

MINUTES UNIVERSITY SENATE, JANUARY 18, 1988

The University Senate met in a special session on Monday, January 18, 1988, at 3:00 p.m. in Room 115 of the College of Nursing/Health Sciences Building.

William E. Lyons, Chairman of the Senate Council, presided.

Members absent were: David Allgood*, Richard Angelo, Michael A. Baer*, Charles Barnhart, Raymond F. Betts, David Bingham*, Glenn C. Blomquist*, Tex Lee Boggs*, Jeffery A. Born, Peter P. Bosomworth, Earl Bowen, Ray M. Bowen, Carolyn S. Bratt*, Glen Buckner*, Joe Burch, D. Allan Butterfield, Ben Carr, Edward A. Carter, Michael Cibull, Donald Coleman, M. Ward Crowe*, Frederick Danner, Marcus Dillon, Richard C. Domek, Jr., J. Burton Douglass*, Nancy S. Dye*, James Freeman, Daniel L. Fulks*, Richard W. Furst, Thomas C. Gray, Ann Griesser, Andrew Grimes, Zafar Hasan, Roger W. Hemken*, Freddie Hermann, Ronald Hoover, Raymond R. Hornback, Jeffrey Hughes, Mehran Jahed, John J. Just, Richard I. Kermode, Lisa King, Jim Koegel, James M. Kuder*, John Kuegel, Robert G. Lawson, Gerald Lemons, Arthur Lieber*, William C. Lubawy, Paul Mandelstam*, Robert Murphy, Michael T. Nietzel, Arthur J. Nonneman, Jose Oubrerie, Rosanne Palermo, Philip C. Palmgreen*, Alan Perreiah, Antoinette P. Powell*, Deborah E. Powell*, Robin D. Powell, Madhira (Mike) D. Ram, John A. Rea, G. Kendell Rice, Thomas C. Robinson, John M. Rogers, David P. Roselle, Edgar L. Sagan, Donald E. Sands*, Karyll N. Shaw, Steven J. Skinner*, Stephen Stigers, Louis J. Swift*, Michael G. Tearney*, Cyndi Weaver, James H. Wells, Charles T. Wethington, David White*, Gene Williams, Jason Williams, Angene Wilson*, W. Douglas Wilson, and Peter Winograd*.

The Minutes of October 12, 1987, were approved as circulated.

The Chair made the following remarks and announcements:

"Let me announce first of all that you might want to make a change on your calendar. The March Senate meeting would ordinarily fall on Monday the 14th which starts the beginning of spring break for the main campus. Because of that we had to move the March Senate meeting up one week. We will be meeting on March 7 at 3:00 p.m. in Room 115 of the College of Nursing/Health Sciences Building.

The Institutional Finances and Resource Allocation Committee of the Senate headed by Antoinette Powell will be starting a Budget Newsletter, and we have gotten the president's office to agree to help us fund it for one issue this Spring Semester. We hope that if this works out and you think it is a useful thing, we can try to put it in our budget for next year so that three or four issues of such a newsletter would be forthcoming. This Newsletter will be for all faculty members not just Senate members. In addition, Toni Powell's committee is also attempting to schedule a budget forum. Senators are invited to send questions or concerns about the budget to the Senate

*Absence explained.

Council Office so that they can be incorporated into the plans for the Forum. The date for that Forum will be announced after we know more about what the legislature is up to.

Some of you may recall that we have a rule on the books and have had it for a number of years that mandates that we have an annual faculty poll and that the faculty poll committee has sent out a questionnaire to all faculty. The response to that is quite amazing. I must say that opening the envelopes and getting them ready for the committee was, for the most part, very interesting as well. It is very clear that many of you have concerns about the budget and they were articulated very vigorously. At any rate, what is going to happen to those open ending questions is that they will now be used by the committee to attempt to develop another questionnaire that will try to focus our attention on some key items and see what that will be. You will be hearing more about that in the next couple of weeks.

The Council on Higher Education, despite all of its announcements about how it was going to change its dates for considering programs, met last week and approved five new degree programs for the University of Kentucky. Three of these programs were revised proposals that have been before the Council on Higher Education before. One of them was the Bachelor of Science degree in Mathematical Sciences and the other two were the Master of Science and the Ph.D. degree in Biomedical Engineering. All those proposals have now been approved and are effective immediately according to the CHE. The two other degree programs that were approved last week are new ones that we circulated this year and all of you, I am sure, have had a chance to look at them. One was the Bachelor's degree in Arts Administration and the other one was the Ph.D. in Public Administration. Both of those degree programs also were approved and effective immediately by the CHE. On the Arts Administration I may want to circulate to you a change. Our original circular said that degree would become effective Fall 1988. The reason we chose that date was that we didn't think it would be going to the CHE until after March and it would have been a moot issue for this academic year. I may ask you to approve changing the effective date to read--"effective Spring 1988."

We have a calendar committee and some of you may recall that the students asked last year that we do something about incorporating two "dead days" into our calendar for purposes of preparing for final examinations. You may recall that the Senate requested that Wilbur Frye set up that committee with the understanding that it would not become operational until the students submitted evidence of student interest in the idea. You may have seen a poll conducted by the Student Government Association

utilizing the survey research center. Those data have become available and the committee, which is now headed by Enid Waldhart, will begin deliberations on this matter.

The University Studies Committee has submitted its plan to the Senate Council for implementing the new University Studies program in the Fall of 1988. I would hope that the Senate Council which has begun its deliberations will be able to complete those deliberations within the next week or two weeks and forward this to you for your consideration. Most of what will be involved here we will be able to do by transmittal, especially the courses that will be certified as meeting the requirements for the various components of the new University Studies program. There may be at least one policy change involving a concept of clustering as an alternative way of dealing with the cross-disciplinary requirement that we will have to bring to you, perhaps at the February or March meeting. That will be one that we will have to do on the floor because it would involve changing the rules we adopted two years ago when this proposal was put in place. You will be hearing more about the University Studies program. I think you will find it interesting, and I think all of us will have to understand that there may be things added to this as we go through time. We should not assume that what we see in the program now will be the complete catalog of courses to meet all of our various departments forevermore.

At the February Senate meeting, we may come back to you with the cheating and plagiarism rule changes that were returned to committee. In addition, we should be dealing with the honorary degree recommendations.

Last, but not least, let me announce today that the Rally for the Advocates for Higher Education that we talked about before has been scheduled. Bob Bell, who was here at one of our meetings, has sent a notice to President Roselle saying that a Rally will be held in the late afternoon on Tuesday, February 16, 1988, and that it will be held at the Frankfort Convention Center. I hope that all of you will put that on your calendar and make every effort to get over there and encourage your colleagues to get to the Rally. This is an important legislative session. I think the timing on this is particularly interesting because that will be several weeks after the Governor has submitted his budget message to the Legislature. By then the legislature will be deep in deliberations on the budget. It is an appropriate time for the University of Kentucky and other institutions to put on a show of support for higher education."

The Chair asked the Chair-elect of the Senate to introduce the agenda item as a single motion with the understanding that the proposal would be discussed

in a set of clusters and Professor Malcolm Jewell, Chairman of the Rules Committee, was asked to outline the proposal.

Chairman Lyons recognized Professor Loys Mather, Chair-elect of the Senate Council. Professor Mather, on behalf of the Senate Council, moved approval of the proposal to change University Senate Rules, Section I, Election Rules. This proposal was circulated to members of the Senate under date of 16 December 1987.

The Chair noted that the proposal was a recommendation from the Senate Council and did not require a second. Professor John Rea (Spanish) said that on page 1, first paragraph, line 5 there was a statement which reads "...ways to simplify the various election rules ..." but he felt it was in the spirit of the tax simplification act. On page 2 he noted that in the second paragraph, second sentence, the word "each" was used too many times and asked that the third "each" be deleted. The Chair said that the editorial changes would be made.

In explanation the Chair said the proposal was focusing on the University Senate Rules and the Senate, Graduate Council and Undergraduate Council. The Chair recognized Professor Malcolm Jewell (Political Science). Professor Jewell said that an explanation was in order because the proposal as circulated did not include much information. He said the Rules Committee was asked over a year ago to do two things. One was to simplify the nominating process, cut down the amount of paperwork, cut down the number of ballots going back and forth, cut down the amount of work it takes, and the number of times the faculty members have to ballot. Secondly, the committee wanted to find some way at the same time to involve more directly faculty members in the process by getting them to participate in the nominating process. The entire focus of the original proposal was on the nominating process. Along the way, the Rules Committee had suggested a few small changes to simplify other parts of the process. The committee is proposing to use a different nominating process essentially the same nominating process for electing Senators, members of the Undergraduate Council and electing members for the Graduate Council. He wanted to take those three together because the process is essentially the same. He said there would be a little tinkering for the Senate Council and a major change for nominating members of the Board of Trustees. He said the Rules Committee was trying to get away from the present system. Members of the Senate, Graduate Council, and Undergraduate Council are nominated by units not by the entire faculty. The current procedure is that nominating ballots are sent out and faculty nominate names, they are returned, and then the top names are sent out to have another vote. In point of fact, the nominating ballot gets very little participation. One of the consequences is that in the smaller colleges or smaller units, there is sometimes a very low turnout. For example, in one election three names were needed and three people were nominated and each got two votes. Five or six people got one vote each. If there had been one less person with two votes, all the names would have been put on the ballot. That is rather a casual way of conducting an election. Secondly, the Senate Council feels that there ought to be some thought given to the nominating process. Therefore, a system is being proposed for all three where nominations can be made by letter. Because this may not attract very many names, the Senate Council is particularly asking various component groups like chairmen of departments, director of undergraduate studies, directors of graduate studies, depending upon which group is involved, to take on the responsibility of suggesting names. The votes for the Undergraduate

Council and the Senate will be submitted at the same time. Professor Jewell said that he hoped a little thought would be given as to who would be good to sit on the Undergraduate and Graduate Council. He added that Dean Royster suggested and the Senate Council has agreed that the Graduate Council ballots be done by the Graduate School. Dean Royster hopes they can generate more interest in the Graduate Council by doing it that way. Professor Jewell said that if the new procedure did not produce the required number of names, two or three times the number to be voted upon, depending on what election it was, that a particular body in each college or unit would be responsible for generating enough names themselves. Every person eligible to participate in the process is entitled to nominate. The nominating system would be different than it is now, and Professor Jewell thought it might be harder to get more names. He said at the present there was a tendency to put someone's name on the ballot because they had been put on other ballots and other committees. Professor Jewell asked for questions and comments on the process of nominating for the Senate, Undergraduate Council and Graduate Council.

Professor Hans Gesund (Engineering) had one problem with the process which Professor Jewell described. He felt that basically the idea was a good one, but he felt the secrecy of the ballot had been killed. He added if there was trouble now getting people nominated through a simple ballot, there would be more difficulty to get people to write a letter. He felt having chairmen and directors nominating people was a good idea, but he was worried about the secrecy of the ballot. He didn't think demanding a letter would increase the number of nominations from the faculty and that may mean that the entire Senate would be nominated by administrators and he somewhat objected to that. He felt the Senate should be representative of the faculty and not of the administrators.

Professor Constance Wood (Statistics) wanted to know why the committee did not propose that the nominating procedure be supplemented by letters from various groups. Professor Jewell said that the present procedure was to count the number of names nominated. He did not know how to add the two procedures. He said any name submitted by letter would be on the ballot. Chairman Lyons clarified that the proposal was attempting to separate the nominating process and the election process. The view of the Senate Council and the committee is one that the process would attempt to generate sufficient numbers of people so that an election would have some meaning and secondly that some additional thought be put behind that process so that the elections could proceed by using secret ballots. Professor Jewell had difficulty in believing that anyone would be intimidated from nominating someone.

Professor Martin McMahon (Law) wanted to know what would happen if the open nomination procedure produced more names than twice the number needed for an election. Professor Jewell said all the names would be on the ballot. Professor McMahon said "at least" should be added to the last line on page 2. Chairman Lyons accepted the editorial change, and the sentence would read:

"...number of names remaining on the ballot being at least
twice the number of vacancies to be filled, including ties."

Professor Rea said having to write a letter might discourage nominations rather than increase them. He wondered if it would be possible to have that nomination in the form of the first ballot now. This would not force someone

to write a letter, but it still could be a nominating procedure. Professor Jewell said that obviously was an option. Professor Gesund wanted to know if everyone nominated would be on the first ballot because the proposal stated that "The ballot for the election of senators shall contain twice as many names as there are persons to be elected." The Chairman said that "at least" would be inserted before "twice" so that at least twice as many names would be on the ballot as there are persons to be elected. Professor Gesund told Professor Jewell he was making life worse for himself if everyone's name that was nominated appeared on the ballot and would be defeating the entire purpose. Professor Jewell said the simple fact was that no one knew how people would react. What he wanted was for individual units to give some thought to people who would make good members of the groups and go so far as to ask those people if they would be willing to serve. One of the things that disturbed Professor Gesund was that a dean might get all the department chairmen and associate deans together and produce the requisite number of names from that academic council and produce enough votes for each one on the nominating ballot so that those people will be elected and the Senate would become very representative of the deans, associate deans and chairmen or directors of graduate studies. He did not feel the University Senate ought to be going in that direction.

Professor McMahon wanted to know if the number of nominees that appeared on the ballot was changed from precisely twice the number of vacancies to "at least" then would the person receiving the largest number of votes be elected to mean that the election could end up like the democratic primaries where someone with a very small plurality can be selected. Professor Jewell said that could happen because there is a low turnout on the nominating ballot. He said that normally on the actual election ballot the returns are good.

Professor JoAnne Rogers (Library and Information Science) could understand why there was a problem in generating interest in the initial ballot because it always came as an initial shock. She wanted to know if there could be some kind of calendar sent to the list of Senate members so that the faculty would know and anticipate when certain events would be taking place. Perhaps then the councils could be a bit more prepared. She very much shared the concern that was expressed about the participation of administrators. She was also concerned that the proposal stated that each college will determine an appropriate body, but did not say how the college would determine that body. She did not want department chairs who are administrators to be making decisions for the only representative faculty body of the University.

Professor Mary Sue Coleman (Medicine) supported the proposal and said it might raise the consciousness from the department level to the college level and the new procedure should be tried. Chairman Lyons said that everyone should understand the balloting procedures go on and on. He felt the participation should be enhanced at least at the nominating level. Professor James Applegate (Communications) felt the strength of the proposal was the idea that it required faculty members to submit a name, not a long involved letter. It might actually encourage people to check with others before nominating someone. He said sometimes people just write in familiar names which often leads to overloading and having the same names. The point of the proposal is to encourage departments and individual faculty to think about who would be good people to serve on the Senate. The Chair pointed out that none of the proposals changed any of the rules for the allocation of seats among the units, nor do they change any of the rules about who constitutes faculty or administrators.

Professor Jesse Weil (Physics and Astronomy) agreed with the objection which Professor Gesund raised that in the Senate election at least where a very large number of people might be nominated and then it would be hard to get a plurality on a single ballot. He said people could be elected to the Senate with a relatively small number of votes. He found that objectionable. He moved an amendment which states:

"Should there be more than three times as many nominees as there are vacancies, and should the number of persons receiving a majority of votes be fewer than the number of vacancies, there shall be a second ballot containing twice as many names as there are vacancies to be filled."

Professor Weil said there could be a very long nominating list but only two ballots. The amendment was seconded.

Professor McMahon asked Professor Weil if the amendment was for more than three times or three times or more. Professor Weil said it was "three times as many nominees as there were vacancies." Professor McMahon said there was a difference between "three times or more and more than three times." Chairman Lyons asked Professor Weil if his motion spoke only to the section on the Senate. Professor Weil answered in the affirmative.

In further discussion on the amendment Professor Marcus McEllistrem (Physics and Astronomy) appreciated the concern expressed by Professor Weil and the others, but he said there were a lot of elections going on at the same time and to put in a procedure that would increase the number of elections should be thought about a great deal. He was hesitant to fix a problem by a process that would make the elections more cumbersome. Professor Gesund assumed that the third from the last sentence would read "The ballot for the election of senators shall contain at least twice as many names" would be a part of the proposal. Professor Jewell said that would have to be part of the proposal because no provision had been made for cutting down on the number of nominees. His concern was that something was being fixed that really was not broken. He said he would vote for the amendment but vote against the proposal.

There was no further discussion on the amendment which passed with a hand count of 32 to 17.

Professor Jewell detected more concern about using the new method for the Senate than for the other groups and felt it might be well to vote separately on the Senate and if there was not enough support for the Senate, there might be support for experimenting with it on the Graduate Council.

Professor Rea moved to amend the paragraph on the first page that stated: "...to nominate as many eligible persons as there are vacancies for the Senate by a letter." He wanted to add to that a simple form letter for this purpose to be included and not to require a signature. Chairman Lyons said that everyone would be sent a list of eligible people. Professor Rea said many people would not want to take the time to write an entire letter and go through that formality. Professor McEllistrem said that was contrary to the spirit of the proposal. The parliamentarian ruled that the amendment might be antagonistic, but it was germane. There was no further discussion and the amendment failed in a voice vote. The Chairman said that all editorial changes should be submitted in writing to the Senate Council office.

Professor Gesund wanted to know if the letter of nominations had to be signed. The Chairman said it was a letter and presumably it would be signed. He said it would also be possible to nominate yourself. Professor Gesund wanted to know what kind of safeguard was going to be used in the nominating process against people signing someone else's name to the letter. Professor Jewell said there was no point in nominating a person more than once because any person nominated would be on the ballot.

Professor Rogers moved an amendment to state:

"If fewer than twice the persons to be elected from any unit or sub-unit are nominated and are willing to serve, the Dean of the College shall call a meeting of the faculty of that unit to nominate the necessary number of persons."

She felt that would make it clear that the faculty would be responsible for the nominations rather than another group such as department chairs. The amendment was seconded by Professor Gesund. Professor Mather said the Senate should keep in mind that the fall back provision of calling on directors or whoever really does not take place unless the faculty does not do their job. There was no further discussion and the proposed amendment was defeated in a hand count of 34 to 20.

Section 2.2.1 of the proposed change in University Senate Rules as amended passed and reads as follows:

SENATE

2.2.1

For each academic unit or sub-unit where there is an election to be held the office of Secretary of the Senate will prepare the lists of faculty members eligible to vote and those eligible to serve. The office will send a list of those eligible to be elected to those persons eligible to vote, who will be invited to nominate as many eligible persons as there are vacancies for the Senate by a letter. In addition, each chairman (or dean) and each departmental or college director of graduate studies and director of undergraduate studies will be urged to submit nominations by letter. The Secretary of the Senate will ascertain the willingness to serve of those nominated. If fewer than twice the persons to be elected from any unit or sub-unit are nominated and are willing to serve, the Dean of the College shall call a meeting of the faculty of that unit to nominate the necessary number of persons. Each College shall notify the Secretary of the Senate in advance whether it will use for that purpose a College Council, a meeting of department chairs, or a full meeting of the College faculty.

The ballot for the election of senators shall contain at least twice as many names as there are persons to be elected. Each person must vote for as many persons as there are vacancies to be filled. If the number of persons nominated is no more than three times the number of vacancies to be filled, the persons receiving the largest number of votes shall be elected. Should there be more than three times as many nominees as there are vacancies, and should the number of persons receiving a majority of votes be fewer than the number of

vacancies, there shall be a second ballot containing twice as many names as there are vacancies to be filled.

Professor Jewell proposed the Graduate Council and Undergraduate Council at the same time and said to keep in mind that the machinery for doing the Graduate Council will be handled by the Graduate School rather than by the Secretary of the Senate. Other than that the changes are the same. Professor Weil asked if one letter would go out for the Senate, Graduate Council and Undergraduate Council. Professor Jewell said the Graduate Council would be separate because it was a different election. The proposals on Section 3.3.3 for the Graduate and Undergraduate Councils passed unanimously and read as follows:

GRADUATE COUNCIL

3.3.3 Election.

The office of the Graduate Dean will be responsible for administering the election procedure. The Dean's office will prepare the lists of faculty members eligible to vote and those eligible to serve. For each college or collection of colleges where there is an election to be held, the Dean's office will send a list of those eligible to be elected to each person eligible to vote, who will be invited to nominate eligible persons for the Graduate Council by a letter. In addition, in each department (or college) that has a graduate program, the chairman (or dean) and the director of graduate studies will each be urged to submit a nomination by letter. The Graduate Dean's office shall check on the willingness of persons to serve and will get a very brief biographical statement from each person nominated. If fewer than three persons are nominated and are willing to serve from any college or collection of colleges, the Graduate Dean's office shall call a brief meeting of the directors of graduate study from the unit(s) for the purpose of nominating additional persons to make a total of three. (In the event that more than one person were to be elected from the unit, this group would meet if necessary to pick nominees equal to three times the number to be elected.)

Once the nomination process has been completed, ballots will be sent out containing the names of all those nominated. Each person must vote for as many candidates as there are vacancies to be filled. The person or persons receiving the largest number of votes will be elected.

UNDERGRADUATE COUNCIL

3.3.3 Election

The nomination for the membership on the Undergraduate Council shall be carried out by the office of Secretary of the Senate, at the same time, and following the same procedures, as in the nomination of senators, except as

indicated below. In addition to the general announcement, notices urging nominations shall be sent to each chairman and director of undergraduate studies (but not each director of graduate studies). If fewer than three times the number of persons to be elected from any unit are nominated and are willing to serve, the Dean of the College or Colleges involved shall call a meeting of an appropriate group to nominate the necessary number of persons.

Once the nomination process has been completed, ballots will be sent out containing the names of all those nominated. Each person shall vote for as many candidates as there are vacancies to be filled. The person or persons receiving the largest number of votes will be elected.

In Section 3.1.2. (a) Senate Council, Professor Jewell said the rule now provides that the first ballot is essentially the nominating ballot. If someone gets a majority on the ballot, they could be elected. What the proposal does is to make clear that the first ballot is a nominating ballot. Strangely enough, there is no provision requiring that a Senator be willing to serve on the Senate Council. Professor Jewell said the Senate Council took a lot of time. Other than that he did not believe there were any substantive changes although there was a provision for clarifying how vacancies would be filled. Chairman Lyons called for the vote on Section 3.1.2. (a) Senate Council election which passed unanimously and reads as follows:

SENATE COUNCIL

3.1.2

(3) Election--Three (3) faculty members of the Senate Council shall be elected annually during the fall semester of the academic year. The election shall be conducted by mail under the supervision of the Secretary of the Senate. On the nominating ballot, each Senate faculty member shall vote for the number to be elected at that election from the roster of the eligible faculty members as certified by the Secretary of the Senate upon the authority of the Rules Committee.

The six persons receiving the largest number of votes, plus any ties, shall be placed on the ballot. Not more than twice the number of names from any one college as there are vacancies for that college (including ties) shall be placed on the ballot. Prior to placing the names of nominees on the ballot, their willingness to serve shall be ascertained by the Secretary of the Senate.

Each voter must vote for as many persons as there are vacancies to be filled. Those receiving a majority of votes cast shall be deemed elected, and successive votes shall be taken as necessary in the manner outlined above.

(4) Vacancies--A vacancy on the Senate Council shall be filled by appointment by the chairman of the Council of the

eligible nominee who at the last Council election received the highest number of votes without being elected. If no one receiving votes on the ballot is available, the vacancy shall be filled by the person with the next highest number of votes on the nominating ballot. The term of appointment shall be for the remainder of the unexpired term or for the duration of the ineligibility of the elected member.

The Chair said the final proposed set of changes was dealing with the nomination and election for faculty members on the Board of Trustees. The Chair recognized Professor Jewell to give the rationale for the proposed changes. Professor Jewell pointed out two changes. He said there was now a procedure in the process of electing people where three names were on the ballot. If no one has a majority, the top two names go on the next ballot and take another vote. The committee started to skip that stage and go directly to the two top names and for a variety of reasons decided not to do that. He said this was a long complicated ballot and it seemed a simple way was to require that when three names are on the ballot the person would be asked to pick their first and second choice. All the first choice ballots would be counted. If no one has a majority, number three would be dropped and take his or her second choice ballots and assign them to one of the two top contenders. It is a simple way of doing what is now done in one ballot rather than two and saving a lot of time. He said the nominating system was entirely different. There is now a procedure where everyone is asked who they want to be on the Board of Trustees. This is a cumbersome process but not a sufficient reason for change. There is no lack of participation. Large numbers of people vote for a few people. What the Senate Council is proposing is that the Senate make the nominations. Everybody on the faculty would continue to vote, but the Senate would make the nominations. The procedure is to nominate members of the Board of Trustees by Senators doing it. There is only one good reason for doing this. The Senate Council feels that the Board of Trustees' position is an extraordinarily important one, the most important position with the possible exception of the Chairman of the Senate Council. It is highly important that the best possible people be nominated. The Senate Council feels that the Senate is in the best position to figure out who those nominees should be. Professor Jewell said he was not arguing that in order to be elected to the Board of Trustees that person must be a Senator, a committee chairman or anything like that. He said the Senators were the people most involved in the process of University governance. The Senate Council wants the most qualified people to be nominated for the list of six names that will go to the entire faculty. He said that was the justification for the change. The argument against it is that the change would be depriving every non senator the opportunity to participate in the nominating process. Professor Jewell felt there were arguments on either side.

Chairman Lyons pointed out that one of the things added in the proposal was to have provision for all faculty members to be notified and they could make suggestions to members of the Senate. The floor was opened for questions and discussion.

Professor James Kemp (Agriculture) said he was on the committee that Professor Jewell chaired, and he was in the minority in opposing the nominating part of the proposal. He felt there was better representation when giving everyone a chance in the nomination process. He said he would vote against it although the committee proposed the change. He had no quarrel with

the election process. Professor Lisa Barclay (Family Studies) felt it was very unwise to give one remaining piece of faculty governance over to the Senate and she urged the Senators to vote against the nominating process for the Board of Trustees faculty member. Professor Weil said there seemed to be controversy about the nomination but not about the election method and wondered if two votes could be taken.

The Chair accepted the suggestion that a vote be taken on the nomination process which is Section 5.2.1 separate from the section dealing with election. There was no further discussion and Section 5.2.1 Nomination was defeated in a hand count of 32 to 18. The Chairman said the nomination process would be left exactly as it is now in the University Senate Rules. There was no discussion on Section 5.2.2 Election, and the changes passed unanimously. [The entire proposal to change the election rules with editorial changes and as approved by the University Senate is attached to these Minutes.]

Background and Rationale:

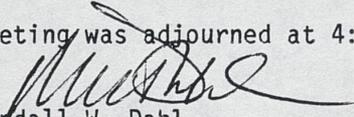
At the request of the Senate Council, the Senate Rules Committee completed a major review of the rules governing the various nominations and elections that are conducted by the University Senate. The major purpose of this review was to determine if there were ways to simplify the various election rules while maintaining and, where possible, enhancing opportunities for wider faculty participation. After several meetings with the Senate Council at which various modifications were suggested, the Rules Committee submitted the attached proposal. The Senate Council approved a motion to recommend it to the University Senate at its meeting on 18 November 1987.

It should be noted that none of these proposed rule changes will affect the representational requirements that are now in place for various elected bodies. All sectors, colleges, or units will continue to have exactly the same representation as they have under the current rules on such bodies as the Undergraduate Council, the Graduate Council, the Senate Council, and the University Senate.

Implementation Date: July 1, 1988

Chairman Lyons said that was a fairly good overhaul on the Rules. He said very often in a small unit going for a majority rule versus the plurality rule would mean a small increase in the actual number of votes. The Chair thanked Professor Jewell and his committee for the hard work they put in on the proposal and said it was always controversial when rules were changed. He felt the committee was thoughtful and responded to suggestions of the Senate Council. He said it was something that would be in place for many years and was improved. Chairman Lyons reminded the Senate that the sections on cheating and plagiarism would be taken up at the next meeting.

There being no further business, the meeting was adjourned at 4:15 p.m.


Randall W. Dahl
Secretary of the University Senate

GRADUATE COUNCIL

3.3.3 Election.

a. Only full members of the Graduate faculty shall be eligible to serve on the Graduate Council and to vote in the Graduate Council election. Graduate Faculty members with administrative titles above that of department chairman shall not be eligible. In addition, members of the Graduate Faculty from departments that have representatives with unexpired terms on the Graduate Council shall not be eligible.

[Elections of members to the Graduate Council shall be conducted by mail by the Secretary of the Senate during the second semester, with those elected assuming office September 1. The Dean of the Graduate School shall be responsible for submission to the Secretary of the Senate lists of Graduate Faculty members from each college who are eligible to vote in the election, with notation of those who would be ineligible to serve.]

[On the first ballot each Graduate Faculty member who is eligible to vote shall vote for the number to be elected from his or her area as designated in Section 1.,3.2.2 above at that election. The second ballot shall contain the names of three times the number to be elected, plus ties for the last position. Each person whose name is included on the second ballot must have certified his or her willingness to serve if elected. Those receiving the largest number of votes shall be deemed elected, all ties being resolved by lot.]

The office of the Graduate Dean will be responsible for administering the election procedure. The Dean's office will prepare the lists of faculty members eligible to vote and those eligible to serve. For each college or collection of colleges where there is an election to be held, the Dean's office will send a list of those eligible to be elected to each person eligible to vote, who will be invited to nominate an eligible persons for the Graduate Council by a letter. In addition, in each department (or college) that has a graduate program, the chairman (or dean) and the director of graduate studies will each be urged to submit a nomination by letter. The Graduate Dean's office shall check on the willingness of persons to serve and will get a very brief biographical statement from each person nominated. If fewer than three persons are nominated and are willing to serve from any college or collection of colleges, the Graduate Dean's office shall call a brief meeting of the directors of graduate study from the unit(s) for the purpose of nominating additional persons to make a total of three. (In the event that more than one person were to be elected from the unit, this group would meet if necessary to pick nominees equal to three times the number to be elected.)

Once the nomination process has been completed, ballots will be sent out containing the names of all those nominated. Each person must vote for as many candidates as there are vacancies to be filled. The person or persons receiving the largest number of votes will be elected.

UNDERGRADUATE COUNCIL

3.3.3 Election -- The faculty members who are eligible to vote for and be elected to the University Senate shall be eligible to serve in an vote for the Undergraduate Council. If an elected member of the Council should at any time during his or her term become ineligible to serve, a vacancy shall be declared. To fill each vacancy, the Undergraduate Council shall appoint that member from the eligible faculty who at the last election received the highest number of votes without being eligible to serve for the duration of the elected member's ineligibility.

Election for membership on the Undergraduate Council shall take place during the spring term, and the newly elected members shall assume their seats on September 1 of the same year.

[Balloting shall be conducted in the same manner as described in the last paragraph of Section I., 3.2.3.]

The nomination for the membership on the Undergraduate Council shall be carried out by the office of Secretary of the Senate, at the same time, and following the same procedures, as in the nomination of senators, except as indicated below. In addition to the general announcement, notices urging nominations shall be sent to each chairman and director of undergraduate studies (but not each director of graduate studies). If fewer than three times the number of persons to be elected from any unit are nominated and are willing to serve, the Dean of the College or Colleges involved shall call a meeting of an appropriate group to nominate the necessary number of persons.

Once the nomination process has been completed, ballots will be sent out containing the names of all those nominated. Each person shall vote for as many candidates as there are vacancies to be filled. The person or persons receiving the largest number of votes will be elected.

REVISIONS IN PARTS OF SEC. I RELATING TO ELECTIONS

SENATE

2.2.1

(b) Election--The faculty of the academic units represented in the Senate shall determine whether their representatives shall be elected at large or apportioned among their sub-units. The elections shall be conducted during the second semester by the Secretary of the Senate, with those elected assuming office at the September meeting of the Senate. [The nomination and election of representatives shall be by letter ballot. Twice as many members of the faculty as there are places to be filled, plus ties for the last position, shall be nominated and, their willingness to serve having been ascertained, shall be voted on for membership in the Senate.]

For each academic unit or sub-unit where there is an election to be held, the office of Secretary of the Senate will prepare the lists of faculty members eligible to vote and those eligible to serve. The office will send a list of those eligible to be elected to those persons eligible to vote, who will be invited to nominate as many eligible persons as there are vacancies for the Senate by a letter. In addition, each chairman (or dean) and each departmental or college director of graduate studies and director of undergraduate studies will be urged to submit nominations by letter. The Secretary of the Senate will ascertain the willingness to serve of those nominated. If fewer than twice the persons to be elected from any unit or sub-unit are nominated and are willing to serve, the Dean of the College shall call a meeting of an appropriate group to nominate the necessary number of persons. Each College shall notify the Secretary of the Senate in advance whether it will use for that purpose a College Council, a meeting a department chairs, or a full meeting of the College faculty.

The ballot for the election of senators shall contain at least twice as many names as there are persons to be elected. Each person must vote for as many persons as there are vacancies to be filled. If the number of persons nominated is no more than three times the number of vacancies to be filled, the persons receiving the largest number of votes shall be elected. Should there be more than three times as many nominees as there are vacancies, and should the number of persons receiving a majority of votes be fewer than the number of vacancies, there shall be a second ballot containing twice as many names as there are vacancies to be filled.

SENATE COUNCIL

3.1.2. (a) Elected Faculty Membership

(3) Election--Three (3) faculty members of the Senate Council shall be elected annually during the fall semester of the academic year. The election shall be conducted by mail under the supervision of the Secretary of the Senate. On the [first] nominating ballot, each Senate faculty member shall vote for the number to be elected at that election from the roster of the eligible faculty members as certified by the Secretary of the Senate upon the authority of the Rules Committee. [Any person receiving a majority of the votes cast on the first ballot shall be declared elected.]

[The remaining vacancies shall be filled by a a vote on the names receiving the highest plurality of votes, with the number of names remaining on the ballot being twice the number of vacancies to be filled, including ties.]

The six persons receiving the largest number of votes, plus any ties, shall be placed on the ballot. Not more than twice the number of names from any one college as there are vacancies for that college (including ties) shall [remain] be placed on the ballot. Prior to placing the names of nominees on the ballot, their willingness to serve shall be ascertained by the Secretary of the Senate.

Each voter must vote for as many persons as there are vacancies to be filled. Those receiving a majority of votes cast shall be deemed elected, and successive votes shall be taken as necessary in the manner outlined above.

(4) Vacancies--A vacancy on the Senate Council shall be filled by appointment by the chairman of the Council of the eligible nominee who at the last Council election received the highest number of votes without being elected. If no one receiving votes on the ballot is available, the vacancy shall be filled by the person with the next highest number of votes on the nominating ballot. The term of appointment shall be for the remainder of the unexpired term or for the duration of the ineligibility of the elected member.

FACULTY TRUSTEES

5.2.2 Election

In the last par. revise the procedure for voting after the first election ballot as follows:

If no person receives a majority vote on the first ballot, the Secretary of the Senate shall place on a second ballot the names of the three individuals who received the highest number of votes on the first ballot. In the event of a tie for third place on the first ballot, the names of all persons receiving the same number of votes for third place shall be placed on the second ballot.

[If no person receives a majority of votes on the second ballot, the Secretary shall place on a third ballot the names of the two persons receiving the highest number of votes on the second ballot. In the event of a tie for second place on the second ballot, the names of all persons shall be placed on the third ballot. In like manner, additional ballots shall be utilized until one person receives a majority vote of the votes cast.]

On the second ballot, each voter shall be required to indicate a first and second choice. All of the first choice ballots will be counted, and any person who receives a majority of votes will be elected. If no one receives a majority, a choice will be made between the two candidates with the largest number of votes. The second choice votes of the remaining candidate (or candidates) will be added to the first choice votes received by the top two candidates, and the person with the larger number of votes will be elected. (In the event of a tie at that stage, the candidate with the larger number of first choice votes will be elected.)

1/4/88

UNIVERSITY OF KENTUCKY

LEXINGTON, KENTUCKY 40506-0032

UNIVERSITY SENATE COUNCIL
10 ADMINISTRATION BUILDING

22 December 1987

TO: Members, University Senate

The University Senate will meet in special session on Monday, January 18, 1988, at 3:00 p.m. in ROOM 115 of the Nursing Building (CON/HSLC). PLEASE NOTE: The Nursing Building is across Rose Street from the University Hospital and is connected with the Medical Plaza. Room 115 is at the north end of the building.

AGENDA:

1. Minutes: October 12, 1987 (circulated for December meeting but not approved) and December 8, 1987.
2. Resolutions.
3. Chairman's Announcements and Remarks.
4. ACTION ITEM:
 - a. Proposed Changes in University Senate Rules, Section I - Election Rules. (Circulated under date of 16 December 1987).

Randall Dahl
Secretary

Note: If you are unable to attend this meeting, please contact Ms. Martha Sutton (7-7155) in advance. Thank you.

/cet
2060C