

Validate the Regent Ballot Meeting October 20, 2017

Attendance: Jen Hanley, Jim Berger, Kirk Atkinson, Kristin Wilson, Janet Applin, Matt Shake, Colin Ferrell, Susann Davis, Jerry Daday, Joe Shankweiler, Thad Crews, Elizabeth Gish, Patricia Minter, Andi Dahmer, Liz Sturgeon

Notes

Call to order 4:30 pm

Eric Kondratieff, chair, calls to order

69% of eligible faculty voted

Notes

-A former faculty member who is “staff-exempt” is on the voting rolls for her/his department and the department senator overlooked this fact and consequently, someone who was ineligible to vote, voted in the election.

-The major concern facing the SEC is: by Kentucky state statute only eligible voters should vote.

-The university attorney, Debra Wilkins, was contacted and suggested contacting both candidates and advise them of the error. If both were willing to accept the election results then we could consider it a viable election.

-Liz (vice chair) has contacted candidates and has their agreement in writing

-Second issue—Dean of Ogden College sent the OCSE faculty an email encouraging them to vote and to do so for a particular candidate: “We have the opportunity to support an excellent ... colleague...”

-This raises ethical concerns about the role of a dean in swaying a faculty regent election. Could this potentially make faculty feel obligated to vote a certain way?

-The most pressing concern—is that the BOR meets next Friday (October 27) and we do not want to be without a faculty regent for any length of time.

Minter: this is for information’s sake only, I am not advocating a specific outcome: the by-laws for both the BOR and Handbook state that the current regent will remain in the seat until a new regent is appointed

-Minter recounted her own experiences when an election was called into question after being told she was going to be the faculty regent representative. In this situation, instructors were allowed to vote and should not have. The losing candidate (Betsy Schoenfeldt) challenged the election so an emergency senate executive committee meeting was called to respond to the challenge

-SEC met and determined that when people voted who were not allowed to vote, the election gets set aside

-Election was not certified, seat remained vacant for 4 months—because Robert Dietle, who had taken up department head duties, was no longer eligible to serve

-Background—another election as quickly as possible

-Recommend we don’t certify an election to be challenged

Shake—two issues, ineligible voters but candidates agreed to the decision.

Kondratieff: Can I get a motion from the floor?

Daday—Motion not to certify ballot due to ineligible personnel voting in violation of Kentucky Revised Statute 164.321

Atkinson-second

Unanimous

Minter—move to adjourn, second Hanley

November 3rd as a possible new date

5:10—meeting closed.

Note: there was a later decision to hold the second run-off election on October 27 due to various commitments of committee members and to meet the required deadline to hold the subsequent election within 5-10 business days (November 3rd was the latest date that kept within the 5-10 day follow-up rule, while October 27 was the earliest possible date).