Western Kentucky University
University Senate Meeting
Thursday, December 10, 2015 -- 3:45 p.m.
Faculty House

A. Call To Order

1. A regular meeting of the WKU University Senate was called to order by Chair Kate Hudepohl on Thursday, December 10, 2015 at 3:48 P.M. in the Faculty House.

2. A quorum was present:

   a. Members Present: Heidi Álvarez, Jim Berger, Jill Brown, Barbara Burch, Thad Crews, Susann Davis, Martha Day, Laura DeLancey, Richard Dressler, Lisa Duffin, Marko Dumančić, Claus Ernst, Travis Esslinger, Ann Ferrell, Marilyn Gardner, Barrett Greenwell, Frederick Grieve, Timothy Hawkins, Anne Heintzman, Kate Hudepohl, Grace Hunt, Michell Jackson, Pam Jukes, Molly Kerby, Hanna Khouryieh, Stephen King, Dominic Lanphier, David Lee, Fenghelen Liang, Ching-Yi Lin, James Line, Ling Lo, Jeremy Maddox, Kelly Madole, Gayle Mallinger, Sean Marston, Andrew Mienaltowski, Nolan Miles, Richard Miller, Patricia Minter, Kurt Neely, Anthony Paquin, Katherine Pennavaria, Shura Pollatsek, Jeffrey Rice, Jay Todd Richey, Tiffany Robinson, Julie Shadoan, Beverly Siegrist, Melloney Simerly, Douglas Smith, Sandy Staebell, Rebecca Stobaugh, Heather Strode, Lizabeth Price Sturgeon, Dick Taylor, Rico Tyler, Tamara Van Dyken, Adam West, and Dawn Garrett Wright.

   b. Substitutes Present: Michael Carini for Keith Andrew, Danita Kelley for Neale Chumbler, Janet Applin for Sam Evans, Michelle Trawick for Jeffrey Katz, and Jerry Daday for Lauren McClain.

   c. Guests Present who signed in: Scott Harris, Mac McKerral, Joe Stites, and Robyn Swanson.

   d. Members Absent: Cathy Abell, Farhad Ashrafzadeh, Dora Babb, Erika Brady, Kristi Branham, Barbara Brindle, Patricia Desrosiers, Robert Dietle, Lacretia Dye, Connie Foster, Dennis George, Said Ghezal, Don Hoover, Tom Hunley, Muhammad Jahan, Dean Jordan, Soleiman Kiasatpour, Thomas Kingery, Eric Kondratieff, Joshua Marble, Doug McElroy, Megan Miller, Bella Mukonyora, Evelyn Oregon, Gary Ransdell, Bryan Reaka, Nancy Rice, Michael Smith, Larry Snyder, Cheryl Stevens, Kevin Thomas, Tanya Vincent, Aaron Wichman, Blairanne Williams, Elizabeth Winkler, and Zhonghang Xia.

B. Approve November Minutes

1. A motion to approve the November meeting minutes by Dick Taylor was seconded by Marilyn Gardner.

2. There was no discussion.

3. The minutes were approved unanimously as posted.

C. Reports:

1. Chair – Kate Hudepohl

- Chair Hudepohl shared some information items and announced that there are two resolutions to vote on today.

Budget Council:

- The Budget Council met again.
- Eric Reed came to the November 30th Senate Executive Committee meeting to discuss Gil Johnson's comments and develop recommendations.
- In his recommendation to the Board of Regents, the Chair of Finance Committee recommends that there should be compensation for all employees of 15% spread over five years.
- The recommendations for how it will be accomplished will be determined later.
- The message is that compensation needs to be a budget priority.
- Chair Hudepohl said that one thing we should keep in mind is how we might as a body, or as smaller groups of individuals, choose to responde if there is no change in spending priorities.
- If Senators want to do something, we will have to move quickly in the spring. We need to start thinking now about how we might want to respond early in the spring semester.
- The committee meetings of the Board of Regents are tomorrow; this will progress quickly.
- Chair Hudepohl reiterated that action is better than talk.
- Kelly Madole said that some would rather have merit pay; her concern is that decisions will be made so quickly that there will be no time to discuss anything. She requested that Faculty Welfare begin gathering information now about how that 15% spread would look (merit vs. across the board).
- Chair Hudepohl said the raises might be distributed in different ways across the five years.
- The Board of Regents Chair Higdon and the Finance Committee got all of the comments with analysis of pros, cons, and pitfalls from Chair Hudepohl as a starting place. This will be discussed in January at the Senate Executive Committee meeting.

Motion Regarding SITES:

- Lauren McClain's "motion requesting that the Senate Executive Committee discuss SITES at their next scheduled meeting with the possibility of referring the matter to the Academic Quality Committee for further review and possible revision" was tabled again until the January 11th meeting.
- The Senate Executive Committee had a meeting that lasted over three hours, and due to this, the SITES discussion was unanimously tabled until the January meeting.
- There is one new information item (see below). Provost Lee informally asked to inquire about the time line for SITES. The response Provost Lee received from IR regarding the timing of SITES is included in the information section of the agenda. Chair Hudepohl will move this into the Shared Senate Documents folder relating to SITES, and the response will be addressed at the January Senate Executive Committee meeting.
- No action has yet been made on that.
- There were no comments.

President Ransdell response to request to share modified contract stating that Hanban will assume financial responsibility for maintenance and operations costs, including utilities, of the new Confucius Institute building (once construction is complete):

- There was a request by a SEC member at the November Senate Executive Committee meeting to ask President Ransdell for detailed information about the Confucius Institute Contract dated October 1: In light of comments in the cover menu, please share the negotiated contract for transparency.
- Chair Hudepohl received a response from President Ransdell that there will not be a contract. From an e-mail dated December 9, 2015, he stated:
- "The WKU Confucius Institute will cover the Maintenance and Operations costs for the building. Officials at Hanban know that this will be in our annual budget request. I have not requested an amended contract, nor do I believe it is necessary. Our Facilities Management Department will bill the Confucius Institute for these costs. That decision is ours to make. All of the appropriate WKU parties (Bryan Russell, Ann Mead, Wei Ping Pan, and Terrill Martin) are all aware of this requirement. There will be no provision of funding from WKU to cover these costs."

University Senate Budget:

- Chair Hudepohl ordered three additional copies of Sturgis.
- The new balance is approximately $732.88, not including carry forward. This includes the $2,900.00 deduction for the University Curriculum Council Recorder. The balance is $11,270.20 with carry forward.
- Chair Hudepohl will talk with someone in Academic Affairs about the $11,270.20 because the carry forward comes in chunks/batches rather than all at once.

2. Vice Chair – Julie Shadoan

a. President Ransdell Memo Re: Benefits Committee Nominees

- On November 24, 2015, President Ransdell accepted Marguerita DeSander as the nominee for the Benefits Committee.
- Dr. DeSander's term will start in January 2016.

3. Secretary – Heidi Álvarez (No Report.)

4. Coalition of Senate and Faculty Leadership for Higher Education – Molly Kerby (No Report.)

5. AAUP President - Margaret Crowder (No Report.)

6. Advisory:

a. Faculty Regent – Barbara Burch

Board of Regents Committee Meetings:

- The Board of Regents committees are meeting this Friday, December 11, 2015.
- Requested of the Chair and President are an extended discussion on enrollment numbers and the state of the budget.
- Regent Burch hopes that answers will come out of that regarding increasing enrollment.

Drop for Non-Payment and Enrollment Numbers:

- Due to questions about changing the add/drop process, Regent Burch met with President Ransdell on Monday.
- 200-300 students were dropped for non-payment.
- A larger number than usual were not dropped.
- 1/3 of those not dropped (25) were re-enrolled and have paid.
- The November number did not include any speculative dollars from those who have not paid.

India Project:

- Regent Burch has received many questions about the India Project.
- She met with the President, the Provost, and Dean Reed about it. She does not understand exactly what is going on, and applauds the work of the Graduate Council and the Deans.

- In an effort to do aggressive recruiting, a meeting took place over the summer. Participants in this meeting left with an understanding different than what actually took place.
- Aggressive recruiting by the International Enrollment Office led to a number of letters that suggested direct admission.
- In addition, the website advertised that there would be a 24-hour turnaround for admission.
- There was no application fee required and there was a scholarship promise.
- The question is whose decision is it on admitting graduate students?
- No one was put on the list until they were screened for GPA and a baccalaureate degree. Dean Reed is working on getting numbers.
- The graduate school took the position of letting departments decide which students to admit.
- There is some pressure on departments to admit students who are not yet ready to do the work. These students will take one English course and departments will accept responsibility for their success.
- Regent Burch asked to what extent do we want quantity vs. quality? She added that it is a moral and ethical issue.
- Enrollment and retention of a rich population of international students does not promise quality and faculty roles.
- The list of numbers do not currently have consistency, but Regent Burch said she has full confidence in the Graduate Council, the Graduate Council Dean, and Provost Lee.
- Questions pertain to how do we take care of the current situation and how do we make sure it does not happen again?
- The Budget/Finance Committee will be discussed tomorrow. The Chair charged them to look at the situation and come up with a plan. Gil Johnson has worked hard to bring information to the committee.
- Regarding the Confucius Institute, on Monday, President Ransdell said he went to China recently and so did teachers in the teachers' education masters program. Ransdell got $.5 million to furnish the building and is working to furnish money for maintenance and operations.
- Regent Burch will talk more after Christmas about the Committee Reports and the Board of Regents meeting on January 29th.

b. Provost – David Lee

- Provost Lee sent an email to the campus community to express congratulations on the reaffirmation of the SACS process. Regional reaccreditation is tedious and community achieved. He thanked hundreds of people for their work.
- Finances for graduate assistantships were allocated to colleges this year. This is not as central as in the past. Colleges will have more money that

they control, and the allocation is larger than previous years: $.5 million for teaching/research and $500,000 for. The process will run into the spring. If things get worse financially, it won't get yanked back. Provost Lee expressed that he would like to see it return next year.

- Marko Dumančić will discuss the colonnade process.
- At the November meeting, the Academic Quality and Faculty Welfare Committees adopted significant important, imperative resolutions. These are difficult charges to conquer in two or three weeks. Provost Lee has been going back and forth on how to respond and will give an oral response, starting with the Academic Quality resolution, which had four parts. There are two fundamental things the university needs to do: (1) make more complete information; and (2) have a workshop that addresses information about security. Provost Lee said he takes it seriously and has begun to share with the appropriate folks and is getting things set in place. Regarding the Faculty Welfare Resolution, Provost Lee said he sees it as a statement of values of what university's efforts need to be: complete, clearly stated, and honored. Provost Lee said he does not want the campus community to be put at risk. He will try to make tangible things happen. A common thread is a general concern with overseas connections; Provost Lee will work to address this.
- Regarding India, Provost Lee said he will respond to questions in the Graduate Council report. He thinks part of what happened was communication issues and confusion over what happened in the meeting. There is nothing in writing. There were transitions in the Provost's and Graduate Dean's offices. Some students in the India pool are highly qualified. This focuses primarily on two departments in Ogden. There are differences of student recruitment between undergraduate and graduate. At the graduate level, departments play a more significant role. Tracks were being laid as the train was rolling down the hill. The goal is clear criteria, involvement of departments, and ultimate authority of departments. In spite of serious problems, some good things came out of this.
- Howard Bailey, Bob Skipper, and Provost Lee have met in reference to an Active Shooter Traning, and good things are taking place.
- In spite of his personal opinions, Provost Lee said he hears concerns and takes them very seriously.

c. SGA President – Jay Todd Richey

i. Richey Testimony

ii. SGA Judicial Council Opinion

- SGA President Jay Todd Richey stated that the Student Government Association had a great first semester and looks forward to continuing much

of their work and new initiatives in the Spring to make WKU a far more welcoming, safe, and inclusive campus for all students. He thanked the faculty for welcoming him into this body during his first semester as Student Body President.

Follow-up on CPE President King

- Over the break, Richey stated that he will be coordinating with other student body presidents to lobby for higher education funding in Frankfort.
- Richey reached out to President Ransdell to see if he would like to invite President King of the CPE to WKU to present on our current status of higher education funding in Kentucky. President Ransdell told Richey through email that he didn't see the need to invite President King, essentially because of the unlikelihood of new funding for Kentucky higher education.
- Regardless of the probability of implementing a new funding model for Kentucky's public universities, Richey stated that students will be in Frankfort in January to lobby for restoration of lottery funding to potentially increase the amount of money we have in financial aid for Kentucky's students by $30,000,000.

SGA Judicial Council Ruling on Bills on Funding as related to SGA bylaws:

- A few weeks ago the SGA Judicial Council ruled two bills that provided funding to academic departments (art and physics) as unconstitutional, citing provisions in our Bylaws that limit SGA funding exclusively to students.
- Richey hopes to see the Student Senate amend these Bylaws so that Senate discretionary funding can be used to provide the departments their funding as SGA deemed necessary.

SGA Judicial Council Investigation:

- Also at the same meeting, the Judicial Council initiated an investigation on a SGA senator to assess the person's actions of holding an "Impeach Ransdell" sign at a WKU football game and having a satirical Facebook profile picture.
- The investigation was intended to verify if this was appropriate behavior for a SGA member since SGA does not have a SGA Member's Code of Conduct; but the perception of it was that a student was potentially facing a censure by the Judicial Council for voicing their opposition to President Ransdell.
- Jay Todd Richey's testimony in favor of that SGA member and the Judicial Council's unanimous ruling to not censure the SGA member for his actions has been provided to faculty on the agenda.
- Richey opened the floor for questions. The faculty senators did not raise any questions about this.

India Pilot Project:

- Next, Jay Todd Richey addressed what Dr. Burch mentioned and what will be brought up during the Graduate Council Report regarding the Indian Pilot Project.
- Richey wants it to be on the record that, as Student Body President, he believes "it is ethically and academically wrong to bring students into this university—to take their money—and let them believe that they can be successful when we have nothing in place to make sure they are successful. That's why we have admissions standards. This does not pertain to every single student admitted through this project, but it needs to be said even if it applies to only one."
- Richey stated that he would also advocate that we should go further and analyze the structure of enrollment management to avoid similar outcomes.

Confucius Institute:

- Finally, Jay Todd Richey took a moment to discuss material he received regarding the Confucius Institute at WKU.
- Two days ago, President Ransdell sent the Board of Regents the 2015 Annual Report of the Confucius Institute at WKU.
- This week, our Confucius Institute was recognized by Hanban at a ceremony in Shanghai as the "Confucius Institute of the Year."
- Richey stated that he applauds the work that the faculty and staff at our Confucius Institute have put into teaching the Chinese language to students here and in surrounding schools.
- Like many observers, however, Richey stated that he does have concerns about certain aspects of the Confucius Institute program. He said, "to be frank, I am deeply disturbed by some of the content found in the annual report sent to myself and the other Regents."
- One passage in the booklet says the following about negative publicity surrounding the Confucius Institute:

"Negative publicity can be viewed as the adverse publicity that an organization may incur due to a particular reason, which may lead to potentially disastrous consequences. Some of the causes are disillusions of individuals, angry constituents, misleading interpretations of blogs/forums, posts/interviews, or mischief mongers spreading unsubstantiated rumors."

- Another section on bad publicity says:

"If these issues go unaddressed by both the university and the Confucius Institute, they will continue to fester, grow, and these thoughts and ideas will begin influencing more faculty/staff across the campus. These issues must be addressed quickly, and concisely. Both the University and the Confucius Institute must address these issues immediately. If there is a spirit of openness, honesty, and transparency, these claims will become unsupported allegations, and their real motives will be exposed."

- Richey said "I think I speak for many people when I say that

"transparency" is not exactly the first word that comes to mind when considering what happens with the Confucius Institute at WKU. Many of us have been particularly concerned with certain aspects of the Confucius Institute recently, whether with the contract for the new building, or regarding the experiences of Dr. Day and Dr. Hines, or with the attempts to infiltrate the WKU computer network, or regarding our increasingly cozy partnership with the People's Republic of China in general. I firmly believe that these concerns are legitimate and I hope that both students and faculty can work through these concerns with the Confucius Institute at WKU and make whatever changes are necessary to preserve our integrity as an academic institution and serve the best interests of our students, faculty, and staff. But those steps require conversations and a willingness to listen, not moving, quote, "quickly and concisely" to stamp out dissent and expose the, quote, "real motives" of people who dare to make their concerns known. That may go over well in China, but we shouldn't let it happen here. If the Confucius Institute at WKU wants to address the many questions surrounding it, it should do so openly, without attempting to invalidate, silence, or marginalize dissenters. I sincerely hope that is not their intention and I look forward to productive and open conversations in the future."

Discussion/Questions:

- Kelly Madole had a question on the author of the annual report; is it from the Confucius Institute? Dr. Pan?
- Julie Shadoan asked if the document is available to the public. Jay Todd Richey responded that the document is provided to the Board. Julie Shadoan asked if it can be put on the website. Kate Hudepohl asked if it was put out WKU Confucius Institute. Jay Todd Richey said yes. Regent Burch said Dr. Pan.
- Regent Burch said notice about the award on line.
- Jay Todd Richey said the Confucius Institute program is not an academic unity; it does not set curriculum and does not hire faculty.
- Regent Burch said that two faculty member were hired: one in foreign languages and one in teacher education. It is hard to figure out that it is not academic.
- Provost Lee said we have two faculty members hired with funding from Hanban. Provost Lee said that he was involved in hiring the faculty member in Modern Languages. Hanban provided the money, but had no role in hiring, job description, or evaluation. It was a Clinical Assistant Professor with a five-year contract; after five years, the university has to figure out what to do.
- Kate Hudepohl said even though it is not an academic endeavor, resources in funding to support it are going to toward it.

- D. Committee Reports and Recommendations

1. Graduate Council: Kurt Neelly (Report posted; Endorsed by SEC)

- Kurt Neelly made a motion to approve the November Graduate Council report as posted. A second is not required. There was no discussion. The Graduate Council unanimously approved the November report as posted.

a. Resolution regarding India Pilot Project - International Student Recruitment

- Kurt Neelly made a motion to approve the Resolution regarding the India Pilot Project – International Student Recruitment. The motion was seconded by Gayle Mallinger.
- In giving context of the resolution, Neelly echoed the sentiments of Regent Burch and Provost Lee. There are still many questions about what actually happened during the summer, and this is beyond the control of the Graduate Council. The Graduate Council and Dean Reed are focusing on preventing events like this from occurring in the future.
- Kelly Madole said there are two money issues: the waiver of application fees that would have come to the Graduate College, and the Global Tree Scholarship. Does it have impact on graduate programs, research, trips, etc.? Regent Burch said if 40 came, we were not talking about much: $110,000. $110,000 divided by 40 students is minimal tuition. The bulk is cost of recruitment, $30,000 reimbursement to graduate school paying agents. Costs will come out of revenue generated. Regent Burch questions the return on invested money for recruiting. Provost Lee said we have a scholarship/discount for international students; $7,000 is the standard discount if they apply as individuals. This has been in place for a while. $19,000 in fees – this is part of what will come out of tuition payments that students actually make.
- Kelly Madole asked if students don't make it, will it cause tension with Global Tree? Will there be pressure on the university to retain these students in order to maintain a relationship with Global Tree? 100+ students were denied admission who applied.
- In terms of student success with Computer Science students, the department's concern pertained to transcripts. The students they accepted, they feel they can be successful. The English class is primarily targeted for Engineering; this was developed with help from Greg Arbuckle. Computer Science is more concerned with numbers and symbols than words. He expects more will be from Engineering, and feels they have a shot at being successful and things are being put in place to make that more likely to happen.
- Eric Reed said that 320 applied. 160+ were given admission. There are 50 in Computer Science and 12-13 in Engineering Technology. The yield is not as large as the original concern. Faculty are bending over to ensure success regardless of how they came here.
- Regent Burch said that she loves the English Department but does not want the English Department to have to be magicians. Recruiting is a small world of representations and images; the challenge is to find

students who do meet the qualifications. She added that she is concerned about the image of WKU.

- In discussion of the Graduate Council Resolution on the India Pilot Project, the Graduate Council Policy Committee met with IEM (Enrollment Management) to improve communication. They will meet again in the future. The Policy Committee is looking to improve communication for when it happens again.
- Following an all-faculty vote, the Graduate Council Resolution on the India Pilot Project passed unanimously.

2. Undergraduate Curriculum Committee: Liz Sturgeon (Report posted; Endorsed by SEC)

- Liz Sturgeon made a motion for approval of the November Undergraduate Curriculum Committee report (no second required).
- Jill Brown expressed concern about the arts and science undergraduate certificate and suggested that it be tabled. She stated that curriculum should be driven by the faculty, no curriculum. Her opinion was that it should be put in the same department.
- Jill Brown made a motion to remove the Arts and Sciences proposal and two courses (2nd Julie Shadoan).
- Liz Sturgeon said that according to bylaws, proposals do not have to come from the Curriculum Committee. They can come from the Dean's office, etc.
- Doug Smith said they are consent items; then they have to be pulled from the report.
- Jill Brown made a friendly amendment; the motion should be pulled from consent to action. Pull two courses and proposed certificate from the consent agenda to the action agenda. (2nd on revised motion: Julie Shadoan).
- In favor of removing those three items, the majority vote was yes, with two nays.
- Back to the UCC report minus those three items: the report passed unanimously minus those three items.
- The proposal regarding BA DS 300 and BA DS 495 and proposal to create a new certificate program. The motion to approve these items by Andy Mienaltowski was seconded by Molly Kerby.
- Jill Brown said the Graduate Program was returned by Ogden Curriculum Committee. It was housed in the Dean's office; now it is coming through the Agriculture Program.
- Molly Kerby asked if anyone was here who could explain why it was in the Dean's office.
- Jill Brown said it was denied by the Dean; now it is in Agriculture.
- Liz Sturgeon said programs are allowed to be housed in different units. She read this portion of the bylaws to the senate.

- Julie Shadoan said there is a distinction between where they originate and where they are housed.
- Michelle Trawick said they have a program that is housed in the Dean's office that is interdisciplinary.
- Molly Kerby said from 1989-2009 housed Graduate Certificates were also interdisciplinary.
- Kate Hudepohl said that this is also interdisciplinary.
- The committee formulated the curriculum and housed it in the college.
- Is there not a precedent for programs/certificates with the same name across campus?
- Julie Shadoan said, yes, it does happen.
- Kate Hudepohl said it is philosophical, not procedural.
- Provost Lee said in terms of structure, Potter/Ogden worked collaboratively to make it an arts and sciences collaboration. There are broad responsibilities across colleges for this particular degree.
- Kelly Madole thinks it was changed at the graduate level because of what happened.
- Who is the program coordinator? It should be a faculty member, not a member of the dean's office.
- Richard C. Miller said that SACS policies require the name of a coordinator for all programs. We need a name of a coordinator for that program.
- There was no more discussion.
- Andy Mienaltowski made a friendly amendment to bundle the items and approve as a bundle. The friendly amendment was seconded by Gayle Mallinger.
- The motion passed, with two nays.
- Molly Kerby made a motion to reconsider the vote (2nd Gayle Mallinger). There was no discussion. The motion passed, with two nays.
- There was a discussion of parliamentary procedure.
- Andy Mienaltowski made a motion to bundle (2nd Molly Kerby). There was no discussion. There was a vote on the bundle only. The motion to bundle passed unanimously, with no opposed.
- Andy Mienaltowski made a motion to approve the bundled items (2nd Molly Kerby). The motion to approve the bundled items passed with a majority, with two opposing nays.

3. Colonnade General Education Committee: Marko Dumancic (Report posted; Endorsed by SEC)

- Marko Dumančić made a motion to approve the Colonnade General Education Committee report as posted.
- Marko Dumančić pointed out that in the coming weeks, there will be a call for proposals for connections classes. Foundations and explorations courses are solid. Currently, there are 63 connections classes. The concern

is that as the program evolves, there might be issues. Because of this, the Provost's Office will fund 30 courses. There is a February 15 deadline; the Committee is looking for new or substantially revised courses. Marko Dumančić added that he encourages as many applications as possible to ensure students have the best possible experience.

- There was a question about the deadline; new courses will be looked at the UCC will circumvent that process.
- There were no other questions.
- The report was approved unanimously as posted.

4. Academic Quality: Jeremy Maddox (No Report)

5. Budget and Finance Committee: Claus Ernst (No Report)

6. Faculty Welfare and Professional Responsibility: Patti Minter (Report posted; Endorsed by SEC)

- Patricia Minter made a motion for approval of the Faculty Welfare and Professional Responsibility report. The report contains internal audit and whistleblower.
- There was no discussion.
- The report was approved unanimously.

7. Faculty Handbook Committee: Yvonne Petkus for Margaret Crowder (Report posted; Endorsed by SEC)

- Yvonne Petkus made a motion to accept the Faculty Handbook Committee Report and all information items. The motion passed unanimously without discussion.

E. Old Business

- There was no old business.

F. New Business

1. Resolution on Public Information, Open Records Laws, and First Amendment Concerns

a. Office of the Attorney General Opinion

b. Dr. Patti Minter Memo

- The resolution of public open records from Patricia Minter was endorsed by the Senate Executive Committee in the November 30, 2015 meeting.

- Patricia Minter made a motion to approve this Resolution through the University Senate. The motion was seconded by Dick Taylor.
- In context, the cover memo shows that the Senate Executive Committee was consulted last spring about putting in a firewall for salary. Patricia Minter consulted outside experts and found that it was a blatant violation of open records law and attorney general. In the fall, it was revealed that the firewall was put in place. A password in place does not match the spirit of transparency of public information and be compliant with Kentucky statute.
- There was no discussion.
- The resolution passed unanimously.

2. Policy 1.2122 Summer Sessions and Winter Term Compensation and Distribution

- A motion to approve Policy 1.2122 by Kelly Madole was seconded by Jerry Daday.
- There were friendly amendments made from the floor in the November 30 Senate Executive Committee meeting. Dr. Miller made the friendly amendment to 2CD. Beth Laves from DELO initiated the revision to the policy and wanted to try to lower the threshold; this was about improving incentive.
- Kelly Madole said the Provost sets the compensation rate. Where is the equity in the high enrollment number?
- Beth Laves said the proposal has specific numbers, but it was removed in the policy to allow room to tweak it from year to year. The vague language gives the ability to make changes.
- Kelly Madole suggested tightening the language to make it less vague.
- Provost Lee said it has to be announced at the beginning of the academic year that it takes place.
- Richard Miller said it gives flexibility to DELO and Academic Affairs to give flexibility and make changes without revising policy.
- Claus Ernst asked why do we want to run this like a business? Low-level courses are less work than an upper-level class. This discourages faculty from teaching upper-level classes.
- Regent Burch said that summer is run on a separate budget outside of the regular year's funding.
- Jerry Daday said the cap for the class is under the purview of the department and faculty member to set. No incentive will dictate this. 20 in one class, 15 in another, versus 35 in one section. This does nothing; faculty determine how the course is run.
- Beth Laves said the majority of students in the summer are juniors and seniors. Many courses close early. More seats available helps the students. It is incentive.
- Policy 1.2122 was approved by a majority, with one nay.

3. Policy 1.4012 Substantive Change

- A motion by Dick Taylor to endorse Policy 1.4012 was seconded by Molly Kerby.
- In context, Provost Lee said the changes are non-substantive. With SACS, COC was added, and a few job titles were changed.
- There was a reference to what defines a substantive change.

- Questions: Kelly Madole asked about p. 3A4 “and international academic arrangement.” She wanted to know what this was for. Richard Miller said he was not sure why.
- Beth Laves was on the committee and collected all agreements in one place for the SACS committee. Related to MOUS (Memorandum of Understandings) and MOAS (Memorandum of Agreements), there are clear policies from SACS.
- Policy 1.4012 passed unanimously.

G. Information items

1. Response re: timing of SITEs

H. Motion to Adjourn

1. A motion to adjourn by Dick Taylor was seconded by Molly Kerby.

2. The meeting adjourned at 5:33 P.M.

Respectfully Submitted,

Heidi Álvarez, Secretary