

Minutes  
Academic Affairs Committee  
Board of Trustees  
January 21, 2004

The Academic Affairs Committee of the Board of Trustees met in the Board Room, 18<sup>th</sup> Floor Patterson Office Tower on January 21, 2004 and was called to order at 10:12 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: JoEtta Wickliffe, Russ Williams, Davy Jones, Rachel Watts, and Robert Meriwether. Ms. Sparks asked Dr. Nietzel to begin the discussion concerning the Lexington Community College accreditation issue.

To begin the discussion, Dr. Nietzel reviewed the following SACS/LCC Chronology:

1. November 12-15, 2000: SACS Reaffirmation Committee visit to and report on LCC
2. April 15, 2001: LCC Response to the Recommendations of the Committee
3. July 3, 2001: letter from SACS reporting on June 2001 meeting at which accreditation was reaffirmed and first follow-up report was requested by April 22, 2002 addressing 17 recommendations, one of which (#21) concerned Administrative Organization
4. August 14, 2001: letter from SACS amending the prior letter and adding another recommendation concerning separation of fund-raising functions between LCC and UK
5. April 5, 2002: letter from Nietzel to SACS addressing autonomy issue in support of separate accreditation for LCC as part of UK
6. July 3, 2002: letter from SACS requesting second follow-up report by April 2003, addressing six recommendation areas, three of which involved the autonomy issue. This letter raises other options that would resolve the autonomy question: accredit as part of UK, accredit as free-standing institution, or accredit as member of system
7. August 13, 2002: letter from President Kerley to SACS indicating intention of LCC to address all issues and reiterating President Todd's support for LCC to be separately accredited as part of UK
8. November 8, 2002: letter from President Todd to SACS supporting separate accreditation and citing history and recommending changes that would address the autonomy concerns, including implementation of the Kentucky Postsecondary Improvement Act of 1997, modifications of UK's GRs and ARS, changing the reporting relationship of LCC President, providing opportunity for LCC President to address BOT, insuring separation of LCC and UK budgets, and either assuring autonomy or making additional changes in auditing, course approval, strategic planning, and development functions. Initial draft of this letter prepared by Drs. Kerley, Nietzel, and Carr

9. June 19, 2003: action by SACS continuing LCC accreditation for good cause and placing LCC on probation for 12 months over Sections 6.1.5 and 6.2.2. This is communicated in letter of July 3, 2003 to President Kerley. A third follow-up report is requested six weeks prior to visit in Spring, 2004. This letter also lists criteria that would indicate autonomy
10. July 30, 2003: letter from President Kerley to President Todd indicating that changes are necessary in administrative structure and policy regarding LCC and suggesting this may be the time to examine other alternatives for LCC's administrative location and raising issue of task force. Follows 7/29/03 discussion with Margaret Sullivan, LCC consultant, about the many factors that would require change before LCC autonomy would be demonstrated to SAC's satisfaction
11. August 30, 2003: memo from President Todd appointing Task Force under leadership of Ben Carr to recommend on alternatives for LCC
12. November, 2003: report of the Task Force to President Todd unanimously recommending that LCC be transferred to KCTCS and maintain its separate accreditation as an institution of higher education
13. December 22, 2003: letter from President Kerley to SACS about the Task Force report recommendations and possible sources of action at this point
14. January 13, 2004: memo from Senate Council and Staff Senate concerning LCC accreditation and possible BOT resolutions
15. January 13, 2004: briefing book prepared by LCC, Jim Kerley, Phil Kraemer, and Ben Carr on issues that need to be resolved if LCC were to be transferred to KCTCS. Major categories include: academic affairs, student affairs, business affairs, information technology, and legislation.

Dr. Nietzel stated that for LCC to be accredited by SACS, another governance structure must be put in place. The current structure must change to satisfy the accreditation requirements. Looking at HB 1, if we make changes to the governance structure we believe legislative changes will be required.

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 KCTCS and have separate accreditation.

SACS requires autonomy for an institution to receive separate accreditation. LCC does not have full autonomy over budget, development, fees, courses, etc.

Dr. Plattner asked about the student concerns that were mentioned in an earlier meeting. Dr. Kerley reported that the students are concerned about access to dorms, basketball tickets, and other events. The transfer of their credits will not be an issue. Dr. Plattner agreed that none of us ever want to leave UK. Some of the difficulties are related to the emotional ties with UK.

Dr. Nietzel reviewed the composition of the 14-member Special Task Force on Options for SACS Accreditation of the Lexington Community College that Dr. Todd appointed in August 2003. Dr. Carr told the committee that Dr. Todd attended the initial meeting and charged the Task Force with three options: 1) LCC maintains its relationship with UK, but institutes changes that would convince SACS that it has sufficient autonomy and independence to justify being separately accredited. 2) LCC is included as a component of the accreditation of the University of Kentucky. 3) LCC is accredited as a separate community college, either as a freestanding institution or as part of the Kentucky Community and Technical College System (KCTCS).

Dr. Todd asked that the Task Force recommendations be consistent with HB 1 and provide pros and cons of the options. If given the perfect conditions, the recommendation of the Task Force would have been for LCC to remain part of UK. However, the Task Force unanimously agreed to recommend to Dr. Todd that LCC be transferred to the Kentucky Community and Technical College System and maintain its separate accreditation as an institution of higher education. The Task Force also recommended that the decision on LCC's future be made as soon as possible, to allow LCC to meet the SACS deadline for responding to the July 2003 letter and to allow the maximum time for implementing whatever decision is made.

Barbara Young asked for a clarification of the issue of time constraints. If Option I was ruled out because of time constraints, what would be the difference if Option 3 is accepted? Dr. Kerley recently spoke with Dr. Rogers in the SACS office and reported that the next report submitted to SACS needs to include specifics. General statements will not be an acceptable response. If the decision is made to move to KCTCS, SACS would accept the change. A team would visit in the Fall of 2005 to check on the progress. If LCC stays as part of UK, SACS will want to see specific changes that have been instituted to make LCC autonomous from UK.

Dr. Nietzel agreed that if the final decision is to transfer LC to KCTCS, the decision probably resolves SACS concerns about autonomy. SACS is less concerned about the mechanics of such a transfer. If the final decision is LCC stays with UK, SACS will not accept simply a promise to change.

Dr. Nietzel gave the following overview of the LCC/UK relationship and why it is believed the University can maintain a close partnership with LCC if it is part of the KCTCS system.

1. Began as LTI in 1965; 1984 changed to LCC as UK became selective admissions institution; remained with UK in 1997 when KCTCS was established.

2. Existing relationship has been beneficial to both institutions, to Lexington, and to Central Kentucky. Access and selectivity have been maximized without a sacrifice to either. Proximity to and participation with UK's resources have made LCC into something like a commonwealth community college. Two very distinct missions, both of which are important:

- Top-20 research and land-grant institution at UK (which includes high academic standards and expectations for undergraduates) and
- a comprehensive open-access, affordable community college (associate degree programs, transfer prebac programs, and community service/continuing education).

3. The mutual advantages could be retained under different governance structures, but what is clear is that the current governance structure will have to be changed. Significant change from the current organizational/administrative arrangement will be required.

4. Both options involving separate accreditation require a great deal of autonomy of LCC from UK. Will require it to be a separate entity in a formal sense, not a division, or college, or unit that is part of UK.

5. This separateness should be seen perhaps as a desirable outcome because it furthers the complementary missions of the two institutions rather than forcing them into competition.

6. Why KCTCS?

- Affiliation with KCTCS may also help LCC with its most critical needs: money and space.
- Consultation about what would be required for LCC to be separately accredited as part of UK – Margaret Sullivan: Given the long history of partnership and close relationships, it would be nearly impossible to prove that LCC was truly autonomous from UK; the two institutions are in “an incredibly difficult position” based on that history (significantly different missions; timeliness is encumbered, faculty does not have ultimate responsibility for curricula; not free to develop own fundraising, capital, or investment policies).

7. Examples of what would need to be changed:

- Delegate degree-granting authority
- Reporting relationship (and structure of UK reporting relationships)
- Change in diplomas
- Authority to develop and administer its own budget, curriculum, mission statement
- Authority to direct its own fundraising, capital budgets and capital construction
- Authority to contract for services and employ personnel
- Separate audits
- Administer own financial aid, enter into service and purchasing agreements of its choice

Ms. Sparks expressed concern about the KCTCS resolution and the assurance of how student access and staff and faculty benefits will be handled.

Dr. Todd reassured the committee that the KCTCS resolution expressed a desire of its Board. Dr. Todd recently talked to Mike McCall and he believed that Dr. McCall was agreeable to the LCC transfer being handled in the same fashion as the transfer of the other community colleges. Dr. Todd would like to see a UK transfer program developed that would assist LCC and other transfer students. Dr. Todd is confident that there is an advantage for LCC to be a part of KCTCS in regard to funding, buildings, etc.

Dr. Kennedy expressed concern about the transfer of tenure track faculty and how they were handled when the other community colleges were transferred. Dr. Jones said they were given the option to follow the UK procedures in place when they were hired or KCTCS procedures.

Students already enrolled in the community colleges were also given options to allow for a smooth transition and completion of their degrees. Dr. Kennedy expressed the desire that LCC students, faculty and staff also have these same options.

Dr. Plattner asked about the University assets that are associated with LCC such as the Winchester donation and the obligations we have to the donors. Dr. Todd suggested we would have to contact donors for permission, but he was sure the issue had come up when the other community colleges were transferred.

Dr. Kerley said LCC has done exactly what HB 1 asked higher education to do. LCC enrollment is up, but funding is down and space is a concern. LCC needs to protect student access, staff and faculty benefits and needs an assurance in writing that they will maintain their space and benefits. Dr. Todd responded that the buildings would stay in the UK inventory. As the University grows, UK will need space, as LCC grows it will need space.

Dr. Nietzel informed the committee that Legal Council was working on a resolution, based on the language that was used in 1998, that the board would be able to review prior to any further actions. Several committee members expressed a desire for the resolution to include language that would protect students, faculty and staff, similar to what the Staff and Senate Councils included in their recommendation. In addition, there was concern that the Board will not have enough time to review and discuss the issues and be ready to make a final decision at the meeting on January 27.

Ms. Sparks thanked everyone who participated in the discussion and especially Dr. Carr for his hard work. She also thanked the Faculty and Staff Senates for their input. Ms. Sparks opened the floor to comments from others in attendance.

Three faculty members from LCC addressed the Academic Affairs Committee and spoke against the transfer of LCC to KCTCS. Jeff Dembo briefly addressed the committee saying the discussion was similar to those the Senate Council had heard.

Mrs. Young expressed concern about trying to make a decision at the January 27 Board meeting. She recommended that it would be wise to have a separate meeting to address this issue specifically. It would give us time to distribute information to other Board members and continue the discussions in order to make an informed decision. Ms. Young moved that the Board of Trustees schedule a special meeting in February devoted to the discussion of the Lexington Community College issue. The motion was seconded and approved.

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,

Alice Sparks  
Chair  
Academic Affairs Committee