

MINUTES OF THE UNIVERSITY SENATE, OCTOBER 21, 1968

The University Senate met in special session at 7:00 p.m. October 21, 1968, in the Court Room of the Law Building. Chairman Sears presided. Members absent: Ben W. Black*, Eugene B. Bradley*, Thomas W. Brower, David B. Clark*, Robert L. Cosgriff, Robert J. DeAngelis, Wendell C. DeMarcus, Louis D. Dubilier*, W. G. Duncan, Eugene B. Gallagher*, Ward Griffen, Omer Hamlin*, Harris Isbell, Robert D. Jacobs, William H. Jansen, John A. Koepke*, Carl E. Langenhop, M. J. McNamara, William G. Moody, Dean H. Morrow*, Vernon A. Musselman, J. A. Noonan*, Louis A. Norton*, Harold F. Parks*, James Prestridge*, William R. Proffit, Mary E. Rickey, Myron G. Sandifer*, Gerard E. Silberstein*, Robert H. Spedding*, K. M. Stevens, William J. Tisdall*, Harwin L. Voss*, Gilbert T. Webster, D. R. Wekstein, David C. White, John V. Haley, Albert D. Kirwan, A. D. Albright, William R. Willard, Robert F. Kerley, Glenwood L. Creech, Harry M. Bohannon, Leonard V. Packett*, George W. Denmark, Harold D. Gordon, Joseph Hamburg, Raymon D. Johnson, William L. Matthews, Jr., Paul C. Nagel*, J. P. Noffsinger*, William A. Seay, Doris M. Seward, W. G. Survant*, and Sheryl Snyder.

The Senate approved the requests of Robin Lowry, Taft McKinstry, Ann Stallard, and Jean Paul Rogerson, students, to be permitted to attend the meeting.

The Senate approved a motion to permit Charles Bowen of the Kernel to attend the meeting. This was followed by approval of a second motion to permit Mr. Bowen also to report on the meeting.

Challenge by a Senator revealed lack of a quorum. The Chairman then delayed the meeting for a few minutes until it was determined that a quorum was present.

Dr. Sears brought the Senate up to date on the evolvement of revisions in the Governing Regulations. He stated that two or three years ago the Board of Trustees appointed a Trustees-Faculty Committee to codify these Regulations; that this committee, as such, had made little progress in carrying through its assignment; that during this period one or two persons, working either with the President's Office or with this committee, had done some work toward revision but again not much progress had been made. He reported that approximately a year ago the Senate Council recommended to the President that a high priority effort be made to carry through the codification and that Professor Ralph H. Weaver be appointed as a Special Assistant to the President to carry out this work; and that this special meeting had been called to discuss only and not to make any formal recommendations for change in the working draft of the codification which Dr. Weaver had prepared and circulated.

Dr. Weaver stated that during the past year of assembling the draft he had removed from the Governing Regulations some of the details on which the advice of the Board should not be sought; had gathered together out of the minutes of the Board of Trustees and other sources, actions which have been taken since the last codification in 1960, and had made certain recommendations for change.

He stated that approximately a month ago he had distributed copies of the draft to the Senate Council and the Administrative Council after which these groups met at Carnahan House and spent approximately eight hours in reviewing the entire draft and making some changes.

He reported that the original intent was to send the draft to the Trustees-Faculty Committee which would simultaneously report its action to the Senate and the Board of Trustees but after talking with a number of persons, including the Senate Council and President Kirwan, it had been decided to bring it to the University Senate for discussion and obtainment of its suggestions for inclusion in the transmittal to the Trustees-Faculty Committee.

*Absence explained

Dr. Weaver expressed his appreciation for suggestions which had come from members of the faculty following faculty distribution of the draft.

He spoke of the functions of the Governing Regulations, namely, as a document which contains the functions of the Board of Trustees and their methods of procedure. He told that all authority by law rests in the Board except that delegated by the Board to the State Council on Public Higher Education; that the Board, in turn, delegates administrative authority to the President of the University, and, with the Board's permission, the President delegates most of his authority to the other administrative officers. He stated that the Board also delegates academic authority to the University Senate with authority to delegate, so that, in actuality, the authority of the faculties of the colleges, departments, etc. really represents delegation of authority from the University Senate. He stated that the Board also delegates authority to the faculty of the Community College System. Hence, there would need to be at least three other documents--the Administrative Regulations which would cover particularly the delegation of authority beyond the President and contain procedures to be followed within this authority; further revision of the University Senate Rules to incorporate those functions not properly the responsibility of the Board of Trustees; and Rules of the Community College Faculty.

Dr. Weaver then opened the floor to discussion out of which evolved the following suggestions:

in those sections dealing with faculty eligibility to serve as non-voting faculty Trustees and as University Senators a sentence should be included which delegates election procedures to the University Senate;

page 16 a revision of the last sentence in paragraph 2, to read:

In this connection it shall be his responsibility to transmit all recommendations of the Senate, the faculty of the Community College System, the Student Government Association, to the Board along with the faculty and/or student viewpoints, including any minority opinions, together with his recommendation for action.

page 16 a revision of the last sentence on the page, to read:

He may appoint or have appointed such temporary or standing advisory or administrative committees as he may deem wise.

page 17, a statement should be included that a faculty member holding an administrative title above that of department chairman is defined not to be full-time teaching and/or research;

page 17, last paragraph, second line, the words "all deans" should be clarified with a parenthetical statement "(but not associate or assistant deans unless otherwise authorized)";

page 17, second paragraph, third sentence, after ". . . head of the group represented shall declare a vacancy and" delete "appoint" and insert "the Senate Council shall designate";

page 18, second line, insert word "standing" between "Senate" and "committees";

page 19, second line from bottom of page, remove the word "broader";

page 20, add an additional function to the University Senate following function (6) as follows:

to advise on the planning of physical facilities and staff when these may affect the attainment of the educational objectives of the University;

page 41, add to the end of the statement on the Dean of the Community College System:

The Dean of the Community College System is the spokesman for the System. In the event he feels it necessary to depart from recommendations of the Community College Faculty or its Council, he must communicate the recommendations of the Faculty or the Council, as well as his recommendations, and notify the Faculty and/or the Council of his action.

page 45, make an addition to the end of the final sentence in paragraph one, so that the sentence reads:

He is further responsible for recruitment, initial screening and recommendation of candidates for instructional and staff positions after consultation with the faculty of his college whenever feasible.

page 21, add to the end of items (1), (2), and (3) in the last paragraph;

consistent with the policies of the University System

In extensive discussion of problems which have occurred in the Community Colleges it was pointed out that the major portion of these basic problems which had been raised could be resolved through better liaison and rapport by the existing University Senate Advisory Committee on Community Colleges and existing regulations governing course changes, drops and adds. In this latter connection it was pointed out that before action concerning a course evolves out of its college to be considered by the Undergraduate Council the intent for action on the course is circulated by the college to the entire faculty of the University, which includes the administration of the Community College System, and at this point the Community College administration can apprise its Colleges of the course action since there is a 10-day waiting period following circularization by the initiating college before the Undergraduate Council may consider the recommendation, this waiting period having been devised to provide opportunity for any faculty member having objection to any part of the recommendation to report his objections to the Chairman of the Undergraduate Council; that should this opportunity be overlooked, another opportunity for objection is provided after the Senate Council circulates a report of its action to the faculty of the University and the ensuing 10 days before that action becomes final and official.

Motion was made and approved to recess the meeting until Monday evening, October 28th, at 7:00 p.m.

The Senate reconvened at 7:00 p.m., Monday, October 28, 1968, in the Court Room of the Law Building. Chairman Sears presided.

Dr. Weaver assumed the chair to open continuation of discussion. He reported that agreement had been reached in the meeting at Carnahan House to change all Schools having the equivalent rank of a college, to colleges.

Further suggestions for changes were:

page 24, second sentence in second paragraph, change to read:

The chief administrative officer of a school that is an administrative unit within a college is an associate dean or director.

page 24, add the following sentence to the last paragraph:

A college is a major educational unit of the University. Its chief administrative officer is a dean.

page 26, remove the first four words in next to the last paragraph

page 27, remove the words "or school" in the third line from the bottom of the page

page 30, fifth line from the bottom of the page, change the word "consider" to "establish"

page 31, first and second lines, remove the words "for which they have joint responsibility."

page 43, third paragraph, change the word "prepares" to "submits"

page 50, change second sentence to read:

A review of the work of any educational unit at other than the regular interval may be initiated by the chief administrative officer responsible for the unit or by the President.

page 42, third line from end of first paragraph, change word "prepare" to "submit"

Following extensive discussion of arabic 2. and 3., page 25, Dean Cochran was asked to consider arabic 3 and perhaps make some recommendations for change based on the points which had been raised in discussion, and the Senate Council was asked to look at the possibility of including "emeritus" in arabic 2.

Following lengthy discussion of reviews of educational units it was the consensus of the Senators that a statement specifying a definite term of office for the college dean should be included and that both a review of the dean and the unit should be included.

An added page, covering Directors of Schools, was handed to the Senators. This page, to be inserted on page 42 preceding arabic 10., is as follows:

9-a. Directors of Schools (Associate Deans, University System)

The Director of a School serves as chairman of the faculty of the school in the performance of its assigned functions. He is an ex officio member of all committees of the school.

The Director's administrative responsibilities will be those delegated by the Dean of the College to which the school belongs.

The Director is the spokesman for his school. In the event that he feels it necessary to depart from the recommendations of his school faculty, he must communicate the school faculty's recommendation as well as his recommendation and notify the faculty of his action.

Extensive discussion of the second paragraph on page 43 was held in which a greater number of the Senators indicated they favored inclusion of all tenured faculty members in promotion considerations and in which a further suggestion was made that the first sentence end after the word "matters" in line 5 and an additional sentence be inserted to read substantially "However, a department may delegate such personnel procedures involving a department to the chairman." Dr. Weaver stated that he would rewrite the paragraph before the next meeting to encompass suggestions which had come out of discussion concerning this paragraph, and further that he would attempt to interpret "members of the department" in that same paragraph.

The meeting was recessed until Monday evening, November 4th, at 7:00 p.m.

The Senate reconvened at 7:00 p.m., Monday, November 4, 1968, in the Court Room of the Law Building. In the absence of the Chairman, Dr. Gifford Blyton, Parliamentarian of the Senate, presided.

Dr. Weaver resumed discussion of the proposed revision of the Governing Regulations. He stated that he had rewritten the second paragraph on page 43, to include suggestions which had been advanced in the previous session, as follows:

The department chairman is responsible for recommendations on the appointment of new members of the department, promotions, reappointments, terminal appointments, failure to reappoint, and tenure. Procedures and criteria used in preparing recommendations shall be those established by the University, the college, and the department. As a minimum, the procedures must include consultation with all tenured members of the department and with all those with the rank of assistant professor or equivalent who have been members of the department staff for two years except as noted below. All recommendations must include the written judgments of the consulted members of the department along with the recommendations of the chairman. The following exceptions may be made:

1. Faculty members need not be consulted on recommendations affecting other members with equivalent or higher rank.
2. The right to make recommendations on temporary appointments and/or appointments at less than the assistant professor level may be delegated.
3. The department chairman is responsible for periodic evaluation of department members by procedures and criteria established by the University, the college, and the department.

page 35, line 9, change the word "they" to "it"

Dr. Weaver reported that he planned to recommend that the following two sentences be added to the first paragraph under arabic 3, page 47, Search Committees:

When vacancies in administrative positions are anticipated search committees shall be appointed sufficiently in advance of the vacancy to avoid the appointment of an acting administrator. When unanticipated vacancies occur the search committee shall be appointed as soon as the designated procedures for appointment can be carried out.

page 48, line 19, remove "/or"

suggestion was made that the statement on acting appointments, page 47, should perhaps provide that acting department chairmen serve for one year, with the provision that this service might be renewed.

page 49, arabic 4, Terms of Department Chairmen, should be researched further

page 49-A, change the first sentence in Section IX to read: "The work of each educational unit in the University* and its chief administrative officer shall be reviewed at regular intervals by faculty advisory committees."

page 58, first line, after the word "activities" remove the word "and" and insert the phrase "conducted as a part of the official Medical Center program including"

Dr. Weaver stated that since he had made some slight changes in the Physicians and Dentists' Services, pp. 57-59, at the request of the Medical Center administration, that the Medical Center administration should see that these changes are also made in the documents, approved by the Board of Trustees, which will appear in the Administrative Regulations, so that the two documents are in agreement.

In the paragraph at top of page 62 suggestion was made that three additional sources might be added from which additional salary not to exceed one-half of the academic salary may be accepted for work performed during sabbatical leave, namely, from other universities while working on a research grant (rather than limiting it solely to the University of Kentucky); from government laboratories while doing research; and from other universities while working as a research professor, research associate, etc. Dr. Weaver stated that if further research reveals no stumbling block to these additions, they will be included.

with reference to Leaves of Absence, page 61, question was raised of whether the former privilege accorded a member of the instructional staff to have a semester off at one-half pay after four consecutive years of service was irrevocably lost. Dr. Weaver indicated that he would ask the University Senate Council for explanation for removal of this former option in the Governing Regulations.

page 64, item 6., this paragraph should be reconstructed grammatically for clarification

page 66, (a) Group I Employees: second sentence should be changed to read as follows: "The compulsory retirement date for all employees employed prior to July 1, 1964, and who were fifty-six (56) or older on that date shall be the end of the University's fiscal year in which the employee attains age seventy (70) or completes ten years of service after July 1, 1964, whichever occurs first."

Attention was called to the fact that a section of the Retirement plan which had been approved by the Board of Trustees April 7, 1964 which provided that staff members who were age forty (40) or older prior to July 1, 1964 would be provided with a supplemental retirement income, had been omitted from arabic 8. Retirement, on page 66. Dr. Weaver stated he would recheck for this omission.

The Senators were handed revised material covering XI. STUDENT AFFAIRS, page 69-B, to XII. MISCELLANEOUS on page 77. In a review of this revised material additional changes were suggested.

Dr. Weaver recommended that the University Senate be asked to affirm that the entire document entitled "Non-Academic Relationships Between Students and the University" is a part of the Rules of the University Senate, the purpose of this affirmation being to circumvent the possibility of losing anything important in this document in the process of condensation for incorporation in the Regulations. The revised material, as changed by suggestions, follows:

XI. STUDENT AFFAIRS

A. UNIVERSITY OF KENTUCKY STUDENT GOVERNMENT

The University of Kentucky Student Government is authorized by the Board of Trustees and the University Senate to insure a maximum of self-government based upon mutual respect between the faculty and the students. It is the official student body authority in University affairs, representing student opinion to the faculty, administration and the Commonwealth of Kentucky. It provides and renders services to the students, faculty and administration of the University and, within the regulations of the Board of Trustees and the Rules of the University Senate, it may have additional responsibilities delegated to it by the Office of the Vice President for Student Affairs or the University Senate.

Its President shall be considered to be the President of the student body of the University specified in KRS 164.130. It shall operate under a constitution written and accepted by the students of the University that is consistent with the regulations of the Board of Trustees and the Rules of the University Senate. Copies of the constitution must be filed with the Vice President for Student Affairs and the secretary of the University Senate.

The Board of Trustees also authorizes the development of comparable student governments for the Community College System and/or individual community colleges.

B. STUDENT DISCIPLINE AND THE SUPERVISION OF STUDENT ORGANIZATIONS

The principles which follow shall be applied to student discipline and the supervision of student organizations in the University of Kentucky. The Board of Trustees is dependent upon the University Senate, for the University System, and the Faculty of the Community College System, for the Community College System, for the development of rules for the implementation of these principles. In the development of these rules the University Senate and the Faculty of the Community College System are expected to consult with the appropriate administrative officers and to delegate as much responsibility as is appropriate to Student Government organizations.*

* The document entitled, "Non-Academic Relationships Between Students and the University", is a present code for the University System. It was prepared as a report to the Senate Advisory Committee for Student Affairs, endorsed by the University Senate and the Student Government, modified by a committee of the Board of Trustees after consultation with the recommending groups. It was accepted by the Board of Trustees on May 2, 1967 as a policy statement from which subsequent governing regulations could be formulated.

Copies of all rules that deal with relationships between students and the University shall be made available to all students. Registration by the student constitutes acceptance of the relationship. In no case, however, shall this preclude legitimate efforts to obtain changes in the regulations.

1. Student Discipline

(a) Punishment for violations of state and local laws is the prerogative of state and local courts. The University is not a policing authority for activities of a student outside the University community and therefore cannot act as a collection agency for landlords, retail stores, etc., nor can it impose disciplinary punishment for the student's misconduct in such places unless that misconduct falls within the category of University disciplinary offenses. While violations of state and local laws may not call for University disciplinary proceedings, University officials may report such violations to state and local police authorities for appropriate action.

(b) The student at the University shall be treated as an adult, a member of a community of scholars seeking to acquire and communicate knowledge. He shall be subject to University discipline only when his conduct in or out of the classroom impinges on the rights of other such scholars. The sole concern of the University is to provide protection of, and facilities for, those who seek knowledge.

(c) Violations which call for University disciplinary proceedings and punishments for such violations shall be stated and defined as clearly as possible.

(d) The basic disciplinary bodies shall be quasijudicial boards composed of the student's peers with full authority to judge and, where appropriate to sentence an offender for violation of disciplinary rules.

(e) The student shall be entitled to rights of appeal.

The President may request the Appeals Board to review a punishment imposed by a basic disciplinary body when he believes that it is not proper in view of the circumstances of the particular case. He shall then have the authority to set the punishment on the basis of the findings.

(f) In hearings before the boards, the student shall be entitled to the guarantees of procedural due process, as recognized in the academic community, and these guarantees shall be explicitly stated.

As the result of discussion, Dr. Sedler will restudy (f) above and make any recommendation for change to Dr. Weaver.

(g) Honor codes to govern academic offenses and certain related disciplinary offenses, if committed in the school or college that has adopted such a code may be adopted by a school or college. Such adoption shall require a majority vote of the students to be covered, approval by the faculty involved, and review by the University Senate or the Faculty of the Community College System for conformity with principles of student rights, fairness and clarity.

(h) The primary function of the Office of the Vice President for Student Affairs, or of any comparable office or offices in the Community College System, with respect to disciplinary offenses shall be that of furnishing counseling and advice to students accused of violation of state and local laws or of University offenses. In the course of such counseling, punishment for University disciplinary offenses, or treatment, may be outlined with the student having the privilege of accepting or referring the case to the proper Board. In addition, in the event that a student has been accused of an offense against the University and/or against the city, state or federal government, the nature of which may present a clear and present danger of serious physical or mental harm to the student or to any other member of the University community or to University property, the Vice President for Student Affairs, or designated official or officials in the Community College System, after consultation with the Appeals Board, may impose such temporary sanctions on the student as are reasonably necessary to protect the student, the University community and/or University property from such danger until such time as final disposition of the case has been made by the properly-constituted authorities.

Section (h) will be looked at again with the Faculty-Board Committee in light of discussion in this meeting.

(i) Punishment by expulsion or actual suspension must have the approval of the President of the University.

(j) A student who is delinquent in his financial obligations to the University, to any department or division in it, shall not be allowed to register for the next term, to transfer his credits to another school or to receive a diploma from the University, provided that such obligations shall not include fines and penalties assessed against the student by other than University officers.

There is question of whether or not this statement is a part of the Student Code.

2. The University as a Supervisor of Student Organizations

The control of student organizations shall rest with the Vice President for Student Affairs and of a designated official or officials in the Community College System. Accordingly, any organization which wishes to use the University of Kentucky name or University property or to solicit thereon, and any organization whose voting membership is limited solely to students and faculty or staff must be registered with the Office of the Vice President for Student Affairs or with a designated office in the Community College System.

An application for registration must contain an affirmative statement that the organization does not and will not discriminate against any person due to race, color, sex or religious beliefs except when their approved purpose requires limitation as to sex or religion. The organization must operate consistent with the regulations of the Board of Trustees and the University Senate or the Community College System faculty.

An organization may be subject to loss of registration or lesser punishment due to violations which shall be explicitly stated.

Minutes of the University Senate, October 21, 1968 (Cont'd)

C. STUDENT PARTICIPATION

Rules of procedure in educational units of the University should provide for consultation with students in the development of educational policies.

Insert the following under XII. MISCELLANEOUS, on page 77, and re-letter all subsequent sub-heads on pages 77-81:

A. EQUAL OPPORTUNITY

The University of Kentucky shall insure equal opportunity for all individuals within the University, without regard to race, color, religion and national origin, thereby protecting their interest in personal dignity and encouraging their full contribution to and benefit from the educational process.

Dr. Weaver stated that he would recheck the validity of the final paragraph on page 79.

Insert the word "or" immediately preceding the word "cultural" in the second line of page 79 and again immediately preceding the word "charitable" in the third line, page 79.

Dr. Weaver was given an ovation in appreciation of the excellent job he had done in revising the Governing Regulations.

The Senate adjourned at 9:30 p.m.

Kathryne W. Shelburne
Recording Secretary

MINUTES OF THE UNIVERSITY SENATE, NOVEMBER 11, 1968

The University Senate met in regular session at 4:00 p.m., Monday, November 11, 1968, in the Court Room of the Law Building. Chairman Sears presided. Members absent: Frederick J. Bollum*, Eugene B. Bradley*, Herbert Bruce*, Virgil L. Christian, Jr.*, Emmett R. Costich, D. F. Diedrich, Henry F. Dobyns, W. G. Duncan*, W. W. Ecton*, Fred Edmonds*, Roger Eichhorn*, Irving S. Fisher*, Eugene B. Gallagher, Art Gallaher*, Jess L. Gardner, Wesley P. Garrigus*, Ward Griffen, Robert D. Haun*, A. J. Hiatt*, Harris Isbell, William H. Jansen, Donald E. Knapp, John A. Koepke*, Robert A. Kuehne, James F. Lafferty*, Nancy Lair*, Karl O. Lange*, R. S. Levine, M. J. McNamara, Ray Marshall*, Gene L. Mason, Dean H. Morrow*, Ronald E. Phillips*, William R. Proffit*, Stephen Puckette*, John L. Ragland*, John T. Reeves, Mary Ellen Rickey, Donald A. Ringe, Arthur W. Rudnick, Jr.*, Myron G. Sandifer*, Norman L. Taylor, Timothy H. Taylor, W. C. Templeton*, William J. Tisdall*, Duane N. Tweeddale*, William S. Ward, Ralph H. Weaver*, Gilbert T. Webster, D. R. Wekstein*, Raymond A. Wilkie, Fred Zechman*, John V. Haley, Lawrence S. Thompson*, Albert D. Kirwan*, A. D. Albright, William R. Willard*, Robert F. Kerley, Glenwood L. Creech, Lewis W. Cochran, Harry M. Bohannon, Leonard V. Packett, Marcia Dake*, George W. Denmark, R. M. Drake, Jr., Joseph Hamburg, Ellis F. Hartford, Raymon D. Johnson*, J. P. Noffsinger*, Elbert W. Ockerman*, William A. Seay, John L. Sutton, Wallace Bryan, Sheryl Snyder.

Dr. Holman Hamilton presented Resolutions on the death of Dr. David Lloyd Dowd. The members of the Senate stood for a moment of silence in acceptance of the Resolutions and in tribute to Dr. and Mrs. Dowd.

*Absence explained