

University Senate Special Meeting  
May 7, 2007

The University Senate met in special session at 3 pm on Monday, May 07, 2007 in the Lexmark Public Room of the Main Building. Below is a record of what transpired. All votes were taken via a show of hands unless indicated otherwise.

Chair Kaveh A. Tagavi called the meeting to order at 3:02 pm. The Chair explained that because the meeting agenda for the special University Senate (Senate) meeting was not sent out six days in advance, *Senate Rule (SR) 1.2.3* needed to be waived. Burkhart **moved** to waive the six-day requirement for the posting of the agenda. Cibull **seconded**. A **vote** was taken and the motion **passed** unanimously.

1. Minutes and Announcements

The Chair referred senators to the minutes from March 19, 2007, which were contained in the handout. He said that there were some editorial changes that were visible through “track changes.” There being no comments, the minutes from March 19 stood approved as amended.

The minutes from April 9, 2007 also included various editorial changes that senators could see. There being no comments, the minutes from April 9 stood approved as amended.

There were a couple of announcements. The recent election for the Board of Trustees (BoT) faculty representative was certified and Ernie Yanarella was reelected to the position for which he ran. A copy of the letter sent to President Todd with the election outcome was emailed to senators earlier in the day.

Senators were emailed on April 20 to solicit input regarding the annual evaluation of President Todd; the Chair again urged senators to participate in an exercise of meaningful evaluation by submitting comments.

Agenda Items Number Two through Ten

Due to a heavy agenda, the Chair explained that the first 10 agenda items ([Change to Engineering Standing](#); [New General Engineering Open Major](#); [New Major: International Studies](#); [New Minor: International Studies](#); [New Minor: Sustainable Agriculture](#); [New Program: Anthropology MA to PhD](#); [Revised 2007 – 2008 Dentistry Calendar](#); [New Institute of Research for Technology Development \(IR4TD\)](#); [New Graduate Certificate in Computational Fluid Dynamics](#)) were posted to a web transmittal for Senate approval.

Doing so was more in line with the *SR*, but recent tradition had brought such curricular proposals to live Senate meetings. The items posted on the May 1 Senate web transmittal could be objected to before May 10, after which they would be approved due to lack of objection. The Chair asked for questions and

there were none. He added that the contact persons for all the web-posted items were present and could answer questions if necessary. There were no questions or comments by senators.

11. [Discussion on Revisions to Clinical Title Series \(and associated Administrative Regulations\) \(input only - no approval authority\)](#)

The Chair explained that a review of the clinical title series (CTS) began, under then-Provost Michael Nietzel and Associate Provost for Academic Affairs Dave Watt, to improve the CTS and achieve compliance with the *Administrative Regulations (AR)*. There were eight original recommendations on issues such as sabbatical, the 25% cap, representation, multi-year contract, etc. The issue was brought to the Senate Council (SC) about six months previously, after which much discussion ensued. The idea of sabbatical was dropped by Provost Subbaswamy after the SC raised questions and concerns about funding.

That then left three main issues: the 25% cap; funding sources; and areas of activity (clinic, patient, client, practice, studio, experiential training, etc.). The Provost requested SC and Senate input by the end of the academic year in order to have the revised *AR* effective July 1, 2007. A revised *AR* was presented to and discussed by SC, after which the SC recommended sending the revised *AR* to the Senate for input and recommended continued discussions between the SC and Provost, for a final SC recommendation that would be offered by September 2007. There would be a couple more opportunities for discussions between SC and Provost so the SC's desire for more discussions and the Provost's July 1 timeline could both be accommodated.

The Chair referred senators to language in the handout that reflected very recent changes to *AR II-1.0-1*. He invited Provost Subbaswamy to the podium.

The Provost said that he brought a national perspective to the discussion, since he had not been involved in the early-stage CTS review. He said when he arrived at UK, he asked to be given more information about the academic medical center area. He was then gifted with the eight CTS recommendations and asked to finish the review. He said that some of the recommendations in an early report would not require Senate approval, although changing some aspects of CTS would need Senate approval.

Across the nation, academic medical centers were under a "triple threat:" faculty who worked 24 hours per day in the clinic; faculty who worked 24 hours per day teaching residents; and faculty who worked 24 hours per day doing research, which had not been possible in the past. He added that other changes had occurred recently – when he left UK, the terminal pharmacy degree at UK was a Bachelor of Science degree. Now, it was the PharmD, which is routinely an entry credential into the field of pharmacy practice. The College of Pharmacy (CoP) program required 30% of the education of its PharmD students to take place in practice, but the current *AR* definition of CTS did not work well with CTS faculty

in the CoP. With regard to professional medical education in general, it was customary only in some disciplines to earn revenue – some disciplines did not allow income, such as CoP. This was a partial impetus for the revised *AR*.

Provost Subbaswamy shared that the discussions with the SC over the past several months had been very fruitful – the textual highlights in the handout incorporated the negotiations between him and the SC. He said that UK was a research university and would continue to hire regular title series (RTS) faculty when at all possible, but that with such a diverse campus, it was impossible for all faculty to fall into the definition of one title series. He said that while the SC had expressed some serious concerns, the Senate meeting was the last step in the process of requesting Senate input. He then indicated he was ready for questions.

Yanarella asked for information about what in the *AR* had changed since the SC last saw the revisions. The Chair replied that while it was discussed on the SC listserv, the actual language added<sup>1</sup> about the Provost waiving the fee collection requirements was the only real change:

#### IV. Areas of Activity

“...(4) ability to generate practice funds, if applicable for the position and as established in the position request. No University General Funds will be used to fully or partially support the workload of a faculty employee in the Clinical Title Series positions, except that in cases where (i) the job assignment is inappropriate for the Regular Title Series and (ii) fees or practice funds are not collected in relation to the job activities, the Provost may approve an exemption on a position-by-position basis.”

The Provost added that he was not willing to regularly convert RTS faculty lines to CTS lines. He said that as a research university, it only made sense to use CTS faculty when the definition of their efforts would not fit into another faculty line’s definition.

Locke asked about the ability to generate practice funds. She said that some nurses in the College of Nursing (CoN) worked in the College of Medicine’s (COM) Department of Internal Medicine and contracted for their services. The Provost replied that practice funds would need to be generated when appropriate. With respect to the CTS, one size did not fit all, so almost all CTS faculty that were outside COM were in violation of the *AR*.

Piasek spoke in favor of the CTS revisions. She said that it was unlikely that the original CTS definition foresaw the changes in the American health care system. She said that in the College of Pharmacy (CoP), they went from 150 rotations per month of clinical training to about 1,300 rotations per month, currently. She said

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<sup>1</sup> Throughout these minutes, underline formatting denotes inserted text.

that faculty in CoP did not directly generate clinical funds, so co-funded (part of the salary is paid by CoP and the rest is paid by the institution where the pharmacist has a practice site) positions were created. Now, the CoP was in the unenviable position in which some faculty could not qualify for RTS or CTS (since they were co-funded) – they almost had to be identified as “staff,” but they were necessary for students’ educational training. She confirmed for the Provost that some of the issues in CoP were the result of accreditation rules. Piascik added that the proposed changes would give CTS faculty some voting rights on select issues, but that those items that had been solely within the purview of tenure-track faculty would remain in the tenure-track arena.

Sawaya supported the changes. He said that the survival of his division [Nephrology] depended upon clinical revenue and CTS faculty.

The Provost said that the exceptions mentioned in the revised *AR* would only apply to those areas where there was no clinical revenue. Also, the 25% cap referred to 25% of the college’s faculty, not an overall 25% of all faculty campuswide. If a college’s faculty council requested a change to the cap, it would go to the Office of the Provost, after which the Provost would report it to the Senate, if he approved it.

In response to Swanson, Provost Subbaswamy said that promotion issues should be covered in terms of the standard process. Associate Provost for Faculty Affairs Anderson added that while it was covered in the current guidelines, a faculty member moving up from the rank of instructor would be required to hold the terminal degree in the field, as determined by the faculty of the college.

Locke said that some faculty in CoN did not hold terminal degrees, but rather master’s degrees. She wondered if CoN faculty would be able to decide internally about a terminal degree, since not all held a doctorate. The Provost replied that he understood that the field of nursing was moving to a Doctor of Nursing Practice as the terminal degree. CoN Dean Kirschling approved tying a degree to national reputation with respect to promotion. She said she saw the terminal degree as a doctorate. The Provost confirmed for her that current faculty would be grandfathered in.

Moliterno asked if there had been any discussions about making CTS a tenurable line. Provost Subbaswamy said that he and Executive Vice President for Health Affairs Michael Karpf had discussed that idea. If someone was hired into a CTS line and developed a research portfolio, that person could be considered for a tenure-track position if the individual wished to move to the RTS line. Moliterno said that being unable to offer tenure to a faculty member in the CTS made it more difficult to attract high-quality faculty. The Provost noted that there would also be multi-year CTS contracts that colleges could use.

COM Dean Perman said that Moliterno brought up an important point. CTS faculty were critical to the function of the medical school so there was a need to find a way to value CTS faculty. He said that placing a cap on the numbers, by definition, and mandating year-to-year contracts devalued CTS faculty.

Randall **moved** to endorse the language of the proposed revisions to the clinical title series as presented and send it to Provost Subbaswamy. Thelin **seconded**. In response to Caudill, Anderson answered that the changes to CTS would apply forward – current faculty in the CTS line would be grandfathered in. Cibull offered a **friendly amendment** that the transcript of the meeting be offered to the Provost as the input of the Senate. Randall and Thelin **accepted**.

A **vote** was taken on the motion to endorse the language of the proposed revisions to the clinical title series as presented and send a transcript of the meeting's discussion to Provost Subbaswamy as the Senate's input. The motion **passed** unanimously.

Yanarella commented that in the future, having explicit language about proposed changes, in the form of *AR* language, would be beneficial and help move the deliberative process along more quickly.

#### 12. [Move of Graduate Center for Nutritional Sciences from the Graduate School to the College of Medicine](#)

The Chair said that the move of the Graduate Center for Nutritional Sciences (GCNS) was approved by the faculty council and administration of the College of Medicine, the faculty of the Graduate School and the Health Care Colleges Council (HCCC). He invited College of Medicine Dean Jay Perman to speak on behalf of the proposal.

Dean Perman thanked the Chair. He said that GCNS Director Lisa Cassis would provide details of the move after he spoke, but he could provide a perspective from health care and medicine. Dean Perman said he was unaware of virtually any chronic disease in which nutrition did not play a part, either in etiology or treatment. Nutrition has become very central to the understanding and treatment of disease. He also noted that it was well established among medical educators that physicians traditionally have been notoriously poor in their understanding of nutrition and how it could be used to treat disease; nutrition needed to be included in medical education. While the GCNS made some progress while housed in the Graduate School, it would be more appropriate to have the GCNS as a part of the College of Medicine; such a home would burnish research and build medical education around nutrition.

Guest Cassis offered a brief presentation regarding the details of the move of the GCNS. There being no questions, a **vote** was taken on the **motion** to approve the move of the Graduate Center for Nutritional Sciences from the Graduate

School to the College of Medicine, effective July 1, 2007. The motion **passed** unanimously.

13. [Revisiting a Proposed Change to Fall Break](#)

The Chair said the revised proposal just swapped the first Friday in October (current Fall Break) with the Wednesday before Thanksgiving. He said that Associate Registrar Jacquie Hager said there were pros and cons to making such a change effective for fall 2007, but that it was indeed a workable possibility.

In response to Voss, the Chair explained that there would be a loss of one instructional day for those courses that were taught on a Monday/Wednesday format. The current Fall Break (FB) did not affect those courses, since FB fell on a Friday, but the proposed change to holding the FB on a Wednesday would affect them. The Chair noted that when he was Academic Ombud, he had been approached by two student senators about making such a change and that students were supportive.

Yanarella, chair of the Calendar Committee (CC), which developed the original proposal, said that students generally preferred a weeklong break in the fall. There was also some interest in reshaping dead week, but due to wide-ranging complexities it did not appear in the CC's final recommendation. He said that individuals in the Office of Student Affairs and in the Office of the Registrar reported that they could incorporate the one-day swap with little problem.

Waldhart **moved** to change the Fall Break date from the first Friday in October to the Wednesday immediately before Thanksgiving Day, effective fall 2007. Voss **seconded**.

Forgue noted that some courses were only taught on Wednesdays; he noted that the proposal would decrease the number of teaching days for those courses, although it was possible that students were routinely skipping the day before Thanksgiving.

There being no further discussion, a **vote** was taken on the **motion** to change the Fall Break date from the first Friday in October to the Wednesday immediately before Thanksgiving Day, effective fall 2007. The motion **passed** with a clear majority in favor, two against and none abstaining.

14. [Three-Year Pilot for Change to Course Withdrawal Deadline \(freshmen only\)](#)

The Chair referred to Provost Subbaswamy's Senate presentation at the April meeting, in which the areas of six-year graduation and retention rates were highlighted. The College of Arts and Sciences (CoAS) by far has the most contact with incoming freshman so CoAS initiated three proposals, one of which suggested extending the course withdrawal deadline for all students. The inclusive proposal was reviewed by the Undergraduate Council and the Graduate

Council, but still required review by the Health Care Colleges Council (HCCC). The review by the HCCC, however, would not have been completed in time for the proposal from CoAS to come to the Senate before the fall semester.

Provost Subbaswamy approached the Chair about expediting the proposal, but because of the magnitude of the proposal, reviewing the proposal would take two meetings – one for discussion and one for action. In addition, the schedule of classes for fall 2007 had already been published, so any change that affected all students would be confusing.

While reviewing the original proposal, the Chair saw a reference to a practice at a benchmark university; the withdrawal deadline was longer for only freshmen. He suggested to the Provost that such a proposal be offered for a three-year pilot, until the original CoAS proposal completed the review process. The Chair asked Associate Provost for Undergraduate Education Phil Kraemer to offer additional information.

Kraemer said that the pilot proposal made sense. He said that if one looked at student data, the difference in retention rates for students who failed one or more courses, versus those students who did not fail but withdrew, was 17 percentage points. Kraemer said the pilot extension would give students sufficient time to see midterm grades and take them into account when deciding to withdraw or not. He added that if the original proposal for all students was approved in the fall, it would render the current pilot extension moot.

Thelin asked CoAS Dean Hoch to address the proposal. Dean Hoch said that it would be difficult to administer the “freshmen only” pilot and that CoAS had not been consulted in the drafting of the pilot proposal. He said that without a clear definition of who constituted a “freshman” it would be difficult to administer, but he was willing to live with the pilot, knowing that the original course withdrawal deadline extension would be coming up for review in the fall.

The Chair drew senators’ attention to the four caveats for the pilot extension: 1. the course withdrawal deadline extension would only apply to first-year students who were enrolled full-time for the first time at UK in or after fall 2007; 2. the course withdrawal deadline extension would be for a three-year pilot period; 3. eligible students must have the approval of an advisor in order to withdraw after the official mid-term date; and 4. appropriate persons would report back to the Senate Council yearly on the success of the three-year pilot to extend the withdrawal date.

Forgue asked about new students who began coursework in the summer – as the proposal was worded, they would be excluded. Kraemer said that the language should have been written to include first time enrollment in the summer sessions.

Ray offered a **friendly amendment** to change the language of the first stipulation so that it would read, “The course withdrawal deadline extension will only apply to first-year students who are enrolled full-time for the first time at UK in or after fall 2007 or the preceding summer.” Cibull **seconded**.

After additional discussion, a **vote** was taken on the **friendly amendment** to change the language of the first stipulation so that the first stipulation would read, “The course withdrawal deadline extension will only apply to first-year students who are enrolled full-time for the first time at UK in or after fall 2007 or the preceding summer.” The motion **passed** unanimously.

Remer offered a **friendly amendment** that the motion be changed to read, “...by three weeks for ~~freshmen~~ first-year undergraduate students only....” Voss **seconded**. A **vote** was taken on the friendly amendment that the motion be changed to read, “...by three (3) weeks for first-year undergraduate students only....” The motion **passed** unanimously.

Voss said that requiring approval by the advisor added an unnecessary bureaucratic step. Kraemer said that interaction with an advisor was a crucial part of the pilot. Miller noted that, as written, an advisor could reject a student’s request to withdraw at the extended date.

Waldhart **moved** to change the language of the third stipulation to read, “Eligible students must ~~have the approval of~~ consult with an advisor in order to....” Lock **seconded**.

A **vote** was taken on the motion to change the language of the third stipulation to read, “Eligible students must consult with an advisor in order to....” The motion **passed** with a clear majority in favor, five opposed and one abstaining.

There being no further discussion, a **vote** was taken on the **motion** that, to improve retention and six-year graduation rates, the Senate approve extending the course withdrawal deadline by three (3) weeks for first-year undergraduate students only, effective fall 2007, with the following four (4) stipulations:

1. The course withdrawal deadline extension will only apply to first-year students who are enrolled full-time for the first time at UK in or after fall 2007 or the preceding summer;
2. The course withdrawal deadline extension will be for a three-year pilot period;
3. Eligible students must consult with an advisor in order to withdraw after the official mid-term date; and
4. Appropriate persons will report back to the Senate Council yearly on the success of this three-year pilot extension of the withdrawal date.

The motion **passed** with a clear majority in favor, five opposed and one abstaining.



#### 15. [Rule Change: Pharmacy Disallow Repeat Option](#)

Piascik said that she would speak on behalf of the proposal. She said that when the rules were written for the PharmD program, there was a misunderstanding; those involved did not realize that the PharmD undergraduate professional program would be governed by undergraduate student rules. She said that the proposed rule did not prohibit a student from repeating a course, but that both grades would appear on the transcript and both grades would be factored into the GPA.

Michael said that the language was not clear about the affect on a student who utilized the repeat option prior to entering the PharmD program. Michael offered a **friendly amendment** to change the language of the first sentence of the proposed language to read, “...for ~~students enrolled in~~ courses taken by students after enrolling in the College.” Voss **seconded**.

Parliamentarian Brad Canon asked about the following scenario – if a student took an English course while enrolled in the PharmD program, received a poor grade and wanted to use the repeat option, would it be allowed? Piascik said that the program was so intense that it was unlikely a student could find the time to take something like an English elective. She said that the intent was that it applied to courses required by the PharmD curriculum.

Graduate School Dean Blackwell added that a separate transcript was used in a professional program, in which only the professional courses appeared.

A **vote** was taken on the motion to change the language of the first sentence of the proposed language to read, “...for courses taken by students after enrolling in the College.” The motion **passed** unanimously.

A **vote** was taken on the motion that the Senate approve the addition of language to the rules of the College of Pharmacy that would disallow the use of “repeat options,” with the one revision to the first sentence. The motion **passed** unanimously.

The Chair said that a subsequent motion from the SC (“that the Senate approve the inclusion of the following language at the end of the first paragraph of *SR 5.3.1.1*: “The Graduate School and professional degree programs may restrict repeat options.”) was now ready for discussion, which would alert students (if reading the *Senate Rules*) that the repeat option would not apply to all programs. The PharmD change would be in the section about the PharmD program, but the Chair said it could be beneficial to outline the different repeat option availabilities in *Senate Rules 5.3.1.1*. The Cibull noted that a student was bound by the rules of the catalog published when they entered – if someone entered UK and was allowed the repeat option, it could not be taken away from them.

Cibull **moved** to table the proposed motion. Debski **seconded**. There being no further discussion, a vote was taken on the motion, which passed, but Michael raised a point of order about the date on which the issue would again be discussed. Parliamentarian Canon said that a motion could not be tabled indefinitely.

Cibull **moved** that the proposed motion to include specific language at the end of the first paragraph of *Senate Rules 5.3.1.1* (“The Graduate School and professional degree programs may restrict repeat options.”) be tabled until September 10. Debski **seconded**. The motion **passed** with a clear majority in favor, one opposed and ten abstaining.

16. [Rules Change: Change to Senate Rules 5.1.8.5 \("Retroactive Withdrawal" – Insert Language on Stops and Requiring Instructor Feedback Form\)](#)

The Chair said that the proposed changes would explicitly state that stops on a student’s file would have no bearing on a retroactive withdrawal appeal (RWA) and would also require that the [Instructor Feedback Form](#) become part of the standard RWA application.

Michael noted that because there were some technical changes to be made, the proposed changes in RWA language should be sent to the SREC for codification after being approved. A **vote** was taken on the **motion** that the Senate approve the requested changes to *Senate Rules 5.1.8.5* (to be effective fall 2007) so the *Senate Rules* clearly state that stops have no bearing on a retroactive withdrawal appeal and that the Instructor Feedback Form is an additional requirement of the application, and that it be sent to the SREC for codification. The motion **passed** with a clear majority in favor, none against and three abstaining.

17. [Discussion on Change to Governing Regulations X \(“Tenure Clock Delay”\) \(input only – no approval authority\)](#)

The Chair invited Anderson to [explain](#) the changes.

Anderson said that the current language was a direct result of the efforts of a group of female faculty in the CoAS, who were charged by Dean Hoch to look at issues facing women in the college. In October 2006, Judith Lesnaw, CoAS faculty and SC member, brought the proposal to the SC for input. Among other things, the SC suggested adding language about guardianship for a child in foster care and allowing male faculty to take advantage of the benefit.

In November and December, the Faculty Development subcommittee of the University Committees on Academic Planning and Priorities reviewed the suggestions, added more language to the proposal, and researched benchmarks. In addition, Anderson reviewed information from the American Association of University Professors (AAUP) about such practices, including recommendations that: the tenure clock delay should be automatic, to hopefully alleviate any stigma associated with making a request for a delay; the practice

should be under the purview of the institution and, hence, something for which faculty are clearly entitled; individual candidates are reviewed under existing standards and guidelines; and creating a culture in which the delay is seen as customary and that tenure decisions are not based on a faculty member taking advantage of the delay. Another important aspect would be ensuring there will be an implementation strategy that includes communicating information to faculty.

Once the policy change is approved, Anderson said she would begin working on an implementation strategy. The implementation strategy would then benefit from input from the SC, then deans and faculty. If a faculty member wished to waive the delay, the faculty member must complete a waiver form. The faculty member could request a delay up to two times during their probationary period.

Anderson confirmed for Waldhart that every faculty member was entitled to two waivers during the probationary period. Forgue asked about the “automatic” portion of the policy, and wondered what would constitute a “significant” responsibility. Anderson replied that determining a definition of “significant” would be part of an implementation strategy. She said that she had been waiting for approval of the policy change before going to the SC with information on implementation. The Chair added that the lack of a need to specifically request the waiver was a delicate way to remove the stigma of having to request a delay.

In response to Yates, Anderson said that in a conversation with deans during the past two weeks, it was thought that a current faculty member currently in their probationary period could take advantage of this policy, not just newly hired faculty. In response to Debski, Anderson said she could not estimate the number of faculty who would take advantage of the delay. Debski also expressed concern that the overall effect of the policy would be to raise the bar higher for many faculty and also that “significant” was not defined.

Dean Hoch commented that some latitude needed to be given to chairs and deans. For example, someone who was the legal guardian of an elderly parent in a nursing home who primarily signed checks would not be considered to have a “significant” responsibility, versus a faculty member who was the legal guardian of an elderly parent who lived at home with the faculty member. He opined that most faculty in such circumstances would exercise good faith and judgment.

In response to a question from Dean Blackwell, Anderson said that two faculty members who were married to each other would each have the delay available to them – there would be no split of the delay.

Sawaya received confirmation from Anderson that a faculty member could still go up for early promotion. Michael asked about how a delay would, specifically, be communicated to a chair/dean so the delay would be instituted. Dean Hoch said it was made to be automatic, in part, due to avoid the stigma of having to request a delay, which sometimes negatively affected women in the bench sciences.

However, if a faculty member kept certain life experiences a secret, it could fall under the radar. Anderson and the Chair noted that the guidelines set out by the AAUP strongly recommended that the delay be automatic.

Lesnaw **moved** to endorse the alteration to *Governing Regulations X* ("Automatic Delay of Probationary Period") as it appeared in the handout. Dwoskin **seconded**. In response to Debski, Anderson said that there were no additional details to be ironed out, except those of an implementation strategy.

A **vote** was taken and the motion to endorse the alteration to *Governing Regulations X* ("Automatic Delay of Probationary Period") as it appeared in the handout **passed** with a clear majority in favor and one opposed.

18. [Discussion on Proposed Changes/Combining of Administrative Regulations II-1.0-1 \("Faculty Appt., Reappt., Promotion & Tenure"\) \(input only – no approval authority\)](#)

The Chair said that the changes to *AR II-1.0-1* were largely editorial, although a couple of substantial changes had been made. He invited Assistant Provost for Program Support and Provost's Liaison to the Senate Council Richard Greissman to explain the revisions.

Guest Greissman said that the changes were a result of an effort to make the *AR* more intelligible by putting all the events that take place during an exercise of promotion and tenure review in logical, chronological order. The description of the process began at the unit/school/division level and went through the college and then to the level of the Provost and the university itself.

The SC had time to review the changes, but they had not yet been given to deans for review. After deans' review, it will go back to the SC and Senate for another look if many changes were suggested. Greissman said that while there is a keen desire to move the proposed changes forward, there also needs to be enough time for input and feedback. He thanked the Senate Advisory Committee on Privilege and Tenure and its chair, Lee Blonder, for their especially helpful insights.

College of Health Sciences Dean Gonzalez asked a question about an expedited review and how it related to the change of a minimum of three letters to a minimum of six letters. Greissman said that the Provost's opening of term memos already stated the need for six letters in the usual process, so it was written into the *AR* to codify it where everyone could see it. Expedited reviews, however, were an exception to the ordinary process.

Greissman suggested that Dean Kirschling speak to the Provost directly about her concern that six letters might be too high a bar for specialty disciplines. Deem asked about the lack of a reference to an appeal to the Executive Committee of the BoT for a faculty member who was appealing a decision made by the

Provost. Both Greissman and Anderson said that it had not been expunged from the *AR* but rather that it was part of the *GR*.

Deem also noted that she counted no less than 11 times in which someone was obligated to make a written recommendation, but when it came to a negative action, nothing had to be in writing. She thought it was an interesting conflict of rights of faculty versus the rights of the university.

Hertog said that he was familiar with a situation in which a faculty member requested external letters, but his dossier went forward without him knowing that three of the letters had not come in. His request for tenure was denied, but the decision was reversed due to the faculty member not being aware of the omission. He also expressed concern about letters from research-oriented universities carrying the most weight. In special title series (STS) situations, the individuals most applicable to review the faculty member might not reside at such universities. He wondered if a separate rule should apply to STS faculty.

In response to Michael, Greissman explained that the opening of term memo offered reminders to deans and underscored certain points. The revision of the *AR* was intended to ensure that those pieces of information that should be in the *AR* were included, not to preclude the memo.

Thelin **moved** to endorse the changes to *Administrative Regulations II-1.0-1* as provided in the handout. Voss **seconded**. There being no further discussion, a **vote** was taken and the motion to endorse the changes to *Administrative Regulations II-1.0-1* as provided in the handout **passed** with a clear majority in favor, five opposed and five abstaining.

Greissman spoke to those voting against the motion; he asked if they would send their concerns to either himself or Anderson. The Chair added that for this, as with any issue, senators were free to send him comments; the Chair would pass them on after making them anonymous.

19. [Discussion on Proposed Changes to Governing Regulations I: "\(I\) Financial Advantage," "E. Kentucky Ethics Statutes," "M. Solicitation of Funds," & "N. Campus Sales" \(input only - no approval authority\)](#)

The Chair invited Special Projects Administrator (Office of Legal Counsel) Marcy Deaton to offer background on the changed language.

Guest Deaton explained that the first two changes ("Financial Advantage" and "Kentucky Ethics Statutes") were a result of recent changes to state law. Since 1942, the state prohibited UK employees from doing business with UK. In the two instances in which this was an issue for a faculty member, the faculty member was told that a decision had to be made regarding whether the faculty member would choose UK or their business. Both times the faculty member chose to leave UK and pursue their business. Deaton shared that recent legislation

allowed individual universities to enact their own policies about such interactions. The changed language would need to go to the BoT for approval.

Deaton said that the second two changes (“Solicitation of Funds” and “Campus Sales”) were really reinserting two sections which had inadvertently been left out when a past committee revised the *GR*. The language would again state that the President is the one to approve campus-wide solicitations for charitable organizations, such as United Way. With respect to “Campus Sales,” any such vendors must be approved by the Dean of Students. For example, the Herald-Leader was invited on campus for a short time at the beginning of the semester for the students’ benefit.

Voss **moved** to endorse the proposed changes to *Governing Regulations I*. Burkhart **seconded**. A **vote** was taken to endorse the proposed changes to *Governing Regulations I*, which **passed** with a clear majority in favor, one opposed and one abstained.

On the occasion of the last Senate meeting of the academic year, the Chair offered some thank-yous: to Mrs. Brothers, for stopping him from making a variety of mistakes; to Robyn Barrett (court reporter), who documented permanently the mistakes he did make; to Brad Canon for serving as Parliamentarian for the last two Senate meetings of the semester; and to the Senate and SC for giving him the pleasure of serving as Chair to the faculty of the university – he said he greatly enjoyed the opportunity and looked forward to starting another great year in the fall.

The meeting was adjourned at 5:07 pm.

Respectfully submitted by David Randall,  
University Senate Secretary

Invited guests present: Lisa Cassis, Marcy Deaton and Richard Greissman.

Absences: Anderson\*, Anyaegbunam\*, Bartilow, Baxter\*, Bhavsar\*, Biagi, Bollinger\*, Bordo, Brown, Burchett, Butler, Cammers, Cathey\*, Cheng, Chew, Clarke, Clauter\*, Crofford\*, Dembo\*, DeSimone, El-Ghannam, English\*, Fording, Fox\*, Frost, Gaetke\*, Grabau, Grossman\*, Hasselbring, Hazard\*, Hoffman, Houtz, Hulse\*, Infanger, K. Johnson\*, Jones\*, Karpf, Kelly\*, Kim, Lee\*, Lester, Lillich, Look, Martin, McCormick, McKnight\*, McNeill\*, Mobley, Mohny, Odoi, Patwardhan, Perman, Petrone\*, Pulito, Segerstrom\*, Shay, Smart, Smith, Staben, Steiner\*, Steltenkamp\*, Sudharshan, Terrell, Todd, VanDyke, Vestal, G. Williams, Wiseman, Witt\*, Wood\*, Wyatt.

Prepared by Sheila Brothers on June 4, 2007.

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\* Denotes an absence explained prior to the meeting.