

**Western Kentucky University
University Senate Meeting
Thursday, January 19, 2017 -- 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, January 19, 2017 at 3:45 at the Faculty House.
2. A quorum was present:
 - a. Members Present: Lori Alexander, Heidi Álvarez, Audrey Anton, D'Lee Babb, Jim Berger, Jill Brown, Pamela Chandler, Thad Crews, Susann Davis, Laura DeLancey, Lisa Duffin, Marko Dumančić, Loretia Dye, Claus Ernst, Keri Esslinger, Travis Esslinger, Marilyn Gardner, Dominique Gumirakiza, Jennifer Walton Hanley, Timothy Hawkins, Anne Heintzman, Lynn Hines, Gary Houchins, Kate Hudepohl, Grayson Hunt, Andrea Jenkins, Jarrett Johnson, Pam Jukes, Molly Kerby, Stephen King, Eric Kondratieff, David Lee, Fenghelen Liang, Jeremy Maddox, Gayle Mallinger, Sean Marston, Lauren McClain, Mac McKerral, Patricia Minter, April Murphy, Sharon Mutter, Katherine Pennavaria, Yvonne Petkus, Leslie Plumlee, Shura Pollatsek, Beth Pyle, Jeffrey Rice, Jay Todd Richey, Dale Rigby, Tiffany Robinson, Julie Shadoan, Matt Shake, Melloney Simerly, Michael Smith, Sandy Staebell, Heather Strode, Liza Sturgeon, Dana Sullivan, Shannon Vaughan, Adam West, and Dawn Garrett Wright.
 - b. Substitutes Present: Michael Carini for Keith Andrew, Ali Buendia for Farhad Ashrafzadeh, Pat Kambesis for Jill Brown, Danita Kelley for Neale Chumbler, Douglas Smith for Jerry Daday, Darlene Applegate for Ann Ferrell, Michelle Trawick for Jeffrey Katz, Carrie Trojan for Matt Pruitt, and Andrew McMichael for Larry Snyder.
 - c. Guests Present who signed in: Amber Scott Belt, Sylvia Gaiko, and Monica Kast.
 - d. Members Absent: David Bell, Barbara Brindle, Barbara Burch, Fred DeGraves, Ali Er, Sam Evans, Connie Foster, Dennis George, Kate Hart, Don Hoover, Dean Jordan, Soleiman Kiasatpour, James Line, Ling Lo, Joshua Marble, Edmund Martelli, Doug McElroy, Richard C. Miller, Hannah Neeper, Gary Ransdell, Bryan Reaka, Cheryl Stevens, Kevin Thomas, Tanya Vincent, Aaron Wichman, Maribeth Wilson, Paul Woosley, Zhonghang Xia, and Jie Zhang.

B. Approve December Minutes

1. A motion to approve the December 8, 2016 University Senate meeting minutes was made by Molly Kerby.
2. The motion was seconded by Marilyn Gardner.
3. There was no discussion.
4. The December 8, 2016 University Senate meeting minutes were approved unanimously as posted.

C. Officer Reports - part I (non-standing committee and advisory in sections G and H):

1. Chair – Kate Hudepohl
 - a. Draft budget report
 - The annual senate budget is one of the longer items.
 - Last year, the only new thing added was copying costs; there were shifted to senate from the department.
 - The departmental proxima bulbs will be ordered in the spring for replacement (this is \$300 to \$350). Doug Smith, who was subbing for Jerry Daday, said that IT covers the cost of bulbs for projectors; we don't have to pay for the bulbs.
 - The UCC recorder is in italics; the \$2900 is without fringe and might shift a little. The salary is less than half of that.
 - With Carry Forward, we have accumulated a balance \$9,000 to \$12,000 from previous years.
 - The tea and beverage service is expensive.
 - There may be other charges because the senate office may be moving.
 - Michael Smith asked if the tea service has to go through Aramark. Some senators began a conversation about having beer replace it. Chair Hudepohl said that it is required to go through Aramark now.
 - Mac McKerral asked if anything is written down on what we are allowed to spend. Patricia Minter said that in 2000, there was a “professional university senate” consisting of tea, water, and tablecloths; this was insisted on by President Ransdell and it was in his budget. At some point, it shifted. Mac McKerral asked if we can find out if it exists in writing somewhere.

b. WKU President Search Committee Results

- Chair Hudepohl saw the email from Chair Higdon this morning and was told via email that there will be a meeting with the preferred presidential candidate, Dr. Timothy Caboni, on Wednesday, January 23 from 3:45 to 5:00 at the Faculty House.
- The purpose of this meeting is for members of the University Senate to meet with the new WKU President.
- Chair Hudepohl said that the way this was approached was very presumptive of the Board of Regents. It is presumptive because of the rushed nature of the meeting, the meeting being scheduled without consultation to take place during the first week of classes, and the fact that it cannot be a normal meeting of the University Senate because it was not scheduled with a week's notice. (Per the Senate charter, all special meetings require a week's notice.)
- Chair Hudepohl told the University Senate that she is not sure what the point of the meeting is, but she sees it as an opportunity to meet the new President.
- Chair Hudepohl said she realizes not all senators may be able to come.
- She emailed back a "yes", but her personal sentiment is that the whole way it was handled was disrespectful. If they knew from the beginning that it was going to be a closed search, they should have told us. The last minute rush and not having a set point to the meeting is unsettling.
- The Senate listserv and the faculty/all email list will receive notice of this meeting. It will not be a formal meeting of senate.
- Chair Hudepohl reiterated that the meeting is Wednesday, January 25 at the Faculty House from 3:45-5:00.
- Dr. Caboni will also be on campus Thursday to meet with the staff, students, and faculty.
- Marko Dumančić said that the president elect is one of the best candidates out there and was in a number of open searches. He questioned why WKU could not also do an open search.
- Mac McKerral said that he gave it his best shot with the Board of Regents and knew our wishes would be ignored. He asked how much do we want to blame the new guy that the old guys. He has a sense that there is a template in place that will be followed for a very long time. The university is a very different place that in was in 2005; it is worse. McKerral said he wonders what it will take to get the

constituency to realize the President and Board of Regents do not respect our wishes.

- Chair Hudepohl said that the challenge is that they set him up to meet us and we don't want to shoot ourselves in the foot. All of us go above and beyond and we are starting to stop because we are tired and discouraged. The "why bother" conversation is that it matters to say something even though we are tired.
- Mac McKerral said there's always the change he won't take the job after he meets us.
- Audrey Anton asked if we know if the candidate asked to meet us of if it was the Board of Regents?
- Chair Hudepohl said that the Board of Regents Chair Higdon wanted this person to meet with the University Senate.

2. Vice Chair – Julie Shadoan (No report.)

3. Secretary – Heidi Álvarez (No report.)

D. Committee Reports and Recommendations

1. Graduate Council: Shannon Vaughn (Report posted; Endorsed by SEC)

- a. Shannon Vaughan made a motion to approve the Graduate Council report as posted.
- b. The motion was seconded by Molly Kerby.
- c. There was no discussion.
- d. The motion to approve the Graduate Council report passed.

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

- a. Liz Sturgeon said that University College pulled SUS 110 and we will not be voting on it this afternoon.
- b. The proposal for creating a new course is in section 41. It is for courses designed specifically for Colonnade. It goes through Colonnade first and then through the Curriculum Committee.
- c. Liz Sturgeon made a motion to approve the UCC report.

- d. There were no questions or comments.
- e. The UCC report was approved with that one amendment. Liz will send it tomorrow.

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

- a. Marko Dumančić made a motion to approve the Colonnade General Education Committee report.
- b. Someone asked what the new name of GEO 225 is. It will be called Visualizing Geography. Chair Hudepohl said it is no longer in section 1 but is in section 2.
- c. The Colonnade General Education Committee report was endorsed unanimously.

4. Academic Quality: Ann Ferrell (No Report)

5. Budget and Finance Committee: Claus Ernst (Report posted)

- a. Claus Ernst presented a preliminary report on what a WKU budget could look like.
- b. A professional staff person for senate support is desired.
- c. A permanent written mechanism for a stipend or course release is desired for senate service. The department would get the stipend if there is a course release.
- d. Provost Lee said he might accommodate some of these things.
- e. Let Claus Ernst know your thoughts.
- f. There were no questions or comments.
- g. Chair Hudepohl said she appreciates that Academic Affairs is receptive to the idea of providing administrative support. She appreciates the work that the Budget and Finance Committee has put into this. The Curriculum Committee Chairs have the heaviest administrative burden. The idea has been kicking around Senate for a long time.
- h. Sharon Mutter said she is happy to see it coming through. It is something we have needed for a long time. She thinks it will make people more interested in serving in leadership positions for senate.

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

a. Policy 1.1013 Consensual Relations Between Faculty and Students - Easier to Read Version

b. Jessica Steenbergen put up an easier to read version. The easier to read version is the older version and is missing one change. At the bottom of page one (until yesterday), “expressly prohibited” was not scratched out. “Strongly discouraged” was added. The change was made this morning.

c. There is one action item for approval. There are two friendly amendments. The first is a change in section one (bright blue highlight). The second friendly amendment is preexisting. HR policy #4.2302 amends the policy number. It is also referenced in Section 4, Related Policies. Policy #4.2302 is called Employment of Relatives. This is a friendly amendment to fix an omission. It has gone through each time without it. It needs to be in two places to replace the four x’s. There is one more. Lauren McClain at SEC under the bright blue section one. HR policy 4.2302. Strike “are not expressly prohibited part “are subject to reporting.”

d. A motion to approve Policy 1.1013 with those changes by Patricia Minter was seconded by Jennifer Hanley.

e. Patricia Minter gave the context. She worked on it for a very long time. There is a contradiction that in one section it says “expressly prohibited” when the committee changed it to “strongly discouraged.” It is stronger language as the previous policy. This moves the policy forward in a positive way to protect people.

f. Mac McKerral said at the top of the page there is language that starts with “further” -- is this the new language?

g. Patricia Minter said it is the new language to the policy as amended, but it has been there. The new language is “advisory...”

h. MacMcKerral said the “further” language – the sentence above it “voluntary... by student” puts the onus on the student, where a non-student could be equally suspect. People in power or authority might also have a suspicion. It makes the student suspect.

i. Audrey Anton said she understood “suspect” is whether the student consents. Perhaps the wording is confusing and needs to be made clear.

j. Patricia Minter said she thinks the question raised is about where the power lies.

k. Mac McKerral asked where is the burden for responsibility of error? He thinks it is a shared responsibility.

l. Patricia Minter said the committee consensus was that there is inherent inequality in the relationship. As the employees, we need to understand this. This allows the relationship as long as it is followed.

- m. Mac McKerral asked why do we need “by the student suspect”?
- n. Lauren McClain said it makes sense in the total context.
- o. Darlene Applegate (sub for Ann Ferrell) asked why the procedure is being afforded more weight than the word “strongly discouraged”? Why don’t we change the procedure and keep the “expressly prohibited”?
- p. Julie Shadoan responded that it is a human resources policy to cover the administration when something bad happens.
- q. Patricia Minter said that this has been debated for a long time – zero tolerance vs. some leniency. The Council of Academic Deans wanted something stronger. Senate bounced it back and now it is like this.
- r. Lauren McClain said that most of the committee did not want a zero tolerance policy. It gives the administration wiggle room to give case-by-case decisions. It gives a course of action to be followed.
- s. Darlene Applegate said that in section 3 – the procedure section – in the event that the consensual relationship be desirable... then... allows to” – did anyone consider rewording? It still gives zero tolerance while the relationship is present.
- t. Patricia Minter said that this adds stronger language. It is strongly discouraged but if it is consensual, these are the responsibilities. It is better than it was before. If someone is seeking guidance, it gives a better sense of what is expected.
- u. Chair Hudepohl said regarding the removal of supervising position, in some cases, there is no one else to do the job.
- v. Patricia Minter added that the spectrum of possibilities was discussed; this is the best way forward after discussing it for a year and a half.
- w. Esslinger – don’t we have a zero tolerance? Patricia Minter responded “no”. There are plenty of supervisory scenarios where spouses are involved.
- x. Jeremy Maddox said that in the language in the highlighted section 1 where it says “further”, what is meant by “less consensual”? Patricia Minter said it is related to the earlier point about the nature of power. Most would say this is not possible. This acknowledges that it is complicated. It keeps with the scholarship in the field and implies degrees of consent. If the policy does not pass, this is a tweaking of the existing policy. The implicit power relationship and inequality did not originate in the committee or University Senate. It originated in CAD. This makes it clearer for those in these relationships to know where the university stands.

- y. Jeremy Maddox asked if “consent” should have different degrees. Patricia Minter said that non-consent has Title IX issues. Some people in the body are uncomfortable with zero tolerance. It is not absolute. Jeremy Maddox said that on Protocol Section 3, there could be a procedure opportunity to add training to people who disclose the relationship. Training for faculty and students to make sure both parties are aware of these issues. Patricia Minter said that this is outside of Title IX; Title IX speaks of a federal law. She said that we do have a sexual harassment training.
- z. Policy 1.1013 Consensual Relations passed with a majority. There were 5 votes of no.

7. Handbook Committee: Margaret Crowder (No Report)

8. Ad Hoc Committee of Senate Charter Revisions: (Draft Posted - 1st Reading)

- There was a motion at October 2016 SEC meeting for the Senate Executive Committee to serve as the Committee as a whole to propose changes to and to revise the Senate Charter.
- The Executive Committee was charged with addressing three areas:
 - a. Membership of at-large senators (from May 2016 motion requesting consideration of low numbers in some colleges);
 - b. Issue of GC standing committee chair (issue from 2015 charter revision that was agreed to but missed in charter revisions);
 - c. Terms of office for complaint committee (issue identified by Shadoan and Miller).
- There was a problem raised at the November senate meeting that addresses issue #1. Page 2 is where the original edit was. On page 2 of the changes, the language was taken from 11% back to 10%.
- The correction to for the graduate school was moved to page 14 – rules of standing committee. It was added as #5. This pushed the original #5 down to #5. The new change is that on any college or unit (ie. libraries) with insignificant numbers of senators to serve on committees, regarding membership, any faculty member may volunteer to serve in an empty spot. This person would not be a senator. This addresses the issue of smaller colleges without altering the number of senators.
- The second and third issues are the same as November (no changes). The second dealt with Graduate Council and changed the Chair of Graduate Council to being a member of senate. The third change deals with the terms of office for the Academic Complaint Committee (Page 19).

- Today is a reading; the vote will be in February.
- Sharon Mutter said she has a question about voting for volunteers for the committees; this functions like an at-large member of a committee and would have full participation and voting on that standing committee but would NOT be a member of senate (cannot vote on senate). Her question was would these individuals attend senate? Chair Hudepohl said they could attend but they don't have to. Sharon Mutter suggested adding a note to clarify voting. Patricia Minter said a specific clarifying enumeration could be taken as a friendly amendment. Sharon Mutter suggested putting it in #6. The friendly amendment was "appointed members of the committees or volunteers as described in #5 above".
- Mac McKerral said that the Handbook Committee should be a regular committee of Senate. Chair Hudepohl said that this is something we can discuss. Chair Hudepohl said she also thinks the outgoing Chair of Senate should not be the Chair of the Faculty Handbook Committee.
- There was no more discussion on the first reading of the Charter. We will see it again with Sharon Mutter's friendly amendment.

E. Old Business (there was no old business.)

F. New Business

1. Policy 1.1303 Sabbatical Leave

- a. Molly Kerby made a motion to endorse Policy 1.303 Sabbatical Leave.
- b. The motion was seconded by Marilyn Gardner.
- c. Provost Lee said that part of the sabbatical process is the C.V.; this is a policy change.
- d. Molly Kerby made a friendly amendment to update the name of the Provost.
- e. Policy 1.303 was approved with a majority. There was one vote opposed.

2. Policy 1.1334 University Distinguished Professor

- a. Molly Kerby made a motion to endorse Policy 1.1334.
- b. The motion was seconded by Marilyn Gardner.
- c. Provost Lee gave the context. The policy makes a couple of changes to University Distinguished Professor Emeritus status. It will now be approved through the

department and college. It removes the shortcut to go directly to the Board of Regents. The 2A eligibility criteria allows for consideration of what is in the faculty handbook: collegiality, contributions to the university mission, working with students.

- d. Sharon Mutter said she had a question on item D. She is not sure how these professional behaviors are different than A, B, and C. Provost Lee said it is more than box checking; there is a dimension of leadership; this is typically considered.
 - e. Sharon Mutter said she is not sure what she would do to document this that is different from the other areas. It seems like it is another hoop for faculty to jump through.
 - f. Audrey Anton said she feels that item D is subjective. The issue is that in C have diverse and get rid of D.
 - g. Provost Lee said that for the most part, these folks go above and beyond with leadership in their department.
 - h. Audrey Anton said she thinks that D is dangerously subjective, and those who have disagreements could have a penalty.
 - i. Andrea Jenkins said that she has this criteria in her department. There are clear expectations and there is a rubric to document collegiality. She is in favor of removing it. She feels that University Distinguished Professor it is important to document your ability regarding collegiality.
 - j. Sharon Mutter feels that section D can be used as a means of silencing those with opposing views. She feels noting to make it more subjective should be there and thinks it should be removed.
 - k. There was no more discussion. There were 34 votes of yes and 11 votes of no. Policy 1.1334 passed with a majority.
 - l. Provost Lee reaffirmed his promise to Molly Kerby about emeritus and emerita and will bring it back next time.
2. Special Senate Meeting:
- a. Doug Smith made a motion for the Chair and the SEC of senate to meet on Thursday afternoon to consider the presumptive candidate for president and to have their say. This keeps the power on the table. As a former chair of Senate, his motio would be for us to get a special meeting or have ten of us sign it and submit a formal statement to the Board of Regents on Friday. The motion was seconded by Audrey Anton.
 - b. Audrey Anton said she thinks there is a UCC meeting at that time and would be in favor of moving the UCC meeting.

- c. In the case of a special called meeting with the possibility of generating a statement, we would need to have quorum.
- d. Patricia Minter said that the faculty forum is at 3:00 on Thursday. Timing matters. It is important that the University Senate attend the forum as well as this meeting.
- e. Doug Smith said his understanding is that there is a meeting with the community at 5:30. He added that if you want to have power, you need to be there at 5:00. Liz Sturgeon said that the UCC meeting is at 3:45. Shura Pollatsek suggested the Russell Miller Theater as a venue. Chair Hudepohl said that if you cannot come, you need to send a sub. Audrey Anton explained that the UCC should be rescheduled because everyone has that time free. Chair Hudepohl said that it is a series of dominoes.
- f. There was no more discussion.
- g. The motion passed with a majority. There were five votes of “no”.
- h. There was a straw poll on the suggested time of 4:30.

G. Reports - part II

- 1. Coalition of Senate and Faculty Leadership for Higher Education – Molly Kerby (no report).
- 2. AAUP representative - Margaret Crowder (no report).

H. Advisory Reports:

- 1. Faculty Regent – Barbara Burch (no report – Regent Burch is traveling).
- 2. Provost – David Lee
 - a. The Student Success Summit on Tuesday went well. There were 275 people involved and this is up 100 from last year. This sums up who we are as a university and tangible things will come from this discussion.
 - b. Dr. Lee has been spending time lately reading through promotion and tenure applications. There are 60 total. It takes a lot of time but it is exciting to learn more remarkable things about what the faculty is about on campus.
 - c. We need to get together on a regular basis. There are meetings with the deans that are two hours each, and the takeaway is excellent.

- d. Regarding enrollment and budget, the numbers are not stable yet. The international number will arrive in the next week. Provost Lee will have some more definite things to say in February.
- e. Regarding Dr. Caboni, Provost Lee said that he has never met him and is excited about the prospect. Dr. Caboni passed through WKU on his way up the ladder and has made a commitment to us. Provost Lee said he is excited to know him and to have a new boss.

3. SGA President – Jay Todd Richey

a. Student Regent Richey spoke about the Presidential Search. He said he realizes some things may not mean a lot, but it is tough. He wishes he could properly convey how different this culture is than the members of the Board. It is not that they do not value the voice of the faculty, staff, and students. The faculty, staff, and students do have a voice in their regents. The most important task of the Board of Regents is the hiring and firing of presidents. Regent Richey would have preferred for it to be an open search. In being presented with losing the best candidates and having them, Regent Burch and Regent Richey used the resolutions to determine what was best. It is three against eight and this is the nature of the process. This is what we had to work with. Regent Richey asked that we give Dr. Caboni a chance. He said he wishes that Dr. Burch did not allow him to do this alone. He said please give Dr. Caboni a chance because he is very excited to meet all of us.

b. There is a petition to defend Kentucky Higher Education. There will be a February 13 rally in the rotunda for the student voice to say we are tired of the cuts in higher education. Search and share with your students. Audrey Anton asked for him or the Chair of Senate to send a link.

I. Information Items

- 1. The informal senate meeting to meet Dr. Caboni is Wednesday at 3:45 in the Faculty House.
- 2. The faculty forum with Dr. Caboni is at DUC 3002-3007 on Thursday at 3:00.
- 3. There will be a special senate meeting to draft a statement for the Board of Regents on Thursday around 4:30 or 5 with the location TBA.

J. Motion to Adjourn

- 1. There was no new business on the floor.
- 2. A motion to adjourn by Molly Kerby was seconded by Marilyn Gardner

3. The meeting adjourned at 5:32 P.M.

**Respectfully Submitted,
Heidi Álvarez
Secretary**