

Senate Rules and Elections Committee

May 13, 2016

Present: Wood (Chair), Jones (Secretary), Bird-Pollan, Brown, Brion, Grossman, Mazur, McGillis,

Absent: Tagavi (explained, teaching conflict); Niespodziany

1. Ex Officio Memberships in Senate Council.

The SREC interpreted that under the Senate Rule 1.3.1.2, which states,

“The voting elected membership shall be nine (9) members elected by and from the 94 elected faculty representatives in the University Senate, and two (2) members elected by and from the newly elected student representatives in the University Senate. The *ex officio* non-voting members shall be the faculty members of the Board of Trustees, if they are not elected members of the Senate Council, and the immediate past chair of the Senate Council, if his or her term on the Senate Council has expired”

(1) When one of the 9 voting faculty elected to a 3 year term in the Senate Council becomes elected as Faculty Trustee, the person retains the status as one of the 9 voting faculty members of the Senate Council until the 3 year term on the Senate Council ends. Upon the end of the term, the person then acquires the status of ex officio nonvoting Faculty Trustee member of the Senate Council.

(2) When the term of a Senate Council Chair has ended, the person acquires the status of nonvoting ‘past chair’ member of the Senate Council, regardless of whether the person has been appointed to an administrative position or administrative assignment that makes the person ineligible for election to the University Senate.

The SREC asked Connie Wood to please communicate the above interpretations to the Senate Council Office. .

2. Certification of Newly Elected Faculty Senators

Connie will draft for SREC edit and then send to the newly elected Faculty Senators an email asking each to confirm that on August 15, 2016 the person will meet the criteria for serving as one of the 94 elected Faculty Senators. The SREC asks that the SC Chair Katherine McCormick at the beginning of the fall academic year will inquire to all of the elected Faculty Senators as to whether they continue to meet the eligibility requirements for membership in the University Senate.

3. Experiential Learning Activities

The Senate Council had previously tasked the SREC with examining some draft definitions of various types of experiential learning that had been prepared by a

University committee and initially vetted by the Senate Admissions and Academic Standards Committee. Senate Council Vice Chair and Chair-elect Katherine McCormick asked if the SREC could please draft for the Senate Council what a Senate Rule might look like that codifies those definitions. The SREC prepared the following draft codification for review and action by the Senate Council/Senate.

A. 395 Independent Work or Independent Study. If a department offers more than one such course, numbers lower than 395 shall be used.

~~**B. 396 Reserved for the University Experiential Education course.**~~

~~**C. 399 Departmental field-based experiential education courses.** May be repeated to a total of 30 hours. To provide the opportunity for students with the approval of a faculty member and the department chairman or his/her designee to earn credit for work-study experience. The student must work with a faculty member to describe the nature of the experience, the work to be performed, accompanying learning experiences, appropriate course credit for the work, and criteria by which the student's work may be evaluated. This information must be written and filed in the departmental office and the Office for Experiential Education prior to the student's registration for the course. *Bulletin* descriptions of these courses shall include an explicit statement of the need for filling out a learning contract.~~

B. Community Engagement and Other Experiential Learning Courses

For the purposes of experiential learning activities created and delivered from a unit faculty (SR 3.3.3.A), the following apply. Any experiential learning activity that is required for a certificate, degree or academic honor recorded on the transcript must be tracked by a Senate numbered course for zero or more credit hours.

B1. Community Engagement describes the collaboration between institutions of higher education and their larger communities (local, regional/state, national, global) for the mutually beneficial exchange of knowledge and resources in a context of partnership and reciprocity.

B1.1 Community-Based Learning Experiences are for-credit courses in which students apply, and thereby achieve greater mastery of, theoretical knowledge in real-world settings under the supervision of a faculty member.

B1.2 Service-learning is an integrative experience through which learners engage in thoughtfully organized actions in response to community identified assets and needs. Experiences are designed to be reciprocal exchanges of knowledge and resources accomplished through service and reflection. Learning outcomes promote academic and civic engagement and are focused on an equal balance between holistic learner development and community well-being. Service-learning can be credit bearing or non-credit bearing.

B1.3 Outreach is a focus on the application and provision of institutional resources for community use. Outreach can be formal or informal educational approaches to deliver university (research-based) information to the people and communities.

B1.4 Civic Engagement is working to make a difference in the civic life (both political and non-political processes) of our communities and developing the combination of knowledge, skills, values and motivation to make that difference.

B2. 396 Reserved for the University Experiential Education course.

B3. 399 Departmental field based experiential education courses. May be repeated to a total of 30 hours. To provide the opportunity for students with the approval of a faculty member and the department chairman--or his/her designee--to earn credit for work-study experience. The student must work with a faculty member to describe the nature of the experience, the work to be performed, accompanying learning experiences, appropriate course credit for the work, and criteria by which the student's work may be evaluated. This information must be written and filed in the departmental office and the Office for Experiential Education prior to the student's registration for the course. *Bulletin* descriptions of these courses shall include an explicit statement of the need for filling out a learning contract.

4. Elections Managed by the University Senate Rules and Elections Committee.

The SREC agreed to explore adopting RedCap as the mechanism to operationalize voting in elections for Faculty Trustee and for Senate Council members. A number of issues were discussed. The SREC will perform a mock election exercise with the RedCap format and then further consider implementation.

5. Determination of Eligibility in University-level Elections of Faculty Representatives

Human Resources Policies and Procedures [4.0](#) (HRPP 4.0) prescribes that faculty appointed to administrative assignment

“at or at or above department chair are not eligible to participate in the election of faculty representatives, or serve as the elected faculty representative, to faculty governance bodies above the college level (for example, but not limited to, Board of Trustees, University Senate, Graduate Council, Undergraduate Council, and Health Care Colleges Council).”

In addition, various regulations impinge on the election eligibility of various faculty title series. In relation to HRPP 4.0, Jones reviewed the history of the asterisk SREC interpretation in the Senate Rules about election eligibility. In years prior to the spring 2011 Senate and Faculty Trustee elections, the SREC had implemented the ARs on [CTS](#), [ResTS](#) and [Lecturers](#) as meaning a College Faculty could confer to persons in these series College Faculty membership, but without voting rights in elections to Senate, GC, UC, and HCCC.. However, just before the SREC initiated the spring 2011 elections, Assistant Provost Richard Greissman informed the SREC of the Provost's enforcement decision that President's ARs on CTS and Lecturers mean that if a College Faculty confers College membership to CTS or Lecturers, that action also automatically confers a status of eligibility to vote/be elected to the Senate. SREC members at the time protested the Provost's decision, but of necessity yielded to the authority of the Provost to act on behalf of the President to interpret the President's ARs on these title series. Greissman agreed that the AR on ResTS was different (as is the AR for [Adjunct](#) faculty), that conferring of membership to a College Faculty did not automatically confer voting status in Senate-level elections. To further increase awareness, in early April 2011 an “*” was put into the Senate Rules providing the SREC interpretation of CTS

and Lecturer eligibilities per Asst. Provost Greissman, and also reprinting verbatim the UK [HRPP 4.0](#) policy ([endorsed](#) by the Senate Council) that persons appointed to administration 'at/above chair' are not eligible in the Faculty Trustee/Senate elections.

A recurring issue in Faculty Trustee elections is difficulty ascertaining who are the Directors of the "multidisciplinary research centers and institutes," which are educational units lateral to a department (GR VII.A.1). This difficulty arises because "center" is a very general descriptor that does not distinguish between "administrative units" named "center" (GR VII, first para) vs "multidisciplinary research centers and institutes" that are educational units (per GR VII.A.1). When the President's recommendation to the Board of Trustees expressly states that the proposed new unit is a "multidisciplinary research center" (or "institute"), either in the recommendation [itself](#), or in the explanatory [background](#), then it is clear that upon Board approval the new unit is a "multidisciplinary research center" (or "institute"). The implementation is thereby straightforward that by [HRPP 4.0](#) the Director of that educational unit is not eligible in the Faculty Trustee or Senate elections. However, when the recommendation to the Board [does not](#) expressly state that the proposed unit is a "multidisciplinary research center" (or "institute") vs. an [administrative center](#), then the SREC Elections Subcommittee has a very difficult time to ascertain eligibility of the Director of the "center." Sometimes the administration requests Senate [endorsement](#) of Board action on an administrative "[center](#)," so a reference to Senate action about a "center" is not dispositive that the "center" is a "multidisciplinary research center" (or "institute").

The SREC unanimously requested that the Senate Council please confer with the appropriate person in the Provost's office, to request that a recommendation to the Board of Trustees to create a new multidisciplinary research center/institute (within the meaning of GR VII.A.1) expressly identify the proposed new educational unit as a "multidisciplinary research center" or a "multidisciplinary research institute."

5. Use of Listserves During Election of Faculty Representatives

During the most recent Faculty Trustee election, the Chair of the Dept. of Surgery had been availed the use of a listserve to the faculty of the College of Engineering to promote a specific candidate running in the election. The SREC Elections Subcommittee contacted University General Counsel Bill Thro, who opined to the COE dean that

"The supporters of one of the candidates in the Faculty Trustee election used a College of Engineering list serve to send a message advocating the election of a particular candidate. While the University permits the use of its e-mail system for such messages, the option of using the College of Engineering list serve must be made available to the supporter of all candidates."

The SREC discussed various listserve scenarios that could occur in elections of faculty representatives, and determined that it was not clear from the above communication from General Counsel who has access to which kinds of listserves and what triggers the respective access by either candidates or their supporters. The SREC will make a formal request to General Counsel for additional interpretation.

6. Status of AR 6.2

The SREC discussed that the currently posted AR 6.2 has never been properly vetted. The SREC tasked Roger Brown to draft a communication to UK General Counsel, for SREC edit, that will then be transmitted by Faculty Trustee Robert Grossman to General Counsel Thro. (Administrative Note: the communication sent by Robert Grossman to General Counsel Thro is administratively attached at the end of these minutes for reference).

7. Status of Senate Council Chair as Member of President's Regulations Review Committee

Jones reviewed that when the President's Regulations Review Committee was initially established by President Todd in 2006, the Senate Council Chair was appointed as a member of the committee. However, the version of the memo of members of various University committees and councils posted as of the date of the SREC meeting did not include the current Senate Council Chair as a member of the Regulations Review Committee, even though the current SC Chair had been attending the meetings. Jones contacted Marcy Deaton, the Chair of the RRC, who confirmed that the current SC Chair is indeed a member of the RRC and it "has usually been our practice" to have the SC Chair as a member of the RRC.

8. Last Permissible Date of Student Withdrawal

The SC Chair had requested the SREC to interpret the policy of the Senate Rules on the last permissible day for withdrawal from a class. The SREC rendered the following interpretation on the meaning of SR 5.1.8.3

"5.1.8.3 Permissive Withdrawals [US: 5/7/2007]

A student may withdraw from a class, or from the University, after the withdrawal period in Rule 5.1.8.2.A but through the **last day of classes** for the semester/session/term upon approval by the dean of the student's college ..."

SREC: The 'last day of classes' refers to the date given on the Registrar's website which was approved by the University Senate, not the last day that an individual class met.

9. Updating of Senate Rules

The SREC discussed the need to update the Senate Rules from upon receipt of a template from the Senate Council Office. The SREC Chair will work with the SC Chair this summer toward that end.

Administrative Note to SREC Minutes: The following email was sent at the behest of the SREC by Robert Grossman

From: Grossman, Robert B
Sent: Saturday, May 14, 2016 3:19 PM
To: Wood, Connie; Brown, Roger M; Brion, Gail M; Jones, Davy; Mazur, Joan; McGillis, Joseph P; Tagavi, Kaveh; Bird-Pollan, Jennifer E; Day, Megan E
Cc: Hippisley, Andrew R; Brothers, Sheila C; McCormick, Katherine
Subject: AR 6:2

I sent the following letter to Bill Thro, cc'ing John, Lee, Sheila, and Austin.

Dear Bill,

The current University website shows that a new version of AR 6.2 (Policy and Procedures for Addressing and Resolving Allegations of Sexual Assault, Stalking, Dating Violence, and Domestic Violence) became effective 6/19/2015 (<http://www.uky.edu/regs/files/ar/AR%206-2.pdf>).

However, according to Senate Council minutes (January 25, 2016), "the Regulations Review Committee was... not given an opportunity to review it as required by AR 1:6 ("Formulation and Issuance of University Governing Regulations and Administrative Regulations")." http://www.uky.edu/Faculty/Senate/senate_council/minutes/2015-2016/SC%20Minutes%20January%2025,%202016_TOSC_Rev.pdf

In accordance with AR 1.6 VIII d, the Senate Council minutes also provide the following recommendation:

"AR 6:2 should be labeled as an interim regulation."

However, the version of AR 6.2 that is currently posted on the UK website does not state that it is Interim, even though it has not been reviewed by the appropriate stakeholders.

For these reasons, I respectfully request that the posted version of AR 6:2 be correctly and clearly labeled as an *interim* regulation. Also, because "interim regulations are effective up to six months" (AR 1:6 VIII D 2), yet the version of AR 6:2 that is posted on the Web has an effective date of June 19, 2015, I request that the President reissue AR 6:2 as an interim regulation now and at six month intervals in the future until the AR has gone through the formal approval process, including vetting by all concerned stakeholders.

This issue is important to the faculty, because the University Senate, let alone the Student Government Association and the Staff Senate, have never had the opportunity to review this regulation, even though it deals directly with faculty, staff, and student disciplinary procedures.

Thanks in advance for correcting this problem.

Regards,

Bob Grossman