

# University of Louisville

Faculty Senate Meeting

May 5, 2021

The regular meeting of the Faculty Senate was held on May 5, 2021 at 3:00 p.m. on the TEAMS Platform, Chair David Schultz presiding.

## **SENATORS REGISTERING ATTENDANCE**

**A&S:** DAVID BROWN, MICHAEL CUNNINGHAM, ANN HALL, EUGENE MUELLER, NATALIE POLZER, DAVID SCHULTZ, CHRISTOPHER TILLQUIST, SHERRI WALLACE **BUSINESS:** ROBERT BARKER, JOSE FERNANDEZ, KATHLEEN GOSSER, DALE McINTOSH **DENTISTRY:** WIL ABSHIER, KATHLEEN FISCHER, BRIAN MARRILLIA, BREACYA WASHINGTON **EDUCATION:** MICHELE FOSTER, EVEN FREDERICK, JASON IMMEKUS, SUSAN LONGERBEAM **KENT:** JOCELYN FETALVER, JENNIFER MIKDDLETON, BIBHUTI SAR **LIBRARIES:** ROBERT DETMERING, TERRI HOLTZE, REBECCA MORGAN **MEDICINE:** YOUSEF ABU-KWAIK, FOREST ARNOLD, KIMBERLY BOLAND, KELLEN CHOI, JENNIFER HAMM, PATRICK HARRIS, SAEED JORTANI, RHONDA MATTINGLY, CHIN NG, VINAY PURI, BEN SCHOENBACHLER **MUSIC:** REBECCA JEMIAN, KRISTA WALLACE-BOAZ **NURSING:** KRISTIN BAISCH, SARAH CARTER, CANDACE HARRINGTON **PART-TIME FACULTY:** AARON ELLIS, ROY FULLER, JOSEPH GUTMANN, TINA JOHNSON, TIM ROBERTS **PUBLIC HEALTH:** RYAN COMBS, DAVID JOHNSON **SPEED:** ROGER BRADSHAW, OLFA NASRAOUI, ROMAN YAMPOLSKIY, JACEK ZURADA

## **GUESTS ATTENDING**

**UNIVERSITY PROVOST:** DR. LORI GONZALEZ

**EXECUTIVE VP-RESEARCH & INNOVATION:** DR. KEVIN GARDNER

**VICE PRESIDENT-HUMAN RESOURCES:** MS. MARY ELIZABETH MILES

**PROVOST OFFICE DESIGNEE:** DR. TRACY EELLS

**UofL ASSOCIATION OF RETIRED PERSONNEL:** MR. BOB STENGER

## **OTHERS ATTENDING**

BETH BOEHM, REG BRUCE, HEATHER FOX, ERIN GERBER, BOB GOLDSTEIN, LESLIE HARPER, CYNTHIA LOGSDON, JESSIE MURNOCK, SANDY RUSSELL, MICHAEL WADE SMITH, ELAINE WISE

## **CALL TO ORDER**

### **ACTION ITEM: APPROVAL OF THE [MINUTES](#) - SCHULTZ**

### **ELECTION: [OFFICER & COMMITTEE ELECTIONS - BALLOT - JEMIAN](#)**

Senator Jemian, Chair of the Committee on Committees & Credentials read through the ballot and took floor nominations. The results can be [found here, highlighted in yellow](#).

### **REPORT: UNIVERSITY PRESIDENT & PROVOST - GONZALEZ**

As President Bendapudi could not attend this meeting, Provost Gonzalez gave both reports.

**Retirement** - One of the top priorities regarding the budget is to restore the retirement benefit to the full 7.5%. Pending approval of the Board of Trustees, the benefit will be restored on July 1.

**Healthcare Premiums** - There will be no change in premiums for the second year in a row for employees at the University.

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**Enrollment** - Budget projections are made on enrollment numbers. As an institution, fall enrollments are down about 4.4%. We are asking faculty to ask their department heads to contact Enrollment Management to find out which students have not registered for fall. It could make a difference if we can recruit new freshman and retain continuing students who have not yet registered. Depending on their reason for not enrolling, we are trying to eliminate the red tape that keeps some students from returning.

**Return to Work Policy** – The policy has been finalized and evaluated by the Education Advisory Board (EAB). They have nine imperatives for a strong policy. Vice Provost for Human Resources, Mary Elizabeth Miles has done a great job to ensure these are met for best practice. A notice has gone to the deans and soon will be sent to supervisors. Training for supervisors will begin in May before the policy is released on June 1.

**Question:** Regarding vaccine compliance for students, the CPE has left requiring vaccination for enrollment up to the individual schools. What is the status of our requirement for student vaccination for enrollment? Some of us have small children who cannot be vaccinated, so this is still a risk to them.

**Reply:** This is the main topic at most of the meetings we attend. No decision has been made, yet. We are working with UK to see what we can do. One of our problems is that people are not keeping their appointments for the second shot and we will have to close out vaccination site at the stadium.

**Rating Agencies** – We just received word today that Standard & Poor's has elevated our rating to A+ with a stable outlook. Last year, we had an A+ with a negative outlook. This is something to celebrate.

**Strategic Plan** – The faculty and staff on the education pillars within the Strategic Plan are working on ways to increase experiential learning and undergraduate research. We hope to roll out programs in the fall. The Strategic Plan co-chairs will have a retreat in the next few weeks, with the larger group meeting after that.

## **REPORT: STUDENT GOVERNMENT - BARBERIE**

This is Mr. Barberie's last meeting before Ms. Alexa Meza takes his place as the AVP to the Faculty Senate for the next academic year. Chair Schultz responded by thanking him for all the hard work he has done on behalf of the students.

## **REPORT: STAFF SENATE – BROWN**

This report is linked above.

## **REPORT: FACULTY SENATE CHAIR - SCHULTZ**

**The Spring Forward Planning Coordinating Committee** - This committee continues to meet and discuss vaccinations and encouraging students to take it. As the provost stated, the mass vaccination site will not be offering the first shot and will likely close once the round of second shots has been completed. Alternatives will be available at some point.

**UofL Dashboard** - The campus dashboard is showing that the positivity rate on campus has been zero for a number of weeks in a row.

**The Budget Planning and Monitoring Committee** - The subgroup on funding requests has processed forty-six different applications. It was a difficult task because of how different all the proposals were. We are recommending a change to streamline the application process.

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**The Shared Governance Workgroup** – This group met and finalized the committee structure. This committee will be co-chaired by the Faculty and Staff Senate chairs and Michael Wade Smith, the president’s chief of staff. There will be equal representation on that committee of faculty, staff, administration, and students. Once populated, we will invite an expert in shared governance to come speak to the committee.

**Board of Trustees** – The board met last week and names Dr. Jason Gainous from Political Science as the Trustees Award winner. The board will have a budget workshop in May before it considers the proposed FY22 budget at its June meeting.

**Bookstore Advisory Committee** – This committee met and most of the discussion focused on deadlines for textbook adoptions. In the past, the bookstore had sent the deadlines to the administration, assuming they would filter down. That line of communication has not been successful. There is a state law that mandates the submission and posting of textbook adoptions. To facilitate this process, Chair Schultz offered the Faculty Senate as a way of notifying faculty, as well.

## **ACTION ITEM: UNIT DOCUMENT REVISIONS - SECOND READINGS - DETMERING**

- **REVISED BYLAWS – SCHOOL OF NURSING (linked above)**

Senator Detmering reported that this was a large-scale rewrite, that included changes to committee structures and memberships, and various things. The REDBOOK Committee had a number of suggestions to improve clarity and the School of Nursing responded to those suggestions wherever possible. The committee felt that that it was fine to move forward with the document.

**QUESTION:** This is a procedural question to clarify about the makeup of the committees. With these changes, there is going to be a significant reduction in qualifications for the committees.

Procedurally, with such a major change, do we need something in the bylaws to say that we're going to empty all committees and do a new election? Or is it acceptable for the unit just to manage that without it being in the bylaws?

**REPLY** (Dr. Sarah Robertson): The intent of the School of Nursing was that when the new bylaws would be approved, we would empty the committees that we have and vote to slate everyone.

**REPLY** (Detmering): That is definitely a procedural question as opposed to something that would be specified in the bylaws. It would be up to the School of Nursing to determine how to enact their bylaws once they are approved.

The School of Nursing’s bylaw revisions were approved.

- **REVISED BYLAWS – SPEED SCHOOL**

Senator Detmering reported that the Speed School revised bylaws were not as extensive as the School of Nursing’s. These revisions included changes to committee structures, the addition of a method for facilitating electronic voting and online meetings, and other changes. The committee made suggestions and revisions were made where possible. The REDBOOK Committee felt that it was fine to move the document forward for approval.

As there was no discussion, the Speed School’s bylaw revisions were approved.

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## **ACTION ITEM: ACADEMIC PROGRAMS – CERTIFICATE PROPOSALS – BRUCE**

Dr. Reginald Bruce, Chair of the Academic Programs Committee presented the two new proposals. These are both certificate proposals from Arts and Sciences. One is a graduate certificate in Health Care Ethics and the second is an undergraduate certificate in Ethics.

- **GRADUATE CERTIFICATE PROPOSAL - Health Care Ethics (linked above)**

The graduate certificate provides post graduate professional students with rigorous training in health care ethics. It utilizes existing courses and faculty. The APC made some recommendations that were made to the proposal. The Planning & Budget Committee reviewed the proposed budget and found nothing negative. Dr. Avery Kolers explained that it is a fifteen-hour certificate based on courses that already exist. The hope is that students would complete the certificate and become interested in pursuing the master's degree.

The vote to approve the Graduate Certificate in Health Care Ethics passed unanimously.

- **UNDERGRADUATE CERTIFICATE PROPOSAL – Ethics (linked above)**

Similar to the graduate certificate, this program has a broader focus. The committee made some recommendations that were added to the proposal. The Planning & Budget Committee reviewed the proposal's budget and came back with a positive report.

There was no discussion and the proposal was approved.

## **UPDATE: HUMAN RESOURCES – MILES**

Vice Provost for Human Resources, Ms. Mary Elizabeth Miles reported on several topics.

**Benefits** - We are in the process of finalizing that, so we do not know what the rates are at this point.

We are working on that and will be getting back with you as soon as we have that information.

**FSA Changes**- There have been two changes as it relates to FSA.

- **FSA Rollover** - The federal government allowed us to choose to rollover 2020 funds into 2021 and 2021 funds into 2022. You can see what funds you have during this year's open enrollment.
- **FSA and Dependent Care** – The amount for dependent care has been increased to \$10,500.

**Retirement** –We want to be fiscally responsible and make sure that we can give our employees the options to do the things that they think are best for themselves and their families, as it relates to retirement. To do this in the best way possible, the university has hired a financial advisor. We want to look at best practices and at how our employees are using our current retirement offerings. Discussions with the financial advisor will begin in late June or July.

**Wellness Program** – We are looking at wellness in a new way. It is more than filling out an assessment once a year to get the \$40 subsidy. The disease management programs we have (COPD, diabetes, hypertension, etc.) will be expanded to include a health advocate. This is a trained professional who can assist employees with an Explanation of Benefits (EOB), setting up medical appointments, finding a new physician, advising on the transition to retirement and Medicare and many other issues. To access the \$40 subsidy, employees will receive points for wellness-centered activities. For example, filling out the assessment is 200 points. Getting the Covid vaccination is 200 points. An annual physical is 200 points. Activities can be tracked from a FitBit or Garmin system and points can be earned that way. A total of 480 points is what generates the \$40 subsidy. There will be sessions available that speak to financial wellness and other topics offered throughout the year. The hope is to start thinking of wellness more than once a year.

**Question:** I work out and do my annual physicals. Is there the way I could just say I've done it and get my points? I don't want to have to report to someone.

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**Reply:** It's all self-disclosure. On the website there is a list of activities. You can check off what you have done, and points will be awarded.

**Question:** Can I ask about employee retention? We have a high rate of turnover because we cannot give people raises. We have a really good unit business manager. We cannot give him a raise because we are told HR will not allow it. So, we thought we could give him some of our division funds. Again, we were told HR will not allow it. Many employees learn their job at UofL then go to Norton or Baptist for more money.

**Reply:** This may be an in-range or reclassification. But, first, those requests have to be approved by the HSC finance office. If it doesn't pass through them, we do not see it. Also, we are in the midst of a compensation study, so all reclassifications were put on hold. If there is an employee that you are afraid will leave, we can have that conversation offline.

**Question:** Will the personal coaching still be available with the new vendor?

**Reply:** Yes, it will.

## **DISCUSSION: FACULTY ACCOUNTABILITY POLICY - SCHULTZ**

Chair Schultz reminded senators that the policy was initiated out of the Provost's Office more than two years ago. A committee that included faculty members was assigned to help develop the policy. The output of that committee was sent to the Faculty Senate Executive Committee several times and to both the Commission on Diversity and Racial Equality and the Commission on the Status of Women, for their feedback. That document ultimately came to the Faculty Senate last month. An additional month was given to get broader faculty input by asking senators to get feedback from their units.

The following paragraph is a summary of the feedback received. After a discussion, it will be voted on for endorsement.

*The Faculty Senate appreciates the opportunity to provide input to develop the Faculty Accountability Policy. We request a modest delay in finalizing and implementing this policy until the faculty concerns indicated in the marked-up version of the Faculty Accountability Policy which is attached are addressed. Further, we ask that the Provost Office work with the Faculty Senate Executive Committee to ensure the expressed faculty concerns have been adequately addressed prior to presenting a revised version of the policy for consideration by the Faculty Senate in the upcoming meeting, either June or July.*

Chair Schultz then shared a screen with the marked-up version of the policy. Comments were grouped in common themes. The edits are a result of summarizing the broad faculty feedback from across units. The chair read through many of the areas that are problematic and the suggested revisions that were made. After reading the suggested revisions, there were no questions. Returning to the paragraph (above), the chair asked for a motion to vote on endorsing the statement. A motion was made and seconded. A discussion followed.

**Question:** Why hasn't this statement been remanded to The REDBOOK Committee for a more extensive review?

**Reply:** We have had The REDBOOK Committee weigh in on this, but it is not an academic policy and, therefore, is outside that committee's jurisdiction.

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**Comment:** I suggest this important policy be considered in the new academic year, in August or September, instead of June or July.

**Reply (Eells):** This has been going on for over two years with faculty involvement from the start. We have gotten feedback from hundreds of people and many committees. The suggested revisions will be implemented. I don't know what benefit there is in delaying the policy.

**Comment:** Though this is a very important policy that started two years ago, many people are just now hearing about it. I think an extra two months seems like the right thing to do. Just because people have worked on it for two years is not compelling enough to push it through.

**Comment:** As a friendly amendment, I suggest deleting the word *modest*.

**Comment:** As a general comment, I understand the objections being raised, but at this point I think we should ask what we consider an appropriate vetting process for any policy of this nature. This has been extensively vetted in a variety of ways.

**Comment:** The thought was that this could be a policy that could be voted on by the entire faculty assembly and the question is would it pass? Vetting is one thing, gaining consensus is another. I think this is a policy that is so important then it probably should gain full consensus. I'm not sure that we're there yet. I think with all of David's recommendations incorporated we might get there, but we're not there yet. And until a consensus has been achieved, I think it's all premature, so I would like to see the process continue.

**Comment:** I have to agree. I find it concerning that this document has been so widely vetted through all of these committees and yet this body finds so many controversial statements that could be used negatively against us. This is an extremely important document and given that all of the units have different versions, it is really important to get this right.

**Comment:** I would like to address a couple of things. The process is ongoing with the current motion. The document will return to the Executive Committee and then to the full Senate for consideration. There has been plenty of opportunity for feedback and the provost's office has acted in good faith and been accommodating by incorporating the various suggestions. I'm not sure what would change if we held out for more time.

**Comment:** I don't think anybody is questioning the goodwill of the body who put this together or who processes through all the stages. But the very fact we're having this conversation, the very fact that there's so much controversy over this simply means that people would feel more comfortable with a bit more time to process something they feel needs more work. I think removing *modest* and *June or July* and end it at *upcoming meeting* will work and people won't feel strong armed to pushing this through in the summer.

A motion to strike the words *modest* and *June or July* was made and seconded. The motion passed. Voting will take place online and the link will be sent to the Faculty Senate list serve. Voting will be open until 6 p.m. this evening.

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## **REPORT: EVPRI – GARDNER**

Dr. Gardner reported on several topics.

**Regional Research Hub** – The Endless Frontier Act is one of the things we are working closely on with our congressional delegation and the University Kentucky to go after federal funds for a regional technology hub. It is about \$1 billion opportunity, so we're working really hard trying to position us well for that.

**Earmark Requests** - This week we invited Senator McConnell and Congressman Yarmouth and others to visit the facility. The facility played an important role in Covid response, which is its intended use. It was a good opportunity to highlight those facilities and work on various types of appropriations.

**Core Facilities** – We have been reviewing UofL's core research facilities. Historically, these have not enjoyed any kind of organization or centralized support. They have grown up on their own through grants and trying to make ends meet. Running a core facility is a huge challenge even with central support. An internal committee was formed that has been working on studying our existing facilities and challenges. In May, we will be bringing in directors of other university instrumentation core facilities to make recommendations.

**Intellectual Property Policy** – Some faculty senators and others have been engaged with revising the policy. There is no set deadline, but it will come to you for input, most likely in the fall.

**Business Process Improvements** – We have been working on more efficient processes for contracting with business and industry. We have simplified UP and contracting terms. Business and industry are not the federal government, so sometimes contract negotiations with UofL are not easy. We want business and industry to think that we are easy to do business with, so we are working on some back-office things to help with that.

**Streamlining Research** – Researchers often complain that they cannot buy the equipment they need or hire the person they want. There is a lot of work to do to improve these inefficiencies. We just kicked off the new Electronic Research Administration (ERA) system. We are looking to streamline as much as possible to take the administrative burden off researchers.

## **REPORTS: STANDING COMMITTEES**

- **ACADEMIC PROGRAMS – BRUCE**
  - Next month the committee will be reviewing three program closures and bring a recommendation to the full Senate at the June meeting. The rest of the report is linked above.
- **COMMITTEE ON COMMITTEES & CREDENTIALS – JEMIAN**
  - Voting is open until 6 p.m. tonight.
- **EXECUTIVE COMMITTEE – MUELLER**
  - The report is linked above.
- **PART-TIME FACULTY - FULLER**
  - No report was made.
- **PLANNING & BUDGET – HARRIS**
  - This report is linked above.
- **REDBOOK & BYLAWS – DETMERING**
  - This report is linked above.

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## OTHER REPORTS

- **AAUP REPRESENTATIVE – CUNNINGHAM**
  - The AAUP would like to thank the Senate leaders for their help on this faculty accountability issue. We are moving into other subsidiary issues along these lines with the hope of moving forward with a problem-solving framework for the University.
  
- **CODRE REPRESENTATIVE - HARRIS**
  - Appointed by the president, Dr. Muriel Harris is the chair of CODRE. Currently, she is in the process of reorganizing CODRE in terms of committee structure to better interact with Faculty Senate, Staff Senate, and so forth.
  
- **[COSW REPRESENTATIVE](#) - NASRAOUI**
  - This report is linked above.
  
- **[FACULTY ATHLETIC REPRESENTATIVE \(FAR\)](#) - WALLACE-BOAZ**
  - This report is linked above.

**OLD BUSINESS**

**NEW BUSINESS**

**ANNOUNCEMENTS**

**ADJOURNMENT**

The meeting adjourned at 4:57 p.m.

Respectfully submitted,  
Gretchen Henry  
Faculty Senate Coordinator