

University of Louisville

Faculty Senate Meeting

The regular meeting of the Faculty Senate was held on October 4, 2017 at 3:00 p.m. in room 119 of the Dental School, on HSC Campus, Enid Trucios-Haynes presiding.

Senators Registering Attendance:

A&S: Jasmine Farrier, John Ferré, Avery Kolers, David Owen, Eugene Mueller, David Schultz, David Simpson, Clare Sullivan, Christopher Tillquist, Beth Willey **BUSINESS:** Robert Barker, Reg Bruce, Ben Foster **DENTISTRY:** Ricardo Caicedo, Lee Mayer, Marybeth Shaffer **EDUCATION:** Sherri Brown, Justin Cooper, Meg Hancock **LAW:** Kurt Metzmeier, Enid Trucios-Haynes **LIBRARIES:** Dwayne Buttler, Robert Detmering, Terri Holtze **MEDICINE:** Yousef Abu-Kwaik, Murali Ankem, Forest Arnold, Eric Burton, Pam Feldhoff, Kendra Grubb, Patrick Harris, Chin Ng, Ben Schoenbachler, David Stirling, Michael Tseng, Brian Wang **MUSIC:** Rebecca Jemian, Krista Wallace-Boaz **NURSING:** Said Abusalem, Karen Turner **PART-TIME FACULTY:** Roy Fuller, Joseph Gutmann, Suzanne Hopf **SPEED:** Roger Bradshaw, Robert Keynton, J.P. Mohsen

Also Attending:

UNIVERSITY PRESIDENT: Dr. Greg Postel

UNIVERSITY PROVOST: Dr. Dale Billingsley

PROVOST OFFICE DESIGNEE: Dr. Tracy Eells

ULARP REP: Mr. Bob Stenger

UofL TODAY: Ms. Alicia Kelso

GUESTS: Dr. Robert Staat, Dr. Kathy Baumgartner, Dr. K.B. Kulasekera, Dr. Eric Nunn

Senators Not Registering Attendance:

A&S: Beth Bradley **BUSINESS:** Robert Myers **DENTISTRY:** Don Demuth **EDUCATION:** Monica Delano **KENT:** Seana Golder, Lesley Harris, Jennifer Middleton **LAW:** Joanne Sweeny **MEDICINE:** Saeed Jortani, Christopher Jones, Brad Keller, Rainer Lenhardt, Kenneth Palmer **MUSIC:** Sidney King **NURSING:** Diane Chlebowy **PART-TIME FACULTY:** Rose Mills, Michael Wade **PUBLIC HEALTH:** Scott LaJoie, Kristin Zierold **SPEED:** Jacek Zurada

CALL TO ORDER

IN MEMORIAM: Dr. Susan Peacock – Senator Joseph Gutmann

The following was read in memory of Dr. Susan Peacock.

Susan Glynn Peacock passed away on Wednesday, August 2, 2017. A native of Louisville, Kentucky, she earned her undergraduate and Master's degree in Education at the University of Louisville and later graduate work at the University of Kentucky. She was passionate about teaching and enjoyed a fulfilling career in education, teaching in Jefferson County public schools, including at Shawnee, Central, and Butler high schools.

After retiring from her first career as a high school teacher, her growing interest in nutrition led her to earn a Master's degree in Nutritional Sciences with an Emphasis in Sports and Wellness Nutrition in 2005. She then began an accomplished second career as a licensed nutritionist and

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instructor at the University of Louisville in the College of Education and Human Development, Department of Health Sport Sciences. She was a contributing author to the American College of Sports Medicine's Resource Manual for Guidelines for Exercise Testing and Prescription 7th edition, with the chapter, "Assessment of Nutritional Status."

Susan served as a Faculty Senator for the past nine years. She chaired the Faculty Senate's Part-time Faculty Committee, and had served on Executive Committee, the Human Resources Advisory Committee (HRAC), and on the Committee on Committees and Credentials.

A repeated Faculty Favorite, Susan was described by students as (in their words) "an energetic teacher who really loves what she is teaching" and as a teacher who "engage[s] everyone and makes us all want to participate." Students commented on her "tactfulness" and noted that she "always made an 8 AM class worth waking up for." As her colleagues, many of us understand and share those feelings. We, too, appreciated her tact, her energy, and her enthusiasm, and that she always made it worth attending a committee meeting.

In her leadership role on the Part-time Faculty Committee, Susan worked to showcase publications and other professional honors by part-time faculty, organized a service recognition luncheon for part-time faculty who had taught at UofL for more than a decade, and worked with Human Resources to initiate an orientation for new part-time faculty at the start of each semester.

Susan and her late husband, Joseph Peacock, were the parents of four children and eleven grandchildren. Her interests including reading, writing, travel and golf, sharing good wine and conversation with good people, and some time at the beach each summer.

As a teacher, Susan pushed her students to excel in the classroom and in life, but in all her other roles – as parent, friend, colleague, committee chair, she encouraged all of to dream bigger and do better. Those of us who knew her as teacher, colleague, or friend will miss her greatly.

A moment of silence was held in Dr. Peacock's honor. The memorial is also posted on the [Senate's web site](#).

ACTION ITEM: September Meeting Minutes – Trucios-Haynes

The minutes from the [September 6, 2017](#) were unanimously approved as distributed.

ACTION ITEM: Senate Committee Elections - Foster

The Committee on Committees & Credentials has determined there are several vacancies on various committees. An election to fill those seats took place today. The ballots were distributed and all nominations came from the floor. The results are:

- Committee on Committees & Credentials – two vacancies were filled by acclamation.
 - Sherri Brown – Education
 - Marybeth Shaffer – Dentistry

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- Part-time Faculty Committee – One vacancy for a full-time faculty member was filled by acclamation.
 - Robert Detmering – Libraries
- Parking Appeals Committee – One vacancy was filled by acclamation.
 - Karen Turner – Nursing
- SGA Representative – One vacancy was filled by acclamation.
 - Patrick Harris – Medicine

ACTION ITEM: Academic Programs Committee – Proposal for Certificate in Biostatistics – Farrier

APC Chair, Senator Farrier, gave a brief overview of the proposed Certificate in Biostatistics from the School of Public Health. It is a 15 credit program that dovetails with Public Health's Masters in Biostatistics. The certificate is geared to students who are unable to enroll in the Master's Degree program. This will help students who may need to improve their work before applying for the Master's Degree. The 15 credits can also be applied to the Master's Degree. The courses are already taught, so there is no impact on resources. Most students that apply will have a natural science background. The proposal was unanimously approved. The [proposal can be viewed here](#).

REPORT: Student Government Association – Fuller

The [SGA report](#) was posted on the Senate's web site.

REPORT: Staff Senate – Brown

No report was made.

REPORT: Faculty Senate Chair – Trucios-Haynes

Chair Trucios-Haynes reported on several topics, including:

- Presidential Search Faculty Consultation Committee (PSFCC) Report: The campus community is sending the Board of Trustees letters regarding the closed presidential search. The Chair has requested that the PSFCC be added to the upcoming Board meeting agenda. All the PSFCC information will be posted on the Provost's web site.
- Tenure Policy Review Committee – This is an Executive Committee ad hoc committee to look at the tenure policies of 25 other institutions.
 - **Question:** How will the entire University community be represented with only one faculty representative on the search committee, especially if it is a closed search? The Senate should view the search as illegitimate and boycott.
 - **Response:** If that is a suggestion to boycott the Board of Trustees on behalf of the Faculty Senate, it is preferred to wait to see how the Board responds to all the letters. The letters may bring us to a middle ground and a hybrid search may develop.
 - **Question:** What letter did the Executive Committee write?
 - **Response:** Executive Committee Chair Krista Wallace-Boaz explained that the Executive Committee had worked on a letter to the Board stating its opposition to the closed search process. It is copied on the back of today's agenda. Senators are free to write their own letter or to sign this one.

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- **Question:** What do regional schools do?
 - **Response:** One letter refers to UK's search process. It was closed but had more representation.
- **Question:** Not sure if this will be enough to change the Board's decision. Do you think it would affect SACS in anyway?
 - **Response:** Affecting SACS is a stretch. This is about where we are in a real crisis.
- **Question:** Does it appear that there is any political meddling?
 - **Response:** There is no proof that has happened.
- **Question:** Does the confidentiality of the Board of Trustees extend to government officials, as well?
 - **Response:** Not sure if it does, but it should.
- **Question:** The University is very concerned with transparency. Secrecy breeds corruption and looks very bad. Does the Board not understand that?
 - **Response:** The Board believes to get the best person, a closed search is best. It is hard to imagine anyone of value would come here without speaking to us.
- **Question:** What is the Listening Tour to be?
 - **Response:** This is an opportunity to get feedback from all groups in the community – students, staff and faculty - on HSC and Belknap, for the broadest possible input.
- **Question:** Was the last search open or closed?
 - **Response:** It was open until the end when only one candidate was put forward.
- **Comment:** In the last search, we were told that for the internal president we would have an external/national search for the provost. That did not happen.
- **Comment:** If an applicant was from an ACC school they would be fired. Fight for a broader committee rather than an open search. Push for more faculty representation.
 - **Response:** Broadening the search committee with community members, is the ideal.
- **Question:** Is there evidence of a university president getting fired if they get caught interviewing at another school?
 - **Response:** It affects their donor base and the confidence of the school. All these potential risks are known by the search firm and discussed in meetings. They know the ins and outs of high level searches. The pressure seems to be working.
- **Question:** How effective would a boycott be?
- **Comment:** There is more value in requesting a broader committee. Removing yourself from the search committee would not be helpful.
- **Question:** Why is the search closed?
 - **Response:** It is part of the RFP process, which by state law must be confidential.
- **Question:** Do you sense this Board is nefarious in these decisions?
 - **Response:** No. The Board wants the best for UofL. It is committed to getting us back on the right track. They are investigating all the wrongdoing that has gone on.

Turning to the letter to the Board of Trustees, a brief discussion took place before a motion was made to endorse the Executive Committee letter and to invite senators not in attendance to add their name to it.

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The motion was seconded and passed unanimously. After the vote was taken another brief discussion took place regarding a boycott of the Board of Trustees, as a more powerful way to send a message. The vote to endorse the letter carried and it will be sent out to the full Faculty Senate.

REPORT: College of Business, Dean Todd Mooradian

Dean Mooradian gave a brief overview of his background. He grew up at the University of New Hampshire and was the Faculty Assembly Chair at William & Mary before coming to UofL. He is focused on strengthening three areas in the College of Business: the culture of inclusion; excellence; and, innovation. Dean Mooradian reported that there are new innovative ideas in the pipeline and all are committed to excellence and accountability. He is glad that UofL is dedicated to public service through community engagement.

REPORT: Interim University President – Postel

Dr. Postel thanked the Senate for inviting him to the meeting, mentioning the tough times the world is facing with hurricanes, earthquakes, Las Vegas and on our own campus. With so much going on, to stay focused, he compartmentalizes the issues. The president reported on various topics, including:

Law School Accreditation Visit – This visit takes place every seven years. There were meetings all week with the visiting team. When the American Bar Association team was finished, they told him they had never seen a happier group of faculty, staff and students. That was great to hear.

SACS Update – The SACS site visit was September 19-21st. The six member team, led by Teresa Sullivan, President of the University of Virginia, was very thorough. In addition to the original four reasons for probation, five more were added, based on the findings of the Foundation audit. Seven of those issues have already been cleared. The two remaining issues are to create a memorandum of Understanding with the UofL Real Estate Foundation and to address the high number of interim positions at the senior administrative level. The memorandum of understanding has been completed and searches are underway for several of the senior administrative positions. The SACS commented on the University's extraordinary cooperation and stated that the University currently operates with integrity. The next report is due to SACS on November 1.

Research – One of the largest federal grants in UofL's history, \$13.8M, was awarded to Dr. Roberto Bolli to study the use of adult cardiac stem cells and their potential to treat heart failure. This is a huge accomplishment.

Donor Activity – He gets weekly updates and the activity is good. He meets with donors 3-4 days a week. With all the negative issues going on, it is surprising that people still want to stand with us. Brian Robinson is developing something where donors can follow their money and see what impact it is having on the University. He is also clarifying gifts, donations and endowments, so there is no confusion for the donor and for the University.

UofL Hospital – The hospital is very busy and full. The emergency room is on diversion and 108 nurses have been hired in the two months since we took over. There will be more information on the Jewish Hospital/Frazier Rehab situation next month.

2016-2017 Audit – This report is coming out next week. It is ending favorably, which helped with the SACS visit.

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2017-2018 Budget – It is on target and balanced, including the former \$48M shortfall. The Board of Trustees wants to see it all. Going forward, he is concerned that the state will cut its appropriations to higher education. It is not a question of “if”, but “how much” will be cut. Bearing that in mind, it is imperative that we generate funds on our own. We must all be very involved in priority-setting. The Forums and the Budget Advisory Committee are ways we can prioritize our values and decide what we want and who we want to be. This is guided by the shared governance process. We must prepare for the June 2018 budget, but state information is not available until April 2018. Tuition and student fees are not the solution.

Athletics – The appeal meeting regarding the NCAA decisions made earlier this summer, will take place in December. Dr. Postel hopes they can be objective in light of the recent events, though he doubts it. The clawback is less than previously thought, it is now at \$4-\$5M. That will come from Athletics. Last Tuesday, he was called by the U.S. Attorney’s office to tell him they were about to announce an FBI bribery investigation involving UofL employees. UofL is not listed as a target, but as a victim in the investigation. Everything that is being done is to protect the University. No decisions were made based on personal opinions – all the decisions were professional and in line with personnel policies and contractual agreements. He received between 200-300 emails and has had to have police protection at his home 24/7. Decisions had to be made quickly. David Padgett was checked out with a fine tooth comb and the basketball team is ready to go. Vince Tyra is a successful local business man and involved in athletics. He met with 260 staff members in Athletics and received a standing ovation. Things are moving forward.

- **Question:** Where are we on the Moody’s rating?
 - **Response:** We are waiting three more months to get the rating.
- **Question:** Have you considered a stronger firewall between ULP and UofL finances?
 - **Response:** UMC does not impact UofL finances. They are separate. Jewish Hospital would fold into UMC, not UofL.
- **Question:** Can the students finally be liberated from the \$99 student athletic fee that is included in the Jurich contract?
 - **Response:** It has been a complicated issue for a long time. Dr. Postel would like to get rid of it. If we keep Adidas, that money could be replaced. Students get value from Athletics, but that should be transparent. There will be a solution.
- **Question:** Are there any ramifications from Athletics to SACS?
 - **Response:** SACS was not interested before. But it will surely come up in discussions about our institutional control. A basketball coach does not affect SACS.
- **Question:** Has this hurt the two large donations that were reportedly due this fall?
 - **Response:** No, they are still moving forward.
- **Question:** What about the cut to the student newspaper?
 - **Response:** Dr. Postel met with the editors. The money will be found. It’s only \$25K. There are better ways to pay for this than using general funds. A donor offered to pay for it, but the paper rejected it. Another donor has come forward, and hopefully, the paper will accept this one.
- **Question:** What can you report on CPE’s performance-funding?
 - **Response:** There has been no change. Still to be seen how it will actually work out. In the early years of implementation, the risk is small, increasing as years go by.

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REPORT: Interim University Provost – Billingsley

Dr. Billingsley's time was cut short, but he sent the following full report to the Senate.

Good news that the University Libraries budget has been supplemented so that the Elsevier package (about \$2million for the calendar year, so divided across our fiscal years) has been restored. The journals collection is still being reviewed, and some cuts (based on usage where that datum can be known) will be inevitable. Even journals no longer under subscription can be secured via ILL.

BOT tenure and nepotism committee

--Nepotism Policy recommended by committee approved by Board of Trustees 9/15, but it included a glitch preventing any two family members from working for the same supervisor, obviously a problem for persons currently in that situation. I have asked whether current families can be grandfathered and whether new cases can be handled under the "management exception" provision that the policy includes. The policy statement as passed has been forwarded to the senate secretary.

--The inquiry into tenure policy has not yet advanced except that information from benchmark and ACC publics has been collected and provided to committee. The committee chair reported at the last regular BOT meeting that the report of the committee would be postponed from mid-November until after the first of the year because of the press of other business. The next meeting date is not yet set.

Dean Search Update

- a. Speed School – meeting with the search firm on October 13 to select candidates for in-person interviews. In-person interviews will take place December 4-5.
- b. Nursing School search has started.

Dean Five-Year Review

- a. SIGS – Dean Boehm's review has begun. Her self-assessment is due November 15. The committee membership is being settled now.

Budget matters

- The fiscal year first-quarter ended 30 September, and the books will close this Friday. The BOT will get the quarterly report at its meeting 10/18. With their counsel and the president's direction, adjustments in the budgetary controls may be possible.
- The Budget Advisory Committee has been at work on a priority-setting exercise to focus budget allocations in accord with the 2020/21st Century goals. The exercise has been led by Senator Owen, and has included the identification of distinctive characteristics by which the university can be characterized. The forums this week should provide additional focus for the exercise.
- The second round of the president's forums is in process this week. About 180 people, 70% of them staff, attended the Belknap meeting yesterday. Most were surprised to respond to issues and recommendations raised in the July forums, a fault in our communication about the purpose of the meeting. HSC senators, please encourage your colleagues to attend the meeting tomorrow in Kornhauser at noon, and let them know to review the July forum summary.
- The prospect of a likely cut from the state—recalling that the state's appropriation is a constantly shrinking portion of the full budget, now less than 10%--and the disposition of the

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BOT against tuition hikes mean that any set of budget priorities should be bidirectional, allocating new resources or re-allocating current resources to higher-priority items.

- The university budget office, the Senate Academic Programs and Planning & Budget Committees and my office are all concerned about the funding for new degree and certificate programs, to the point that the senate committee are now requesting undertakings from the provost to guarantee resources over time. All of us are also concerned about the proliferation of revenue-sharing “deals,” formerly struck between the unit and the provost, with various ratios of return, provision periods and review expectations. APC has invited the provost’s program proposal review group and me to consult with them on 12/8. I will propose to work toward bring a request to a template for these revenue provisions in the future and to consolidate and reform existing agreements under the new template. Barring some legal impediment, I propose to gather and publish the current agreements and to establish the expectation that new agreements will be published and available with the program proposal at the time that it comes to the Senate for final recommendation and (as modified) to the Board for approval.

University Diversity Plan was approved by the BOT and will be forwarded to CPE. We have the remainder of this academic year to make unit-level goals and plans aligned with the University Plan for implementation in AY 18-19. Expect to hear about such planning processes from your deans.

Two important initiatives under the plan have been particular concerns of SGA:

- A university “Identity Center” to house and concentrate diversity programming and staff is a key element of campus student engagement for diversity. It may be possible to identify existing space freed up by the opening of the new academic building or to mount an advancement campaign with a new building as its goal. Dr. Taylor-Archer is working with SGA to further refine this idea and to present it to the campus community.
- Midterm grades are a recognized retention and persistence device for URM, first-gen and low-income students, but they have also been shown positively to affect academic performance of all students. SGA has asked the president to mandate midterm grades as a requirement. Should such a provision be necessary, it would be directed to the Senate for discussion and consultation. Alternative to mandatory grading through the registrar is the universal use of the Blackboard gradebook with enough grades to indicate standing in the course.

Book orders for spring 2018 at due OCTOBER 19.

Professional Development

1. Academic Leadership Program
 - a. The first session was Sept. 22, with Dr. Postel. Attendance was quite high: 47 attended.
 - b. The next session will be Jim Begany and Joe Dablow on October 11. Their topic will be “Best Strategies to Increase Student Retention and Persistence to Degree”
2. New Faculty - **“Teaching Jumpstart: Strategies and Guidance for New Faculty,”** was held earlier this week and **“What You Need to Know about Promotion and Tenure”** will be held on October 23

REPORT: Title IX and ADA Compliance Officer - Brian Bigelow

The recent actions regarding Title IX and the University’s response to sexual assault does not have the same force as law. Title IX came into existence in 2011 under President Obama and set out expectations and guidelines for Universities. This was rescinded on September 22, 2017 by Secretary of Education

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Devos, but does not yet affect what we are doing at UofL. It only rescinds the letter and may be replaced at another point. He has developed an FAQ document, though no changes to UofL's response to sexual assault will be made.

- **Question:** The Title IX language said we were to report about events that happened off campus and years ago. Has that changed?
 - **Response:** There has been no change in the law. Err on the side of too much.

REPORT: Standing Committees

- **Academic Programs Committee (APC) – Farrier**
 - The committee brought forth the proposal for the Certificate in Bioanalytics, as reported above.
 - [The committee's monthly report is online.](#)
- **Committee on Committees & Credentials (CCC) – Foster**
 - The committee held the election, as reported above.
- **Part-time Faculty Committee (PTF) – Fuller**
 - No report was made.
- **Planning & Budget Committee (P&B) – Owen**
 - No report was made.
- **REDBOOK Committee (RB) – Metzmeier**
 - [This report is online.](#)
- **Executive Committee (XC) – Wallace-Boaz**
 - [This report is online.](#)

OTHER REPORTS: University-Wide Committees

- [Faculty Athletic Representative \(FAR\)](#)
- [President Search Faculty Consultation Committee \(PSFCC\)](#)
- [UofL Chapter of AAUP](#)
- [Commission on the Status of Women \(COSW\)](#)
- **Banking RFP**
 - Senator Reg Bruce (CoB) is on the RFP search committee for a new banking partner. He reported today that there is a national search for a banking partner to conduct all of UofL's business. Proposals were received last spring and reviewed over the summer. The committee decided on two finalists and will make a final decision in the next month. The search seemed above board and had faculty input.

New Business

None

Old Business

None

Announcements

None

Adjournment

The meeting adjourned at 5:00 p.m.

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Respectfully submitted,
Gretchen Henry
Faculty Senate Coordinator