University Senate Meeting
Thursday, February 16, 2017 -- 3:45 p.m.
Faculty House

A. Call To Order

1. A regular meeting of the Western Kentucky University University Senate was called to order by Chair Kate Hudepohl at 3:47 P.M. on Thursday, February 16, 2017 at the Faculty House.

2. A quorum was present:


   c. Guests Present who signed in: Monica Kast, Amber Scott Belt, Candice Tope-Phillips, and Eric Reed.

   d. Members Absent: Farhad Ashrafzadeh, David Bell, Barbara Brindle, Barbara Burch, Jerry Daday, Fred DeGraves, Dean Jordan, Soleiman Kiasatpour, Fenghelen Liang, Joshua Marble, Ali Er, Sam Evans, Connie Foster, Dennis George, Kate Hart, Edmund Martelli, Doug McElroy, Richard Miller, Hannah Neeper, Beth Pyle, Gary Randsell, Jeffrey Rice, Melloney Simerly, Larry Snyder, Cheryl Stevens, Dana Sullivan, Kevin Thomas, Tanya Vincent, Adam West, Aaron Wichman, Maribeth Wilson, and Paul Woosley.
B. Approve Minutes

1. January meeting minutes, January 19, 2017
   a. A motion by Molly Kerby to endorse the January 19, 2017 meeting minutes was seconded by Susann Davis.
   b. There was no discussion.
   c. The January 19, 2017 meeting minutes were passed unanimously.

2. January 25, 2017 Non-Official Senate Meeting to introduce Dr. Caboni
   a. The minutes for the Special Non-Official Meeting of Senate to introduce the new WKU President Caboni are under the Secretary report below.
   b. Because this was not an official meeting of senate per the Senate Charter, these minutes do not have to be voted on. They are informational only.

3. Special Called Meeting of the University Senate, January 26, 2017
   a. The official minutes for the January 26, 2017 Special Called Meeting will come forth for review in March.
   b. Doug Smith served as a substitute for Heidi Álvarez at this meeting.

C. Officer Reports - part I (non-standing committee and advisory in section F):

1. Chair – Kate Hudepohl
   a. Presidential Search:
      • On January 25, the Board of Regents arranged a time for members of the University Senate to meet the preferred candidate for the WKU Presidential Search, Dr. Timothy Caboni.
      • The following day, the Board of Regents arranged a forum for all faculty members to meet Dr. Caboni.
      • Members of the University Senate met on January 26th after the faculty-all forum to draft a statement for Dr. Caboni.
      • At the February Senate Executive Committee meeting, a motion was made to draft a list of priorities in our new president. The Faculty Welfare Committee and the Academic Quality Committee will work together on a statement for Dr. Caboni. They will use last year’s document regarding
qualities the faculty desire in our next president. Doug Smith’s minutes from the special meeting will go forward to these committees.

- Mac McKerral asked if the work on the new president will come back to Senate. Chair Hudepohl responded that it will go through the Senate Executive Committee, then to the Senate agenda. We will need to have it ready by the March Senate Executive Committee meeting and we will have to work quickly. The standing committees have representatives from every college.

b. Travel Ban:

- Chair Hudepohl brought up the issue at the SEC of emails and other contact from faculty members who are concerned about the Trump administration’s travel ban.

c. Senate Website update:

- Approvals/actions approved by Provost Lee are updated for this year on the website. This includes curriculum agendas, policies, etc.

2. Vice Chair – Julie Shadoan

a. Emails have gone out regarding the upcoming elections. Results need to be reported by March 31st.

b. The Academic Complaint Committee will be populated this spring. The source for the pool for the University Complaint Committee will be the College Complaint Committees. The term runs from August 1st of 2017 until 2019.

3. Secretary – Heidi Alvarez

a. Information only - notes from Informal Meeting of Senate, January 25, 2017

C. Committee Reports and Recommendations

1. Graduate Council: Shannon Vaughn (Report posted; Endorsed by SEC)
a. Shannon Vaughan made a motion to endorse the Graduate Council Report as posted.
b. The motion was seconded by Molly Kerby.
c. There was no discussion.
d. Following a vote by graduate faculty only, the report passed unanimously.

2. Undergraduate Curriculum Committee: Liz Sturgeon (Report posted; Endorsed by SEC)
   a. Liz Sturgeon made a motion for approval of the January Undergraduate Curriculum Committee meeting minutes.
   b. There was no discussion.
   c. The January Undergraduate Curriculum Committee report was endorsed unanimously as posted.

3. Colonnade General Education Committee: Marko Dumančić (No Report)


5. Budget and Finance Committee: Shura Pollatsek for Claus Ernst (Report posted)
   a. Shura Pollatsek gave the general rationale behind the proposals. In terms of the official representation of the budget council, it is not clear who makes the budget and how the administrative council is represented. The Provost is the only member. The first resolution is a short-term fix and the second resolution is a long-term fix.
   b. Resolution - Administrative Council Representation (Endorsed by SEC)
   c. Audrey Anton made a motion to endorse the first resolution on Administrative Council Representation.
   d. Anton’s motion was seconded by Marilyn Gardner.
   e. There was no discussion.
   f. The Resolution on Administrative Council Representation was endorsed unanimously and approved as posted.
   g. Resolution - Collaborative Fiscal Planning (Endorsed by SEC)
   h. Shura Pollatsek made a motion to endorse the Resolution on Collaborative Fiscal Planning.
   i. The motion was endorsed by Yvonne Petkus.
j. Pollatsek gave rationale on the second resolution, which is more long-term, looking toward the next President, Dr. Caboni.

k. Mac McKerral asked for an explanation on where faculty representation in the budgeting process exists. Eric Reed said that the representative in the university-wide is the Provost. There are two bodies; the Provost’s Budget Council and the President’s Budget Council. The resolution is that we want to reinstitute faculty input in this process.

l. There was no more discussion.

m. The Resolution on Collaborative Fiscal Planning passed unanimously and was approved as posted.

n. These resolutions will provide context to the Faculty Welfare and Academic Quality Committees when drafting their document for Dr. Caboni.

6. Faculty Welfare and Professional Responsibilities: Patti Minter (No Report)

   a. The Faculty Work Life Survey is being finalized and will be launched after spring break.

   b. The committee is also working on a salary study.

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

   a. November 2nd Report

   b. November 21st Report

   c. Patricia Minter presented the minutes of two Faculty Handbook Meetings (November 2nd and November 21st) and asked the University Senate if both sets of minutes could be considered together. There were no objections to both sets of minutes being considered together. There was no discussion. The November 2nd and November 21st Faculty Handbook meeting minutes were endorsed unanimously.

   d. There are four substantive changes for consideration.

   e. 01-2017 Substantive Change

   f. 01-2017 is a clarification on the absentee ballot for promotion committees and clarifies the procedure.

   g. Patricia Minter made a motion to endorse 01-2017.
h. The motion was seconded by Jennifer Hanley.

i. There was no discussion.

j. 01-2017 passed unanimously.

k. **02-2017 Substantive Change**

l. 02-2017 is a proposal about the promotion decision. It sets a clock and a timeline that is clearer. Complaints have to be filed in writing within 30 days to the Provost.

m. Patricia Minter made a motion to endorse 02-2017.

n. The motion was seconded by Grayson Hunt.

o. Provost Lee clarified that this applies to the instructor process.

p. Lauren McClain asked if it should apply to all levels. Richard C. Miller said that it is already there; this just cleans it up and adds the instructor ranks. Provost Lee added that it is a time frame for consideration of appeals.

q. There was no more discussion.

r. 02-2017 passed unanimously.

s. **03-2017 Substantive Change**

t. 03-2017 is another clarification that establishes a timeline in the case of a candidate’s non-promotion.

u. Patricia Minter made a motion to endorse 03-2017.

v. The motion was seconded by Jennifer Hanley.

w. There was no discussion.

x. 03-2017 passed unanimously.

y. **04-2017 Substantive Change**

z. 04-2017 clarifies questions about how the time was established for instructor promotion.

aa. Patricia Minter made a motion to endorse 04-2017.

bb. The motion was seconded by Molly Kerby.

cc. There was no discussion.

dd. 04-2017 passed unanimously.

8. **Ad Hoc Committee of Senate Charter Revisions: (Draft Posted - 2nd Reading)**
a. There was a Motion at the 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.

b. There were three areas to address:

1. Colleges of Libraries with low # of senators (from May 2016 motion requesting consideration of low #s in some colleges)

2. Issue of GC standing committee chair (issue from 2015 charter revision that was agreed to but missed in charter revisions)

3. Terms of office for complaint committee (issue identified by Shadoan and Miller)

c. The Senate Charter revisions were summarized. Page 14 is a friendly non-substantive change from January Senate. B6 -- the new six, the added red, is clarifying language. Everything else is the same.

d. Molly Kerby made a motion to approve the changes to the Senate Charter.

e. The motion was seconded by Gayle Mallinger.

f. Mac McKerral asked if the ad-hoc committee will cease to exist after these revisions. Chair Hudepohl said yes, the Senate Executive Committee served as a whole. New things to be considered will occur with the new senate chair. There may be some changes to formatting by Chair Hudepohl.

g. The changes to the Senate Charter as proposed passed unanimously.

D. Old Business (There was no old business.)

E. New Business

1. Policy 1.1035 Emeritus Status
   a. Molly Kerby made a motion to endorse Policy 1.1035 Emeritus Status.
   b. The motion was seconded by Lauren McClain.
c. Provost Lee clarified that the term “emerita” is outdated and everyone will now use the title “emeritus.”

d. There was no discussion.

e. Policy 1.1035 Emeritus Status passed with one opposed.

3. There were two resolutions from the floor:
   a. Sanctuary for Undocumented Immigrant Students; and
   b. Deferred Action for Childhood Arrivals.

4. The first resolution addresses the executive order of the Trump administration. Universities all over the country made a response. This says what universities can do in the short term and in the long term. With increased action on students who are in the country as undocumented people, there are questions on what universities can and should do. Most universities in the country have made statements similar to us.

5. Patricia Minter read the resolution for the record.

6. Patricia Minter made a motion to endorse the Sanctuary for Undocumented Immigrant Students.

7. The motion was seconded by Ann Ferrell.

8. Mac McKerral said he is concerned with the term “undocumented” after looking up some definitions. Patricia Minter responded that Jose Antonio Vargas would say this is the correct term. Mac McKerral read one definition, and said that he wants to make sure we pass a resolution that does not affect these students. Patricia Minter said that there are several students currently enrolled and alumni who need to be protected. Patricia Minter explained that the receive no scholarships and no federal aid; they pay full price. Mac McKerral said that he is in favor of the resolution and is just making sure that we are using the correct terms.

9. Audrey Anton said she wants to make sure we also protect students on student visas. She wants the resolution to provide for documented as well as undocumented. Patricia Minter said that this is apples and oranges. The terms on a student visa are already outlined. The language is inclusive and leaves it open for action after February 24th.

10. Molly Kerby asked if we could include more than these seven countries? Patricia Minter said that we can amend if the language is not clear. There are two groups; those from the seven countries and those who are undocumented. Patricia Minter said that
resolution is intended for the students from these countries and all students affected by these policies. Lauren McClain asked if we can get rid of “seven countries” because we want it to be inclusive to after this month. Patricia Minter said she is hesitant to remove any language referring to these seven countries because they already received information from the administration. If there were an expansion next week, then of course we would need to amend it. Right now, she would not want to trivialize.

11. Shura Pollatsek asked if the title of the resolution should be more inclusive on the content of the policy. Patricia Minter accepted the friendly amendment for a new title of the resolution: “Sanctuary for undocumented immigrant students and campus community members affected by executive orders.” The friendly amendment also adds the word “order” in the fourth paragraph.

12. Julie Shadoan clarified that the symbolic term sanctuary has no legal meaning. Shadoan asked Minter to clarify why the wording was used. Patricia Minter responded that most learned societies and most prestigious universities use this term. “Sanctuary” as used in social justice movements has a clear meaning.

13. Thad Crews asked about making the 4th bullet consistent with the 1st bullet. Patricia Minter said that the university admitted these students and took their money. She did not accept this as a friendly amendment. Thad Crews asked if she wanted to strike it from the 4th bullet. Patricia Minter responded no, we want bullet 4 to be open for the future. It is not up to faculty to decide if the university has acted unlawfully.

14. Merrell Price asked if “all international students” that have been admitted can be added into this category. Patricia Minter responded that this is more to affect those under siege. Merrell Price said she wants to also include those who are documented from those seven countries. Patricia Minter responded that the resolution deals with pushed enforcement for groups who are currently undocumented. Certain faculty and students are affected by what is happening right now. She views it as a place to support and protect in the spirit of what is currently happening. Merrell Price suggested adding “and international students affected by executive orders and to every undocumented.” This was seconded by Marilyn Gardner. This passed unanimously.

15. Marilyn Gardner made a friendly amendment to change the first sentence of the last paragraph to replace with “all countries.” The friendly amendment was accepted by Patricia Minter.
16. There was some suggested language: “non-immigrants, foreign students and refugees, or immigrant, non-immigrant, and refugees.” Temporary visas with visitors H1 and F1, F1 does not include immigrants or refugees. What was suggested was either non-immigrants or visitors, international students and scholars.

17. Marko Dumančić made a friendly amendment to the third paragraph: “immigrant and non-immigrant students, scholars, and staff, as well as refugees.” The friendly amendment was accepted by Patricia Minter.

18. Susann Davis asked if it summarizes by saying “non-citizens.” Patricia Minter said that this would weaken the statement and did not accept it as a friendly amendment. Minter stated that the current language is more precise; non-citizens have many different statuses. She would like to leave it as it is. Susann Davis asked how many times it would be repeated? It says it one time in the third paragraph.

19. Jim Berger asked if the intent is to broaden the scope, do the actual bulleted items need to be more inclusive? Patricia Minter said that the bulleted list comes from a statement by Brown University. People want an “ask,” so Minter wants to leave it as it is.

20. In the phrase from the third paragraph under whereas – do we want to also include “immigrant, non-immigrant, faculty, students, and staff” into the bullet points? Jim Berger said that the resolution focuses on students; do we need to broaden the language to scholars, faculty, and staff? Patricia Minter said that this would weaken it because it does not apply in all situations. She wants the language “scholars” to speak to those. “Students, staff, and scholars” speaks to an employee, and this changes it. Patricia Minter said she wants it to be a broad statement.

21. Matt Pruitt said his concern regarding staff and employment status is because there are laws affecting those. Patricia Minter said that by getting too specific, we will lose the global sense for those who will get caught in the executive orders. The idea is to be inclusive and elastic in the language.

22. Audrey Anton suggested a friendly amendment to the third bullet. We don’t have to share information about anyone unless it is a court order; can we say that we won’t give information? Patricia Minter said that it is specifically worded. Audrey Anton said that part of language can be covered for anyone. Patricia Minter said that it is off topic and weakens the resolution.
23. Marko Dumančić said that he is personally affected by the travel ban. He thanked Patricia Minter and said the resolution works because it is inclusive and discusses details. Dumančić encourages senate to pass the resolution and urges them to vote on it today.

24. Dominique Gumirakiza asked if we should add today’s date for the resolution so we know when it takes place? Chair Hudepohl said it will have an electronic date of the February 16th University Senate meeting. Patricia Minter clarified that yes, the electronic date will be before the 21st.

25. Stephen King asked if we accepted the non-immigrant part? He cited the executive order section 3c, which states “to prevent immigration.” Chair Hudepohl said yes, it is in paragraph 3. It was suggested that with a friendly amendment in the third paragraph, we need to be specific in the bullets as well. Patricia Minter said that those are two separate topics; the bullets are about undocumented students. The part earlier is correctly stated. The statements in the bullet points are correct.

26. Lauren McClain asked if the first bullet point can also include faculty. Patricia Minter said no, because all faculty are documented.

27. There was no more discussion.

28. The first resolution passed unanimously, with four abstentions.

29. Patricia Minter made a motion to endorse the second resolution.

30. Heidi Álvarez seconded the motion.

31. There was no discussion on the second resolution.

32. The second resolution passed unanimously with no abstentions.

33. Below are the final versions of both resolutions:
a. Final Version of University Senate Resolution on Sanctuary for Undocumented Immigrant Students and Campus Community Members Affected by Executive Orders:

**University Senate Resolution on Sanctuary for Undocumented Immigrant Students and Campus Community Members Affected by Executive Orders**

Whereas Western Kentucky University is committed to the search for truth, justice, and human dignity that involves our scholarship, research, teaching, and other endeavors;

Whereas continuing engagement with and support of students of all backgrounds furthers WKU’s stated purpose and mission, which are to prepare students of all backgrounds to be productive, engaged, and socially responsible citizen-leaders of a global society, and to be a leading American university with international reach;

Whereas the recent executive order banned travel (now stayed by the Ninth Circuit Court of Appeals) for immigrant and non-immigrant students, scholars, and staff, as well as refugees, from seven specific countries with Muslim majorities runs counter to our commitment to free inquiry and the advancement of knowledge;

Whereas this now-stayed executive order is antithetical in letter and spirit to our insistence that individual students and scholars should be free to pursue their scholarship and learning without fear of intimidation or discrimination of any kind; and it contradicts our unconditional rejection of every form of bigotry, discrimination, xenophobia and harassment;

Whereas undocumented immigrant students at WKU have been accepted into the University family under legal provisions such as the Deferred Action for Childhood Arrivals (DACA) Program and are valued members of our community;

Whereas the term “Sanctuary Campus” builds on the enduring tradition that universities are sanctuaries free from civil intrusion and carries considerable, beneficial symbolic weight;

Be it resolved that the University Senate urges WKU’s President to declare the University a sanctuary campus and adopt the following sanctuary provisions:

- The university affirms unequivocally that undocumented immigrant students and international students affected by executive orders are full members of the WKU family who will be protected;

- WKU will not allow Immigration and Customs Enforcement (ICE) / Customs and Border Protection (CBP) / U.S. Citizenship and Immigration Services (USCIS) to be present on the university campus for enforcement purposes unless required by a warrant;

- WKU will not share information about undocumented immigrant students unless required by subpoena, court order, or warrant;

- WKU will continue to admit undocumented immigrant students as the law allows and offer undocumented students equal access to university resources and services as appropriate.

- WKU will provide the following resources to support students and scholars from all countries included in the executive order and for all immigrant students affected by these policies: access to immigration and legal advising; expanded opportunities to remain on campus throughout their time at WKU; and housing assistance and other resources during break periods.
b. Final version of University Senate Resolution on the Deferred Action for Childhood Arrivals (DACA) Program:

**University Senate Resolution on the Deferred Action for Childhood Arrivals (DACA) Program**

Whereas Western Kentucky University is committed to the search for truth, justice, and human dignity that involves our scholarship, research, teaching, and other endeavors;

Whereas continuing engagement with and support of students of all backgrounds furthers WKU's stated purpose and mission, which are to prepare students of all backgrounds to be productive, engaged, and socially responsible citizen-leaders of a global society, and to be a leading American university with international reach;

Whereas undocumented immigrant students at WKU have been accepted into the University family under legal provisions such as the DACA Program and are valued members of our community;

Whereas leaders of more than 600 universities, including the University of Louisville, have signed the “Statement in Support of the Deferred Action for Childhood Arrivals (DACA) Program and our Undocumented Immigrant Students;”

Whereas ending the DACA program would harm WKU students and adversely impact the WKU community;

Be it resolved that the University Senate expresses its support of the DACA Program;

Be it also resolved that the University Senate urges WKU’s President to express his support of the DACA Program and sign the “Statement in Support of the Deferred Action for Childhood Arrivals (DACA) Program and our Undocumented Immigrant Students.”
F. Advisory Reports - part II

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

2. AAUP representative - Margaret Crowder (No report.)

3. Advisory:

   a. Faculty Regent – Barbara Burch
      Click on the link above to read Regent Burch’s posted report.

   b. Provost – David Lee
      - Provost Lee said he spent most of today in Frankfort because the CPE Education Committee is to take comprehensive institutions off advanced practice doctorates. The subcommittee approved it unanimously and it will go forward. There are 300 students in advanced practice doctorates. There were 56 doctoral degrees awarded in 2015-2016 and Provost Lee is delighted to be able to applaud this.
      - With the budget going forward, we are projecting a $6.5 million tuition shortfall. We will cover it with carry forward. Academic Affairs can easily cover its share. What is not working right is the decline in part-time adult learners. This number has declined. The number of international students has declined. Provost Lee is concerned. We had a very high number and are well above where we were three years ago. There is some discussion that 500 Saudi students equals $11 million. The presence of international students is critical here. Enrollment jumps around up or down five students. The increase is by the dual credit push. It is 10% of the total number, but the number generated by that is nominal. Retention rates from the first year to second year and second to third year are 72-73% at WKU. This may not be good enough for the budget going forward, and it would be good if we can find a way to get these students through the process so they can get a college degree. The graduation rate is 50% and it used to be around 30%. Provost Lee is hoping with retention and graduation rates, that we can make a
breakthrough for these students. WKU will be looking for more innovative and more creative ways that we can serve our students in significant ways.

- Provost Lee was impressed by Marko Dumančić’s statements on calling for closure.

- Sharon Mutter was curious about the dual credit enrollment; do they enroll at WKU after it? Provost Lee said yes, we get about 60%. President Ransdell wants us to get 90-95%. 25-30% is generally considered to be great. The question is, are there ways we can do better with this? These people are generally considered WKU faculty and staff. How can we brand these courses so people know they are part of WKU? Sharon Mutter said she thinks it can be a great recruiting tool.

- Molly Kerby asked where they are on performance-based funding? Provost Lee said that the legislation has been drafted. Givens is the prime architect. He does not think it is past committee yet, but it will be done by the end of the session.

c. SGA President – Jay Todd Richey

- Jay Todd Richey attended the rally for higher education. This happened last in 2012. Grimes talked and many students spoke; over 100 students attended. There is legislation that will affect universities. Jay Todd Richey urged the faculty to read the WKU Herald article on the three pieces of legislation, and read his quotes in the Herald. He also suggested that faculty encourage students to look up the legislation that will affect them.

- Jennifer Tougas will eliminate the Thursday Safe Ride service because there is typically only one passenger per hour. State-wide, this was introduced in 2012. 1,600 students used it in 2016. Jay Todd Richey said he thinks the number may be down because of Uber. The full Safe Ride service is not being used by students and it is not sustainable on Thursday.

- The Attorney General will be here at 7:30 on Wednesday and will be discussing ending sexual assault. It is extraordinarily important to target the rape culture, and Jay Todd Richey is glad the Attorney General will be here at WKU.
G. Motion to Adjourn

1. There was no more new business from the floor.
2. A motion to adjourn by Molly Kerby was seconded by Jennifer Hanley.
3. The meeting adjourned at 5:27 P.M.

Respectfully Submitted,

Heidi Álvarez, Secretary