

University of Louisville

Faculty Senate Meeting

The regular meeting of the Faculty Senate was held on November 1, 2017 at 3:00 p.m. in the Chao Auditorium, Ekstrom Library, Belknap Campus, Enid Trucios-Haynes presiding.

Senators Registering Attendance:

A&S: BETH BRADLEY, JASMINE FARRIER, JOHN FERRE, AVERY KOLERS, DAVID OWEN, EUGENE MUELLER, DAVID SCHULTZ, DAVID SIMPSON, CLARE SULLIVAN, CHRISTOHER TILLQUIST, BETH WILLEY **BUSINESS:** ROBERT BARKER, REG BRUCE, BEN FOSTER **DENTISTRY:** RICARDO CAICEDO, DON DEMUTH, LEE MAYER, MARYBETH SHAFFER **EDUCATION:** SHERRI BROWN, MONICA DELANO, MEG HANCOCK **KENT:** SEANA GOLDER, LESLEY HARRIS, JENNIFER MIDDLETON **LAW:** KURT METZMEIER, ENID TRUCIOS-HAYNES **LIBRARIES:** DWAYNE BUTTLER, ROBERT DETMERING, TERRI HOLTZE **MEDICINE:** FOREST ARNOLD, ERIC BURTON, PAMELA FELDHOFF, KENDRA GRUBB, PATRICK HARRIS, SAEED JORTANI, JEFFERY KING, KENNETH PALMER, BEN SCHOENBACHLER, MICHAEL TSENG **MUSIC:** REBECCA JEMIAN, KRISTA WALLACE-BOAZ **NURSING:** KAREN TURNER **PART-TIME FACULTY:** ROY FULLER, JOSEPH GUTMANN, SUZANNE HOPF, MICHAEL WADE **PUBLIC HEALTH:** KRISTIN ZIEROLD **SPEED:** ROGER BRADSHAW, ROBERT KEYNTON, J.P. MOHSEN

Also Attending:

UofL FOUNDATION INTERIM EXECUTIVE DIRECTOR/COO: KEITH SHERMAN
INTERIM CHIEF OPERATING OFFICER: LEE EMITH
PROVOST DESIGNEE: TRACY EELLS
SGA: JONATHAN FULLER
ULARP REP: BOB STENGER
UofL TODAY: ALICIA KELSO
FAR REP: ELAINE WISE
AAUP REP: SUSAN JAROSI
GUESTS: RODGER PAYNE, JOHN KARMAN

Senators Not Registering Attendance:

BUSINESS: ROBERT MYERS **EDUCATION:** JUSTIN COOPER **LAW:** JOANN SWEENEY **MEDICINE:** YOUSEF ABU-KWAIK, MURLAI ANKEM, CHRISTOPHER JONES, BRAD KELLER, RAINER LENHARDT, CHIN NG, DAVID STIRLING, BRIAN WANG **MUSIC:** SIDNEY KING **NURSING:** SAID ABUSALEM, DIANE CHLEBOWY **PART-TIME FACULTY:** ROSE MILLS **PUBLIC HEALTH:** SCOTT LaJOIE **SPEED:** JACEK ZURADA

CALL TO ORDER

ACTION ITEM: Meeting Minutes

The [minutes of the October 4, 2017](#) meeting were unanimously approved as distributed.

ACTION ITEM: School of Medicine Bylaws revision (first reading) - Metzmeier

Senator Metzmeier explained that the revisions were straightforward and intended to clarify the language to make the bylaws easier to read. As this is a first reading, no discussion is held. A vote to approve will be taken next month. [The bylaws are online.](#) [The appendices are also online.](#)

University of Louisville

Faculty Senate Meeting

ACTION ITEM: Proposed Suspension of the Paralegal Program – Farrier

The Academic Programs Committee brought forth a proposal to suspend the Paralegal Program, housed in the Political Science Department. Jasmine Farrier, APC Chair, gave some background on the program. It is the only Associate's Degree program at UofL. The program has not had a full-time director for 14 months. To receive American Bar Association (ABA) accreditation, the program must have a director in place. The current interim director is from another department. The program is taught solely by part-time faculty and is not supported financially by the Political Science faculty. Program enrollment has decreased recently. The suspension is for five years, during which time it can be reinstated. Afterwards, the program will be eliminated. Also attending today to answer questions, Political Science Chair Rodger Payne and, for program support, Joseph Gutmann, who teaches in the program.

Suspension Documents:

- [Recommendation Memo](#)
- [Dean's Letter](#)
- [History of Degrees Awarded](#)
- [Teach-Out Plan](#)

Rebuttal: [Rebuttal to Suspension of Paralegal Studies Program](#)

- **Question:** Has a funding request been made to the Budget Advisory Committee?
 - **Response (Payne):** No. There was one candidate for the director position, but he or she declined the offer. Dr. Payne consulted with the Provost and the A&S Dean. There are many budget concerns.
- **Question:** What is the number of current students?
 - **Response (Payne):** There is a teach-out plan that all current students will graduate from the program.
- **Question:** Do students graduate and get jobs?
 - **Response (Payne):** Yes. It is not a worthless program, it is a budget issue.
- **Question:** Nobody wants to take it on?
 - **Response (Payne):** The Law School declined a few years ago. Criminal Justice said no. No A&S department wants it. The Delphi Center was not interested. The requirements to enter the program are less than UofL's admission standards.
- **Question:** Is the need declining?
 - **Response (Payne):** The Board of Paralegal Studies says the demand is for a 4 year degree, not only an Associate's Degree.
 - **Response (Farrier):** There is a B.S. in Political Science with a paralegal track.
- **Question:** Do you have the number of students who found employment after graduation?
 - **Response (Payne):** The ABA requires this information.
- **Question:** Have you considered the impact of closure on minority groups?
 - **Response (Payne):** Yes, that was discussed years ago. That had to be reported to the ABA, but UofL's data was not accurate at the time.
- **Question:** Has the program been revenue positive using part-time faculty?
 - **Response (Payne):** It has not been revenue-positive for the Political Science Department. No other ACC school has an ABA accredited program. Kentucky state law mandates that the director be a graduate of an ABA accredited school, or its equal.
- **Rebuttal:** Senator Joseph Gutmann – [The rebuttal is online.](#)

University of Louisville

Faculty Senate Meeting

After Senator Gutmann's rebuttal, a brief discussion took place on other schools' interest in the program. It was further explained that the suspension is for five years and any time during that period, the program can be revived. A motion was made to table the discussion until the December meeting. That motion failed. Another motion was made to suspend the program. That motion passed.

REPORT: Student Government Association – Fuller

[This report is online.](#)

REPORT: Staff Senate – Brown

No report was made.

REPORT: Faculty Senate Chair – Trucios-Haynes

Chair Trucios-Haynes reported on several topics, including:

Board of Trustees: At the Board meeting on October 18th, the audit was reviewed; a decision was reached regarding the athletic director; and, the PSFCC made a presentation. The Board of Trustees has received many letters regarding the presidential search. These will be discussed at the November 20th meeting. The Litigation Subcommittee met on October 30th. Afterwards, Board Chair Grissom was asked by reporters about the Listening Tour and he gave information about the process before the Board Listening Tour Committee met. The Board's Listening Tour Committee will meet and discuss the best process for UofL at this time.

- **Question:** When does the Board of Trustees think it will have a new president?
 - **Response:** The original target was the beginning of the 2018-19 academic year. But, the process has been slowed in the midst of all the ongoing issues.
- **Question:** The Board's Chair is contradictory in his statements regarding the Listening Tour. Do other board members find his statements misleading?
 - **Response:** There is a Listening Tour Committee, and it will discuss the process. It is a concern, however the Committee will meet to make decisions about the process to move forward. She is committed to having a full, inclusive process for input and to identify priorities for our next president. There are other Trustees who understand this is the appropriate, expected process.
- **Question:** The Attorney General ruled that phone calls are not meetings.
 - **Response:** There were no phone call meetings.
- **Question:** Regarding the firing of the athletic director, Grissom said he spoke to the Board by phone. If business is done that way, it is inappropriate.
 - **Response:** Those conversations do happen, but decisions are not made that way. She feels prepared and assumes decisions are made at the meeting after discussion.
- **Question:** Can you offer any insight into how the Board of Trustees decided on the interim athletic director?
 - **Response:** Under NCAA rules, it is the President's decision on who to recommend. It is a university management decision and he makes a recommendation to the Board. It is not the role of the Board to choose.
- **Question:** Can you give us an idea of the impact of the letters?

University of Louisville

Faculty Senate Meeting

- **Response:** All the letters went to the Board members. She believes they had an impact. They will be discussed with the Board again. She will bring it up in open session.
- **Response (Senator Rob Keynton):** The letters helped with the PSFCC presentation to the Board. Without them, we would not have been invited to the meeting.

REPORT: Acting University President – Postel

Dr. Postel was unable to attend today's meeting. [This report is online.](#)

REPORT: Interim University Provost – Billingsley

Dr. Billingsley was unable to attend today's meeting. [This report is online.](#)

REPORT: UofL Foundation, Interim Executive Director/COO – Sherman

Mr. Sherman reported on several topics, including:

- **Existing Issues:** Upon his arrival in December 2016, Mr. Sherman was tasked to find out what had happened to the Foundation's funds. In a nutshell, the Foundation spent more than it made. This is not a strategy for supporting the academic purpose of the University into perpetuity.
- **Foundation accounts:** The Foundation is like a mutual fund with 1800 accounts. The funds are now at about \$724M.
- **Audit:** The Foundation has been working under the supervision of an auditor (state/forensic) for 884 days. All records and receipts have been maintained during this time. An annual audit was just completed and we given a clean bill of health. This is the first year that no adjustments were necessary.
 - **Question:** Will he pursue legal action on the former administration?
 - **Response:** He will not answer the question, as he has never met them and feels it is inappropriate to comment. Others will make that determination. He is looking forward, not back.
- **Process changes:** To prevent repetition of past issues, changes have been made.
 - New members on the Foundation Board of Directors undergo a mandatory training of duties.
 - The University President cannot be the Foundation's President.
 - Open Records Requests are filled as soon as possible.
 - Information on endowment funds is now available to deans and LFOs. They will know the donors' intentions on how to spend the funds and will sign an attestation of how the funds were spent.
- **Spending changes:** Reining in the spending is hurting many, but without it, the endowment would disappear. He is planning for the next 200 years, not the next 24 months.
- **Real Estate:** He is looking to sell off some of the real estate holdings to put the funds back into the endowment.
- **Budget:** He meets monthly with the Board of Directors to discuss the budget. In the attempt to get to a steady and consistent budget, some changes that have been made to the Foundation's budget, include:
 - No more deferred compensation paid

University of Louisville

Faculty Senate Meeting

- No more UofL salaries paid
- No more deals with Athletics
- No more taxes paid
- **Memorandum of Understanding (MOU):** This was necessary and part of the SACS requirement. It sets the ground rules between the Foundation and the University. It took three and a half months to negotiate. It requires monthly budget reports to the University.
- **Spending Policy:** The policy was reduced to 4.09% to the units and is funded from available carryover. The carryover is not swept, but returned to the endowment. Anything over the policy must be approved by the Budget Advisory Committee and the Provost.
- **Donors:** During and after the audit, donors had stopped giving to the University. This past September was a big donor month. They feel comfortable with the changes that have been put in place.
 - **Question:** Is the endowment information for each unit online, so we can see how each unit spends its endowment?
 - **Response:** It is up to each unit to be transparent. We give each unit all its information. It is up to the unit to disseminate it.
 - **Question:** Past accounts varied a lot and it was not obvious how each could vary so greatly. Will that variance continue?
 - **Response:** No. The only variances are tied to the market movement. The variances depend on each account and when they were set up.
 - **Question:** Is the real estate separate?
 - **Response:** It has totally spun off into a real estate company.

Mr. Sherman encouraged senators to call or email him anytime. [The full report is online.](#)

REPORT: Interim Chief Operating Officer – Smith

Mr. Smith reported on several topics, including:

- **Operations: Flow/Organization Chart:** When Harlan Sand, his position was split between Susan Howarth (CFO) and himself (COO).
 - CFO – all financials
 - COO – Facilities, business operations, public safety and IT.
- **Current Situation:** The budget is still out of balance by \$48M. He is tasked with coming up with \$10M in savings in Operations and \$10M in Procurement.
 - So far, he has \$4.5M in operational savings:
 - Energy savings
 - Soft/Hardware license renegotiation or elimination
 - Reduction in off-campus leases
 - New leases for University properties
 - Improved negotiations for contracts
 - On the procurement side, his goal is \$10M in savings.
 - Of the \$320M spent annually, \$160 of it is addressable. Some sample initiatives include:
 - Price benchmarking
 - Multiple quotes required

University of Louisville

Faculty Senate Meeting

- Computer and software purchasing
- Price negotiation assistance
- State law requires quotes on purchase over \$40K
- Next year, federal law will require quotes on purchase over \$10K

Mr. Smith gave a power point presentation on the five goals. This included:

- Optimize University resources by maximizing cost efficiencies and strengthening cost controls while increasing innovation and collective process design. The shared service centers on Belknap and HSC will merge for greater efficiency.
- Increase revenue streams through entrepreneurial efforts as part of the economic development and financial health.
- Improve customer service to deliver exemplary professional services.
- Protect the university infrastructure in a way that supports and encourages our academic, research and clinical mission.
- To make decisions based on data by using business solutions, accurate data and predictive analytics.
 - Question: Are moving to digital from paper? This is a business operation to be easier on faculty, but it places responsibility on faculty. It is not easier.
 - Certain business processes will fall through the cracks, and we need to know where they are. We are committed to improving processes.

Mr. Smith encouraged senators to let him know where processes are not working. [The full report is online.](#)

DISCUSSION: President Forum and Suggested Priorities – Trucios-Haynes

The discussion will be held at the December meeting.

REPORT: Standing Committees

- **Academic Programs Committee (APC) – Farrier**
 - [Committee Report](#)
- **Committee on Committees & Credentials (CCC) – Foster**
 - An election will be held at the December meeting to fill committee vacancies.
- **Part-time Faculty Committee (PTF) – Peacock**
 - [Committee Report](#)
- **Planning & Budget Committee (P&B) – Owen**
 - No report was made.
- **REDBOOK Committee (RB) – Metzmeier**
 - [Committee Report](#)
- **Executive Committee (XC) – Wallace-Boaz**
 - [Committee Report](#)

OTHER REPORTS: University-Wide Committees

[AAUP](#) – [CODRE](#) – [COSFL](#) – [COSW](#) – [FAR](#) – [HRAC](#) - [PSFCC](#)

University of Louisville

Faculty Senate Meeting

New Business

Old Business

Announcements

Adjournment

The meeting adjourned at 5:10 P.M.

Respectfully submitted,
Gretchen Henry
Faculty Senate Coordinator