

Minutes
Academic Affairs Committee
Board of Trustees
February 9, 2004

The Academic Affairs Committee of the Board of Trustees met in the Board Room, 18th Floor Patterson Office Tower on February 9, 2004 and was called to order at 10:05 a.m. by Alice Sparks, Chair of the Committee. The following Committee members were in attendance: Michael Kennedy, Elissa Plattner, and Barbara Young. Other Board members in attendance: Russ Williams, Davy Jones, Rachel Watts, Marian Simms, Steve Reed and Lee Todd.

Ms. Sparks opened the meeting by thanking the Academic Affairs Committee for their commitment and thoughtful consideration in determining what is best for LCC; Dr. Todd for not only allowing, but encouraging, the Board's committee system to operate and to freely conduct its business; and Dr. Kerley for his dedication to LCC and cooperation in dealing with the Committee.

Ms. Sparks shared the following comments and processes UK and LCC have gone through: including November 2000 when the reaffirmation committee visited. A lot of correspondence and conversations then ensued and the autonomy questions loomed even larger and got more defined as time went on. In August 2003 Dr. Todd appointed a Task Force consisting of 14 members, with seven affiliated with LCC. The Task Force submitted its recommendation on December 4, 2003.

On December 9, the Academic Affairs Committee held its first official meeting to hear the report and recommendations which state in part, "Realizing the difficulty and improbability of making all the required changes, and having them completed by the SACS deadline and considering several negative aspects of this solution which would not likely be resolved even with more time, the Task Force decided that Option three was the best solution for LCC." They further stated "The Special Task Force recommends that LCC be transferred to KCTCS and maintain its separate accreditation." Additionally, "The option for LCC to become a free-standing institution was discussed, but was not considered in depth. This sub-option was not considered to be consistent with the goals of higher education reform as initiated by HB1. HB1 established the four parts of postsecondary education to be UK and UL, the comprehensive universities, KCTCS and the Council on Postsecondary Education. Establishing LCC as a separate, free-standing institution does not fit into this scheme of postsecondary education." The report goes on "In July of 2003, the letter placing LCC on probation for one year was received. At that time, LCC hired a consultant to review the situation and recommend what LCC could do to meet requirements to maintain separate accreditation. In the consultant's opinion, after reviewing the UK Website, various LCC & UK documents, and after interviewing various LCC and UK officials, proving LCC's autonomy from UK would be nearly impossible given the close relationship that has been fostered over many years."

On January 21, the Academic Affairs Committee met again and at that time, Dr. Kerley "expressed his appreciation to the committee. He stated that LCC's relationship with UK

has always been different than the relationship with other community colleges. However LCC is passionate about its mission of open access and separate accreditation is vital. A poll was taken of LCC faculty and staff and the preference was to stay affiliated with UK. If that wasn't possible, the next choice was to go to KCTCS and have separate accreditation."

On February 2, Barbara Young, Michael Kennedy and I attended the faculty/senate meeting in order to get even more input from LCC students, faculty and staff. Of course, most wanted to stay affiliated with UK but with separate accreditation. Therefore, one question is how can LCC and UK accomplish this? Given the task force recommendation and the consultant's opinion, I don't think it can be done.

In a letter dated February 4, the staff of LCC writes "if it will not be possible for LCC to retain its separate accreditation while still under the umbrella of UK, then the LCC staff members feel the only other viable option would be to be transferred to KCTCS."

An October 17, 2003, letter from Jack Blanton (member of task force) to the task force, states "President Kerley stated in our initial meeting that separate accreditation was the first and most important principle in his hierarchy of values regarding the status of LCC. Having accepted this premise, I am fully persuaded that the SACS "rules" applicable to separate accreditation would make continued affiliation with UK extremely difficult if not impossible." He continues "if within a single organization, LCC is given authority to make independent operating budget requests and autonomy to make separate capital project requests, such an arrangement is guaranteed to bring the President of the University and the President of LCC into conflict. However, if LCC were in the state community college system and vying with other community colleges for operating dollars or capital projects, it would have considerable advantage since it can demonstrate need much more clearly in comparison with them."

The pros for LCC to be part of KCTCS include the following: Funding, LCC will maintain separate accreditation, LCC building needs would not be competing with UK and our capital plan priorities, greater control of budget at institutional level, LCC would not be competing with UK for funding priority, LCC would be a part of a successful system, and students, faculty and staff would retain access to UK. We have strengthened this in the revised resolution. Other ideas discussed (to mention a few) a strengthened transfer process and a dual enrollment plan for students if they meet UK requirements. The biggest consequence, in my opinion, is that LCC would be a separate entity with no ties to anyone. They would be going against KCTCS as far as funding, buildings, etc. I believe they would have no effective lobbying abilities.

Dr. Sparks recommended that the AACR 1 "Recommendation" be amended to include "*pending Legislative approval*". All members of the committee agreed that any recommendation coming from the Board concerning LCC would need Legislative approval.

Dr. Plattner expressed her appreciation for the openness and inclusiveness of the deliberations. The dialogue has been very beneficial. Dr. Plattner recommended that the Governor and Chair

of the LCC Board should be called to update them on the issues. She also expressed hope that the UK faculty and LCC faculty continue to work together on initiatives. Dr. Todd informed the committee that he had talked to Secretary Fox and mentioned it to the Governor in recent days.

Dr. Kennedy proposed the adoption of the following amendment to AACR 1 in the form of a preamble:

WHEREAS the Lexington Community College and the University of Kentucky have been closely associated institutions for four decades; and

WHEREAS both institutions have as major goals the quality education of Kentucky's citizens; and

WHEREAS the Southern Association of Colleges and Schools has declared recently that the Lexington Community College is on probationary accreditation solely because of its lack of autonomy from the University of Kentucky; and

WHEREAS the Board of Trustees of the University of Kentucky has reluctantly concluded that Southern Association of Colleges and Schools position on the matter of autonomy and accreditation has made it impossible to adjust the existing, long-term relationship or develop a new connection between the two institutions such that " Lexington Community College is part of the University of Kentucky" in any meaningful way; and

WHEREAS the Lexington Community College could unquestionably be considered an autonomous institution within the Kentucky Community and Technical College System, thereby having Southern Association of Colleges and Schools accreditation; and

WHEREAS it appears that Lexington Community College would be at an advantage financially by being an institution under the auspices of the Kentucky Community and Technical College System; and

WHEREAS many of the strong ties between the Lexington Community College and the University of Kentucky can be maintained, and even enhanced, through the development of additional agreements and contracts, befitting two independent, autonomous, accredited institutions;

BE IT THEREFORE RESOLVED that the University of Kentucky Board of Trustees request that the President and the administration make concerted, long-term efforts to maintain and enhance those aspects of the University of Kentucky - Lexington Community College relationship that benefit the students, staff, and faculty of Lexington Community College and, as importantly, augment the learning experience for citizens of the Commonwealth of Kentucky; and

BE IT THEREFORE FURTHER RESOLVED that the University of Kentucky Board of Trustees recommend to the Governor, the Kentucky General Assembly, and the Council on Postsecondary Education that the governance and management responsibilities for

the University of Kentucky Lexington Community College be delegated to the Kentucky Community and Technical College System, upon the effective date of the enabling legislation, with the following provisos:

After general discussion of the motion the proposed changes were unanimously approved.

Dr. Jim Kerley expressed his opinion that the amendment strengthens the recommendation, but needs to be stronger. He has concerns about the buildings and grounds. The buildings are LCC's, and a 5-year offer is not good enough. Mrs. Young suggested that wording be included in item (4) of the resolution that would be reassuring to LCC. The following motion was made to amend the section:

The University of Kentucky shall extend the use of the facilities occupied by the Lexington Community College to the Lexington Community College for a minimum of five (5) years. The University of Kentucky shall not direct the Lexington Community College to vacate those facilities until such time that a mutually agreed upon alternative site or sites has been reached between the University of Kentucky and the Kentucky Community and Technical College System.

The motion was seconded and unanimously approved.

Dr. Kennedy proposed that item (7 c) be amended to include the following addition:

The amounts paid to part-time and adjunct faculty per credit hour shall not be less than previously paid.

The motion was seconded and unanimously approved.

Dr. Jones recommended that "administrative" be deleted from item (7). The motion was seconded and unanimously approved.

Dr. Mike Nietzel proposed that a new section be added to the resolution to allow part-time students to complete programs in which they are currently enrolled. The amendment states,

Students enrolled at Lexington Community College on, or before, September 1, 2004, shall have six (6) years to complete the degree program in which they are enrolled and receive a diploma conveyed by the University of Kentucky Board of Trustees.

Committee members asked for clarification on payment of student fees. Dr. Nietzel emphasized that students enrolled at LCC through June 30, 2006 shall have the same benefits as UK students. On July 1, 2006 LCC students will elect to participate in student services and activities provided by UK and pay the appropriate fees. Dr. Kennedy moved that item (8) be expanded to include the following:

to include the following fees: Athletics, Student Government Association, WRFL Student Radio, Student Activities, Student Center, Student Health Plan, Technology Fee, Seaton

Center Fee and Student Affairs. Lexington Community College students shall continue to be provided access to University of Kentucky residence halls.

The motion was seconded and unanimously approved.

Dr. Nietzel introduced the guests that were invited to the meeting, Dr. Keith Byrd, Chancellor of the Kentucky Community and Technical College System; Dr. Ken Walker, Vice President for Finance of the Kentucky Community and Technical College System, and invited them to say a few words.

Dr. Walker told the committee that funding for KCTCS is provided in one lump sum. The Board of Regents has established a process for allocating and establishing operating budgets that is pretty sophisticated for such a young entity.

Faculty members from three community colleges addressed the committee giving a brief overview of their experiences with the Kentucky Community and Technical College System. Each had found the experience to be very positive and open.

Dr. Kerley acknowledged this is a monumental decision. LCC has worked with KCTCS on several projects and they have a good close history. LCC is a great college. The vast majority of faculty and staff want to stay affiliated with UK. LCC has been working on this issue since July 2001 when, according to SACS, LCC did not have enough autonomy. The consultant said full autonomy was not impossible. SACS said they would be willing to work with us, regardless of the decision, however they needed a specific plan. There are many different models out there and LCC staying with UK could work. Dr. Kerley appreciates the time, opinions, and heart felt concern on behalf of LCC.

Ms. Sparks stated this is an emotional issue that we did not bring this upon ourselves. However, LCC needs separate accreditation.

Dr. Todd thanked the Task Force, Ben Carr and the Academic Affairs Committee. Everyone has invested a lot of time trying to understand the issues. If LCC becomes part of the KCTCS, there will be more opportunities for funding. LCC will be a gem in the KCTCS system.

Dr. Kennedy told the committee he did not make a final decision until after the conference call with SACS. The phone call convinced him LCC could not continue as part of UK. If the relationship were to continue, it would put them in competition with one another. This is the only way for us to go.

Dr. Jones expressed appreciation of Alice Spark's role in the process and the time several members of the Committee spent meeting with LCC staff and faculty.

Mrs. Young acknowledged that Dr. Kerley is not happy with the outcome. However, she was impressed with how supportive the administration has been in response to questions and concerns of constituencies. The original resolution and the new one have changed dramatically.

Dr. Plattner stresses that we need to keep the students at stage. Based upon the per student funding, we can't turn our backs upon the opportunities for these students.

At this time the floor was open to others to express their opinions. Several individuals spoke in favor of maintaining the relationship LCC currently has with UK.

Mrs. Young moved to approve AACR 1 as amended. The motion was seconded and unanimously approved.

Ms. Sparks thanked everyone for the input and the meeting adjourned at 11:55 a.m.

Respectfully submitted,

Alice Sparks
Chair
Academic Affairs Committee