referred to the Academic Council of the Medical Center or to the Rules and Elections Committee. Cibull voiced his preference for the Rules and Elections Committee. Tagavi said it should be a Senate Council issue since the item pertained more to policy than to the rules. The Chair expressed his hope the ACMC would have a voice. Tagavi suggested forwarding the issue to the Academic Organization and Structure Committee, and added that committee could hear the ACMC's voice. The Chair asked if the Senate Council was charging the Academic Organization and Structure Committee to determine who should be in charge of the ACMC within the confines of the existent University structure. The Senate Council members agreed.

Bailey said Chard had not planned to examine the committee's last charge, determining the difference between academic and research centers and institutes, until sometime in February. Jones noted the urgency of the issue in light of the Board of Trustees' recent

action which moved the Center for Drug and Alcohol Research into the College of Medicine.

Cibull asked if any of the steps in reorganizing an academic unit had been followed when this move was made. Jones replied the existing procedures had not been followed. Cibull expressed his displeasure that the proposal bypassed the faculty involved in the Center, the faculty of the Medical Center and the University Senate. Cibull requested an explanation from the Provost and asked the Chair to send a letter to the Provost. Cibull asked the Chair to request a written response from the Provost.

Other Business:

Kennedy suggested composing a list of discussion item for the upcoming breakfast with the Provost. He suggested including the reorganization of the Center for Drug and Alcohol Research, the role of David Watt in the ACMC, and other items that might come up. Cibull reiterated his request for a written response. Jones suggested the plans for the organization of the graduate centers as a potential discussion item. The Chair will post a list of items to the Senate Council listserv that can be added to as the week goes on.

The Chair informed the Senate Council members of his recent attendance at the first IRIS meeting. He said all consulting would be done in house. The Chair expressed concern for the funding of this project and wondered from what other projects the money might be taken. He said the committee pledged to tell the University community from where the monies will come. Cibull noted the cost savings that will result from keeping the project in-house and said other savings will ensue when the existent systems are taken down. He went on to express his support of Phyllis Nash in her new roll as Project Director.

The Chair announced the upcoming all-faculty forums. The presenters will include the Chair, Kennedy, Jones and Alice Christ. The Chair plans to send a hard copy announcement to the entire faculty. He said a number of questions are coming in regarding the retiree health benefits issue, which will be a topic of discussion at the forums. He noted Sean Pepper's question in particular. Kennedy added his regard for Goldman's comments on the topic.

The Chair reminded the Senate Council members this topic was on the agenda for Monday's University Senate meeting. Forums presented by the Retiree Health Benefits Task Force will be held in December. The Employee Benefits Committee will then make its recommendations to the President. The Chair asked for advice about how the issue should be approached. . He added that most of the comments thus far from faculty about this issue have been quite negative.

Kaalund expressed his opinion that to more would need to be done if the intent of the Senate Council members was to kill the recommendation. Cibull articulated his concern that other costs could be passed on to employees if retiree health benefits were not cut. Kennedy reviewed some the numbers in question, including the difference in cost to retirees who might use the cap system as opposed to those who might use the notional account.

Tagavi read a statement from the Human Resources Policy and Procedures Manual regarding which benefits may be offered to employees. Kaalund said the statement in question was permissive and not mandatory. Cibull reminded the Senate Council members the University could choose to stop offering the benefit.

Kennedy referred to Hans Gesund's e-mail notification to Senators of his intent to make a motion at the upcoming Senate meeting to call for a vote of no confidence in the Task Force and the report. Kennedy said voting in favor of the motion would polarize the issue. Kaalund asked if the faculty had any leverage in this matter. Kennedy suggested involving the media after planned discussions with the staff. In response to Kennedy's comments, Yanarella expressed concern over the current criticism of the University by the press and the public. He added the faculty would get more symbolic value from drawing a line in the sand rather than arranging further negotiations. Kaalund wondered if negotiations would happen in good faith, since the changes in regulations were not legally binding but have been purported to be essential by the Administration.

Ms. Scott suggested this might be a unique opportunity to partner with the Staff Senate to present a united front of all University employees. She suggested contacting the Chair of the Staff Senate to determine what course of action that body planned to take at their upcoming November meeting. The Chair will contact Sheila Brothers, Staff Senate Chair.

Saunier suggested sending the comments from Goldman and Peffer to all of the faculty and staff. Saunier and Debski recommended obtaining permission from the Goldman and Peffer before circulating their comments.

Cibull said the Administration should be asked to explain more thoroughly the "accounting error" rationale currently being cited as the reason for the necessary change to retiree health benefits. Bailey added that budget shortfalls are usually short-term while the solution being presented had very long-term implications.

The Chair said he will work on this issue over the course of the next week and find a reasonable way to present it to the Senate.

There being no further business, the meeting adjourned at 4:44 pm.

Respectfully submitted by
Jeffrey Dembo, Chair

Members present: Ernie Bailey, Mike Cibull, Liz Debski, Jeff Dembo, Lee Edgerton, Davy Jones, Braphus Kaalund, Michael Kennedy, Peggy Saunier, Kaveh Tagavi and Ernie Yanarella.

Prepared by Rebecca Scott on November 5, 2003.