

## MINUTES OF THE UNIVERSITY SENATE, OCTOBER 16, 1989

The University Senate met in regular session at 3:00 p.m., Monday, October 16, 1989, in room 115 of the Nursing/Health Sciences Building.

Donald C. Leigh, Chairman of the Senate Council, presided.

Members absent were: James L. Applegate\*, Michael Baer\*, Harry V. Barnard\*, Mark C. Berger\*, Raymond F. Betts, Wilford A. Bladen\*, Glenn C. Blomquist\*, Peter P. Bosomworth, T. Earle Bowen, Michael W. Bowling\*, Douglas Boyd, Stanley D. Brunn\*, Joan C. Callahan\*, Rutheford B. Campbell, Jr., Ben W. Carr, Edward A. Carter, Jeff Carver\*, W. Harry Clarke\*, Jordan L. Cohen\*, Raymond H. Cox\*, Clifford J. Cremers\*, Ann Davidson, Richard C. Domek, Jr.\*, Vincent Drnevich, Paul M. Eakin, Bruce S. Eastwood\*, Charles W. Ellinger, Rob Followell\*, Raymond E. Fogue, Michael B. Freeman\*, J. Brauch Fugate\*, Richard W. Furst, Marilyn C. Hamann\*, Zafar Hasan\*, Robert E. Hemenway\*, Micki King Hogue, Tony Holloway\*, Alfred S. L. Hu, Bruce Hunt, Richard A. Jensen, David C. Johnson\*, Richard I. Kermode, Kenneth K. Kubota, Gerald Lemons\*, Scott Lewis, C. Oran Little, Sean Lohman\*, Bruce A. Lucas, Loys L. Mather\*, Marcus T. McEllistrem\*, Peggy Meszaros\*, Ernest Middleton, Robert C. Noble\*, Dennis T. Officer, Jose Oubrierie\*, Deborah E. Powell\*, Doug Reed, Daniel R. Reedy\*, Thomas C. Robinson, Jo Ann Rogers, David P. Roselle, Edgar L. Sagan, Donald E. Sands, Fred Schwendeman, Steven J. Skinner\*, M. Scott Smith\*, Jeffrey Stivers\*, Louis J. Swift\*, Dennis M. TeKrony\*, Marie C. Vittetoe\*, Thomas J. Waldhart, Steven C. Weisenburger, Charles T. Wethington, Carolyn A. Williams\*, Eugene Williams, Emery A. Wilson, H. David Wilson\*, W. Douglas Wilson, and Alfred D. Winer.

Chairman Leigh recognized Professor William Moody for the Academic Ombudsman's Report.

[The Ombudsman's Report, in its entirety and as it was submitted to President Roselle, is attached at the end of these Minutes.]

Professor Moody was given a round of applause at the conclusion of his report. The following questions were asked of Professor Moody.

Professor Leigh asked about the problem of a death in the family. Professor Moody stated there were cases where students missed exams and a death in the family is an excused absence. All the students need is documentation to support the absence. A Senator asked about the "Common Exam" problem. He did not understand why Professor Moody viewed the exam a serious problem. He added that "Common Exams" are listed in the Schedule Book and students should read. Professor Moody stated that he considered it a problem because there are cases where students have concerns with "Common Exams." He stated that the problem arose when there are two tests at the same time. Professor Moody said that "Common Exams" are not as cut-and-dried as they may appear, and he is also a strong advocate of students being responsible. He still feels this an area that can be improved.

A Senator stated that in the Rules quizzes are interpreted as examinations. He asked how oral presentations would be interpreted.

\*Absence explained.

Professor Moody did not know whether a final decision had been made in terms of the Senate because in the Ombudsman's Office a decision is made as to what is best as long as something can be worked out with the instructor and student.

The Chairman thanked Professor Moody for his report.

The Chair recognized Professor Carolyn S. Bratt, Chair-elect of the Senate Council, for the first agenda item. Professor Bratt, on behalf of the Senate Council, moved approval of the proposal to revise Section V - 3.1.5, University Senate Rules, relative to rescinding academic suspensions. She stated that it was basically a new rule dealing with rescinding academic suspension. She said that the rationale is that there are no rules about rescinding academic suspensions. The intention of the rule change is to continue to allow Deans the ability to rescind, but to signal that they should do so only for good cause and only when they are prepared to report that cause. The implementation date is January 1990. This proposal was circulated to members of the Senate under date of 27 September 1989.

The Chairman noted the motion was from the Senate Council and required no second. The floor was opened for discussion. Professor Hans Gesund (Civil Engineering) wanted to know if any of the deans were contacted for comments. He wondered how they feel about rescinding academic suspensions. He felt it was similar to using a two by four to get someone's attention. Professor Dan Fulks (Associate Dean of the College of Business and Economics) said that the proposal has been discussed at some length. He feels that the result of the discussion is that as a group the associate deans can live with the proposal. He did not feel that the amendment to the rule was necessarily bad. He did find the particular wording of the rationale to be insulting and offensive.

There was no further discussion. The motion unanimously carried and reads as follows:

Proposal: (Underlined portion is new; bracketed portion is to be deleted)

Section V 3.1.5 University Academic Suspension Policies

The following undergraduate student who has not previously been academically suspended shall be subject to academic suspension from the University, but a dean may continue a student on scholastic probation if the individual case justifies it:

- a. A student who acquires an additional deficit in excess of five (5) quality points during any semester or session while on scholastic probation.
- b. A student who has a cumulative deficit in excess of 15 quality points at the end of any semester or session while on scholastic probation.
- c. A student who has been on scholastic probation for three consecutive semesters.
- d. A student who demonstrates that he/she cannot or will not do satisfactory work.

A student who is under academic suspension from the University may not enroll in any courses offered by the University of Kentucky, nor take any examination for University of Kentucky credit while on academic suspension or probation.

A student who has been academically suspended from the University a second time shall not be readmitted to the University except in unusual circumstances and then only upon recommendation of the dean of the college in which the student plans to enroll and approval of the University Senate Council.

Once reported to the University Registrar an academic suspension may be rescinded by the dean only in the event of an error in the determination of the student's eligibility for suspension, an official grade change that alters the student's suspension eligibility, or exceptional circumstances. In such cases a written notice of rescission documenting the basis for the action must be filed with the University Registrar by the dean imposing the original suspension.

Rationale: There are now no rules on the books about rescinding academic suspensions. The rules simply say that students may be reinstated after a semester and a summer session (V - 3.1.6). This implies that suspension cannot be rescinded, but in fact it often is. Deans find that they have suspended students in error or that exceptional circumstances that merit rescission have occurred. Some deans use the suspension to get the attention of students who cannot seem to be reached by mere probation. Policies on rescission are now a matter of personal judgment by the deans and result in some unevenness across the university. Further, within colleges, only those students who guess right even know to apply for rescission, so that even within colleges the "rule" is unequal.

The intention of the rule change is to continue to allow Deans the ability to rescind, but to signal that they should do so only for good cause and only when they are prepared to report that cause (as professors now must do on grade changes). The rule is intended to make all students aware of a right of which only the lucky or brash are aware or taking advantage of. This may add to the numbers of students placed on suspension who will protest, but that seems fairer than having an unwritten open door.

Implementation Date: January, 1990

The Chairman recognized Professor Bratt for the second agenda item. Professor Bratt, on behalf of the Senate Council, recommended approval of the proposal to revise Section VI -2.1.4 and Section VII - 2.3(f), University Senate Rules, relative to the statute of limitations for the Ombudsman to hear a grievance and to the retention of records by the instructor. She stated that Section VI - 2.2.4 would be amended to add "by the last day of the

semester following that in which the problem occurred (not including summer terms.)" Section VII 2.3(f) would be amended to add "If any of the records mentioned above are not returned to the students, they shall be retained by the instructor until the last day of the following semester (not including summer terms). In addition, student records and grading policy procedures including roll books, syllabi and attendance records (if applicable)--or copies of this information--shall be on file with the instructor and/or the department office whenever the instructor will no longer be available." She stated that the rationale for the rule is that a one-year period of time after the end of the semester is too long. The implementation date is January, 1990. This proposal was circulated to members of the Senate 28 September 1989.

The Chair noted that recommendations from the Senate Council required no second. The floor was opened for discussion. Professor Gesund felt the wording should be amended so that if an instructor left at the end of a semester that records should be retained in the department office. He felt an amendment should be made that records be retained by the instructor until the last day of the semester (not including summer terms), but if the instructor will no longer be available, the records shall be retained in the department office. He asked if that would be reasonable. He stated that if the Senate Council would accept the wording as an editorial amendment, there would be no need for a formal amendment. The Chair agreed on the "and/or" and the sentence was editorially changed to delete the "and/" and would then read "...shall be on file with the instructor or the department office whenever the instructor will no longer be available." He felt the amendment needed to be made because if the instructor would not be available, then students have a hard time getting their exams for use with the Ombudsman. Professor Gesund's amendment was to insert after "the last day of the following semester" the sentence "If the instructor will not be present the records shall be retained in the department office." He said that he would be satisfied with the wording of the Rules Committee. Professor Bratt suggested the amendment be "they shall be retained until the last day of the following semester (not including summer terms) by the instructor or the department office whenever the instructor will no longer be available." The amendment was seconded. There was no further discussion on the amendment which unanimously passed.

Student Senator Mehran Jahed (Graduate School) asked the Ombudsman to comment on the percentage of cases presented within six months after the problem occurred. Professor Fulks spoke in opposition to the changes for two reasons--one philosophical and one pragmatic. His philosophical reason is that the Rules Committee had two alternatives. They could either have extended the time period for faculty to keep their records in order to correspond with the statute of limitations, or they could have reduced the statute of limitations. He believes their choice sends a familiar, although not necessarily correct message. He furthermore does not believe it should be a problem for faculty to retain records six additional months. The pragmatic objection is that there are several valid reasons that students do not make a grievance within the first semester following the problem. In direct response to Senator Jahed's question, Professor Fulks stated that, although the precise number of such cases is not readily known, if there is but a single case, that should be a sufficient number. He is certain there is at least one such case per year.

Professor Moody stated his appreciation for the committee's action on the rule. He felt the rationale made sense, but he agreed with Professor Fulks that there are students who will not bring the case to the Ombudsman prior to the end of the next semester. He was in favor of adopting the 365 days rule across the board. The Chair asked Professor Moody if he wanted to make an amendment. Professor Moody said that he was in favor of leaving the 365 days in the rule. Professor Bratt clarified there would be no change in 2.1.4 and in 2.3(f) that in each place where "the last day of the following semester" appeared, there would be substituted "within 365 days subsequent to the conclusion of the academic term in which the problem occurred." The amendment was seconded and the floor was opened for discussion on the amendment.

Professor Bradley Canon (Political Science) opposed the amendment. He chaired the Rules Committee last year when it recommended the end of the next semester cutoff. He said that Professor Fulks' arguments for a one-year cutoff could just as easily support a four-year cutoff and that there were space reasons, especially in TA carrels, as well as reasons about what we could expect instructors as a practical matter to do which argued for a one-semester cutoff. Moreover, he argued, it did not seem likely that students would wait beyond the next semester to complain about a perceived injustice. He did not find Professor Fulks' argument that the proposed rule contracted student rights persuasive.

As a point of information Professor Leigh said that the last sentence does allow the students to appeal in cases of extreme hardships and the problem could still be considered.

Professor David Durant (English) spoke in favor of the amendment. He said it would be a great mistake to cut back on students' rights for a minor convenience for the faculty.

Professor Edward Scheiner (Journalism) wanted to know from the Ombudsman if papers would include projects. He said that in advertising they had poster boards, photographs, etc. and he wanted to know if those had to be retained. The Chair said that they would have to be retained if not given back to the students.

Professor Gesund's perception of the problem is that if students don't react immediately to receive justice, they will create an injustice in their own minds just before graduation when they find they are in trouble. He did not feel there would be much difference between one year or one semester. He said that if the faculty wants to take good care of the students, then give the papers back immediately for feedback and for purposes of study.

Professor Fulks felt the students are being punished for two reasons. One is that the faculty is afraid students will fabricate problems and he feels that is not fair to the good (or innocent) students. Secondly, he feels the faculty is restricting rights of the students for the convenience of faculty's storage problem. He said that when students had problems, one of the first things asked is, "Where is the exam or research project," and if it has been thrown away, there is no way to resolve the case. Professor Fulks appreciated the Rules Committee's efforts to bring the rules into agreement, but he could not see a good rationale for cutting back the 365.

Professor Philip Greasley (University Extension) stated that the fastest growing group of students across the country is the non-traditional group. He said that the rules made sense when talking about full-time students on campus. He said that the non-traditional student might go at a slower pace taking one course a semester. To him the rule was aimed at the traditional student.

There was no further discussion. Chairman Leigh stated that the amendment was to retain 2.1.4 as it was in that the Ombudsman can still hear complaints within 365 days and the other part was the instructor and department be required to keep records for 365 days past the end of that semester. The amendment passed and reads as follows:

"until 365 days subsequent to the conclusion of the academic term in which the problem occurred."

There was no further discussion on the main motion which passed as amended and reads as follows:

Proposals: (Underlined portion is new; bracketed portion is to be deleted)

#### Section VI

##### 2.1.4 Statue of Limitations

The Academic Ombudsman is empowered to hear only those grievances directed to his or her attention within 365 days subsequent to the conclusion of the academic term in which the problem occurred. However, the Ombudsman may agree to hear a grievance otherwise barred by the Statute of Limitations in those instances where (1) the Ombudsman believes that extreme hardship including but not limited to illness, injury, and serious financial or personal problems gave rise to the delay or (2) all parties to the dispute agree to proceed. (US:2/11/80)

#### Section VII

2.3(f) They shall return to, discuss with, or make available to students all papers, quizzes and examinations within a reasonable period of time, unless the confidentiality of the examination precludes[;]. If any of the records mentioned above are not returned to the students, they shall be retained by the instructor until 365 days subsequent to the conclusion of the academic term in which the problem occurred. In addition, student records and grading policy procedures including roll books, syllabi and attendance records (if applicable)--or copies of this information--shall be on file with the instructor or the department office whenever the instructor will no longer be available.

Mark the following a new section g and reletter the remaining rules in the section.

- g. To give final examinations in accordance with procedures approved in Section V., 2.4.6.

**NOTE:** The Rules Committee expects that material relating to a student who had an "I" grade in a course would be retained until 365 days subsequent to the academic term following the change in the "I" grade.

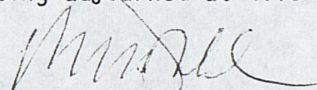
Rationale: It is hard to believe that a student who really believes a potential academic injustice has occurred will not contact the instructor, ask for any unreturned material, and bring the case to the Ombudsman prior to the end of the next semester. Of course, there are students who drop out and faculty on leave, but the same problems exist under a 365 day rule. If contact is impossible, these problems can be met with the student mailing or filing a complaint to the Ombudsman during the following semester which sets forth the student's suspicions. The Ombudsman would then ask for the relevant material or ask the instructor to retain it longer.

Most instructors think it is common sense to keep material just one semester. Their offices are small (TA offices are often no more than a desk) and instructors are not in the storage business. Their experience is that students who think an injustice has occurred will not wait 365 days to complain about it.

The proposed "end of the following semester" policy is fair, simple and realistic.

Implementation Date: January, 1990

There being no further business, the meeting adjourned at 4:15 p.m.

  
Randall W. Dahl  
Secretary, University Senate

## ACADEMIC OMBUDSMAN REPORT 1988-89

WILLIAM G. MOODY

On July 1, 1988, I became the 15th person to hold the Office of Academic Ombudsman at the University of Kentucky. As you may know, this office was created in 1969 as a result of the student protests in the late 1960's. A few of my predecessors have held the office for two years, while the majority of us felt that one year was sufficient. Although I have been a member of the teaching faculty at the University since 1963, I had no previous contact with the Office of Ombudsman and was only vaguely familiar with its overall function.

I allowed my name to be placed in nomination for this office more out of curiosity than anything else. Once I had been screened and interviewed by the committee, I became more interested and was actually excited about the challenge it offered. I looked at the office as an opportunity to grow as an individual and learn more about the University academic community. I also felt that my twenty-six years of teaching and advising students could be an asset in working with students and faculty in mediating grievances. After completing a year as Academic Ombudsman, I must say, the office was everything I expected and then some.

My first few days were spent learning the procedures, reviewing the Senate Rules and familiarizing myself with a few carry-over cases that had been left by my predecessor. Unfortunately as it turned out, a couple of these cases lasted the entire year. This is a good time to take a moment to express thanks and appreciation to Ms. Frankie Garrison, the Assistant to the Ombudsman and Mrs. Donna Bruszewski, a ten-month Staff Assistant, for their help and assistance. Actually, had it not been for Frankie's help I would have been lost those first few weeks. Frankie and Donna both do an excellent job in assisting the Ombudsman in carrying out his duties. In fact, they are the only continuity this office has from one year to the next. I think it extremely important that some consistency be maintained, particularly as it pertains to bench mark cases and certain policies that are followed. Also, I think it fair to say that these ladies have a tough job since they acquire a new boss every year or two.

As I reviewed the Ombudsman reports of previous years, it seemed that many of the problems that confronted this office kept re-occurring. The one thing that caught my attention from Bill Fortune's report last year was the need to establish better communications with students. With this in mind, I decided to make this my priority item for the year.

My report today will focus on three areas. First, I want to comment on a few things we did this past year in an attempt to



improve communications. Second, I shall point out some of the problem areas that exist and finally finish by telling you what I think we, as a teaching community, can do to help lighten the load of the Ombudsman and alleviate many of the problems that occur.

I. IMPROVED COMMUNICATIONS:

A. COMMUNICATIONS WITH STUDENTS

From observation and talking with students, it became clear that 1) many students don't know that we exist and those that do are either afraid to contact the office or are reluctant to solicit its services and 2) many students don't know what their rights and responsibilities are since they have never read the booklet entitled Student Rights and Responsibilities. This being the case, I decided to write a monthly article entitled the "Ombudsman's Corner" that would be published in the Kernel (See list of articles at end of this report). Overall, I was pleased with the response we had with this series, as we received several compliments from both students and faculty telling us that they had read our articles and thought this an excellent way to get our message across.

My second attempt to acquaint students with our office was to work closely with the Student Government Association. I found James Rose, President of the SGA, not only interested in the idea, but he assigned one of his student leaders to work with me in monitoring complaints issued against foreign Teaching Assistants. As you may recall, in the Spring of 1988, the whole issue of foreign TA's was very much in the news. I sensed that students would voice their complaints to the Student Government Association before coming to our office. Each time we received a complaint on a TA, either from the Student Government or from our office, it was forwarded to a special committee appointed by Dr. Don Sands to evaluate each case and make recommendations. I might add that we had very few formal complaints last year which indicated that the TA screening procedure appears to be working.

My other approach to foster better communications with students consisted of making talks before fraternity groups and other student organizations. Although I did not do many of these, I enjoyed the interaction with the students and felt this was a worthwhile endeavor.

B. COMMUNICATIONS WITH FACULTY

Our office participated in orientation programs for new faculty and teaching assistants. Frankie and I set up a booth at Parents Weekend to further inform students, faculty and parents of the things we do. In addition, our office sent out the usual "Beginning and End of Semester" reminders to all faculty and administrators, alerting them of important Senate rules and deadlines pertinent to the teaching segment of the University. Toward the end of the Spring semester, we mailed each of you a "Flow Chart" describing the proper procedure to follow in processing a cheating or plagiarism case. I also gave a seminar to the faculty and graduate students in one fairly large department. I regret not doing more of this across campus, but we did this only upon request. So, if any of you would like to have the Ombudsman present a seminar to your group, I feel sure Dan Fulks and Frankie Garrison would be happy to arrange such a meeting.

C. COMMUNICATIONS WITH HIGHER ADMINISTRATION

Last, but certainly not least, I thought it important to keep the President informed of our activities on a somewhat regular basis. To do this, I sent President Roselle three reports at approximately four-month intervals. Some of you know, it is not uncommon for a disgruntled student's parent to contact the President, a member of the Board of Trustees or even a political figure about a problem their son or daughter is having at the University. Therefore, it seemed only appropriate that we keep the President abreast of not only the routine cases that come through our office but more importantly the special "problem" cases that might become awkward or embarrassing if allowed to get out of hand. The President expressed appreciation for this information so I felt it served a useful purpose if none other than to act as a barometer for student grievances.

II. SPECIAL PROBLEM AREAS

The next part of my report addresses special problem areas that seem to haunt us year in and year out. We had a few new problems this year but for the most part they were the same problems with different faces. Those areas that consumed a large portion of our time and tested our patience centered around such things as grade discrepancies, common exams, absences, repeat options (deadlines in general), course requirements (particularly in colleges offering certification programs), dead week, cheating and plagiarism.

This year we had two cases that took a disproportionate amount of my time. Both cases involved students in professional colleges. These cases were ongoing when I assumed office in July and were only resolved a week or so before I completed my year as Ombudsman. I have no doubt that I could write a best selling book on one of the cases since it took so many different turns during the course of the year, but because of the confidentiality of our office, I have decided against it.

A. GRADE DISCREPANCIES

The students number one complaint, as you might expect, concerns discrepancies over grades. Every case seemed to have a different twist, so it is difficult to pinpoint any consistent thread of commonality that runs through each one. Without going into a lot of detail, it is probably fair to say that most of the problems result from a misunderstanding or a failure on the part of the teachers to clearly define their grading policy at the beginning of the semester. In a few cases, discrepancies occurred because of an honest mistake by the teacher not recording a homework problem or not recognizing an excused absence. Even a math error in computing the grades resulted in a student receiving a lower grade than expected. From my vantage point, it appears that students who take predominately essay exams and who are graded on their participation in class have the most complaints about grades.

B. COMMON EXAMS

The common exam continues to be a headache despite efforts to improve it. The problem seems to occur when students find they have two tests at the same time. Unfortunately, many of these students aren't aware of the test times when signing up for different courses. In some instances this information was not available in the class schedule book and in other cases the students just didn't think far enough in advance. Some of you, in departments offering the common exam, have been very cooperative in trying to work things out with the students. Even with this, I still feel that more attention should be given in trying to alleviate the problem. I understand an effort is now being made with the computerized registration to indicate on the student's schedule where a potential problem exists. Hopefully, this will help, but if not, I suggest forming a committee of those department heads and/or class coordinators, together with the Registrar, Chairman of

the Senate Council, and the Ombudsman to iron out these problems once and for all. In my opinion, there is no reason why this has to be one of the major problems listed in the Ombudsman's report each year.

C. EXCUSED ABSENCES

We still have too many students who have problems with the excused absence policy. Senate Rule, Section V - 2.4.2, is very clear about those situations that constitute excused absences. The problem seems to surface when students fail to present their teachers with sufficient documentation. Some teachers are reluctant to give make-up exams even though the rule states that students with excused absences are entitled to a make-up. Another part of this whole matter of absences concerns those absences which are legitimate, but aren't mentioned in the Senate Rules.

This is where good judgement and common sense must prevail. Teachers must decide on an absence policy that is fair and equitable to all students, but it should not be so rigid that it cannot be altered.

D. REPEAT OPTION RULE

Some students still have difficulty understanding the Repeat Option rule. Most of the problems that have come to us on this matter have been a result of student negligence or just plain forgetting to sign up by the deadline. In a few cases, problems have arisen as a result of poor advising or errors in record keeping. By in large though, this is the student's responsibility.

E. STUDENTS OFF TRACK

In a few incidents, we had students come to us who had accumulated a large number of hours, but because of changes in the program, these students had no real hope of getting a degree in the foreseeable future. Without exception, these were students pursuing degrees in accredited programs where the competition into these programs is very stiff. I don't feel it right for students to be lead along and kept in the system without some reasonable expectation for completion. Fortunately the numbers of students that fall into this category are relatively few.

F. DEAD WEEK

Dead Week continues to be abused by some of our teachers despite our efforts to publicize this in the Kernel and by a special mailer. We just discovered this past spring that a large number of the TAs and part-time faculty were not receiving our mailings. This obviously caused all kinds of problems since these people were not aware that these rules existed. I think we have all of our teaching faculty, including part-time people, as well as TAs on the mailing list for the first time. Another problem with this item is the way some teachers interpret the meaning of the rule. Senate Rule, Section V - 2.4.6, states that "no tests (except make-ups and lab practicals) are to be given during this time." Are quizzes and oral reports considered tests? Our office has ruled that quizzes are a type of test and therefore, in the spirit of the rule should not be given during this time.

G. CHEATING AND PLAGIARISM

Cheating and plagiarism cases always seem to peak toward the end of each semester. This past year was no exception. We had 00 cases in the Fall and 00 cases that occurred at the end of the 1989 Spring semester. I personally feel that the cases we hear about are just the tip of the iceberg. In many situations, where students are suspected of cheating, the teacher and student work out some type of compromise. It might be a 0 (zero) for that paper or test, but it never gets to our office. I've been told by some of my teaching colleagues that they don't bother to report these incidents because it is quite involved and takes too much time, especially if the student winds up taking the case to the Appeals Board. Also, I don't think some teachers feel comfortable with the minimum penalty rule.

III. AREAS WHERE I FEEL TEACHERS, ADMINISTRATORS AND STUDENTS CAN IMPROVE

- A. Read and become familiar with the Senate Rules. Try to anticipate those areas where problems may occur.
- B. Make every effort to keep students informed of your grading procedure, attendance policy, office hours, exam format and overall expectations. Spend time to explain the meaning and penalties associated with plagiarism.
- C. Try to put yourself in the place of your students. Remember it's ok to be known as a hard teacher so long as you are consistent, predictable and above all fair in

your dealings with the students. Work toward solving your own problems. After all, each teacher is an ombudsman in a sense. Therefore, you should try to reconcile grievances before sending the students to talk with the Ombudsman.

- D. Be flexible and willing to give and take. After all, few people in this world are right all of the time. Remember that if we make a mistake or misjudge a situation don't be too proud to admit your failure.
- E. Take time to talk with students i.e., keep the line of communications open. Many of the problems we encountered could have been nipped in the bud had the teacher and student been able to talk things out.
- F. Administrators, including class coordinators, department heads, Associate Deans and others should be willing to listen to students and try to resolve problems within their areas. Many cases should never go to the Ombudsman, but rather be handled at the college level.
- G. Students, too, have obligations and responsibilities. They need to be informed of their rights, but at the same time, they should attend class and expect to work hard in their courses if they are to get the most from their college experience. It has been my experience that few things that are worthwhile in life come without some personal sacrifice and hard work.
- H. Good teaching requires time, energy resources and imagination. It's not something you legislate or demand. The University Senate Rules give us direction and provide continuity throughout the University. I personally think we have enough rules. What we need most is to have teaching placed at the highest priority in the University and then many of our problems in the academic area would be substantially reduced. This is not to say we do not need an Ombudsman, because I think we do. However, if we all do our job, the Ombudsman's time could be better spent dealing with those special cases that, for whatever reason, cannot be negotiated fairly at a lower level.

I consider it a honor and privilege to have served this year as Academic Ombudsman. This experience has given me a great appreciation for the student body, the teaching faculty and the administration of this University. Although we had a fair number of grievances this year, I am amazed the system works as well as it does. In general, I've found you to be a dedicated and compassionate faculty. Although we have our differences from time to

time, I sense the one thing we have in common is that we are all professionals working toward a common goal of educating our young people. I appreciate the cooperation and friendship you extended me and I trust that you will offer the same to Dan Fulks and others who succeed him in this office.

I would like to thank the many people who helped make my year one I shall always remember. At the risk of leaving out some key individuals, I'm going to list those people that come to mind as being helpful over the year. Again, thanks for a great year.

I extend my special thanks to the following people who assisted me in carrying out my duties as ombudsman.

David Roselle	President, University of Kentucky
Richard Greissman	Assistant to the Dean A&S
Paul Sears	Administration
Cindy Todd	Assistant to the Senate Council Chairman
Ann Garrity	Assistant to the Chancellor
Mary Mayhew	Planning and Budget
Gay Elste	Legal Council
Mike Nichols	Counseling Center
Art Gallaher	Chancellor Lexington Campus
Don Sands	Vice Chancellor for Academic Affairs
Peter Bosomworth	Chancellor Medical School
R. Bill Campbell	Dean, College of Law
Kawanna Simpson	Associate Dean, College of Education
Bill Lubawy	Associate Dean, Pharmacy
Tom Stipanowich	Appeals Board, Hearing Officer
Bill Endorf	Director of Student Records
Brad Cannon	Chairman, Senate Rules Committee
Loys Mather	Chairman, Senate Council
Emery Wilson	Dean, Medical School
John Robertson	Associate Dean, Agriculture
Jean Cox	Director, Student Health
Jay Blanton	Editor, Kentucky Kernel
James Rose	President, Student Government Association
David Allgood	Student Government Association
Charles Byers	Former Academic Ombudsman
Bill Fortune	Former Academic Ombudsman
Randall Dahl	Registrar
Professor Morelock	Professor, Sociology
Paul VanBooven	Associate Dean, College of Law
Dan Reedy	Dean, Graduate School
Frankie Garrison	Assistant to the Ombudsman
Donna Bruszewski	Staff, Academic Ombudsman

STATISTICAL REPORT

1988-89

NUMBER OF CONTACTS (TELEPHONE CALLS/REFERRALS)	1498
NUMBER OF MERIT CASES	295
APPROXIMATE TIME SPENT ON EACH CASE	3 DAYS
RANGE OF TIME SPENT ON EACH CASE	1 HOUR TO 1 YEAR
APPROXIMATE MINIMAL TIME SPENT ON EACH CASE FORWARDED TO THE APPEALS BOARD	36 HOURS



CASES BY MONTH

JULY.....	9
AUGUST.....	34
SEPTEMBER.....	45
OCTOBER.....	17
NOVEMBER.....	12
DECEMBER.....	52
JANUARY.....	39
FEBRUARY.....	12
MARCH.....	8
APRIL.....	15
MAY.....	42
JUNE.....	10
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TOTAL	295

STUDENT'S COLLEGE

AGRICULTURE.....	5
ALLIED HEALTH.....	2
ARCHITECTURE.....	1
ARTS AND SCIENCES.....	110
BUSINESS AND ECONOMICS.....	39
COMMUNICATIONS.....	30
DENTISTRY.....	0
EDUCATION.....	12
ENGINEERING.....	22
EVENING-WEEKEND.....	5
FINE ARTS.....	8
GRADUATE SCHOOL.....	17
HOME ECONOMICS.....	5
LAW.....	1
LIBRARY AND INFORMATION SCIENCE.....	0
MEDICINE.....	2
NURSING.....	1
PHARMACY.....	1
SOCIAL WORK.....	3
NON-APPLICABLE.....	14
MULTIPLE COLLEGES.....	17
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TOTAL	295

CLASSIFICATION OF THE STUDENT

FRESHMEN.....	44
SOPHOMORES.....	41
JUNIORS.....	52
SENIORS.....	97
GRADUATES.....	17
1ST YEAR.....	4
2ND YEAR.....	3
4TH YEAR.....	5
NON-DEGREE.....	1
NON-APPLICABLE.....	14
MULTIPLE CLASSIFICATION.....	17
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TOTAL	295

COLLEGE WHERE COMPLAINT  
ORIGINATED

AGRICULTURE.....	4
ALLIED HEALTH.....	1
ARCHITECTURE.....	1
ARTS AND SCIENCES.....	137
BUSINESS AND ECONOMICS.....	23
COMMUNICATIONS.....	16
DENTISTRY.....	0
EDUCATION.....	8
ENGINEERING.....	12
EVENING-WEEKEND.....	0
FINE ARTS.....	14
GRADUATE SCHOOL.....	17
HOME ECONOMICS.....	4
LAW.....	1
LIBRARY AND INFORMATION SCIENCES.....	1
MEDICINE.....	2
NURSING.....	2
PHARMACY.....	1
SOCIAL WORK.....	2
MULTIPLE COLLEGES.....	17
NON-APPLICABLE.....	20
	295
TOTAL	295

DEPARTMENT WHERE COMPLAINT ORIGINATED

ACCOUNTING.....	9	HUMAN ENV--DESIGN & TEXTILES.	3
AGRICULTURAL ECONOMICS.....	1	JOURNALISM.....	3
AGRICULTURAL ENGINEERING.....	1	MANAGEMENT.....	1
ANIMAL SCIENCES.....	2	MATHEMATICS.....	20
ANTHROPOLOGY.....	1	MECHANICAL ENGINEERING.....	2
ART STUDIO.....	4	MEDICAL TECHNOLOGY.....	1
BIOLOGICAL SCIENCES.....	13	MILITARY SCIENCE.....	1
BUSINESS & OFFICE TECHNOLOGY..	1	MINING ENGINEERING.....	1
CHEMISTRY.....	16	MUSIC.....	1
CIVIL ENGINEERING.....	3	PHARMACOLOGY.....	1
COMMUNICATION.....	13	PHILOSOPHY.....	3
COMPUTER SCIENCE.....	13	PHYSICS & ASTRONOMY.....	4
CURRICULUM & INSTRUCTION.....	4	POLITICAL SCIENCE.....	4
ECONOMICS.....	13	PSYCHOLOGY.....	2
ED & COUNSELING PSYCHOLOGY....	1	PUBLIC ADMINISTRATION.....	2
ELECTRICAL ENGINEERING.....	3	SOCIOLOGY.....	4
ENGINEERING MECHANICS.....	2	SPANISH & ITALIAN.....	6
ENGLISH.....	18	SPECIAL EDUCATION.....	1
FAMILY STUDIES.....	1	STATISTICS.....	14
FRENCH.....	7	THEATRE.....	1
GEOGRAPHY.....	2	MULTIPLE DEPARTMENTS.....	17
GERMAN.....	2	NON-APPLICABLE.....	32
HISTORY.....	7		
HEALTH, PE, RECREATION.....	1		

NATURE OF COMPLAINTS

GRADES.....	87
COMMON EXAMS.....	25
INSTRUCTOR.....	24
DEATH IN FAMILY.....	19
EXAMS.....	15
REPEAT OPTION.....	13
ABSENCES.....	13
CHEATING.....	10
DEAD WEEK.....	9
COLLEGE.....	8
ILLNESS.....	8
REGISTRAR.....	4
ADD/DROP.....	4
SHORT HOURS TO GRADUATE.....	4
PLAGIARISM.....	3
ACADEMIC BANKRUPTCY.....	3
EACH OF THE FOLLOWING: .....	2
ADMISSION TO PROGRAM	TRANSFER OF CREDIT
PRE-REQUISITES	INTERNSHIP
NEEDS A CLASS	STUDENT HARASSING FACULTY
PERSONAL PROBLEMS	SUSPENSION
EACH OF THE FOLLOWING: .....	1
WITHDRAWAL	SUSPENSION
LATE PAPER	REINSTATEMENT
NO BOOK	TUTION
REFUND	BOOKSTORE
PLASMA ALLIANCE	SMOKING
LOST DIPLOMA	HEARING DISABILITY
DISCRIMINATION (NOT VALID)	
MISCELLANEOUS.....	14

BREAKDOWN OF GRADE COMPLAINTS

I.	"A-" GRADE.....	1
	A. WENT TO APPEALS BOARD--NO CHANGE	
II.	"B" GRADES.....	9
	A. NO CHANGE.....	4
	B. WENT TO APPEALS BOARD--NO CHANGE.....	1
	C. GRADE HAD BEEN LOWERED FROM AN "A" AFTER GRADE REPORTS WENT OUT--NO CHANGE.....	1
	D. OUTCOME UNKNOWN.....	3
III.	"C" GRADES.....	9
	A. CHANGED TO A "B".....	2
	B. GRADE HAD BEEN LOWERED FROM A "B" AFTER GRADE REPORTS WENT OUT--NO CHANGE.....	1
	C. OUTCOME UNKNOWN.....	6
IV.	"D" GRADES.....	20
	A. CHANGED TO A "B".....	1
	B. CHANGED TO A "P".....	1
	C. NO CHANGE.....	1
	D. GRADE HAD BEEN LOWERED FROM A "B" AFTER GRADE REPORTS WENT OUT--NO CHANGE.....	1
	E. OUTCOME UNKNOWN.....	16
V.	"D-" GRADE.....	1
	A. WE NEGOTIATED FOR AN "I" GRADE--STUDENT NEVER PURSUED.	
VI.	"E" GRADES.....	31
	A. CHANGED TO AN "A".....	1
	B. CHANGED TO A "D".....	1
	C. CHANGED TO AN "I".....	1
	D. CHANGED TO AN "AUDIT".....	1
	E. CHANGED TO "NIC".....	1
	F. OUTCOME UNKNOWN.....	26
VII.	"I" GRADE.....	2
	A. CHANGED TO A "B".	
	B. EXTENSION OF TIME--GRANTED	
VIII.	"NIC" GRADE.....	1
IX.	NO GRADES.....	14

## ACADEMIC OFFENSES

I. CHEATING CASES	
A. CASES.....	10
B. SANCTIONS	
1. "E" GRADE.....	7
2. "E" GRADE AND ONE SEMESTER SUSPENSION.....	2
3. "E" GRADE AND ONE YEAR SUSPENSION.....	1
C. CASES WHERE STUDENT WAS FOUND "NOT GUILTY" BY THE COLLEGE OR THE DEPARTMENT.....	2
D. CASES APPEALED.....	1
1. SANCTION WAS REDUCED FROM "E" GRADE AND ONE SEMESTER SUSPENSION TO "E" GRADE ONLY.	
II. PLAGIARISM CASES	
A. CASES.....	3
B. SANCTIONS	
1. "E" GRADE.....	2
2. "0" GRADE ON PAPER\EXAM.....	1
C. CASES APPEALED.....	0
III. BEHAVIOR CODE VIOLATION IN PROFESSIONAL COLLEGE	
A. CASES.....	1
B. SANCTION	
1. TERMINATION AS A STUDENT.....	1
C. THIS CASE WAS APPEALED THROUGH ALL THE COLLEGE PROCEDURES; HOWEVER, IT WAS NOT APPEALABLE THROUGH THE UNIVERSITY APPEALS BOARD.	



5 YEAR COMPARISON

	<u>MULTIPLE CONTACTS</u>	<u>SINGLE CONTACTS</u>
1988-89	295	1,498
1987-88	194	685
1986-87	505	2,745
1985-86	538	2,016
1984-85	535	1,894
1983-84	407	1,421

COMPARISON OF TOP 6 COMPLAINTS

<u>1988-89</u>		<u>1987-88</u>	
GRADES	87	GRADES	61
COMMON EXAMS	25	CHEATING	17
INSTRUCTORS	24	ILLNESS	13
DEATH IN FAMILY	19	INSTRUCTOR	12
EXAMS	15	EXAMS	11
REPEAT OPTIONS	13	COLLEGE	10
<u>1986-87</u>		<u>1985-86</u>	
GRADES	266	GRADES	297
INSTRUCTOR	72	INSTRUCTORS	65
CHEATING	55	ILLNESS	32
EXAMS	45	EXAMS	25
COLLEGE	14	COLLEGE	21
DEAD WEEK	11	GRADUATION	14
<u>1984-85</u>		<u>1983-84</u>	
GRADES	265	GRADES	210
INSTRUCTORS	45	INSTRUCTORS	30
CHEATING	38	FINALS	24
ADD/DROP	32	ADD/DROP	24
REPEAT OPTION	29	CHEATING	22
FINALS	29	REPEAT OPTION	15

UNUSUAL CASES THIS YEAR

- A. TEACHER WHO HAD TERM PAPERS DESTROYED.
- B. STUDENT WHO REQUESTED AN "E" TO GET ANOTHER TEACHER.
- C. STUDENT CALLED CHANCELLOR GALLAHER SO SHE COULD GET INTO COLLEGE OF NURSING.
- D. STUDENT WHO WAS SUSPENDED BEFORE BEING PLACED ON PROBATION.
- E. STUDENT WHO WAS GIVEN RUN AROUND TO GET CREDIT FOR COURSES TAKEN IN ANOTHER COUNTRY.
- F. STUDENT WHO APPEALED AND WON BECAUSE THE COURSE TAUGHT WAS DIFFERENT FROM THAT DESCRIBED IN THE CATALOG.
- G. STUDENT IN NURSING WHO GOT "E'S" ON ALL WORK BECAUSE OF ILLNESS (DEAN'S EXCUSE REQUIRED).
- H. STUDENT WHO GOT "E" ON ALL WORK (ILLNESS & DEATH IN FAMILY) AND FINALLY GOT "I'S" AND "NIC".
- I. TWENTY-SEVEN STUDENTS IN MY OFFICE AT ONCE COMPLAINING ABOUT A PARTICULAR COURSE.
- J. STUDENT HAD BEEN OUT OF SCHOOL FOR 15 YEARS AND WANTED TO CLAIM ACADEMIC BANKRUPTCY.