

MINUTES OF THE UNIVERSITY SENATE, DECEMBER 10, 1984

The University Senate met in regular session at 3:00 p.m., Monday, December 10, 1984, in Room 106 of the Classroom Building.

Robert Bostrom, Chairman of the Senate Council, presided.

Members absent: James Applegate, Charles E. Barnhart, Jack C. Blanton, James A. Boling*, Peter P. Bosomworth*, Ray M. Bowen*, Daniel J. Breazeale*, Thomas D. Brower, Stanley D. Brunn*, Ching Chow*, Henry Cole*, George F. Crewe*, Marcus Dillon, Richard C. Domek, Jr.*, Herbert Drennon, Nancy E. Dye*, Paul M. Eakin, Anthony Eardley, William Ecton, Charles W. Ellinger, Donald G. Ely*, Charles H. Fay, Gerald Ferretti*, Ray Forgue*, Wilbur Frye*, Richard W. Furst, Art Gallaher, Jr., Lester Goldstein*, Andrew J. Grimes, Gina Hall, Lawrence Harris, Leonard Heller, Robert W. Hemken, Raymond Hornback, Alfred S. L. Hu*, Chuck Huffman, Keith Johnson*, John J. Just, James O. King, Laura L. Ladd, James R. Lang, Robert Lawson, Beth Lewis, David Lowery, Edgar Maddox, Paul Mandelstam*, Kenneth E. Marino, Sally S. Mattingly*, Martin J. McMahon, Jr., H. Brinton Milward, Kevin D. Moore*, Steven Nicholson, Robert C. Nobel, Clayton Omvig*, Merrill Packer*, Bobby C. Pass*, Leonard K. Peters, Janet Pisaneschi, Robin D. Powell, Madhira D. Ram*, Frank J. Rizzo*, Thomas C. Robinson, Gerald A. Rosenthal, Charles Sachatello*, Edgar Sagan, Timothy Sineath, Otis A. Singletary*, John C. Snider, Marcia Stanhope*, Tom Stephens, Elizabeth Taylor*, Kenneth Thompson, Marc J. Wallace, O'Neil Weeks, Charles T. Wethington, Carolyn Williams*

The Minutes of the Meeting of November 12, 1984, were approved as circulated.

The Chairman made the following remarks:

"The first announcement is that Martha Ferguson is no longer Martha Ferguson. As of November 24 she is Martha Sutton. Congratulations and best wishes of all the senate, I am sure, go with her and we are so pleased.

The Senate Council is currently studying proposed relaxation of the rules concerning faculty members being candidates for advanced degrees. A letter has been circulated to all department chairmen. One of the things the Senate Council is very interested in is whether or not there exists on the University campus a large number of persons for which this would make a big difference. Any information that the senate members can furnish the Senate Council would be most appreciated. You might relay that to your chairmen and direct it to the Senate Office. We might get some early action on that.

The Search Committee for the ombudsman has not yet been complete, although we do know that Dr. Kemp is the chairperson and Dr. Bradley Canon will be a member. As soon as the other members are appointed, we will get underway with the search for an ombudsman. Dr. Kemp has sent around a circular asking for nominations. Please put your mind to that.

Also, a reminder there will be no meeting in January. As you know, the semester does not begin in time to allow a meeting. The next meeting will be in February.

If you did not get a lovely invitation in the mail, please let me point out that tomorrow afternoon at the Helen G. King Alumni House will be the annual end of the semester social of the University Senate. The President will be there and we hope you and your spouse will come over and celebrate the end of the semester in style."

Chairman Bostrom recognized Professor Bradley Canon, Secretary of the Senate Council, for a motion on the first action item on the agenda. Professor Canon, on behalf of the Senate Council, recommended approval of the proposed change in University Senate Rules, Section II, 1.2, Timing of Semesters. The proposal was circulated to members of the senate under date of November 30, 1984. Professor Canon asked the senators to make a change on the circulated proposed change that under a. Fall Semester, line three, September 3 and 4 should be underlined and would read September 3, 4, 5, 6, 7, . . .

Professor Malcolm Jewell, Chairman of the Subcommittee studying the calendar change, was recognized to explain the rule change. Dr. Jewell's remarks follow:

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"The basic problem we face is trying to crowd a full semester into the period from the end of the summer until the beginning of Christmas vacation. We have to start earlier in the summer than we want to, or finish later in December than most of us want to. That has always been a problem. What we have done for years is that when Labor Day falls on September 5, 6 or 7 we start the Wednesday before Labor Day. What we are proposing to deal with this problem is to start a week earlier when Labor Day falls on September 3 or 4. In a sense the problem is Saturday but the problem really is that the semester runs too late in the years when Labor Day falls on the third or fourth. If we did not have Saturday exams, we would be having exams as late as December 21 or 22. In order to cope with that problem, we have been cheating a little bit by starting exams on Saturday using Friday as no classes for a study day. Nobody likes that solution. This year we decided to see if there was any way to deal with the problem. We immediately rejected the idea of shortening the length of the semester which would run into the problem of accreditation. The only solution obviously is to start the semester early. The committee discussed the possibility that in those two years out of seven when we have Saturday exams to start on Monday. It doesn't get us out of exams much earlier and it would involve problems at the beginning of school with the dorms opening on the weekends. We decided the only way to cope with this problem was to start classes a full week early. When we do this we are getting out in those years a full week early. The rule we are proposing does not explicitly deal with what happens the Spring Semester following that

Fall Semester. The rules now provide for a gap of approximately twenty-three days between the end of exams and the beginning of the following semester. We did propose that this continue and that the Spring Semester would start a week earlier in those years when the Fall Semester is starting earlier. There seemed no point in stretching out the Christmas break in those two years out of seven. I want to make it clear that although the proposal does not explicitly address the Spring Semester, it is proposed in the calendar to begin the Spring Semester a week early in those years."

The floor was opened for questions and discussion.

Professor Thrailkill asked if the calendar on the last page of the proposal was the present one or the proposed new calendar. Professor Jewell responded it was the present one, but the dates at the bottom of page 2 would substitute for the calendar that is on page 3 for those years. The calendar on page 3 was simply copied from the Minutes of the Senate in 1976 which described what is now the status quo. By pushing things so late he felt a situation had been created which increased the possibility of pressure from faculty and students to schedule the exams the last week of classes. Dean Royster wanted to know if there were any number of days required to have classes. Professor Jewell's understanding was some colleges have that problem so the committee worked under the assumption of not tinkering with the days. The committee's mandate was a limited one and they did not take a look at the whole calendar. He said probably the only realistic way was to start earlier in the summer.

The Chairman said the motion was from the Senate Council and required no second. The floor was opened for debate on the motion.

Professor Weil's personal prejudice was that he liked the time in January because it was valuable for research. Professor Jewell said the point was there was no logic in deciding for two years out of seven to add an extra week to the Christmas break. That would be the consequence if the Spring Semester was not moved up a week.

Dean Royster wanted to know if anyone had looked into whether the professional societies had changed their winter meetings to fit our calendar. Professor Weil said that the American Physical Society customarily holds its spring meeting the last week before final exams and that meeting would go into the final exam week which would make it impossible to attend.

The Chairman said the motion was obviously amendable. The implication was that the Spring Semester would continue to fall approximately 23 days after the close of the Fall Semester. He added that if the senate accepted the motion the Spring Semester would be moved forward approximately seven days.

Professor Harris wanted to know if it would pose any problems by moving graduation up a week. He proposed an amendment to leave the Spring Semester alone. The Chairman said the rule would have to be amended that on those particular weeks the Spring Semester would start approximately 28 or 29 days after the close of the Fall Semester.

The Chairman said that George Dexter from the Office of the Registrar had pointed out another potential problem by delaying the start of the second

semester and that is having enough time for both summer sessions. Mr. Dexter said under the proposed calendar Summer School would start on the 4th. The following year would be an earlier time. Now we are beginning the Eight Week Term the day following the Four Week whether it's a Thursday, Wednesday or whatever. He felt the years they follow one another was the only potential for problem and that would have to be worked out.

Professor Thrailkill was against the amendment and would like to see rather than three and one-half weeks, four and one-half weeks and also get out earlier in the Spring. He said the calendar might be changed to give four and one-half weeks every Christmas. Students like getting out early in the Spring so they can get the summer jobs. He didn't see any reason for taking two out of seven years and getting a longer Christmas break.

Student Government President, Tim Freudenberg, spoke against the amendment. He said the students preferred having the extra week at the beginning of summer rather than between the semesters as the time is too short to get a job or do much constructive work. Another student said this was just two years out of seven, and it seemed to him that any disruption should be minimized as much as possible. He added if students were going to be given an extra week, the week in summer would be appreciated more.

The Chairman said the gist of the amendment was that in those years when the alteration took place instead of the twenty-three days the number would be thirty days.

Professor Hasan moved to recommit the motion and amendment to the Senate Council. The motion was seconded. Professor Jewell's understanding was that the motion was not to take a fresh look at the spring but to refer the entire proposal back to the committee for an entire review of the whole calendar. The Chairman said that was the intent and Professor Jewell suggested appointing a different committee.

Professor Kemp said the proposal had a good study by the sub-committee of the Senate Council and he felt it was a waste of time to return it to the committee. Professor Canon seconded Professor Kemp's remarks and said he did not know what it was the senate wanted the committee to study that had not already been done.

The previous question was moved and seconded.

The motion to recommit the proposal and amendment to the Senate Council was defeated.

Dean Royster raised the point that there seemed to be a great deal of discussion about carrying out the professional and undergraduate programs at the University but not much consideration to the graduate programs. He said there was a disadvantage of having the Spring Semester end early with scheduling and exams for people who were receiving their Ph.D. degrees. Professor Ivey said there were the same number of days in the semester.

The motion to change the timing of the Fall Semester failed.

The motion on the proposal which was presented by the Senate Council passed unanimously and reads as follows:

Proposal: (underlined portion new; delete bracketed portion)

1.2 Timing of Semesters

a. Fall Semester

When Labor Day falls on September 1[,] or 2[, 3, or 4,] classes will start on the Wednesday before Labor Day. When Labor Day falls on September 3, 4, 5, 6, or 7, classes will start on the Wednesday 12 days before Labor Day. The last day of classes will be on a Friday. [except on years when Labor Day is September 3 or 4, when the last class day will be a Thursday.] Examinations will run for 5 days, [normally] Monday through Friday.

Rationale:

The University operates under a long-term calendar policy, adopted by the Senate in 1976. There has been criticism of the fact that this year the schedule provides for final examinations on Saturday.

The attached table, taken from the minutes of the Senate meeting when the policy was adopted, shows when classes begin and end, and when exams are scheduled, for each possible calendar year (with Labor Day occurring from September 1 through 7).

The problem is to finish final exams at least a few days before Christmas without beginning classes unreasonably early in August. We have followed a practice of starting classes on a Wednesday, with Monday and Tuesday being used for late registration and add-drop. When Labor Day comes early enough (September 1-4) classes begin the Wednesday before Labor Day. When Labor Day is later (September 5-7), we start classes a week earlier (12 days before Labor Day instead of 5 days before). The last day of final exams ranges from December 16-21.

The normal policy for final exams (fall and spring) is to finish classes on a Friday, schedule nothing on the weekend (counting Saturday as the dead day) and run exams on the following Monday through Friday. As the table shows, Saturday exams only occur in the fall (not the spring), and only on the two years in the cycle when classes begin at the latest time: August 29 and 30. In those years classes end on Thursday; Friday is the dead day; and exams are held on Saturday and then Monday through Thursday. If the normal Monday-Friday final exam schedules were followed in those years, the last day of finals would be December 21 and 22. (For example, this year students would be taking examinations on Friday, immediately before the four-day Christmas week-

end.) The purpose and result of the Saturday exams is to move up the date of the last final by one day in the years when it would be latest.

Holding final exams on Saturday creates a number of problems for students, which have become evident this year, including giving students only one free day before the first day of finals, instead of a week-end to organize studying for the week of finals.

In revising the schedule for years when we now have Saturday classes, we should follow several principles:

1. Avoid scheduling final exams on Saturday, for the reasons stated above.
2. Avoid shortening the number of class days, because of the variety of problems that might result, including accrediting difficulties.
3. Avoid moving the date of the last final exam to any later time. Late final exams create genuine problems for students wanting to spend the Christmas holidays with their families, particularly those traveling by plane. They also force faculty and the staff of the Registrar's office to handle exams and grades very late, even literally on Christmas Eve. Moreover the later we schedule final exams, the greater temptation there will be for faculty to hold their exams in the last few days of classes rather than at the scheduled time.

The Senate Council recommends that in the two cycles when Saturday exams are scheduled, classes begin a week earlier. The schedule in those years would be as follows:

Year:	Labor Day	1st Class Day	Last Class Day	Final Exams
84/90	S-3	W-Aug. 22	F-Dec. 7	D-10 - D-14 (M-F)
89	S-4	W-Aug. 23	F-Dec. 8	D-11 - D-15 (M-F)

The obvious disadvantage of this is that we would be starting earlier in August, cutting into possible vacation time. The obvious advantage is that we would not be crowding into Christmas vacation; thus we might reduce the pressure to hold exams earlier than they should be scheduled. Under this plan, in no cycle would any exams be scheduled later than December 20.

Chairman Bostrom recognized Professor Bradley Canon, Secretary of the Senate Council, for a motion. Professor Canon, on behalf of the Senate Council, recommended the proposed change in University Senate Rules, Section I., 2.2.3 Ex Officio Membership. The proposal was circulated to members of the senate under date of December 3, 1984. Professor Canon said the reason for the proposal was that it was a good idea to have the Director of the Honors Program as an ex officio member because a great deal of the senate's actions concerned the

Honors Program. The Chairman pointed out that in the second sentence of the proposal the word System should be deleted. He also said the senate was not the final word on the motion. If approved, the proposal would be sent to the Administration for study and recommended to the Board of Trustees.

Professor Altenkirch wanted to know why the proposal mentioned vice presidents. The Chairman said there were still a few. Dr. Sears said in the version that would be acted upon by the Board the word other would be eliminated, but there are still two vice presidents.

The proposal concerning membership of the Director of the Honors Program passed unanimously and reads as follows:

Proposal: (underlined portion new)

I. 2.2.3 Ex Officio Membership

Non-Voting:

The ex officio non-voting membership shall include the President, all vice presidents, University Registrar, Dean of University Extension, Dean of Students, Professor of Military Science, Professor Aerospace Studies, and if they are not already elected members of the Senate, the University System faculty members of the Board of Trustees, the Academic Ombudsman, the Director of the Honors Program, and the chairmen of the University Senate Committees, including University Senate Advisory Committees. All officials mentioned in the preceding paragraph who are not voting ex officio members in any years shall be considered non-voting ex officio members. Other ex officio non-voting members may be added by the University Senate Council for the purpose of supplying information and viewpoints on problems considered by the Senate. Ex officio non-voting members shall enjoy all privileges of the elected membership except the right to vote. (US: 10/12/81 and BofT: 4/6/82)

Rationale:

The Senate often considers matters relating directly and indirectly to the Honors Program. In addition, the Honors Program has direct and indirect influence on a wide-ranging group of academic policies. The presence of the Director of the Honors Program would be of great benefit to Senate discussions.

Professor Pival was recognized for a report of the Joint Faculty Administration ad hoc Committee on Faculty Alternatives. The report was circulated under date of November 28, 1984 to members of the senate.

Professor Pival's remarks follow:

"The main charge of the committee was to recommend faculty options in two categories. First, those that might be implemented as a permanent part of a benefit package and those that

might be put into effect if the University's financial situation worsens. From the beginning, the committee had to look at options both from the standpoint of making them a permanent part of the benefit package and from what might happen overnight or within a month or two if we had a sudden terrible financial situation. I think the schizoid personality of the committee's charge is reflected somewhat in the report and for that, I apologize.

We recognized early on that there were some special problems in considering early retirement plans at the University of Kentucky which other universities might not have. I would like to outline those because they were not discussed at great length in the report. A large number of faculty members at UK are under the old plan. That means, for you young people who haven't been around here too long, there are a number of people on campus who started on an older plan of retirement and when we changed to TIAA-CREF, these people who were transferred to that still retain certain rights under the old plan. This means that all faculty who reach the age of 65 on or before June 30, 1989, and who currently have twenty years of service still have rights under the minimum benefits provision of the old change of assignment plan. This situation will necessitate a different approach to early retirement for faculty members under that plan from that approach used for people who are only on TIAA-CREF. Those of you who might be interested in how long this is going to go on, it will continue until June 30, 1997 or until all of the people are dead, whichever comes first. Also, these people are in effect captives of the age 65 rule although there may be some possibilities for changing that so they can retire prior to 65. For that reason we decided to develop options primarily designed for faculty members not on the old program but to make the plans broad enough and general enough that early retirement for people on the old plan might be negotiated within their context. For that reason we did not follow the models of some of the retirement plans we got from other universities, which were highly detailed. Instead, we felt it would be better to suggest general plans so that individual situations could be negotiated.

Secondly, the administrative regulations have to be amended to permit early retirement with continued benefits for all except those taking early retirement for medical reasons. Under the present regulations we can retire, as far as TIAA-CREF is concerned, almost anytime. We can retire with almost any kind of condition that we want to. The problem is if we retire from the University early, we, in effect, quit, thus losing the health benefits and TIAA-CREF premiums, etc. that might be accrued if we worked a bit longer. In order to implement any kind of early retirement plans there are going to have to be some changes in the administrative regulations which are pointed out on page six of the report. We did not try to reword these regulations, although we did suggest rewording in some other areas. We simply identified the administrative regulations that would need amendment.

I want to point out that the key word in all of the plans, whether they involve early retirement or whether they involve change of status with the faculty is voluntary. All the plans

recommended must be administered on a voluntary basis. The faculty member has to request such a change or be in agreement with such a change and any early retirement must be negotiated between the retiree and the administration. Because our present regulations really discourage early retirement, we felt we needed to look at that problem first. On page five, number one, that means that a person who started at the University at the age of 28 could retire at age 58 or one who started at 30 could retire at 60 and so forth. In the second one, anybody between the ages of 55 to 65--if we adopted this definition and set up plans to follow this definition--could retire after ten years of service at the University.

To summarize, under plan A the main reason we have 62 as the lower limit is that to make it any lower than 62 would be much more costly to the University and would make it impossible to implement the plan at all. We wanted a plan that could be implemented almost immediately. Plan A could be used as a long-term part of the benefit package or in times when the University has to phase out a program or department and has to do something about the faculty members. The difference between this and what we now have is that the TIAA-CREF premiums would continue until age 65 along with health and life insurance benefits.

The second plan, which would require long-range financial planning both on the part of the University and the faculty member, could apply to retirement at the age of 55. Under this plan, our recommendation is that TIAA-CREF premiums would continue at the rate of the retirement year and the health benefits would continue until age 65.

Under the third one, phased retirement plans, one could retire a little at a time. In part-time retirement, the faculty member would be given the option of working half or quarter time on a half or quarter time salary and using the retirement annuity to make up the difference. One advantage of this would be that the retiree would then continue to get the benefit of the cost-of-living raise and the subsequent benefit from the TIAA-CREF premiums.

Secondly, another option we felt might be offered is guaranteed extra assignments. Guaranteed may be a strong word. The retiree would have to realize that this option would have to be contracted on an individual basis, depending upon departmental or college needs. We couldn't envision a situation in which there would be guaranteed extra assignments if the department was being phased out or if they were hiring no part-time teachers that semester. Thus, this option could not be available to everyone who might request it.

Also, retirement research is not feasible for everyone--only for those people who were able to obtain research grants. In some years the University might not have available facilities.

None of these proposals are set in stone and will have to be kept flexible. The committee tried not to make any proposals or recom-

mentation that could be used in the future in an abusive way against the faculty."

The floor was opened for questions and discussion.

Professor McEllistrem's understanding was if faculty members retired after sixty-five, they could use grants from the University. Professor Pival said that was right, and the reason the committee developed the benefit was it was already available and the committee was recommending expanding those options. Professor McEllistrem wanted to know if the retirement options could operate between the age of 65 and 70 as well as between 62 and 65. Professor Pival felt the question was good and said the committee in making their report had to operate on the assumption that 65 is the "normal" retirement age. She felt the committee would have to be careful in making any kind of final determination.

Professor Weil wanted to know if A and B were identical except for the age which one would retire. Professor Pival said they were much the same except for the difference in age and in Plan A of receiving a lump sum annuity. A disadvantage is that the retiree is penalized by losing the normal increase in TIAA-CREF premiums and the accrued interest on those payments.

Dean Baer said the reference was on accrued interest on increments the faculty member would have received during the next three years had they not retired.

Professor Thrailkill said TIAA was generally happy to start paying annuities immediately upon retiring because if a retiree activated annuities at 62, one might get eighty-five to ninety percent of what the amount would be at sixty-five. He wondered about a reduction and if the University could do something to supplement the TIAA reduced annuity. Bruce Miller from University Personnel said that if a person retired at 64, he/she would draw ten to twelve percent less or if the retiree waited until 66 the annuity would be ten to twelve percent more.

Professor Pival felt what the committee tried to do was recommend plans that would be feasible to the University and under present economic problems the committee could not ask for substantial reimbursement. She thought if a faculty member took early retirement they would have to take the losses. The committee tried to minimize the losses as much as possible.

Professor Rea said several years ago one of the proposals on the part of the University was based on the fact that most people retiring were full professors. Therefore, if three professors retired, two assistant professors might be hired to teach the same amount of courses with less salary. Professor Pival felt this was true, but the situation now is the University wants to retire people for economic reasons.

Dean Baer, in response to Professor Rea's comments, felt in a large part that was why the phase plan was written as a third option for faculty members who wanted to "have their cake and eat it too." Many times the retired professors might not draw on their pension until age 65. Professor Pival felt one of the great things about the possibility of early retirement was the tremendous flexibility and each one could almost design his/her own retirement plan. Professor Jewell's understanding was that the committee was dealing primarily with faculty younger than 60. He said it seemed to him if the proposal was to

be adopted by the senate as a recommendation to the administration, it ought to be made clear that such a proposal includes the idea of phased retirement plan between 65 and 70. He said the University faces some serious problems if a lot of faculty members were to continue to teach until 70 at full-time. He said it would save financially and some of the people should not be teaching full-time.

Professor Pival did not see any reason why the committee could not amend the report to take that into account. She said the report was not in its final stage because there were certain amendments to be made from the administration.

Professor Weil wanted to know what "adjustment retirement pension annuity" meant. Professor Pival said if one wanted to go on phased retirement and continue teaching half time, then the University would pay for half of the salary. The faculty member would decide what he/she wanted to take out of the retirement annuity to make up the difference. Professor Thrailkill wanted to know if that would be possible with TIAA-CREF to take out any amount. Professor Pival said they had checked that out before making the final report. Mr. Miller said each retirement contract which a faculty member had TIAA would allow them to partially activate that contract to whatever extent the faculty member desired. He added that TIAA was advocating that retirees not activate more of their annuity than they needed so that the balance would continue to accrue interest and therefore would enhance their ultimate benefit down the road.

Professor Weil wanted to know if fringe benefits meant health and life insurance only and not retirement. "For instance, would any of the half-time salary go into TIAA," he asked. Mr. Miller said that was something which could be agreed upon one way or another. Dr. Sears said the University would not make a contribution after age 65. Professor Pival said that was a point which needed to be clarified, and the committee would work on it before the senate took a vote.

There were no further questions, and the meeting adjourned at 4:25 p.m.

George M. Dexter
Secretary to the Senate

UNIVERSITY OF KENTUCKY

LEXINGTON, KENTUCKY 40506-0032

UNIVERSITY SENATE COUNCIL
10 ADMINISTRATION BUILDING

3 December 1984

TO: Members, University Senate

The University Senate will meet in regular session on Monday,
December 10, 1984 at 3:00 p.m. in room 106, Classroom Building.

AGENDA:

1. Minutes of 12 November 1984.
2. Chairman's Announcements.
3. Resolutions.
4. ACTION ITEMS:
 - a. Proposed change in University Senate Rules, Section II,
1.2, Timing of Semesters (circulated under date of 30
November 1984).
 - b. Proposed change in University Senate Rules, Section I.,
2.2.3 Ex Officio Membership (circulated under date of 3
December 1984).
 - c. FOR DISCUSSION ONLY: Report of the Joint
Faculty-Administration ad hoc Committee on Faculty
Alternatives (circulated under date of 29 November 1984).

George Dexter
Secretary

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MINUTES OF THE UNIVERSITY SENATE, DECEMBER 10, 1984

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Also, a reminder there will be no meeting in January. As you know, the semester does not begin in time to allow a meeting. The next meeting will be in February.

*Absence explained

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Professor Malcolm Jewell, Chairman of the Sub-committee studying the calendar change, was recognized to explain the rule change.

Professor Jewell's remarks follow:

"The basic problem we face is trying to crowd a full semester into the period from the end of the summer until the beginning of Christmas vacation. We have to start earlier in the summer than we want to, or finish later in December than most of us want to. That has always been a problem. What we have done for years is that when Labor Day falls on September 5, 6 or 7 we start the Wednesday before Labor Day. What we are proposing to deal with this problem is to start a week earlier when Labor Day falls on September 3 or 4. In a sense the problem is Saturday but the problem really is that the semester runs too late in the years when Labor Day falls on the third or fourth. If we did not have Saturday exams, we would be having exams as late as December 21 or 22. In order to cope with that problem, we have been cheating a little bit by starting exams on Saturday using Friday as no classes for a study day. Nobody likes that solution. This year we decided to see if there was any way to deal with the problem. We immediately rejected the idea of shortening the length of the semester which would run into the problem of accreditation. The only solution obviously is to start the semester early. The committee discussed the possibility that in those two years out of seven when we have Saturday exams to start on Monday. It doesn't get us out of exams much earlier and it would involve problems at the beginning of school with the dorms opening on the weekends. We decided the only way to cope with this problem was to start classes a full week early. When we do this we are getting out in those years a full week early. The rule we are proposing does not explicitly deal with what happens the Spring Semester following that Fall Semester. The rules now provide for a gap of approximately twenty-three days between the end of exams and the beginning of the following semester. We did propose that this continue and that the Spring Semester would start a week earlier in those years when the Fall Semester is starting earlier. There seemed no point in stretching out the Christmas break in those two years out of seven. I want to make it clear that although the proposal does not explicitly address the Spring Semester, it is proposed in the calendar to begin the Spring Semester a week early in those years."

The floor was opened for questions and discussion.

Professor Thrailkill asked if the calendar on the last page of the proposal was the present one or the proposed new calendar. Professor Jewell responded it was the present one, but the dates at the bottom of page 2 would substitute for the calendar that is on page 3 for those years. The calendar on page 3 was simply copied from the Minutes of the Senate in 1976 which described what is now the status quo. By pushing things so late he felt a situation had been created which increased the possibility of pressure from faculty and students to schedule the exams the last week of classes. Dean Royster wanted to know if there were any number of days required to have classes. Professor Jewell's understanding was some colleges have that problem so the committee worked under the assumption of not tinkering with the days. The committee's mandate was a limited one and they did not take a look at the whole calendar. He said probably the only realistic way was to start earlier in the summer.

The Chairman said the motion was from the Senate Council and required no second. The floor was opened for debate on the motion.

Professor Weil's personal prejudice was that he liked the time in January because it was valuable for research. Professor Jewell said the point was there was no logic in deciding for two years out of seven to add an extra week to the Christmas break. That would be the consequence if the Spring Semester was not moved up a week.

Dean Royster wanted to know if anyone had looked into whether the professional societies had changed their winter meetings to fit our calendar. Professor Weil said that the American Physical Society customarily holds its spring meeting the last week before final exams and that meeting would go into the final exam week which would make it impossible to attend.

The Chairman said the motion was obviously amendable. The implication was that the Spring Semester would continue to fall approximately 23 days after the close of the Fall Semester. He added that if the senate accepted the motion the Spring Semester would be moved forward approximately seven days.

Professor Harris wanted to know if it would pose any problems by moving graduation up a week. He proposed an amendment to leave the Spring Semester alone. The Chairman said the rule would have to be amended that on those particular weeks the Spring Semester would start approximately 28 or 29 days after the close of the Fall Semester.

The Chairman said that George Dexter from the Office of the Registrar had pointed out another potential problem by delaying the start of the second semester and that is having enough time for both summer sessions. Mr. Dexter said under the proposed calendar Summer School would start on the 4th. The following year would be an earlier time. Now we are beginning the Eight Week Term the day following the Four Week whether it's a Thursday, Wednesday or whatever. He felt the years they follow one another was the only potential for problem and that would have to be worked out.

Professor Thrailkill was against the amendment and would like to see rather than three and one-half weeks, four and one-half weeks and also get out earlier in the Spring. He said the calendar might be changed to give four and one-half weeks every Christmas. Students like getting out early in the Spring so they can get the summer jobs. He didn't see any reason for taking two out of seven years and getting a longer Christmas break.

Student Government President, Tim Freudenberg, spoke against the amendment. He said the students preferred having the extra week at the beginning of summer rather than be-

tween the semesters as the time is too short to get a job or do much constructive work. Another student said this was just two years out of seven, and it seemed to him that any disruption should be minimized as much as possible. He added if students were going to be given an extra week, the week in summer would be appreciated more.

The Chairman said the gist of the amendment was that in those years when the alteration took place instead of the twenty-three days the number would be thirty days.

Professor Hasan moved to recommit the motion and amendment to the Senate Council. The motion was seconded. Professor Jewell's understanding was that the motion was not to take a fresh look at the spring but to refer the entire proposal back to the committee for an entire review of the whole calendar. The Chairman said that was the intent and Professor Jewell suggested appointing a different committee.

Professor Kemp said the proposal had a good study by the sub-committee of the Senate Council and he felt it was a waste of time to return it to the committee. Professor Canon seconded Professor Kemp's remarks and said he did not know what it was the senate wanted the committee to study that had not already been done.

The previous question was moved and seconded.

The motion to recommit the proposal and amendment to the Senate Council was defeated.

Dean Royster raised the point that there seemed to be a great deal of discussion about carrying out the professional and undergraduate programs at the University but not much consideration to the graduate programs. He said there was a disadvantage of having the Spring Semester end early with scheduling and exams for people who were receiving their Ph.D. degrees. Professor Ivey said there were the same number of days in the semester.

The motion to change the timing of the Fall Semester failed.

The motion on the proposal, which was presented by the Senate Council, passed unanimously and reads as follows:

Proposal: (underlined portion new; delete bracketed portion)

1.2 Timing of Semesters

a. Fall Semester

When Labor Day falls on September 1 [,] or 2[,3, or 4,] classes will start on the Wednesday before Labor Day. When Labor Day falls on September 3, 4, 5, 6, or 7, classes will start on the Wednesday 12 days before Labor Day. The last day of classes will be on a Friday. except on years when Labor Day is September 3 or 4, when the last class day will be a Thursday. Examinations will run for 5 days, [normally] Monday through Friday.

Rationale:

The University operates under a long-term calendar policy, adopted by the Senate in 1976. There has been criticism of

the fact that this year the schedule provides for final examinations on Saturday.

The attached table, taken from the minutes of the Senate meeting when the policy was adopted, shows when classes begin and end, and when exams are scheduled, for each possible calendar year (with Labor Day occurring from September 1 through 7).

The problem is to finish final exams at least a few days before Christmas without beginning classes unreasonably early in August. We have followed a practice of starting classes on a Wednesday, with Monday and Tuesday being used for late registration and add-drop. When Labor Day comes early enough (September 1-4) classes begin the Wednesday before Labor Day. When Labor Day is later (September 5-7), we start classes a week earlier (12 days before Labor Day instead of 5 days before). The last day of final exams ranges from December 16-21.

The normal policy for final exams (fall and spring) is to finish classes on a Friday, schedule nothing on the weekend (counting Saturday as the dead day) and run exams on the following Monday through Friday. As the table shows, Saturday exams only occur in the fall (not the spring), and only on the two years in the cycle when classes begin at the latest time: August 29 and 30. In those years classes end on Thursday; Friday is the dead day; and exams are held on Saturday and then Monday through Thursday. If the normal Monday-Friday final exam schedules were followed in those years, the last day of finals would be December 21 and 22. (For example, this year students would be taking examinations on Friday, immediately before the four-day Christmas weekend.) The purpose and result of the Saturday exams is to move up the date of the last final by one day in the years when it would be latest.

Holding final exams on Saturday creates a number of problems for students, which have become evident this year, including giving students only one free day before the first day of finals, instead of a week-end to organize studying for the week of finals.

In revising the schedule for years when we now have Saturday classes, we should follow several principles:

1. Avoid scheduling final exams on Saturday, for the reasons stated above.
2. Avoid shortening the number of class days, because of the variety of problems that might result, including accrediting difficulties.
3. Avoid moving the date of the last final exam to any later time. Late final exams create genuine problems for students wanting to spend the Christmas holidays with their families, particularly those traveling by

plane. They also force faculty and the staff of the Registrar's office to handle exams and grades very late, even literally on Christmas Eve. Moreover the later we schedule final exams, the greater temptation there will be for faculty to hold their exams in the last few days of classes rather than at the scheduled time.

The Senate Council recommends that in the two cycles when Saturday exams are scheduled, classes begin a week earlier. The schedule in those years would be as follows:

<u>Year:</u>	<u>Labor Day</u>	<u>1st Class Day</u>	<u>Last Class Day</u>	<u>Final Exams</u>
84/90	S-3	W-Aug. 22	F-Dec. 7	D-10 - D-14 (M-F)
89	S-4	W-Aug. 23	F-Dec. 8	D-11 - D-15 (M-F)

The obvious disadvantage of this is that we would be starting earlier in August, cutting into possible vacation time. The obvious advantage is that we would not be crowding into Christmas vacation; thus we might reduce the pressure to hold exams earlier than they should be scheduled. Under this plan, in no cycle would any exams be scheduled later than December 20.

Chairman Bostrom recognized Professor Bradley Canon, Secretary of the Senate Council, for a motion. Professor Canon, on behalf of the Senate Council, recommended the proposed change in University Senate Rules, Section I., 2.2.3 Ex Officio Membership. The proposal was circulated to members of the senate under date of December 3, 1984. Professor Canon said the reason for the proposal was that it was a good idea to have the Director of the Honors Program as an ex officio member because a great deal of the senate's actions concerned the Honors Program. The Chairman pointed out that in the second sentence of the proposal the word System should be deleted. He also said the senate was not the final word on the motion. If approved, the proposal would be sent to the Administration for study and recommended to the Board of Trustees.

Professor Altenkirch wanted to know why the proposal mentioned vice presidents. The Chairman said there were still a few. Dr. Sears said in the version that would be acted upon by the Board the word other would be eliminated, but there are still two vice presidents.

The proposal concerning membership of the Director of the Honors Program passed unanimously and reads as follows:

Proposal: (underlined portion new)

I. 2.2.3 Ex Officio Membership

Non-Voting:

The ex officio non-voting membership shall include the President, all vice presidents, University Registrar, Dean of University Extension, Dean of Students, Professor of Military Science, Professor Aerospace Studies, and if they are not already elected members of the Senate, the University System faculty members of the

Board of Trustees, the Academic Ombudsman, the Director of the Honors Program, and the chairmen of the University Senate Committees, including University Senate Advisory Committees. All officials mentioned in the preceding paragraph who are not voting ex officio members in any years shall be considered non-voting ex officio members. Other ex officio non-voting members may be added by the University Senate Council for the purpose of supplying information and viewpoints on problems considered by the Senate. Ex officio non-voting members shall enjoy all privileges of the elected membership except the right to vote. (US: 10/12/81 and BOFT: 4/6/82)

Rationale:

The Senate often considers matters relating directly and indirectly to the Honors Program. In addition, the Honors Program has direct and indirect influence on a wide-ranging group of academic policies. The presence of the Director of the Honors Program would be of great benefit to Senate discussions.

Professor Pival was recognized for a report of the Joint Faculty-Administration ad hoc Committee on Faculty Alternatives. The report was circulated under date of November 28, 1984 to members of the senate.

Professor Pival's remarks follow:

"The main charge of the committee was to recommend faculty options in two categories. First, those that might be implemented as a permanent part of a benefit package and those that might be put into effect if the University's financial situation worsens. From the beginning, the committee had to look at options both from the standpoint of making them a permanent part of the benefit package and from what might happen overnight or within a month or two if we had a sudden terrible financial situation. I think the schizoid personality of the committee's charge is reflected somewhat in the report and for that, I apologize.

We recognized early on that there were some special problems in considering early retirement plans at the University of Kentucky which other universities might not have. I would like to outline those because they were not discussed at great length in the report. A large number of faculty members at UK are under the old plan. That means, for you young people who haven't been around here too long, there are a number of people on campus who started on an older plan of retirement and when we changed to TIAA-CREF, these people who were transferred to that still retain certain rights under the old plan. This means that all faculty who reach the age of 65 on or before June 30, 1989, and who currently have twenty years of service still have rights under the minimum benefits provision of the old change of assignment plan. This situation will necessitate a different approach to early retirement for faculty members under that plan from that approach used for people who are only on TIAA-CREF. Those of you who might be interested in

how long this is going to go on, it will continue until June 30, 1997 or until all of the people are dead, whichever comes first. Also, these people are in effect captives of the age 65 rule although there may be some possibilities for changing that so they can retire prior to 65. For that reason we decided to develop options primarily designed for faculty members not on the old program but to make the plans broad enough and general enough that early retirement for people on the old plan might be negotiated within their context. For that reason we did not follow the models of some of the retirement plans we got from other universities, which were highly detailed. Instead, we felt it would be better to suggest general plans so that individual situations could be negotiated.

Secondly, the administrative regulations have to be amended to permit early retirement with continued benefits for all except those taking early retirement for medical reasons. Under the present regulations we can retire, as far as TIAA-CREF is concerned, almost anytime. We can retire with almost any kind of condition that we want to. The problem is if we retire from the University early, we, in effect, quit, thus losing the health benefits and TIAA-CREF premiums, etc. that might be accrued if we worked a bit longer. In order to implement any kind of early retirement plans there are going to have to be some changes in the administrative regulations which are pointed out on page six of the report. We did not try to reword these regulations, although we did suggest rewording in some other areas. We simply identified the administrative regulations that would need amendment.

I want to point out that the key word in all of the plans, whether they involve early retirement or whether they involve change of status with the faculty is voluntary. All the plans recommended must be administered on a voluntary basis. The faculty member has to request such a change or be in agreement with such a change and any early retirement must be negotiated between the retiree and the administration. Because our present regulations really discourage early retirement, we felt we needed to look at that problem first. On page five, number one, that means that a person who started at the University at the age of 28 could retire at age 58 or one who started at 30 could retire at 60 and so forth. In the second one, anybody between the ages of 55 to 65--if we adopted this definition and set up plans to follow this definition--could retire after ten years of service at the University.

To summarize, under plan A the main reason we have 62 as the lower limit is that to make it any lower than 62 would be much more costly to the University and would make it impossible to implement the plan at all. We wanted a plan that could be implemented almost immediately. Plan A could be used as a long-term part of the benefit package or in times when the University has to phase out a program or department and has to do something about the faculty members. The difference between this and what we now have is that the TIAA-CREF premiums would continue until age 65 along with health and life insurance benefits.

The second plan, which would require long-range financial planning both on the part of the University and the faculty member, could apply to retirement at the age of 55. Under this plan, our recommendation is that TIAA-CREF premiums would continue at the rate of the retirement year and the health benefits would continue until age 65.

Under the third one, phased retirement plans, one could retire a little at a time. In part-time retirement, the faculty member would be given the option of working half or quarter time on a half or quarter time salary and using the retirement annuity to make up the difference. One advantage of this would be that the retiree would then continue to get the benefit of the cost-of-living raise and the subsequent benefit from the TIAA-CREF premiums.

Secondly, another option we felt might be offered is guaranteed extra assignments. Guaranteed may be a strong word. The retiree would have to realize that this option would have to be contracted on an individual basis, depending upon departmental or college needs. We couldn't envision a situation in which there would be guaranteed extra assignments if the department was being phased out or if they were hiring no part-time teachers that semester. Thus, this option could not be available to everyone who might request it.

Also, retirement research is not feasible for everyone--only for those people who were able to obtain research grants. In some years the University might not have available facilities.

None of these proposals are set in stone and will have to be kept flexible. The committee tried not to make any proposals or recommendation that could be used in the future in an abusive way against the faculty."

The floor was opened for questions and discussion.

Professor McEllistrem's understanding was if faculty members retired after sixty-five, they could use grants from the University. Professor Pival said that was right, and the reason the committee developed the benefit was it was already available and the committee was recommending expanding those options. Professor McEllistrem wanted to know if the retirement options could operate between the age of 65 and 70 as well as between 62 and 65. Professor Pival felt the question was good and said the committee in making their report had to operate on the assumption that 65 is the "normal" retirement age. She felt the committee would have to be careful in making any kind of final determination.

Professor Weil wanted to know if A and B were identical except for the age which one would retire. Professor Pival said they were much the same except for the difference in age and in Plan A of receiving a lump sum annuity. A disadvantage is that the retiree is penalized by losing the normal increase in TIAA-CREF premiums and the accrued interest on those payments.

Dean Baer said the reference was on accrued interest on increments the faculty member would have received during the next three years had they not retired.

Professor Thrailkill said TIAA was generally happy to start paying annuities immediately upon retiring because if a retiree activated annuities at 62, one might get eighty-five to ninety percent of what the amount would be at sixty-five. He wondered about a reduction and if the University could do something to supplement the TIAA reduced annuity. Bruce Miller from University Personnel said that if a person retired at 64, he/she would draw ten to twelve percent less or if the retiree waited until 66 the annuity would be ten to twelve percent more.

Professor Pival felt what the committee tried to do was recommend plans that would be feasible to the University and to present economic problems the committee would not ask for substantial reimbursement. She thought if a faculty member took early retirement they would have to take their losses. The committee tried to minimize the losses as much as possible.

Professor Rea said several years ago one of the proposals on the part of the University was based on the fact that most people retiring were full professors. Therefore, if three professors retired, two assistant professors might be hired to teach the same amount of courses with less salary. Professor Pival felt this was true, but the situation now is the University wants to retire people for economic reasons.

Dean Baer, in response to Professor Rea's comments, felt in a large part that was why the phase plan was written as a third option for faculty members who wanted to "have their cake and eat it too." Many of the retired professors might not draw their pension until age 65. Professor Pival felt one of the great things about the possibility of early retirement was that each one could tremendous flexibility and each one could almost design his/her own retirement plan. Professor Jewell's understanding was that the committee was dealing primarily with faculty younger than 60. He said it seemed to him if the proposal was to be adopted by the senate as a recommendation to the administration, it ought to be made clear that such a proposal includes the idea of phased retirement plan between 65 and 70. He said the University faces some serious problems if a lot of faculty members were to continue to teach until 70 at full-time. He said it would save financially and some of the people should not be teaching full-time.

Professor Pival did not see any reason why the committee could not amend the report to take that into account. She said the re-report was not in its final stage because there were certain amendments to be made in the administration.

Professor Weil wanted to know what "a phased retirement pension annuity" meant. Professor Pival said if one wanted to go on half time, then the University would pay for half of the salary. The faculty member would decide what he/she wanted to take out of the retirement annuity to make up the difference. Professor Thrailkill wanted to know if that would be possible with TIAA-CREF to take out any amount. Professor Pival said they had checked that out before making the final report. Mr. Miller said each retirement contract which a faculty member had TIAA would allow them to partially activate that contract to whatever extent the faculty member desired. He added that TIAA was advocating that retirees activate more of their annuity than they needed so that the balance would continue to accrue interest and therefore would enhance their ultimate benefit down the road.

Professor Weil wanted to know if fringe benefits meant health and life insurance only and not retirement. "For instance, would any of the half-time salary go into TIAA," he asked. Mr. Miller said that was something which could be agreed upon one

way or another. Dr. Sears said the University would not make a contribution after age 65. Professor Pival said that was a point which needed to be clarified, and the committee would work on it before the senate took a vote.

There were no further questions, and the meeting adjourned at 4:25 p.m.

George M. Dexter
Secretary to the Senate

UNIVERSITY OF KENTUCKY

LEXINGTON, KENTUCKY 40506-0032

UNIVERSITY SENATE COUNCIL
10 ADMINISTRATION BUILDING

29 November 1984

TO: Members, University Senate

FROM: University Senate Council

RE: AGENDA ITEM: University Senate Meeting, Monday, December 10, 1984. FOR DISCUSSION ONLY. Report of the Joint Faculty-Administration ad hoc Committee on Faculty Alternatives.

At the 10 December Senate meeting, we will open discussion on the Report of the Joint Faculty-Administration ad hoc Committee on Faculty Alternatives--"Pival Report" (see attached). Please note that our discussion will be confined to Part I of that report.

Professor Pival will be present to answer questions from the floor. All members of the Committee have been invited to attend and will do so, schedules permitting.

Attachment

/cet

0255C

REPORT
OF THE AD HOC COMMITTEE
ON FACULTY ALTERNATIVES

University of Kentucky
September 10, 1984

Jean G. Pival, Chair
Michael Baer
Joseph Burch
A.J. Hiatt
David Lowery
Joan E. McCauley
G. Bruce Miller
Miroslava N. Winer

ABSTRACT

After studying a variety of severance, early retirement, and faculty development plans, the Ad Hoc Committee on Faculty Alternatives elected to include in its report only those options most applicable to the University of Kentucky situation. Some of our suggested plans are intended exclusively for fiscal emergencies; others could become permanent additions to the benefit package.

Three types of early retirement plans are presented in the report: 1) Early retirement with lump sum annuities and continued fringe benefits; 2) early retirement with benefit incentives; and 3) phased retirement plans.

A second area studied by the Committee involved ways to expand faculty options other than by termination or retirement. The plans outlined in this report offer faculty members an opportunity to shift professional interests in mid-career, either because of the individual's desire to pursue a new field or because an academic unit is eliminated or reduced. Not restricted to emergency periods, these shifts can also be motivated by career burnout, restricted mobility, changing enrollments, or salary limitations. The report includes plans for the reassignment of faculty to other academic units, for shifting faculty to University-based contract work, and for faculty development and renewal.

The Committee suggests two severance options for use in short-term emergencies: 1) emergency early retirement with up to two years severance pay and fringe benefits continued for the first year of the two year agreement; 2) termination of tenured faculty with the added option of receiving one year's severance pay in lieu of the presently stipulated one year's notice. The latter would require a change in Administrative Regulation II-1.0-1, III C.; suggested rewording is included in this report.

Finally, the report contains recommendations for implementing the program suggestions made by the Committee.

The Ad Hoc Committee on Faculty Alternatives was jointly appointed in January 1984 by the Chair of the Senate Council and the President of the University. Stemming from two prior committee reports to the University Senate Council in 1983, both offering recommendations for procedures to deal with possible termination of faculty members in case of fiscal emergency, the Ad Hoc Committee on Faculty Alternatives was given these charges:

1. The major task of the Committee is to identify alternative procedures for utilizing faculty resources and to analyze their administrative feasibility and acceptability to faculty.
2. The Committee should examine the options suggested by the Lowery Committee, and other options that the Committee considers pertinent. It should gather information on the advantages and disadvantages, and the costs of such options. /e
3. The Committee should recommend those options that it considers most desirable and feasible, in two categories:
 - a. Those options that it believes should be implemented.
 - b. Those options that might be put into effect if the university's financial situation worsens.

The Committee began work in January, 1984, splitting into two subcommittees -- one to investigate severance options and early retirement plans; the other to study faculty development and renewal alternatives. As a point of departure, we used the guidelines and recommendations made in the 1983 Senate Council report of the Ad Hoc Committee on Alternatives to Termination in Cases of Fiscal Exigency. We then developed a bibliography and solicited information from other universities, including our own benchmark institutions. (These materials are provided in the Appendix accompanying this report.)

Like the Fiscal Exigency Committee, we found many plans that either were not applicable to the situation at this university or unacceptable to our faculty and/or the administration. This report, then, concentrates on those alternatives that we feel are possible and workable in the University of Kentucky system. Also, the options recommended are limited to those most advantageous to both faculty and administrative needs.

BACKGROUND

Within the last decade, the University of Kentucky, like many other institutions of higher learning in the United States, has suffered serious fiscal shortages on several occasions. In addition, we have experienced the same changes common to other institutions: changing patterns in student mix, declining enrollments, shifting emphases on careers pursued by students, increasing numbers of non-traditional students. As a result, we have found ourselves overstaffed in some areas and woefully understaffed in others, with shrinking financial resources to provide the flexibility of resources needed to meet the demands growing out of these changes.

Because of this financial and academic crisis, we must meet the challenges recognized by other institutions: how to attain adequate flexibility in the allocation of existing faculty; how to find ways of nurturing the intellectual vitality of existing faculty in order to maintain high quality programs; how to create opportunities for training faculty for new academic roles; and how to open avenues of revenue for hiring the new faculty members who are so important a catalyst in maintaining a stimulating intellectual environment.

To meet these challenges, many institutions are implementing a number of career alternatives for faculty. In times of extreme fiscal shortages, some, such as Michigan State University, have been forced to adopt severance options. Others, like the University of California system, the University of Minnesota, and Purdue University have created a number of early retirement plans, designed both to serve as alternatives to termination and as a procedure for providing opportunities for hiring new faculty. In addition to early retirement options, other institutions (the University of Wisconsin, for example), have set up a formal, on-going mechanism for faculty development and renewal.

Because the problems of the University of Kentucky which arose in the late 1970's appear likely to continue for the next decade or so, the Committee recommends that faculty alternatives be adopted with the intent of making them a permanent part of the of the faculty benefit package, rather than as ad hoc responses to fiscal shortages. This Committee agrees with the assessment of the Lowery Committee that continuing to depend on natural faculty attrition and on freezing positions will result in some departments and colleges carrying " a disproportionate share of the University's response" to fiscal shortfalls with the result that "faculty mix may match very poorly the University's relative emphasis on academic disciplines."

RECOMMENDATIONS

In compliance with the committee's charge not to limit ourselves to options exclusively for "hard times," we examined options implemented at other universities both for times of economic constraint and of economic stability. The recommendations made for early retirement and expanding faculty options are primarily designed as alternatives that may become a permanent part of the faculty benefit package. Although many might serve as short-term financial emergency measures, others will need considerable planning for implementation and funding. In all cases, the options should be determined by mutual agreement between the participating faculty member and the administration. Recognizing that there may be instances when the administration might initiate an option and others when the faculty member requests it, the committee urges that procedures outlined in the appropriate regulations take the two situations into account.

The third set of suggestions--severance options-- are recommended only for short-term economic emergencies or when programs or departments are being phased out and not other alternatives are feasible.

I. EARLY RETIREMENT PLANS

Adapting a definition of early retirement suggested by Hans H. Jenny (Jenny, 1974) in an essay prepared for TIAA, the committee offers this definition for the purposes of this report and as a possible basis for early retirement plans developed by the University of Kentucky.

Early retirement is (1) retirement after continuing service of thirty years or more, or (2) up to ten years prior to the normal age of retirement (65) after a minimum of ten years of service.

Obviously, adopting such a broad definition would require the University to offer some of the options only after some careful long-range planning, both on the part of the administration and the faculty member seeking an early retirement plan. Because of this, the committee urges the Administration to begin such planning as soon as it becomes feasible to do so. In addition, the committee suggests that the Administration follow the pattern implemented in other institutions by first formulating a general mechanism for early retirement and then setting up several plans, one of which would be highly flexible and would thus permit faculty members to develop an early retirement plan peculiar to their professional needs and financial situations. For example, faculty members interested in outside activities such as free-lance writing or consulting for private firms might

welcome an opportunity to plan far in advance of the normal retirement age, perhaps even contributing part of their salary toward complete or phased retirement.

The recommended options in this report could become a part of the total package of early retirement options offered on a permanent basis, serving as financial exigency measures or offering early retirement to a limited number of faculty members each year in normal times. In restricting the number of retirees, the Administration might follow the suggestion made several years ago by the Employee Benefits Committee of the local AAUP chapter to authorize twenty-five eligible employees each year for early retirement. Or the Administration might allow each sector or college to determine the number of retirements it could support, since some of the recommended plans provide an added flexibility which can benefit some units.

So that across-the-board early retirement does not result in the excessive loss of valuable senior faculty in a department, college, or program, further criteria should be established. In addition to the conditions set up in our definition of early retirement, the Administration might consider adopting some safeguard guidelines. The committee suggests these as possibilities:

- That the department chair or program director and the appropriate dean be involved in the granting of approval when a faculty member in the unit requests early retirement.
- That such factors as these might be considered in determining which faculty might choose full or phased retirement:
 - a Possible impact on the department or program involved,
 - b The need of a department to retain a senior faculty member on a part-time basis so that the quality of a graduate program is sustained,
 - c Whether or not the candidate for retirement is in a unit being eliminated or phased out,
 - d The candidate's professional or physical health (this would require careful consideration of the candidate with the department chair, the dean, and other qualified consultants).

Before early retirement can be implemented at the University of Kentucky, the following sections of the retirement regulations (AR II-1.6-1) will need amendment: II. A and D; III B.1.2.3 and 4. In section III faculty members who will reach 65 on or before June 30, 1989 and who currently have twenty or more years of service are given rights under the minimum benefit provisions

(old change of assignment plan) which must be considered when the regulations are changed.

Any early retirement should result only by mutual consent of the University and the faculty member. The committee emphasizes that these plans are not an academic right, but an opportunity for both parties to benefit. The Committee also recognizes that (although not one our charges) any adoption of an early retirement program should include non-faculty employees as well.

Despite the wide diversity of the retirement plans studied, we concluded that they fit three general classifications-- early retirement with a lump sum annuity, early retirement with benefit incentives, and phased retirement plans. Any of these could be adopted either as a short-term emergency measure or as part of a long-term retirement program.

A. Early Retirement with Lump Sum and Fringe Annuities

If a faculty member retires between the ages of 62 to 65, the TIAA-CREF premiums for the remaining years until normal retirement age are paid by the University in a lump sum at the rate of the last full year of payment to TIAA-CREF at retirement. In addition, group health and life insurance are continued for the years remaining until normal retirement age.

Advantages

- a. The University would benefit from the three year salary cost and the savings in premium increments. For example, a faculty member with a basic annual salary of \$32,000 entails these additional institution costs: Retirement--\$3200; FICA--\$2256 (1985 cost); Health and life insurance-- \$370. Together with the \$32,000 salary, the total direct cost is \$37,826. If the position is not filled, then the annual savings to the University would be \$34,256, which is the salary plus the FICA cost. The recurring costs would be approximately \$3600.

However, if a new person is hired to replace the line, care must be taken to limit the new salary to no more than 90% of the old salary to attain the break even point.

- b. The benefits to the retiree would be greater than is now possible for early retirement.

Disadvantages

- a. The retiree is penalized by losing the normal increase

in TIAA-CREF premiums and the accrued interest on those payments.

- b. Certain tax implications might penalize the employee; for example, there is a possibility of taxation on TIAA-CREF premiums paid after retirement.

This plan could be made more advantageous to the retiree by including a lump sum equal to one year's salary at the salary rate at the time of retirement. Under this more equitable arrangement, the short term cost would be greater to the University than the fringe benefit plan, but a minimal potential savings of two years' salary could result. And in cases where the faculty member might otherwise elect to teach beyond age 65, the University could save up to seven years' salary.

B. Early Retirement with Benefit Incentives

Because benefit incentives are more costly to the institution, the committee recommends that this plan only be considered as a long-term one which will require considerable financial planning.

In this plan, TIAA-CREF premiums based on the salary at the time of retirement and the fringe health benefits would be continued for the years remaining to age 65 or up to a maximum of ten years. This plan might encourage faculty members to retire earlier than age 62 because they could benefit from annual interest accumulation and possible gains in CREF investments. Moreover, faculty members wishing to retire at ages between 55 and 65 could add to the annual premiums before retirement to help compensate for the loss of salary increments.

Advantages

- a. When the faculty member's line is to be dropped, the University would benefit from a complete salary savings for the remaining years of employment.
- b. When the line is to be retained, the University could save on the lower salary paid to a junior faculty member.

Disadvantages

- a. The plan could not be used as an emergency measure in short-term emergencies.
- b. The faculty member's annuity would lose the benefits gained by the cost of living and merit increments normally accrued when employed.

- c. The University might lose its strongest faculty members who may welcome the opportunity of early retirement so that they may seek positions elsewhere.

3. Phased Retirement Plans

Phased retirement plans allow faculty members to continue working part time after the decision to retire. The retiree may continue teaching classes on a part-time basis or engaging in University-based research. Again, because of the cost of such a plan, the committee cautions the need for long-range planning.

- a. Part-Time Tenure With this plan the University and the faculty member can agree on a contract for part-time employment (half or quarter time) until retirement, with fringe benefits retained at full-time salary level. Two possibilities might be offered:
- 1) Retirees could receive half or one quarter salary and request an adjustment of their retirement pension annuity to make up the remainder;
 - 2) As an added incentive, they could receive their full pension annuity with a part-time stipend added.

Advantages

- a. It would encourage valuable senior faculty to continue serving on graduate students committees, to carry a limited teaching load, or to work on special research projects while allowing departments either to hire younger faculty or retrain existing faculty to replace the retiree.
 - b. It should reduce the need for departments to hire advanced faculty as "younger faculty" could gain experience before the senior faculty takes full retirement.
- b. Guaranteed Extra Assignments When feasible, the faculty member can retire with full retirement pension and a contract to receive summer or evening class assignments for a specified period.

Advantages

- a. Because such assignments have a set fee at the University, the cost would be no more than hiring any other part-time teacher.
- c. Retirement Research The University could agree to

make the services of the University of Kentucky Research Foundation available to an early retiree in obtaining research grants and to allow post retirement contracts in the research professor series -- full or part-time, according to the conditions of the grant.

Advantages

- a. It could prove an incentive for senior professors who wish to devote more time to research.
- b. The University could benefit from the grant money, the prestige, and the training of graduate students.

II. EXPANDING FACULTY OPTIONS

While our charge to consider alternatives to termination was motivated by concerns about financial emergencies, we strongly deem it desirable that the alternatives suggested in this report become a positive plan for providing faculty development opportunities beyond that driven by budget problems. Although our current sabbatical leave program is excellent, it will not suffice for future faculty development and will need expansion.

In researching what alternatives have been adopted by other universities, the Committee found one publication especially useful -- Expanding Faculty Options--published by the American Association for Higher Education in 1981. It describes in some detail the opportunities devised in several institutions for faculty members to shift professional interests in mid-career. Not necessarily related to periods of financial emergency, these shifts may also be motivated by such factors as career burnout, restricted mobility, shifting enrollments, and salary limitations.

Two programs that seem especially applicable to the needs and capabilities of the University of Kentucky are those instituted at California State University at Long Beach and at the University of Wisconsin. The Wisconsin program is broader in scope and not only deals with guidelines for implementation, but also identifies policies for faculty transfer and exchange. The documents obtained from these two sources are included in Appendix B at the end of this report.

Because our further research uncovered no options more attractive than those outlined in the 1983 Lowery Committee report, our committee endorses those alternatives with some modifications.

A. Change of Faculty to Other Academic Units

This option permits a faculty member to shift from one department or discipline to another without change in

9/ salary or professional status. For possible conditions under which such shifts might take place, see page 9, Lowery Committee Report, Appendix C. Ideally, the faculty member should have: A secondary interest in the new discipline, previous training in it, or professional involvement in a closely related field. In determining the faculty member's acceptability to the new department or discipline, a process similar to that currently used in joint appointments should be followed.

Because many academic disciplines share basic skills that are potentially transferrable, some faculty members may request such a change as a feasible alternative to professional stagnation or to termination. In addition to benefitting the faculty member, this option might alleviate the pressures generated on some programs by changing student enrollments or faculty attrition.

When necessary, the faculty member should be given paid leave to upgrade skills or to change specialities.

If the move is offered as an alternative to termination, the faculty member should retain the right to refuse the reassignment and to appeal to a faculty committee or established investigative panel. Within a specified time (two years, three years) the faculty member should have the right of termination under a severance pay plan or an early retirement plan.

Advantages

- a. It provides faculty with an option to make a career change without seeking employment in another university, or in the case of impending termination, to retain a traditional academic role.
- b. It allows for shifts in program emphasis or changes in faculty attrition with the least faculty or program disruption.
- c. It allows programs to be terminated without dismissing valuable tenured faculty.

Disadvantages

- a. It might not result in immediate savings to the University, unless the shift could be combined with faculty attrition.
- b. It would require clear and sharp career changes.
- c. It would penalize faculty members without easily

transferable skills.

B. Shifting Faculty to University Based Contract Work

As with most of the other options suggested in this report, this research reassignment could become an ongoing alternative for faculty more interested in research than in teaching but who wish to remain close to an academic setting or for faculty members who desire to take an extended leave from teaching to concentrate on research.

In cases of termination, many faculty members with special research skills might prefer to stay in the Lexington area and within the academic setting of the University, even though there was no opportunity for reassignment to another academic unit. When feasible, the displaced faculty member could be reassigned to an appropriately modified research professor series.

Depending upon individual situations, many approaches might be used and particulars tailored to individual needs. The committee, however, recommends the following general guidelines:

- During the first term of reappointment, the University would provide continued fringe benefits and three fourths of the salary. (This would amount to a University savings of about \$7500 per year for a \$30,000 salary.)
- During the second term of reappointment, the University would provide continued fringe benefits and one half of the salary. (A University savings of about \$15,000 per year on a \$30,000 salary.)
- During the third term of reappointment, the University would continue the fringe benefits and pay one fourth of the salary. (A University savings of about \$22,500 per year on a \$30,000 salary.)
- During the fourth and fifth terms of the reappointment, the University would continue the fringe benefits. (A savings of \$30,000 per year.)
- During the five year University subsidized period, the faculty member would be expected to develop sufficient contracts to become self-supporting. /s
- Under no circumstances would this plan commit the University to guarantee the contract portion of the faculty member's salary.

Advantages

- a. The faculty member could benefit from retaining a position in an academic setting with possible access to University facilities.
- b. The institute appointments could help the faculty member to pursue contract work.
- c. The gradual withdrawal of University support would enable former faculty member time to build a contract research program without financial duress.
- d. The service function of the University could be enhanced while at the same time benefitting from revenue in new research contracts.

Disadvantages

- a. The University would not benefit from immediate financial relief.
- b. The option would not be available to all faculty members. Many lack the up-dated knowledge and skills of research needed for such reappointment; others are in academic areas where there are few opportunities for contract work.

C. Faculty Development and Renewal

The most impressive program for faculty development and renewal studied by the Committee was that approved by the University of Wisconsin Board of Regents in May, 1975 (see Appendix B, xiii). Primarily designed as an ongoing program rather than as a stop-gap measure in periods of fiscal shortages, it was based on the premise that although faculty have a professional commitment to upgrade their knowledge and skills, the University should "seek further ways to enable individual faculty members to renew their intellectual vitality and further their professional growth...." This claim was based on the emerging needs facing higher education, such as shifts in programmatic and student requirements and the development of new fields of technology and knowledge, thereby often necessitating extensive faculty retraining -- a costly burden if university leave is required.

1. Retraining Aspects

While some new funding may be necessary to initiate a faculty development program, the costs should be more than offset by its potential savings and in the academic revitalization that it could provide. Thus, budgeting of University funds to this program should be considered a necessary investment for

optimal use of faculty expertise.

Like the other plans offered in this report, participation in the program should be voluntary. However, the University might motivate the faculty to participate by offering small grants that would be awarded competitively to help defray tuition or travel costs.

For the purposes of the University of Kentucky, the Committee endorses Alternative 7 proposed by the Lowery Committee: That the University subsidize faculty participation in non-campus career institutes as described in the Chronicle on Higher Education of February 16, 1983 and/or provide funds for courses or training programs offered at the University of Kentucky.

When faculty retraining is used as a termination alternative or when it requires faculty to take extended leave for revitalizing academic expertise, a salary policy equitable to the University and to the faculty must be devised. The Committee offers the following suggestions:

- 1) The faculty might receive the salary (plus benefits) paid the year pre-ceding entry into the program for the contracted period of University subsidizing of it;
- 2) A sliding scale might be worked out, particularly for those who would not return to the University and who might be offered part-time teaching opportunities at the retraining institution;
- 3) Changes in the fringe benefit package might be negotiated.

Recognizing that academic needs and objectives vary in different disciplines, the Committee suggests these general guidelines for an institutional plan:

- Any tenured faculty member would be eligible.
- Participation would be voluntary, but approval of the parent department and college would be mandatory.
- For extended retraining periods, the faculty would be required to apply for admission to a degree program.
- For short, on-campus retraining programs, the faculty would carry the teaching load typical of their department. However, participation would be facilitated by convenient class scheduling and reduction of non-teaching activities.
- For off-campus programs, the participating faculty would be expected to pay the tuition and fees.
- A time limit should be set for extensive retraining

programs. For instance, the University might be obligated to subsidize a faculty member for a period of twenty-four months, after which participating faculty would not be eligible for additional financial assistance.

- For extensive retraining offered as part of a package for termination, the faculty must agree to leave the University's employ at the end of the subsidized training period.

Advantages

- a. If termination of faculty becomes necessary, this plan would give terminated faculty members a viable alternative to unemployment and immediate relocation. It would be especially valuable for faculty in fields where the academic job market is virtually closed.
- b. In normal times, faculty members who have developed new academic interests or who wish to gain expertise in a recently developed field within their academic discipline can pursue new knowledge without undue financial and academic hardship.

Disadvantages

- a. Because it is difficult to estimate how many faculty would take advantage of a development program, cost savings could not be accurately determined.
- b. Full-scale retraining would mean little immediate cost savings (perhaps even greater cost to the University for a few years), thus making it impractical for emergency situations.

2. Establishment of an Office of Faculty Development

Nearly all the institutions with faculty development programs have established a centralized office to manage them. Therefore, the Committee proposes that the University of Kentucky establish an Office of Faculty Development, initially staffed by one or two people-- perhaps shifted from a program scheduled for entrenchment or termination. As demand for the program grows and as new funds are generated the office could be enlarged.

This centralized office could be responsible for gleaning the data necessary for long-range planning over the coming years. It could, for example;

- Develop for each academic unit a faculty profile that summarizes historical rates of appointment, termination,

promotion, tenure granting, resignation, retirement, ratio of temporary to permanent faculty, distribution of rank and age, etc.,

- Facilitate the incentive arrangements for retraining,
- Identify appropriate options for individual faculty,
- Aid in the negotiation of transfers,
- Assist in removing economic barriers to the shifting of careers,
- Collect and disseminate information on exchange opportunities such as those offered by the National Faculty Exchange (see Appendix B, xii). Exchange programs offer universities opportunities for revitalizing individual faculty members and programs at little or no cost to the institution.
- Develop a list of private and government organizations that offer grants for academic upgrading or retraining.

III. SEVERANCE OPTIONS

Because of the professional and legal ramifications involved in terminating tenured faculty, all the authorities consulted in our study agreed that severance options must be voluntary in the sense that the faculty member is given a voice in considering the terms of the "buy-out" plan. Although recognizing emergency decisions must often be made within a period of days, the committee urges that such stringent measures generally be adopted only after careful study of the need for such action and after input from appropriate faculty groups.

The options considered by the committee as most appropriate for the University of Kentucky are as follows:

- A. Emergency Early Retirement By mutual agreement with the administration, the faculty member, if eligible, could retire with up to two years of severance pay at the salary level in effect at the time of the retirement decision. In addition, fringe benefits could be continued for the initial year of the two year agreement.

This plan --adopted by Michigan State University when serious short-falls forced the closing down of whole units-- would be especially useful in that situation or when programs are being phased out. The cost of such a plan could be absorbed through University non-

recurring funds. However, in the case that some of our recommended retirement alternatives are available, this plan need not be implemented.

- B. Tenured Faculty Termination Under the present Administrative Regulations, faculty members who face termination because of fiscal exigency "shall be given notice as soon as possible and never less than 12 months notice" (AR II-1.0-1, III C). This regulation, in essence, allows the faculty member a year's employment following the decision for termination. However, the committee recommends that this option be expanded so that a terminated faculty member could be given a year's severance pay instead-- when that alternative might be in the best interests of the university or the faculty member.

Recognizing that this flexibility would necessitate a change in the Administrative Regulations, the committee suggests the following addition to the rule:

However, if it is determined to be in the best interests of the faculty member or of the University, the University may, by mutual agreement with the faculty member, terminate with 12 months' severance pay with fringe benefits. In either case, the released faculty member's position shall not be filled within a period of two years unless the faculty member has been offered reappointment and given a reasonable time within which to accept or decline it.

Advantages

- a. A faculty member might prefer to take the severance pay and use the year for retraining.
- b. The University would profit in those situations when a unit or a program is to be immediately closed down. By not keeping faculty on the payroll in academic limbo, the university could save money on administrative and office personnel.

IV. RECOMMENDATIONS FOR IMPLEMENTING THE PROGRAM SUGGESTIONS

As the Lowery Report pointed out, the University must make a number of crucial decisions before deciding upon faculty or academic units to be terminated and before choosing appropriate alternatives to termination. In recent years, the disastrous results of unilateral termination of tenured faculty have dramatized the need for careful, long-range planning that involves all sectors of the University community-- faculty, administrators, faculty bodies or committees, governing boards, and so on. The

changes in the functions of higher education have demonstrated the necessity to provide various retirement and development options, not merely as stopgap emergency measures, but rather as ongoing programs in order to maintain the faculty flexibility and intellectual revitalization essential for academic excellence.

Recognizing these needs, the Ad Hoc Committee on Faculty Options has outlined a program of faculty alternatives that can be used either in fiscal exigency emergencies or as a permanent addition to faculty benefits. However, the Committee stresses that two principles undergird the program: 1) that faculty decisions to participate in any alternative plan must be voluntary, and 2) that the program must not violate the basic concept of tenure. Also, the Committee assumes that any alternative accepted by a faculty member will carry a contractual agreement so that the rights of the individual and the University are protected.

So that this program or one similar to it might be adopted within the next two years, the Committee recommends that the following steps be taken by the Senate and the Administration:

1. That the Senate Council place this plan on the agenda of the Senate in the 1984-85 academic year for debate and approval as a recommendation to the Administration.
2. That the Administration appoint a committee made up of staff members from the appropriate offices to determine how regulations must be amended and to develop more detailed versions of the recommended retirement options.
3. That a committee be appointed to develop implementation guidelines for faculty development and renewal similar to those adopted by the University of Wisconsin in 1977. The committee should also suggest appropriate changes in Administrative Regulations to facilitate the implementation of some of the alternatives discussed as problems in the report.
4. Expecting that appropriate consultation be made with the Senate Council on both the determination of exigency and the University responses to such fiscal emergencies, this Committee recommends that a special Advisory Committee on University Responses to Fiscal Exigency be appointed. Using guidelines such as those suggested to the Senate by the Senate Planning and Priority Committee in 1983 and 1984 (see Appendix D), the special advisory committee would be charged with the responsibilities of advising the Administration on faculty termination and of exploring further alternatives to faculty termination.
5. That the University establish an Office of Faculty

Development as described on page 14 of this report.

UNIVERSITY OF KENTUCKY

LEXINGTON, KENTUCKY 40506-0032

UNIVERSITY SENATE COUNCIL
10 ADMINISTRATION BUILDING

3 December 1984

TO: Members, University Senate

FROM: University Senate Council

RE: AGENDA ITEM: University Senate Meeting, Monday, December 10, 1984 Proposed Change in University Senate Rules, Section I., 2.2.3 Ex Officio Membership.

Proposal: (underlined portion new; delete bracketed portion)

I. 2.2.3 Ex Officio Membership

Non-Voting:

The ex officio non-voting membership shall include the President, all other vice presidents, University System Registrar, Dean of University Extension, Dean of Students, Professor of Military Science, Professor Aerospace Studies, and if they are not already elected members of the Senate, the University System faculty members of the Board of Trustees, the Academic Ombudsman, the Director of the Honors Program, and the chairmen of the University Senate Committees, including University Senate Advisory Committees. All officials mentioned in the preceding paragraph who are not voting ex officio members in any years shall be considered non-voting ex officio members. Other ex officio non-voting members may be added by the University Senate Council for the purpose of supplying information and viewpoints on problems considered by the Senate. Ex officio non-voting members shall enjoy all privileges of the elected membership except the right to vote. (US: 10/12/81 and B0fT: 4/6/82)

Rationale:

The Senate often considers matters relating directly and indirectly to the Honors Program. In addition, the Honors Program has direct and indirect influence on a wide-ranging group of academic policies. The presence of the Director of the HONors Program would be of great benefit to Senate discussions.

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