ADMINISTRATIVE REGULATIONS

ADMINISTRATIVE REGULATIONS

Introductory Remarks

In the Governing Regulations, the Board of Trustees has delegated certain responsibilities to the President in order to provide for the responsible and efficient administration of the University and the accomplishment of its goals. As the chief administrative officer of the University, the President is authorized by the Board to promulgate the Administrative Regulations which provide interpretation and implementation of the Governing Regulations and of the Minutes of the Meetings of the Board of Trustees and which state policies within the sphere of delegated responsibility.

The Administrative Regulations contain only those basic documents which have been approved for inclusion by the President. Among these documents are a few policy statements and regulations which have been approved by the Board of Trustees (as indicated in the title of each such document) and which can be amended only with the Board's approval. All other administrative regulations and related amendments are contingent upon final approval by the President.

The Administrative Regulations are printed in loose-leaf form so that periodic changes may be easily effected. Administrative, staff, and faculty personnel who have comments or suggestions about modifications or corrections in the Administrative Regulations should communicate these in writing to the Special Assistant for Academic Affairs, 7 Administration Building 0032.

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DESIGNATION OF DOCUMENTS IN THE ADMINISTRATIVE REGULATIONS

The documents in the University of Kentucky Administrative Regulations are identified and differentiated by a designation of the following type:

AR PN-AON-DN in which

AR = Administrative Regulation

PN = Part Number

- I (Administrative Organization)
- II (Policies and Procedures)
- III (Administrative Committees)

AON = Administrative Officer Number

Numerical Designation for administrative officer responsible for document:

- 1.0 (President)
- 1.1 Vice President for Fiscal Affairs
  - 1.3 (Controller and Treasurer)
  - 1.4 (Facilities Planning and Management)
  - 1.6 (Personnel Policy and Procedures)
- 1.2 (Vice President for University Relations)
- 1.5 (Vice President for Management and Budget)
- 2.0 (Vice President for Information Systems)
  - 1.7 University Computing Services
- 4.0 (Vice President for Research and Graduate Studies)
- 5.0 (Chancellor for the Community College System)
- 7.0 (Chancellor for the Medical Center)
- 8.0 (Chancellor for the Lexington Campus)
  - 8.2 (Administration for the Lexington Campus)
  - 8.3 (Student Affairs for the Lexington Campus)
  - 8.4 (Minority Affairs for the Lexington Campus)

DN = Document Number

Number for a document in a series of documents for which the specified administrative officer is responsible.

The numbering of the pages in each document in the Administrative Regulations is on a completely independent basis.

Appropriate dividers are supplied with loose-leaf binders to facilitate filing documents in the Administrative Regulations in accordance with this designation system.

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I. General Organization

On July 1, 1982, the University of Kentucky was reorganized into three chancellor sectors (the Community College System, the Lexington Campus, and the Medical Center) and the Central Administration. The basic objective of the reorganization was to place responsibility for operational decisions and supervision of support services closer to the program units of the University.

The Board has full legal authority and responsibility for the governance of the University. The President is the chief executive officer of the University with broad authority delegated from the Board of Trustees. The Lexington Campus and Medical Center sectors are headed by chancellors who are responsible to the President and who have delegated authority from the President.

The Central Administration is responsible for University-wide functions such as policy, planning, external relations, financial management, construction, human resources, and purchasing. Research and Graduate Studies and Information Systems also serve all sectors of the University as a part of the Central Administration.

The chancellors are the chief academic officers for their sectors of the University and serve the role of provost for their sectors. The chancellors are the chief operating officers for their sectors and have responsibility for day-to-day sector operational functions, including programs, student services, and sector business and administrative support services. Some service and operational functions which report to one of the chancellors do serve other sectors of the institution. In each such case, a description of the services to be provided and the approximate percentage of effort to be allocated for those services will be established, and the other chancellors to whose sectors services are provided will be involved in the evaluation of the unit providing the services. Central Administration provides coordination in instances where services are provided by one sector for the others, and the level of such services or the budget for them will not be reduced without approval by the President.

II. Functions, Responsibilities, and Organizational Units of the Central Administration and the Chancellor Sectors

A. Central Administration

1. Functions and Responsibilities of the President and Central Administration

The functions of the President and Central Administration include all official relationships with the Board of Trustees and with federal, state, and local government agencies. The President and Central Administration are also responsible for University-wide

policies and planning as well as the coordination of academic (instruction, research and service), student, business, and administrative services across the chancellor sectors.

In addition to being responsible for all official communications with the Board of Trustees, including all recommendations for action by the Board, the President is responsible for the management and interpretation of all Board policies and regulations. All official University relationships with federal, state, and local government agencies including policy, legal, planning and budgetary matters will be managed through the President and Central Administration.

2. Offices of the Central Administration

The offices of the Central Administration responsible for carrying out these functions are:

President
Assistant to the President for Administrative Affairs
Vice President for Fiscal Affairs
Vice President for Management and Budget
Vice President for Information Systems
Vice President for Research and Graduate Studies
Vice President for University Relations
Special Assistant for Academic Affairs
Director of Athletics
Controller and Treasurer
Legal Counsel

B. Chancellor Sectors

1. The Chancellor Sectors and Their Constituent Organizational Units

The two chancellor sectors are the Lexington Campus and the Medical Center.

Lexington Community College

The Lexington Campus includes the colleges and major divisions of:

Agriculture
Architecture
Arts and Sciences
Business and Economics

Communications and Information Studies
Education
Engineering
Fine Arts
Human Environmental Sciences
Law
Social Work
Agricultural Experiment Station
Agricultural Cooperative Extension Service
Admissions
University System Registrar
University Extension

The Medical Center includes the colleges and major divisions of:

Allied Health Professions
Dentistry
Medicine
Nursing
Pharmacy
University Hospital
Medical Center Library
University Health Service
Ambulatory Care

2. Operational Responsibilities of the Chancellor

The chancellors are the chief operating officers for their sectors and have operational responsibilities for the sector within established University policies, procedures, and plans. While these are not autonomous sectors, each chancellor has broad discretion in planning for the sector and for day-to-day decisions affecting the sector.

3. Functions Within the Chancellor Sectors

a. Academic Programs

The chancellors are the chief academic officer for their sectors of the University and serve the role of provost for their sectors. The chancellors are responsible for academic program plans and priorities within the sector subject to the coordination and approval roles of the Central Administration, Board of Trustees, and Council on Postsecondary Education. Chancellors initiate and act on reviews of educational units. Under the broad direction of the

President, the Vice President for Research and Graduate Studies, the Chancellor for the Lexington Campus, and the Chancellor for the Medical Center, the Dean of the Graduate School provides general planning, guidance, review, and coordination for all of the University's endeavors in graduate education. Sector search committees unless otherwise delegated are appointed by and report to the chancellor. Resource allocation for graduate programs is a shared responsibility between chancellors and the Vice President for Research and Graduate Studies.
The chancellors are responsible for continuing education programs in their sectors, and a council appointed by the President will coordinate programs across the sectors. The University Senate continues in its program role for the Lexington Campus and the Medical Center.

b. Public Service and Outreach

The chancellors are responsible for public service and outreach programs for their sectors. Central Administration provides coordination across the sectors.

c. Student Affairs and Services

The chancellor is responsible for developing and implementing, as appropriate, sector plans, policies, and procedures for student programs and services, subject to Central Administration coordination. The Chancellor for the Lexington Campus is responsible for providing Financial Aid Services to all University students, and for providing Admissions, Recruitment, Counseling and Testing, and Registrar services for students in the Lexington Campus and Medical Center. Counseling and Testing services are also available to students in the Community College System. The Chancellor for the Medical Center is responsible for providing Student Health Services to all University students in Lexington. A description of the services to be provided to other sectors and the approximate percentage of effort to be allocated for these services will be established, and the other chancellors to whose sector services are provided will be involved in the evaluation of the units providing the services.

d. Planning and Budget

The chancellor is responsible for the development of sector plans and for the preparation and management of sector budgets. Plans for all sectors are coordinated through the Vice President for Management and Budget and are subject to approval by the President and the Board of Trustees. Budgets must be managed within University policies and within the resources allocated to the sector. These policies give the chancellor broad discretion in the allocation and reallocation of resources within the sector.

e. Faculty Personnel

The chancellor is responsible for sector faculty personnel functions, maintains the official academic personnel records of all faculty within the sector, and has the authority to manage the functions of employment (recruitment and appointment), promotion, tenure, termination, and leave approval for the faculty in the sector. In the exercise of these functions the chancellor is subject to University policies and procedures. Certain faculty personnel actions also require approval by the President and the Board of Trustees.

f. Staff Personnel

The chancellor is responsible for the recruitment and selection for employment of staff personnel. Human resource services are provided to all sectors by the Human Resource Services Division which reports to the Vice President for Fiscal Affairs. In the exercise of these functions the chancellor will work with the University Human Resource Services Division and is subject to University policies and procedures, including classification systems and salary schedules. Certain personnel actions also require approval by the President and the Board of Trustees.

g. International Relations

The Chancellor for the Lexington Campus is responsible for an Office of International Relations that serves the entire University. This office will provide a single point of contact for public inquiries and requests for services. A description of services to be provided to other sectors will be developed and the approximate percentage of efforts to be allocated to these services will be established. The other chancellor will be involved in the evaluation of the international relations office.

h. Computing

The chancellor is responsible for the preparation of sector computing plans and for the management and funding of sector services. Plans are subject to approval by the President, who will also establish priorities across the sectors. The Vice President for Information Systems shares responsibility with the chancellors for University-wide planning and policy development in the computing area. The Vice President for Information Systems provides oversight for computing services. The Computing Center provides services to all sectors of the University. The chancellor shall designate a person to coordinator sector computing and communications activities and to be liaison with the office of the Vice President for Information Systems in matters involving computing and communication systems.

i. Construction and Renovation

The chancellor is responsible for the establishment of construction and renovation plans and priorities for the sector. Plans are subject to approval by the President, who will also establish priorities across the sectors. Construction and renovation services are provided to all sectors by the Capital Projects Management Division which reports to the Vice President for Fiscal Affairs. Such services are provided in accord with the priorities established by the President. The chancellor may elect to assume responsibility for projects costing up to a prescribed amount under the provisions of AR II-1.4-1.

j. Maintenance and Operation of Facilities

The chancellor is responsible for the assignment of space within the sector and for the maintenance and operation of sector facilities, including interior and exterior building maintenance, custodial services, and utilities. Maintenance of sidewalks, roads, grounds, exterior signs, exterior sewage and utility distribution systems, and exterior lighting is provided by the Physical Plant Division of the Lexington Campus to all operations in Lexington.

k. Development

The chancellor is responsible for the establishment of a sector development plan and for the coordination and implementation of development efforts within the sector. Plans are subject to approval by the President, who will also establish priorities across the sectors. The Vice President for University Relations is responsible for providing oversight, planning and coordination of development for the University, for the provision of staff services to the sectors, and for the coordination of development plans developed by the chancellors for their sectors. Each chancellor shall designate a person to serve as coordinator of development for the sector.

l. Public Relations

The chancellor is responsible for the establishment of a sector public relations plan and for the coordination and implementation of public relations efforts within the sector. Plans are subject to approval by the President, who will also establish priorities across the sectors. The Vice President for University Relations is responsible for providing oversight, planning and coordination of public relations efforts for the University, for the provision of staff services to the sectors, and for the coordination of public relations plans developed by the chancellors for their sectors. Each chancellor shall designate a person to serve as coordinator of development for the sector. Each chancellor shall designate a person to serve as a public relations coordinator for the sector.

m. Affirmative Action and Minority Affairs

The chancellor is responsible for sector compliance with University affirmative action policies and procedures. Each sector is responsible for developing affirmative action plans consistent with the policies and formats of the University, for implementing affirmative action procedures in the sector, for reviewing all appointments, and for keeping appropriate records. The chancellor is responsible for establishing an office of minority affairs to assist in the implementation of affirmative action plans, policies and procedures. The Associate Vice President for Administration and Coordinator for Affirmative Action is responsible for coordinating efforts across sectors and is available to advise the chancellor on sector affirmative action matters. The Vice Chancellor for Minority Affairs for the Lexington Campus chairs the University-wide Equal Opportunity Panel and advises the President and Vice President for Fiscal Affairs on University Equal Opportunity matters.

n. Alumni Affairs

The chancellor is responsible for the development, coordination, and implementation of alumni affairs for the sector. Each chancellor shall designate a person to serve as an alumni affairs coordinator for the sector. The Vice President for University Relations is responsible for providing oversight, planning and coordination of alumni affairs for the University and for the coordination of alumni affairs in the sectors.

o. Government Relations

The government relations program of the University, including all official relationships with federal, state and local government agencies, is managed through the President and Central Administration. The Vice President for University Relations provides staff support to the President and is responsible for planning and coordinating the government relations program. The chancellors, in the context of the roles established for the President and Central Administration, are responsible for the coordination of government relations efforts within their sectors and for assuring that relevant University policies and guidelines are followed.

p. Auxiliary Services

Each chancellor is responsible for operating all auxiliary services within the sector except those which are a part of the Housing and Dining System and those which are operated under the Vending Program for operations in Lexington, which are the responsibilities of the Chancellor for the Lexington Campus. All student residence housing is the responsibility of the Chancellor for the Lexington Campus, and the other chancellor shall be consulted on housing assignment and usage policies. Bookstore operations in Lexington are the responsibility of the Chancellor for the Lexington Campus with the Vice President for Fiscal

Affairs providing final approval of bookstore operating contracts. The chancellors shall consult with the Vice President for Fiscal Affairs prior to creating any new auxiliary functions in order to assess the impact on existing operations.

q. Contracts

The chancellor is responsible for approving contracts that pertain to the chancellor's sector only. Contracts must be in accordance with applicable University policies and procedures, including affirmative action and purchasing regulations.

r. Security

The Vice President for University Relations is responsible for all police functions for the operations in Lexington and the University Police are available to provide assistance for University operations outside Lexington including the community colleges.

s. Communications

The Vice President for Information Systems is responsible for the day-to-day management of the communication systems in Lexington and for University-wide planning and policy development. The chancellor is responsible for planning and funding communication expenses for the sector. The chancellor shall designate a person to coordinate sector computing and communications activities and to be liaison with the Office of the Vice President for Information Systems in matters involving computing and communication systems.

III. Administrative Organization of Central Administration

A. Positions in Central Administration

1. President

The President, in addition to being the chief executive officer of the University responsible for all official communication with the Board of Trustees and external agencies, has specific responsibilities for the policy, planning, and development functions of the institution. The chancellors and the administrative officers of the units of the Central Administration report to the President.

2. Assistant to the President for Administrative Affairs

The Assistant to the President for Administrative Affairs is responsible for the coordination of the offices of the Central Administration, and for providing staff support to the President.

3. Vice President for Fiscal Affairs

The Vice President for Fiscal Affairs is the chief financial officer of the University and is responsible for approving contracts that pertain to Central Administration units or to more than one chancellor sector. The Vice President for Fiscal Affairs also has direct responsibility for the offices of Human Resource Services, Affirmative Action, Equal Opportunity, Business and Facilities Management, Risk Management, Controller and Treasurer, Environmental Health and Safety, Real Property, Capital Construction, Procurement and Purchasing.

4. Vice President for Management and Budget

The Vice President for Management and Budget is responsible for the management of institutional planning, budgeting and effectiveness activities of the University, the Division of Management and Organization Analysis, and the University's property developments.

5. Vice President for Information Systems

The Vice President for Information Systems serves as chief information officer for the University. The Vice President for Information Systems shares with the chancellors the responsibility for planning and coordinating the University's academic and administrative support programs in all areas of information systems, including computer planning and policy development, and expansion of library services. The Vice President is responsible for the development of a comprehensive University communications (voice, data and image) plan and the coordination of communication needs among the sectors. The Vice President for Information systems provides oversight to the directors of the University System libraries, central and distributed computer operations, communications operations, instructional resources, distance learning technology, postal services, and publishing services. The chancellors shall each designate a person to be liaison with the King Library.

6. Vice President for Research and Graduate Studies

The Vice President for Research and Graduate Studies works with the chancellors and other vice presidents for the enhancement of the University's research and

graduate programs. The Vice President for Research and Graduate Studies, is responsible for planning, development and operation of Research and Graduate Studies which is comprised of the following: the Graduate School, Office of Intellectual Properties Development, Office of Fiscal Affairs, Office of Sponsored Projects Administration, Office of Sponsored Program Development, Office of the University Veterinarian, Division of Laboratory Animal Resources, and multidisciplinary research centers and institutes (unless specifically delegated otherwise).

7. Vice President for University Relations

The Vice President for University Relations is responsible for providing oversight, planning and coordination of development, alumni affairs, and public relations programs for the University. The Vice President for University Relations is responsible for the coordination of the development, alumni affairs, and public relations plans developed by the chancellors for their sectors and for the development of university-wide plans for these program areas. The Vice President has direct responsibility for the Offices of Development, Alumni Affairs, Public Relations, University Police, and Parking and Transportation. The Vice President for University Relations provides staff support to the President, is responsible for coordinating the government relations program and for exercising the function of the President in the absence of the President.

8. Special Assistant for Academic Affairs

The Special Assistant for Academic Affairs is responsible for coordinating academic programs and academic program plans across the chancellor sectors of the University and for coordinating program approval with the Board of Trustees and external agencies. The Special Assistant also is responsible for the University-wide coordination of student policies, procedures, and services. The Special Assistant is responsible for the maintenance of the Governing Regulations and the Administrative Regulations of the University.

9. Director of Athletics

The Director of Athletics is responsible for managing the intercollegiate athletics programs of the University and related functions. The Director is responsible for intercollegiate athletics, financial management, and compliance with University, Southeastern Conference (SEC) and National Collegiate Athletic Association (NCAA) rules and regulations.

10. Controller and Treasurer

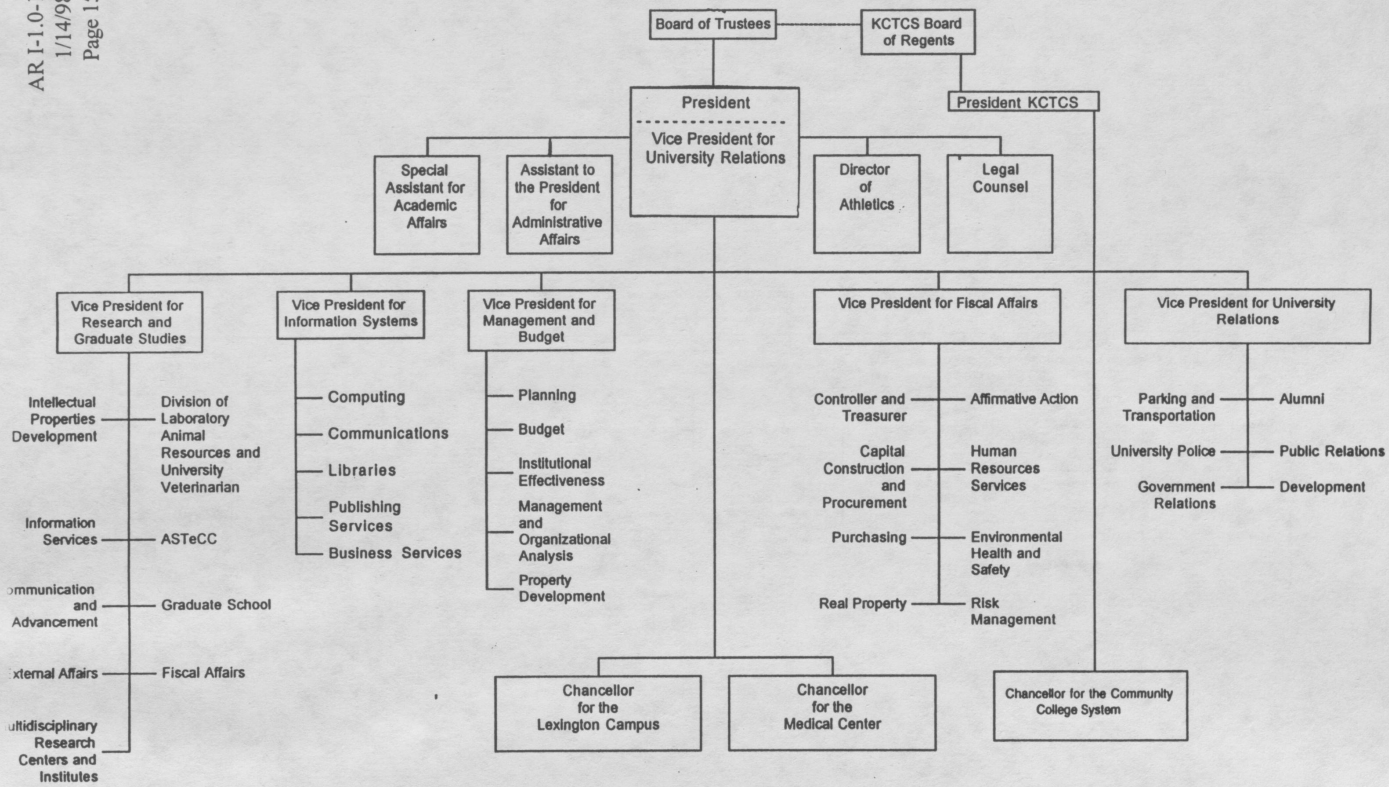
The Controller and Treasurer is responsible for the official University financial records and for the management of the treasury, accounting, payroll, property record,

investment, and banking functions. The Controller and Treasurer has operational responsibilities for accounting, payroll, and billings and collections.

11. Legal Counsel

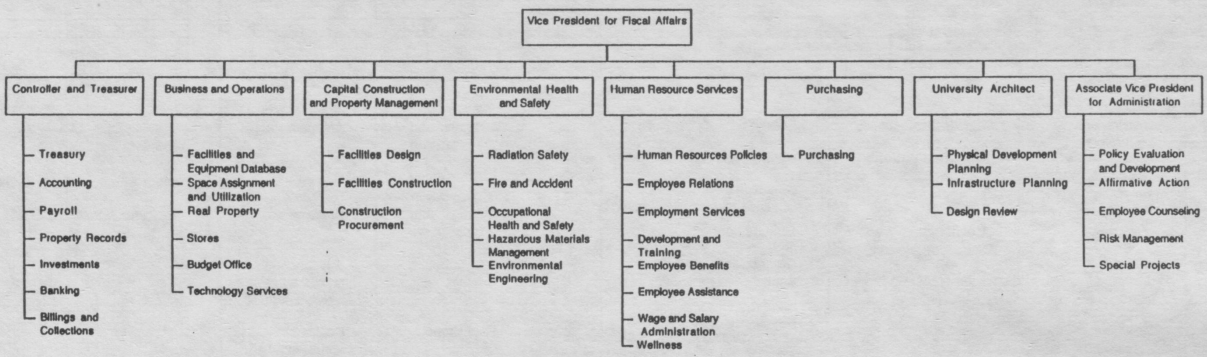
The Legal Counsel is responsible for all University legal matters. In addition to advising the President and the Board of Trustees, the Legal Counsel is also available to advise and provide staff legal services to the chancellors on legal matters within their sectors.

Organization Chart for Central Administration Including Its Relationship to the Board of Trustees and the Chancellors



January 1998

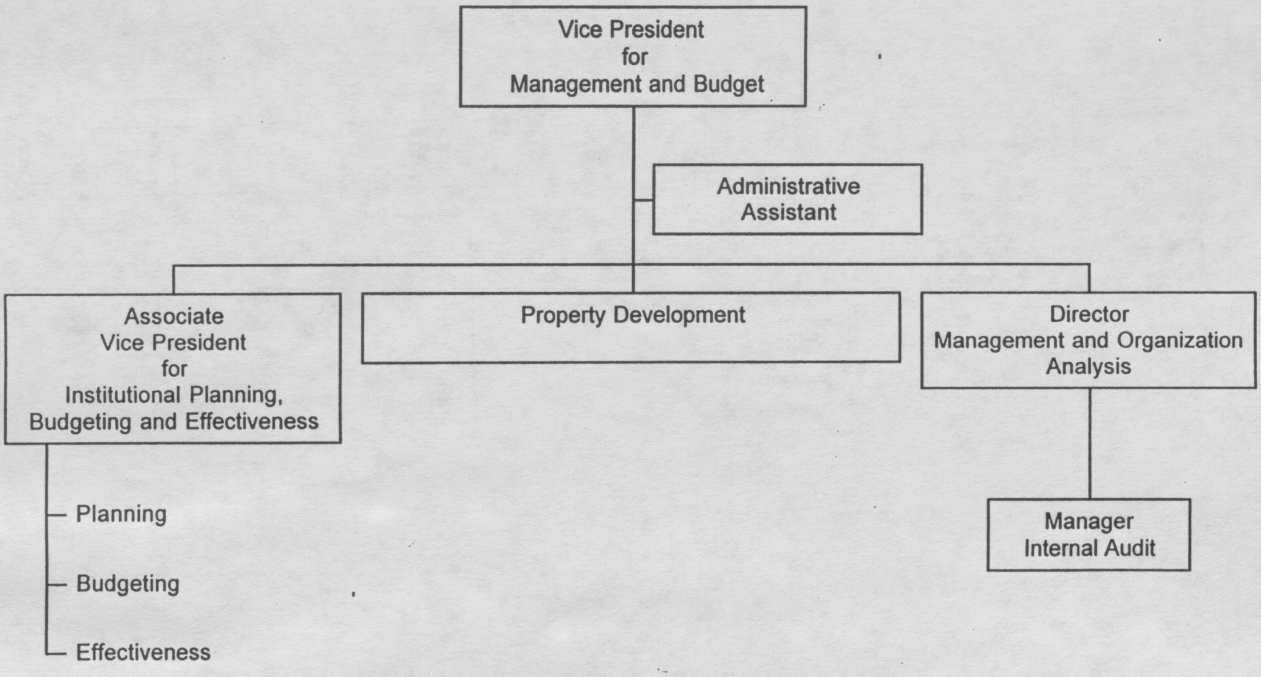
VICE PRESIDENT FOR FISCAL AFFAIRS
ORGANIZATION CHART



June 11, 1996

University of Kentucky
Management and Budget

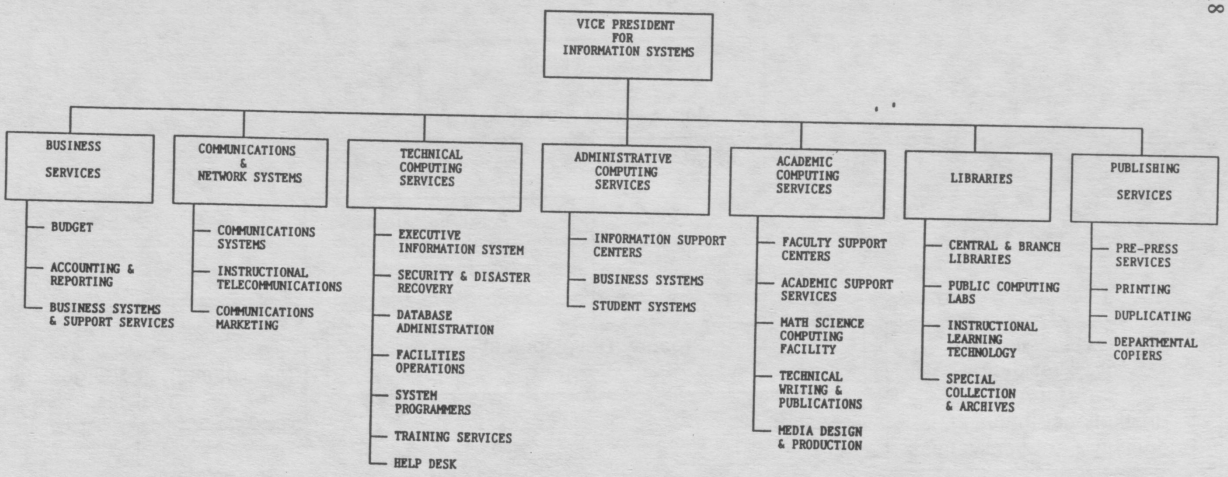
Organization Chart



June 1995

UNIVERSITY OF KENTUCKY
INFORMATION SYSTEMS

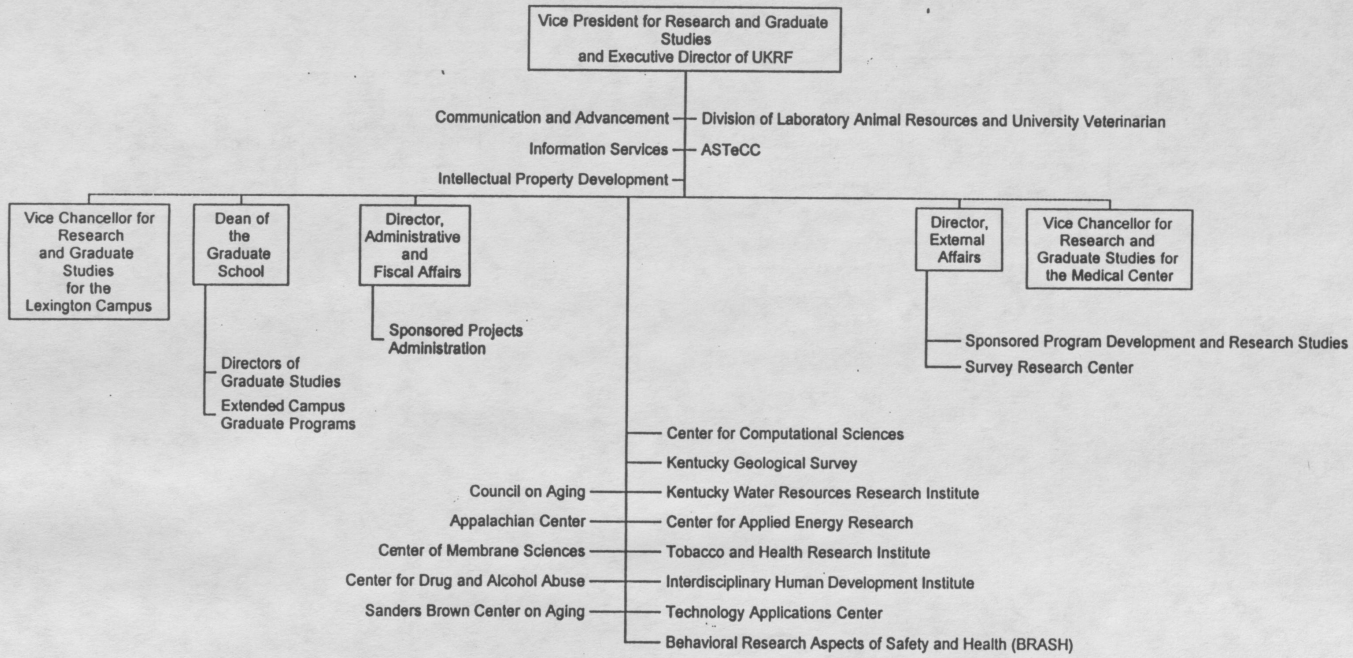
ORGANIZATION CHART



WPP-11
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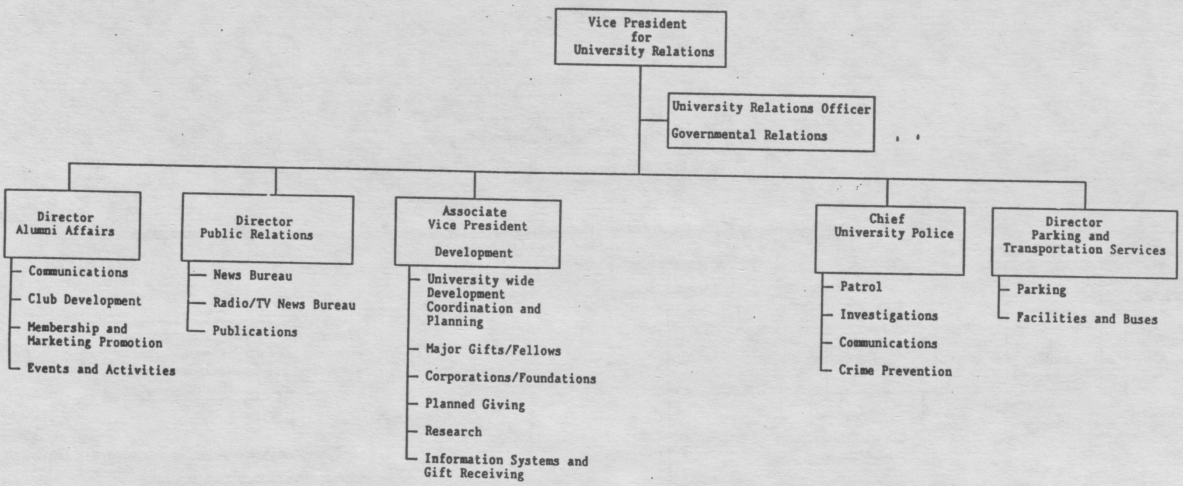
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June 1995

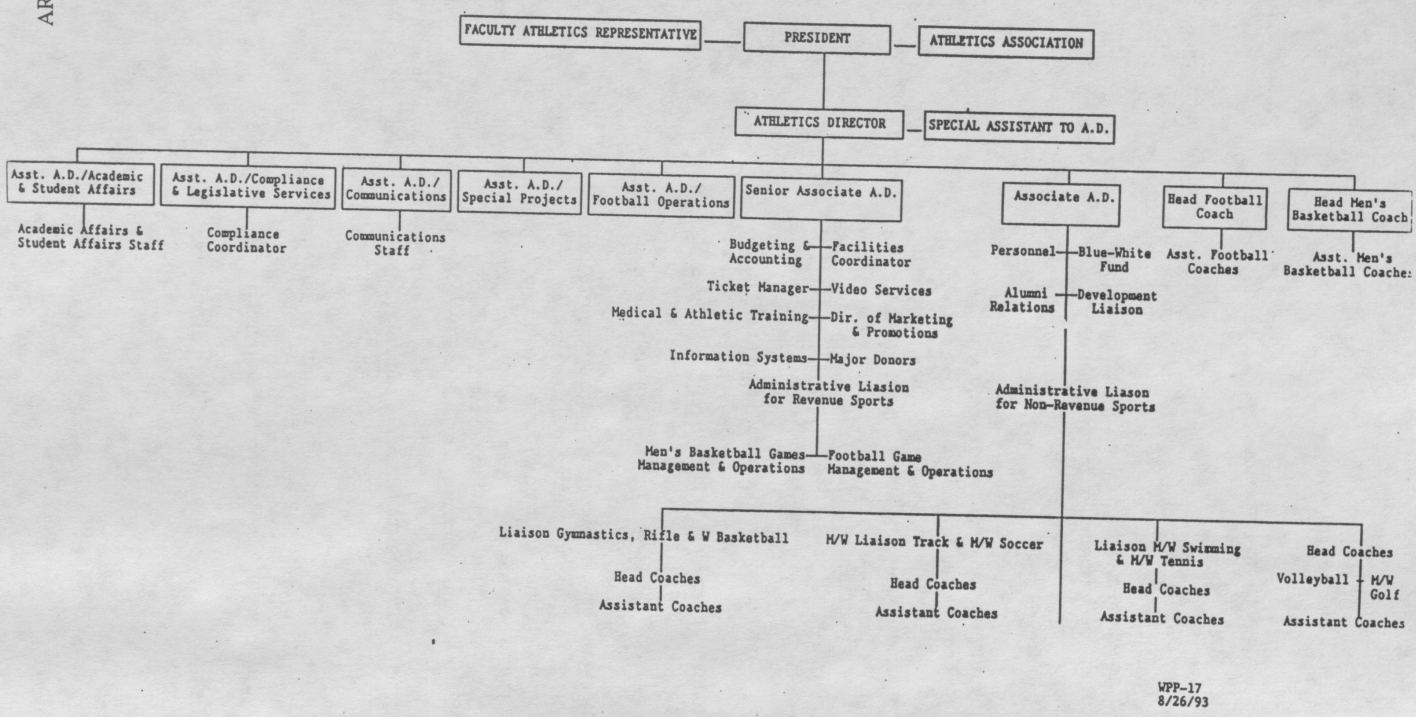
UNIVERSITY OF KENTUCKY
UNIVERSITY RELATIONS
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WPP-14
9/2/93

UNIVERSITY OF KENTUCKY
ATHLETIC DEPARTMENT

ORGANIZATIONAL CHART



WPP-17
8/26/93

IV. Administrative Organization of the Lexington Campus

A. Chancellor and Vice Chancellors for the Lexington Campus

1. Chancellor for the Lexington Campus

The Chancellor for the Lexington Campus is directly responsible to the President. The Chancellor is the chief operating officer and chief academic officer for the Lexington Campus and serves the role of provost for the Lexington Campus. As the principal academic and administrative officer of the Lexington Campus, the Chancellor for the Lexington Campus is responsible for the planning, development, and operation of the Lexington Campus which is comprised of the Colleges of Agriculture, Architecture, Arts and Sciences, Business and Economics, Communications and Information Studies, Education, Engineering, Fine Arts, Human Environmental Sciences, Law, and Social Work; and the Lexington Campus functions of Academic Affairs and Research, Administration, Minority Affairs, Public Service and Outreach, and Student Affairs.

Specific Responsibilities

(1) Serve as an ex officio member of all Lexington Campus committees;

(2) Serve as an ex officio member of the following foundations or board of directors;

University Business Partnership Foundation
University of Kentucky Athletics Association Board of Directors
University of Kentucky Equine Research Foundation
University of Kentucky Humanities Foundation
University of Kentucky Mining Engineering Foundation
University of Kentucky Research Foundation Board of Directors;
Lexington Community College Advisory Board

(3) Perform periodic evaluations, conducted according to a process approved by the President, to review the quality and effectiveness of the academic programs and support units on the Lexington Campus and prioritize new educational needs and opportunities;

(4) Review and recommend to the President on faculty appointment, reappointment, and tenure;

(5) Develop and coordinate academic policy and budgetary support with the academic deans of the Lexington Campus;

(6) Seek the advice of the University Senate Council, except under extraordinary pressure of time, on the significant reduction, deactivation, or discontinuance of academic programs before recommending on such to the President; and

(7) Delegate such authority and responsibility as necessary and appropriate to the principal administrative officials of all units which are a part of the Lexington Campus as shown in the organization chart provided in Section IV of this Administrative Regulation.

2. Vice Chancellor for Academic Affairs and Research

The Vice Chancellor for Academic Affairs and Research is administratively responsible to the Chancellor for the Lexington Campus. The Vice Chancellor has line authority for academic support functions pertaining to enrollment management (e.g. admissions, advising, registrar, transfer), the advancement of quality teaching, support for computing and information systems, the Gaines Center, Honors Program and Office of International Affairs. The Vice Chancellor provides staff support to the Chancellor in many academic functions, notably: accreditation visits; college, departmental and program reviews; curricular issues; analysis of distribution of effort forms; faculty appointments and faculty database; faculty performance reviews; new program proposals; overload requests; and promotion and tenure issues. The Vice Chancellor also assists the Chancellor with functions that support the research and creative activities of the faculty. The Vice Chancellor participates actively in matters related to facilities planning, intellectual property development, graduate programs, and various compliance issues associated with the management of grants and contracts. In addition, the Vice Chancellor serves as liaison and coordinator with the Vice President for Research and Graduate Studies, the Vice Chancellor for Research and Graduate Studies of the Medical Center, and the Dean of The Graduate School.

3. Vice Chancellor for Administration for the Lexington Campus

The Vice Chancellor for Administration for the Lexington Campus reports directly to the Chancellor for the Lexington Campus. The Vice Chancellor for Administration is primarily responsible for the administrative, business, and facilities management of the Lexington Campus.

4. Vice Chancellor for Minority Affairs for the Lexington Campus

The Vice Chancellor for Minority Affairs for the Lexington Campus is administratively responsible to the Chancellor for the Lexington Campus and reports to the Chancellor. The Vice Chancellor has direct responsibility for the services and programs of the Office for Minority Affairs which emphasize support for African American students, other students of minority cultural and ethnic backgrounds, and the general advancement of an inclusive learning community for faculty, staff and students. The Vice Chancellor for Minority Affairs serves in an

advisory capacity in all matters related to minorities throughout the University -- the Medical Center, the Community College System, the Lexington Campus, and the Central Administration.

5. Vice Chancellor for Public Service and Outreach

The Vice Chancellor for Public Service and Outreach reports to the Chancellor for the Lexington Campus. The Vice Chancellor serves to extend the expertise and services of the Lexington Campus community beyond the limits of the central campus and to enhance the advancement of knowledge into the local, regional and statewide communities. The Vice Chancellor is responsible for extending the campus through non-traditional methods and to non-traditional learners. Among the direct line responsibilities are those of University Extension (e.g. summer school, evening/weekend programs and independent study offerings) and the Art Museum. The Vice Chancellor also oversees Lexington Campus external relations through its development, public relations, alumni relations, community and government relations functions, and coordinates them with counterpart offices in Central Administration.

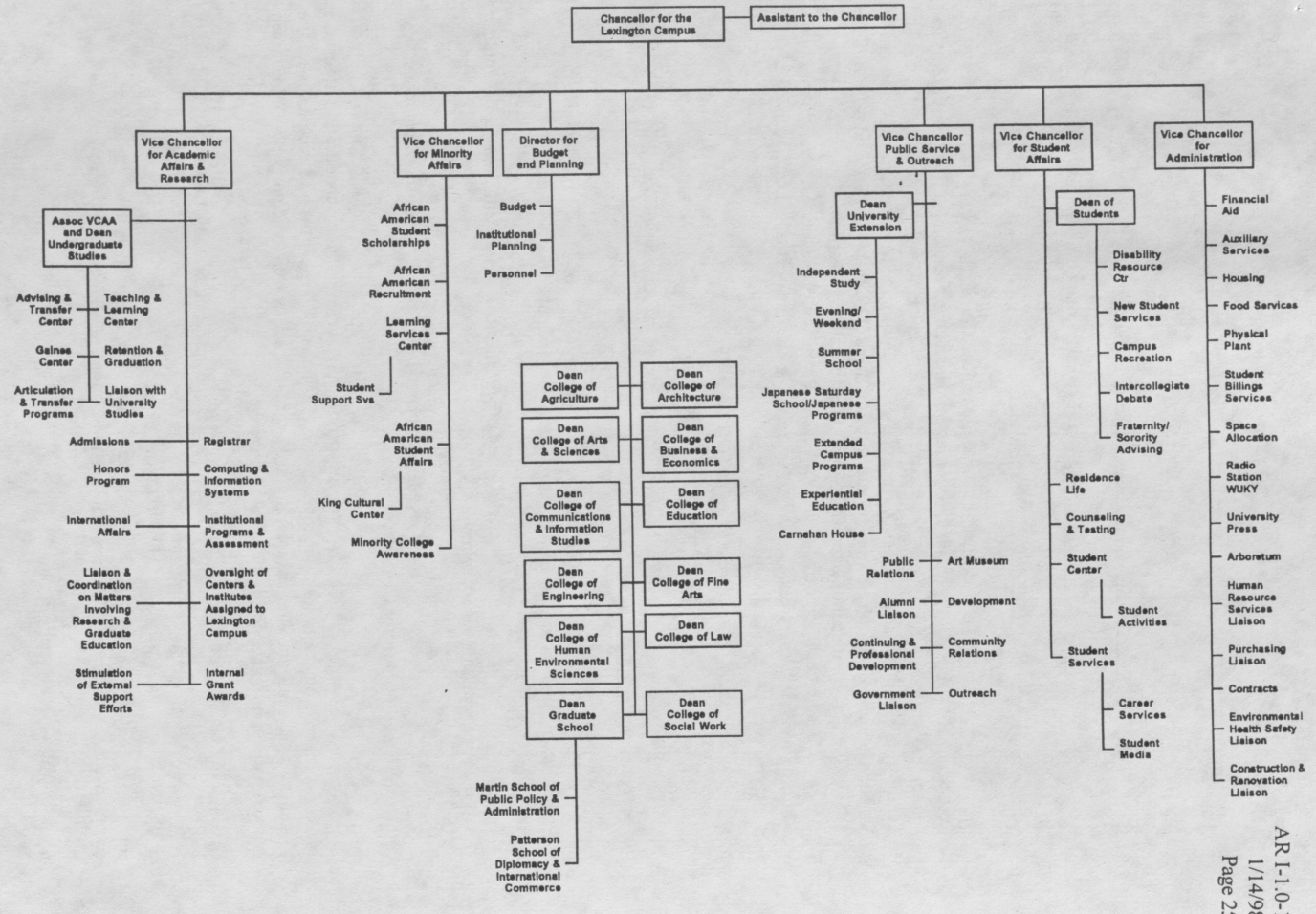
6. Vice Chancellor for Student Affairs for the Lexington Campus

The Vice Chancellor for Student Affairs for the Lexington Campus is administratively responsible to the Chancellor for the Lexington Campus and reports to the Chancellor. The Vice Chancellor is the principal administrative officer in the Division of Student Affairs and is responsible for planning, development, and guidance of non-academic student services and programs in Lexington, with the exception of those activities specifically assigned by the Chancellor for the Lexington Campus or the President to other administrative officers. The Vice Chancellor for Student Affairs is responsible for the coordination of certain federal, state and other financial aid programs University-wide as assigned by the President. The Dean of Students is authorized to act for the Vice Chancellor in the latter's absence.

7. Director for Budget and Planning

The Director for Budget and Planning reports to the Chancellor for the Lexington Campus and has responsibility for budget management (capital and operating), fiscal oversight, planning and assessment, and the management of academic personnel systems and procedures. The Director provides staff support and related assistance to the Chancellor in carrying out functions of administrative leadership and fiscal management of the Lexington Campus, and works with the Vice Chancellors and deans to ensure budget integrity through internal controls and effective linkage between budget and planning. The Director manages other administrative functions as assigned by the Chancellor.

University of Kentucky - Lexington Campus
Organizational Chart



V. Administrative Organization of the Medical Center

A. Chancellor, Vice Chancellors and Special Assistant

1. Chancellor for the Medical Center

The Chancellor for the Medical Center is directly responsible to the President. The Chancellor is the chief operating officer and chief academic officer for the Medical Center and serves the role of provost for the Medical Center. As the principal academic and administrative officer of the Medical Center, the Chancellor for the Medical Center is responsible for the planning, development, and operation of the Medical Center which is comprised of the following major component parts: College of Allied Health Professions, College of Dentistry, College of Medicine, College of Nursing, College of Pharmacy, Academic Affairs, Administration, Clinical Professional Services, Health Related Services, University Hospital, and such other units as may be established and assigned by the President.

Specific Responsibilities

(1) Serve as Chairperson of the Academic Council for the Medical Center and as ex officio member of all Medical Center committees;

(2) Serve as Chairperson for THE FUND for Advancement of Education and Research in the University of Kentucky Medical Center;

(3) Serve as ex officio member of the University of Kentucky Research Foundation Board of Directors;

(4) Serve as member and senior University official communicating with the Board of Directors, University Hospital;

(5) Perform periodically an evaluation, conducted within the context of the evaluative means approved by the President, of the quality and effectiveness of the academic programs and support units in the Medical Center as well as identify new educational needs and opportunities for the Medical Center;

(6) Maintain the official academic personnel records of all faculty in the Medical Center;

(7) Delegate such authority and responsibility as necessary and appropriate to the principal Medical Center Administrative Officials:

2. Vice Chancellor for Administration

The Vice Chancellor for Administration is responsible to the Chancellor for the Medical Center. The Vice Chancellor for Administration, as an integral part of the Office of the Chancellor for the Medical Center, is directly responsible to the Chancellor for the coordination and oversight of the general administrative processes of the Medical Center as well as for the policy evaluation and development, planning, budgeting, financial management, and business affairs functions of the Medical Center.

3. Vice Chancellor for Academic and Student Affairs for the Medical Center

The Vice Chancellor for Academic and Student Affairs for the Medical Center is responsible to the Chancellor for the Medical Center. The Vice Chancellor for Academic and Student Affairs for the Medical Center is responsible for providing staff support and related assistance to the Chancellor for the Medical Center in carrying out functions of administrative leadership in educational, research and student affairs and in the oversight, general direction, and coordination of academic and student affairs of the Medical Center colleges, related academic programs, student services and support services. While this position carries very senior staff responsibilities, the line reporting relationships of the deans is to the Chancellor.

4. Vice Chancellor for Clinical Professional Services

The Vice Chancellor for Clinical Professional Services is responsible to the Chancellor for the Medical Center. The Dean of the College of Medicine also shall serve as Vice Chancellor for Clinical Professional Services and, in the capacity of Vice Chancellor, be a member of the Chancellor's Cabinet. In addition to the already prescribed responsibilities of the Dean of the College of Medicine, the Vice Chancellor for Clinical Professional Services is responsible for the Student Health Service and shall manage the Medical Center clinical professional program through the role of Chairperson of the Hospital Clinical Board and, additionally, shall be responsible for coordination, development, and review of clinical programs among and between units in University clinical facilities and at off-site affiliated locations.

5. Vice Chancellor for Research and Graduate Studies

The Vice Chancellor for Research and Graduate Studies is responsible to the Chancellor. The Vice Chancellor serves as liaison and coordinator with the Vice President for Research and Graduate Studies, the Vice Chancellor for Research and Graduate Studies of the Lexington Campus and the Dean of the Graduate School on matters involving research and graduate education. The Vice Chancellor is responsible for stimulation of external support efforts

and handling of internal grant awards. The Vice Chancellor provides general planning, guidance and review on the Medical Center Campus for endeavors in research and is responsible for the coordination of research activity.

6. Special Assistant to the Chancellor for Communication and Development

The Special Assistant to the Chancellor for Communication and Development is responsible to the Chancellor for the Medical Center. The Special Assistant to the Chancellor for Communication and Development, as an integral part of the Office of the Chancellor for the Medical Center, is directly responsible to the Chancellor for communication and development programs of the Medical Center.

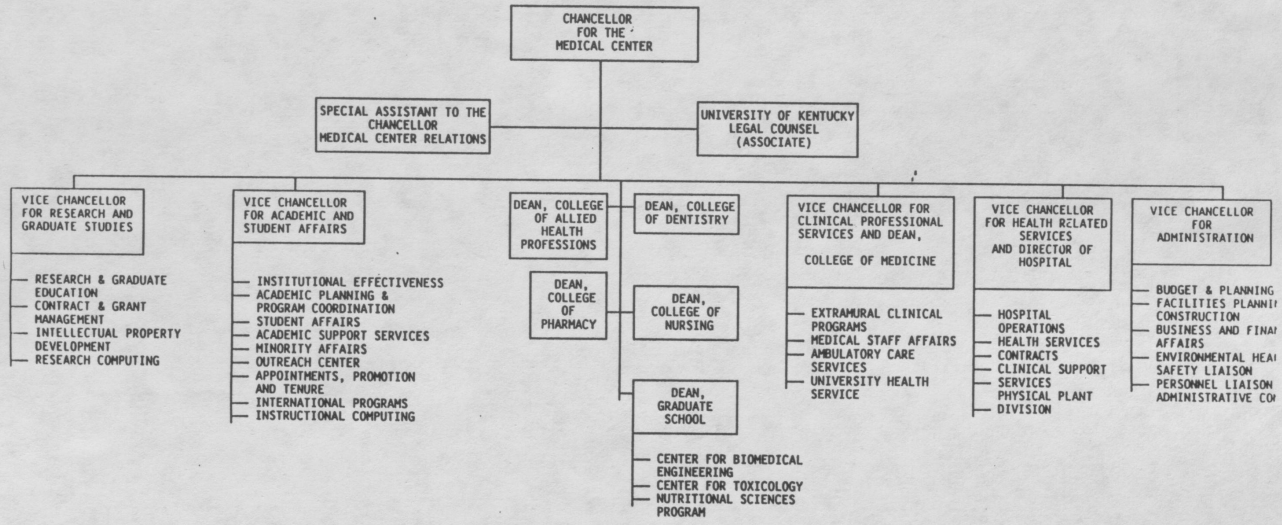
7. Vice Chancellor for Health Related Services and Director of University Hospital

The Vice Chancellor for Health Related Services is responsible to the Chancellor for the Medical Center. The Vice Chancellor for Health Related Services, under the guidance and direction of the Chancellor for the Medical Center, is responsible for the overall management of the University Hospital patient care services and operations, providing leadership and supervision, directly or indirectly, to its components. Authority is delegated to the Vice Chancellor for Health Related Services by the Chancellor for the Medical Center to act for, and on behalf of, the Chancellor in matters related to the operations of the University Hospital.

The Vice Chancellor for Health Related Services will work directly with, and in support of, other officials of the Medical Center, deans of Medical Center colleges, officers of the Kentucky Medical Services Foundation, Inc., University officials, medical staff members, and community and state officials under general University guidance and policy.

UNIVERSITY OF KENTUCKY
CHANDLER MEDICAL CENTER

ORGANIZATIONAL CHART



WPP-10
9/26/94

Part II
Policies and Procedures

AR II—1.0

POLICIES AND PROCEDURES ON APPOINTMENT, PROMOTION, GRANTING OF TENURE, AND TERMINATION OF APPOINTMENT APPLICABLE TO FACULTY IN THE UNIVERSITY SYSTEM

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POLICIES AND PROCEDURES ON APPOINTMENT, PROMOTION, GRANTING OF TENURE, AND TERMINATION OF APPOINTMENT APPLICABLE TO FACULTY IN THE UNIVERSITY SYSTEM

I. Introduction

The University of Kentucky University System and its program can be no greater than the quality and performance of its faculty. The following procedures and criteria offer minimum standards and requirements that should be exceeded in most, if not all, cases. These have been developed solely for the purpose of continually upgrading the quality and performance of the faculty in order to enhance the quality of the University's programs and permit the University to achieve its mission.

Individuals with defined or assigned administrative roles in the various procedures outlined in this Administrative Regulation (e.g., the department chairperson, the dean of a college, the Dean of the Graduate School, the vice chancellor for academic affairs, and the chancellor/vice president of the pertinent sector) should not be involved as consulted faculty members in the departments in which they hold academic appointments.

II. Appointments

A. Non-Tenured and Tenured Appointments

There are two types of non-tenured appointments. One is that in which a faculty member is ineligible for tenure as a consequence of having been appointed: (1) in the research, clinical, adjunct, visiting, or voluntary series of academic ranks and titles; or (2) on a part-time or temporary basis. The second type of non-tenured appointment is that in which a faculty member is appointed on a full-time, year-to-year basis in the regular, special, extension, or librarian series of academic ranks and titles. In such an appointment, the faculty member does not have tenure but may be considered for tenure if recommended by the appropriate faculty and administrators.

A tenured appointment is one in which a faculty member is on a full-time, continuous appointment.

B. Initiation of Recommendations for Initial Appointment, Reappointment, Terminal Reappointment, Joint Appointment, Post-Retired Appointment, and Non-Renewal of Appointment.

Recommendations for initial appointment, reappointment, terminal reappointment, joint appointment, post-retirement appointment, and non-renewal of appointment shall be initiated by the department chairperson (or by the Dean or the director in an educational unit other than a department). The procedures to be used in each unit for preparing such recommendations shall be established jointly by the chairperson/director and the faculty of the concerned unit, in accordance with the Governing Regulations Part VII.A.6, second paragraph.

Department chairpersons/unit directors shall consult with appropriate faculty of the unit and directors of appropriate multidisciplinary research centers/institutes and graduate centers in preparing recommendations for appointments as delineated above, such consultation being in accordance with Governing Regulations Part VII.B.5, second paragraph. (See also Appendix I to this Administrative Regulation and II-R, p. II-11.) Where disagreement occurs between the chairperson/director and the consulted faculty members and center or institute directors concerning such a recommendation, the chairperson/director must report this difference with adequate documentation to the dean and also notify the consulted faculty members and directors regarding such action.

Petition to waive prior service, and thus extend the probationary period in a non-tenured appointment, can be made at the option of the appointee, in consultation with the

director of the employing unit. Notice of intent to file such a petition, where appropriate, should appear on the Notice of Academic Appointment and Assignment form.

Service in a prior appointment can ordinarily be waived if the professional expectations in that role were clearly different than the full range of professional expectations in the new appointment. All such petitions are evaluated by the Prior Service Committee (see AR II-1.0.IV). Petitions must be filed during the first year of service in a new appointment.

C. Initial Appointment, Reappointment, or Terminal Reappointment at the Rank of Instructor or Assistant Professor

Through delegated authority, the dean of a college shall approve or disapprove a recommendation for initial appointment, reappointment, or terminal reappointment at the rank of Instructor and Assistant Professor and shall inform the unit chairperson/director of the action taken. The dean communicates the action taken through the appropriate chancellor/vice president to the President to be reported to the Board of Trustees.

Approval by the Board of Trustees is required for an initial appointment at the rank of Instructor or Assistant Professor if the annual salary exceeds $60,000. In such a case, the dean and the appropriate chancellor/vice president (without reference to an Academic Area Advisory Committee or the Dean of the Graduate School) shall make their recommendations of approval to the President who shall approve or disapprove the proposal. In case of approval, the President shall make an affirmative recommendation to the Board of Trustees for final action. In case the chancellor/vice president disapproves and stops a proposal for initial appointment, the chancellor/vice president shall inform the dean. The dean, in turn, shall inform the chairperson/director.

If a dean disapproves a department chairperson's recommendation for reappointment at the rank of instructor or assistant professor and offers a terminal reappointment instead, the following procedure shall be employed. If the tenured members of the departmental faculty and the chairperson reaffirm their written judgments and recommendation and so request by majority vote, the appropriate chancellor/vice president shall refer the matter to the pertinent Academic Area Advisory Committee (or to an ad hoc advisory committee appointed by the chancellor/vice president for this purpose). The committee in its deliberations shall address itself to the individual's scholarly potential, ability as a teacher, and other professional qualifications indicative of a probable eventual tenured appointment and shall submit a written recommendation to the chancellor/vice president. After considering the committee's report, the chancellor/vice president shall either approve the proposal and forward an affirmative recommendation to the President or disapprove and stop the proposal and inform the dean of the college. The dean will inform the individual, in writing, and the

chairperson/director. If an affirmative recommendation is forwarded to the President, the President will either approve the proposal for reappointment and make an affirmative recommendation to the Board of Trustees for final action or disapprove and stop the proposal and inform the Chancellor/Vice President, who in turn, will inform the dean of the college of the action. The dean shall inform the individual, in writing, and the chairperson/director.

D. Initial Appointment, Reappointment, or Terminal Reappointment at the Rank of Associate Professor or Professor

The process described in Section II, Parts B, E, F, H, and I applies to a recommendation for an initial appointment, reappointment, or terminal reappointment at the rank of associate professor or professor on a full-time basis. After reviewing a dossier for completeness and obtaining advice from the college's advisory committee on appointments, the dean shall act upon the recommendation. If approved, the dean's affirmative recommendation and any applicable dossier shall be forwarded to the appropriate chancellor/vice president. In case of disapproval and stopping the recommendation, the dean shall inform the chairperson/director of such action.

1. Initial Appointment at the Rank of Associate Professor or Professor

Upon receiving a dossier with the dean's affirmative recommendation for an initial full-time appointment at the rank of associate professor or professor, the chancellor/vice president shall review the dossier for completeness and obtain a recommendation from the appropriate Academic Area Advisory Committee (hereafter, Area Committee). The Area Committee, however, may request the use of an ad hoc committee (appointed by the appropriate chancellor/vice president) for further evaluation before returning the dossier with the Area Committee's recommendation to the chancellor/vice president (see Section XII). For a recommendation for an initial full-time appointment at the rank of associate professor or professor concerning an individual who will or may be involved in research and graduate programs, the chancellor/vice president also shall obtain a recommendation from the Dean of the Graduate School. Additionally, the chancellor/vice president shall obtain a recommendation from the appropriate vice chancellor for academic affairs. After reviewing the dossier and all recommendations, the chancellor/vice president shall either approve the proposal and forward an affirmative recommendation to the President of the University or disapprove and stop the proposal for initial appointment and inform the Dean of the College. The dean shall inform the individual, in writing, with copies to the chairperson/director.

If an affirmative recommendation is forwarded to the President, the President shall approve or disapprove the recommendation for initial appointment. In case of approval, the President shall make an affirmative recommendation to the Board of Trustees for final action.

In case of disapproval and stopping the proposal for initial appointment, the President shall inform the appropriate chancellor/vice president, who in turn, will inform the dean of the college. The dean, in turn, shall inform the individual, in writing, and the chairperson/director.

The Board of Trustees shall take final action on the proposal for initial appointment by approving or disapproving the President's recommendation. The President, through the appropriate chancellor/vice president, shall inform the dean of the Board's action. The dean, in turn, shall inform the department chairperson of the result.

The procedure for originating and handling a recommendation for initial appointment with tenure is directly parallel to that for originating and handling a recommendation for initial appointment without tenure (refer also to Sections III and XIV).

2. Reappointment at the Rank of Associate Professor

The procedure for initiating and processing a recommendation for reappointment of a non-tenured associate professor is similar to that for initial appointment but the preparation of a dossier and referrals to an Area Committee and the Dean of the Graduate School are not required. If a recommendation for reappointment at the rank of associate professor is disapproved by the dean, the dean shall notify the individual in writing regarding a non-renewal of appointment (see Section IV.B) or shall offer a terminal reappointment to the individual, as pertinent. When a dean disapproves a department chairperson's recommendation for reappointment at the rank of associate professor and offers a terminal reappointment instead, the procedure is the same as that for a recommendation for reappointment at the rank of instructor or assistant professor (see third paragraph in Section II.C).

If a dean disapproves a department chairperson's recommendation for reappointment at the rank of associate professor and offers a terminal reappointment instead, the following procedure shall be employed. If the tenured members of the departmental faculty and the chairperson reaffirm their written judgments and recommendation and so request by majority vote, the appropriate chancellor/vice president shall refer the matter to the pertinent Academic Area Advisory Committee (or to an ad hoc advisory committee appointed by the chancellor/vice president for this purpose). The committee in its deliberations shall address itself to the individual's scholarly potential, ability as a teacher, and other professional qualifications indicative of a probable eventual tenured appointment and shall submit a written recommendation to the chancellor/vice president. After considering the committee's report, the chancellor/vice president shall either approve the proposal for reappointment and forward an affirmative recommendation to the President or disapprove and stop the proposal and inform the dean of the college. The dean, in turn, shall inform the individual, in writing, and the department chairperson/director. If an affirmative recommendation is forwarded to the President, the

President will either approve the proposal for reappointment and make an affirmative recommendation to the Board of Trustees for final action or disapprove and stop the proposal and inform the chancellor/vice president, who in turn, will inform the dean of the college of the action. The dean shall inform the individual, in writing, and the chairperson/director.

3. Terminal Reappointment at the Rank of Associate Professor

The procedure for initiating a recommendation for terminal reappointment at the rank of associate professor is discussed in Section II.D. The preparation of a dossier is not required, but the individual written judgments of consulted faculty members shall be forwarded with the department chairperson's recommendation to the dean. The dean, through delegation from the chancellor/vice president, has authority to give final approval to a recommendation for terminal reappointment at any rank. (Refer to Section III. G, however, if the untenured associate professor is on appointment in the next-to-last year of a probationary period.)

A procedural flow chart with detailed comments relative to initial appointments, reappointments, and terminal reappointments is provided in Section XIII.

E. Appointment Record

The Notice of Academic Appointment and Assignment form constitutes the official appointment record and contract. With the exception of salary the precise terms and conditions covering each appointment shall be stated in writing on that form. The contract, including salary, becomes final when it is approved by or reported to the Board of Trustees. Notice of reappointment for non-tenured faculty shall be in the possession of the appropriate administrative officers and the appointee at least three months before the renewed appointment begins, when possible, or at the earliest date feasible in view of budget considerations. It shall be the responsibility of the appropriate chancellor/vice president to insure compliance with this regulation.

F. College Advisory Committee on Appointments

Each college shall have an advisory committee which is concerned with matters related to faculty appointments. It can be elected by the faculty or established by the dean after consultation with an appropriate faculty body of the college. Prior to making a recommendation or decision on terminal reappointments or non-renewals of appointment, the dean must seek advice from such a committee. It is recommended that such advice also be sought for initial appointments at the Assistant Professor level.

A member of a college advisory committee on appointments shall be excluded from any participation in that committee's consideration of a recommendation when the appointment is in her/his educational unit.

G. Standard Personnel File

There shall be one Standard Personnel File maintained for each faculty member in any title series. The Standard Personnel File contains the Notice of Academic Appointment and Assignment, curriculum vitae, and for those appointed after July 1, 1992, transcripts of academic work leading to advanced degrees. This personnel file also contains many of the critical materials, particularly evaluation materials, needed for or taken from the dossier, which is defined below. The file contains Distributions of Effort, faculty merit or other evaluation reports, evaluations prepared by committees and those of chairpersons/unit directors, and all other professional evaluation reports. The file shall also contain materials related to responsibilities which the faculty member has to governmental or other agencies. The file contains regularly updated assessments of effectiveness in research, instruction, and service.

The Standard Personnel File shall be updated regularly and in particular completed by actions of the chairperson/director, and also actions of the faculty member. The faculty member shall update his/her curriculum vitae annually, and such other documents as he/she deems appropriate. The chairperson/director shall update files as necessary to keep them reasonably current.

Unsolicited materials relevant to professional function may be included in the Standard Personnel File provided the faculty member sees them and is offered the opportunity to document his/her response to them.

The Standard Personnel File shall be kept in the office of the chairperson/director, or in the office of the dean as deemed appropriate for each department/unit by the dean. No other Standard Personnel File shall be kept. The Standard Personnel File shall always be available to the faculty member and to such other persons who he/she authorizes in writing to see that file. The Standard Personnel File is of course always accessible to the chairperson/director or higher administrative officer who is responsible for its maintenance, and to such administrators superior to him/her who request access to the file.

H. Development of a Dossier Related to a Recommendation

The department chairperson/unit director shall develop a dossier for each initial full-time appointment and for the primary appointment in a joint appointment of a full time faculty member. Items to be included in the dossier are listed below in Section I. An up-to-date

dossier is also prepared to be transmitted pursuant to considerations for award of tenure or promotions. The dossier is prepared from materials in the Standard Personnel File and additional materials supplied by the chairperson/director and faculty member. It shall contain all the materials described in section I below, such that ordinarily all materials are included since the last promotion or appointment.

Written judgments obtained from consulted individuals should be secured through the request of the chairperson/director. Letters of reference obtained from persons suggested by the individual being recommended should be identified as such in the dossier. If requested, all letters requested shall be made available to consulted faculty members prior to their providing individual written judgments to the department chairperson/unit director regarding a recommendation for an initial appointment, a primary appointment in a joint appointment, or for promotion and/or award of tenure.

Pursuant to Kentucky Revised Statutes KRS 61.878, the written judgments of persons consulted in connection with appointments, promotions, and/or tenure decisions are not confidential. Thus writers of such judgments should not be given assurances of confidentiality.

The Standard Personnel File may contain communications to or from the faculty member, solicited or unsolicited letters or memos relating to professional function, which are not relevant to consideration for promotion or award of tenure. These materials would not be included in the dossier sent forward for consideration, except as they are requested to be included by the faculty member. The department chairperson/unit director shall forward the completed dossier with his/her recommendation to the dean of the college.

The dossier shall not be retained at the conclusion of the process leading to decisions about appointments, promotions and/or awards of tenure. Representative examples of research, scholarly and creative activity included in the dossier as it is forwarded shall be returned to the faculty member for his/her retention at the conclusion of the process leading to decisions on appointment, promotion and or award of tenure. The teaching portfolio, or teaching materials submitted by the faculty member shall also be returned. The Standard Personnel File shall have all evaluative reports or reviews that supported any promotion and/or tenure.

Recommendations which do not require an accompanying dossier include non-primary appointments in a joint appointment of a full-time faculty member, terminal reappointments, post-retirement appointments, or non-renewals of appointment of Instructors and Assistant Professors. However, individual written judgments of consulted faculty members and recommendations of directors of pertinent multidisciplinary research centers/institutes, graduate centers, and academic departments must accompany a department chairperson's/director's recommendation to the dean for a non-primary appointment in a joint

appointment involving a full-time faculty member, terminal reappointment or non-renewal of appointment. Additionally, an up-to-date curriculum vitae must accompany a chairperson's/director's recommendation to the dean for such a non-primary appointment in a joint appointment.

I. Dossiers Shall Contain: (May not apply to initial appointment of an Instructor or Assistant Professor.)

Items provided and updated annually by the faculty/staff member:

1. A completed curriculum vitae, which includes a bibliography of all published research articles and articles accepted for publication in refereed professional journals, patents, writings and a listing of other creative or professional productivity. The listing should include all materials since the last promotion or appointment. A summary of work and professional activities prepared by the faculty or staff member in connection with annual or biennial reviews should also be included.

2. Teaching/advising materials, including the Teaching Portfolio (See AR II-1.0-5) as specified in the Administrative Regulations governing promotion and tenure.

3. A representative selection of reprints and preprints, and the listing of the curriculum vitae since the last promotion or appointment. The complete file of reprints, and other documentation of professional achievements, shall be maintained by the faculty member, items available upon request for evaluation purposes.

4. Copies of all significant awards for teaching or scholarship received since the last promotion or appointment.

5. Lists of proposals submitted and grant or contract awards received since the last promotion or appointment.

Items provided by the Chair/Director:

1. All reports of annual or biennial reviews of the faculty/staff member shall be written, and all reviews of any evaluative committees shall be in the file.

2. All official documents used by the chair/director in merit reviews since the last promotion or appointment.

3. Distribution of Effort agreements since the last promotion and a position description. It is important to have a particularly detailed position description for Special, Research, Clinical, Extension, and Librarian Titles, and other posts of highly individualized design.

4. A descriptive statement by the chairperson/director regarding the individual's performance in instruction, research and scholarship, and service with an indication of the grounds for assessment of instruction (other than student evaluations). Evidence that the faculty member has remained current in his/her field, and that this currency is reflected in his/her work should be offered. Where appropriate, the impact of the faculty member's scholarly work on teaching could be cited.

5. Judgments, particularly about instruction, obtained by the chairperson/director from undergraduate student(s) of the unit and, where graduate/professional programs exist, from graduate/professional student(s). These findings, to the extent possible, must reflect the judgments of students who have participated in courses taught by the faculty member.

6. The written judgment of peers consulted within the department/unit and letters of evaluation from qualified persons outside the University. Letters from qualified professionals outside the University may be the primary basis for evaluation in the cases of initial appointments at the University of Kentucky.

7. Recommendations of the directors of each multidisciplinary research center/institute, graduate center, and academic department with which the appointee will be associated.

8. A waiver of all or part of prior service, if applicable (refer to Section IV.A).

9. Unsolicited items received by the chairperson/director may be placed in the dossier provided the faculty member sees them and is offered the opportunity to document his/her response.

No materials other than those specified in this list shall be incorporated into the contents of a faculty member's dossier.

J. Reprints and Documentation of Professional Achievements

Each faculty member shall maintain his/her file of reprints and/or documentation of creative achievements, and a complete teaching portfolio. Representative examples of these materials will be added to the dossier as of the point of consideration for promotion or award of tenure. Materials added to the dossier will be those associated with the period since the prior appointment or promotion. The complete file of professional achievements, responsibilities and functions needs only to be maintained by the faculty member.

K. Named Professorships

Individuals appointed to "named professorships" shall meet all criteria for the rank of professor and, in addition, shall have acquired national recognition for excellence in instruction and scholarship in their disciplines. Each named professorship will provide specifically identified resources for program support of a professor, and it is expected that a significant portion of the compensation and program support allocations will come from endowment income or extramural gifts (refer to Section E.2. of AR II-1.2-3, "Policies Governing Private Funding of Academic Positions").

L. Faculty, Veterans' Administration and Other Similarly Affiliated Hospitals - University of Kentucky Medical Center

Physicians, dentists, and other appropriately qualified health professionals whose total efforts are in behalf of the instruction, research, and patient care programs of the Medical Center, and whose salaries are paid partially or totally, or reimbursed partially or totally, by the Veterans' Administration or similarly approved hospitals or agencies (e.g., Cardinal Hill, Shriners, and Charter Ridge), as recommended by the Chancellor for the Medical Center and approved by the President, shall be considered regular, full-time faculty members of the University of Kentucky, with all rights and privileges of such faculty as described in the Governing Regulations. They shall be subject to the same administrative policies and procedures which apply to regular full-time faculty. Salary funding arrangements shall be defined by contract.

M. Joint Appointment

The term "joint appointment" shall apply when an individual holds two or more intra-University faculty appointments. In such an instance, one of the appointments shall be designated as the primary appointment by the dean of the college if the individual's appointments are associated with educational units in the same college, by the appropriate chancellor/vice president if the appointments are with educational units in different colleges but in the same chancellor/vice president sector (i.e., Community College System, Information Systems,

Lexington Campus, Medical Center, or Research and Graduate Studies), or by mutual agreement of the appropriate chancellors/vice presidents if the appointments are within educational units in different chancellor/vice president sectors. The constituent appointments relating to a joint appointment may be processed simultaneously or at different times; however, each appointment should be processed independently and considered on its own merits. An individual's academic rank, though usually the same, may differ in the constituent appointments. The possibility of tenure applies only to the primary appointment. The procedures for joint appointment of full-time faculty at the various academic ranks, and for promotion of full-time faculty on joint appointment, are the same as those for the regular or special title series, except that a dossier and referral to an Area Committee are not required for a non-primary appointment in a joint appointment or for a promotion related to such a non-primary appointment. In case of termination of the non-primary appointment(s) leaving only the primary appointment for a full-time faculty member, the individual's assignment associated with the primary appointment shall become full-time.

An individual holding a full-time faculty appointment in another university may be granted a "joint appointment" to the faculty of this University in an educational program that is being jointly offered and provided by the two universities. Such an appointment shall be non-tenured, shall be made on a year-to-year basis, and shall be made in the department and college involved in the jointly offered program. Such appointments shall be made upon recommendations of the department chair, the college dean, and the appropriate chancellor and upon approval of the President and the Board of Trustees. Such an appointment shall automatically terminate: (1) when the jointly offered educational program ceases to be offered or provided by the two universities; (2) when the faculty member ceases to hold a full-time faculty appointment in the other university; or (3) when the faculty member ceases to have a teaching, research, or service assignment in the jointly offered program. Compensation (if any), employee benefits (if any), faculty rank, and all other terms and conditions of employment of persons appointed under this paragraph shall be determined at the time of appointment and shall be set forth in detail on the appointment form.

N. Faculty on Post-Retirement Appointment

Post-retirement appointments are of two types:

1. A retired employee may be appointed by the dean of a college upon recommendation of a department chairperson to perform duties for which fee schedules have been approved by the chancellor/vice president of the affected chancellor/vice president sector. There is no specific age limitation on this type of appointment.

2. In a very limited number of cases, a post-retirement appointment may be used when it is essential to a University unit or otherwise impossible practicably to fill a position with a fully qualified person. Such a part-time or full-time appointment is restricted to former employees who have elected to retire. This type of appointment requires approval through administrative channels, without reference to an Area Committee, and prior approval by the Board of Trustees and is made for a period not to exceed one year.

O. Visiting Faculty

The designation "visiting" before an academic title indicates that the individual has a temporary appointment for an academic year, semester, summer session, or other specified term not to exceed one year. The visiting title used should be appropriate to the appointee's home base academic rank (i.e., visiting professor, visiting associate professor, visiting assistant professor, or visiting instructor). Where usual academic rank or title does not appear to be suitable, the title "visiting lecturer" shall be used. Such an appointment is approved by the appropriate chancellor/vice president upon recommendation of the department chairperson and the dean without reference to an Area Committee. A visiting appointment may be full-time or part-time, salaried or unsalaried. The appointment is temporary, by definition, and the visitor is not eligible for faculty benefits, except that a visiting faculty member with a salaried full-time appointment is eligible for health insurance coverage. Visiting faculty are not eligible for membership in the University Senate, but faculty membership, with or without voting privileges, may be extended to visiting faculty by the educational units to which they are assigned. Visiting faculty are not eligible for tenure; however, time spent in a full-time appointment on a visiting basis at the University of Kentucky shall be counted as a part of the individual's probationary period should the individual subsequently be appointed full-time in the regular, special title, extension, or librarian series.

P. Part-Time Faculty

Part-time faculty members are those who have an official faculty appointment, receive a salary, and participate substantially, but less than full-time, in the program of a college. Appointments of part-time faculty members by the appropriate deans, without reference to an Area Committee, shall be for one year or other stated period not to exceed one year, subject to renewal. Appointees are not eligible for tenure, sabbatical leave, participation in the University's Retirement Plan, insurance coverage, or membership in the University Senate. Faculty membership, with or without voting privileges, may be extended to part-time faculty members by the educational units to which they are assigned.

Q. Temporary Faculty

An individual whose assigned duties and responsibilities should be completed within on year or less may be appointed as a faculty member on a temporary basis. Temporary appointees are not eligible for tenure; however, time spent in a full-time appointment on a temporary basis at the University of Kentucky shall be counted as a part of the individual's probationary period should the individual subsequently be appointed full-time in the regular, special title, extension, or librarian series.

R. Voluntary Faculty

Voluntary faculty members are those who have an official faculty appointment in a college for which no salary is received and who devote part of their time to a program. Such faculty members usually are self-employed or hold full-time positions with other institutions and agencies. The procedures for appointment and promotion of voluntary faculty at the various academic ranks generally parallel those for the regular or special title series, except that outside letters of evaluation, faculty letters of evaluation and reference to an Area Committee are not required for appointments and reappointments. Criteria for academic ranks of voluntary faculty shall be approved by the appropriate chancellor/vice president. Appointments/reappointments may be made for three years. Voluntary faculty are not eligible for tenure, usual faculty benefits, or membership in the University Senate. However, faculty membership, with or without voting privileges, may be extended to voluntary faculty by the educational units to which they are assigned.

S. Lecturers

Lecturers are professionally qualified individuals whose services are contracted primarily for teaching purposes, normally on a part-time basis. The appointment of a lecturer by the appropriate chancellor/vice president upon recommendation of the department chairperson and the dean and without reference to an Area Committee, may be for one year or other stated period not to exceed one year, subject to renewal. Lecturers are not eligible for tenure, membership in the University Senate, sabbatical leave, or participation in the University's Retirement Plan. However, lecturers with full-time appointments are eligible for health insurance coverage. Faculty membership, with or without voting privileges, may be extended to lecturers by the educational units to which they are assigned.

T. Emeritus Faculty

Upon retirement, tenured faculty members shall retain their titles with the designation of "emeritus" (e.g., professor emeritus). Faculty members with emeritus status are entitled to the

following rights and privileges: to be included in faculty lists in University bulletins and, upon request, to be provided a mailbox in the appropriate department; to be assigned office and/or laboratory space and furnished supplies for creative work (upon request, subject to availability and approval of the concerned educational unit); to have faculty library privileges; to apply for Research Committee grants and publication subsidies; to receive University identification cards; to receive parking privileges as specified in University Parking Regulations; to attend, without voting privileges, meetings of the University Senate; to participate, upon invitation, as non-voting members of departmental or college faculties; to use University recreational facilities upon presentation of suitable identification; to purchase tickets to athletic events with previous priority status; to hold membership in the University of Kentucky Credit Union; to make purchases at the University Bookstore at the employee discount rate; to participate in academic processions; to be appointed to represent the University at academic ceremonies at other institutions; to receive notices of University events; and to take part generally with the faculties in all social and ceremonial function of the University.

III. Promotion and Tenure

A. Probationary Periods

Probationary periods are applicable to non-tenured appointments of faculty members on a full-time year-to-year basis in the regular, special title, extension, and librarian series of academic ranks and titles. Such non-tenured appointments may be for one year or other stated periods, subject to renewal. The total non-tenured period, however, shall not exceed seven years, including previous full-time service with the rank of instructor or higher in other institutions of higher learning. However, in the case of a faculty member with more than three years in the academic profession who is recruited from another institution and appointed at the rank of associate professor or below, it may be required that the individual serve in a probationary status for a period not to exceed four years, even though thereby the individual's total non-tenure period in the academic profession is extended beyond seven years. Should a period of prior service of a prospective faculty member involve significantly different institutional objectives or significantly different professional activity, with appropriate approval, all or part of the period of prior service may be eliminated from consideration in determining the maximum non-tenure period at the University of Kentucky (see Section IV.A). Except for an approved leave of absence without pay for the duration of an election campaign or a term of office (Governing Regulations, PART X.C.7), time spent on leave of absence shall count as probationary period service unless, in granting and accepting the leave, the University and the individual agree to the contrary. An individual initially appointed to the rank of full professor may be given non-tenure status for a period not to exceed one year.

Probationary periods (or maximum non-tenured periods) do not apply to faculty members appointed (1) in the research, clinical, adjunct, visiting, and voluntary series of academic ranks and titles, or (2) on a part-time or temporary basis. In all such appointments, faculty members are ineligible for tenure. However, if an individual on appointment in the visiting series or on a temporary basis subsequently should be appointed full-time in the regular, special title, extension, or librarian series, time spent on full-time appointment in the visiting series or on a temporary basis at the University shall be counted as part of the individual's probationary period which shall become applicable and defined when such a subsequent appointment occurs, unless waived by the Prior Service Committee.

B. Initiation of a Recommendation to Promote and/or Grant Tenure

A recommendation to promote and/or grant tenure shall originate with the department chairperson (or with the dean, director, or other appropriate administrator in an educational unit other than a department). The procedures to be used in a department for preparing such a recommendation should be established jointly by the chairperson and the faculty of that department (Governing Regulations, PART VII.A.6, second paragraph).

In preparing a recommendation to promote and/or grant tenure, the department chairperson shall consult with appropriate faculty in the department and directors of pertinent multidisciplinary research centers and

institutes in accordance with the Governing Regulations (PART VII.B.5, second paragraph. See also Appendix I to this Administrative Regulation). If there is disagreement between the chairperson and consulted faculty members and directors concerning a recommendation to promote and/or grant tenure, the chairperson shall communicate the department faculty's opinion and directors' recommendations as well as the chairperson's recommendation, stating reasons for differing from the department faculty's opinion and directors' recommendations, and notify the consulted faculty members and directors of such action.

C. Areas of Consideration for Promotion and Tenure

The results of the evaluation of teaching, advising, research, and service assignments shall be considered in the decisions to promote or grant tenure. The extent and character of each faculty member's teaching and advising shall be documented by a body of supporting materials regularly maintained and updated by the faculty member. For the University System, such documentation shall include a teaching portfolio as outlined in Appendix I, AR II-1.0-5.

D. Development of a Dossier Relative to a Recommendation to Promote and/or Grant Tenure

For each recommendation to promote and/or grant tenure, the department chairperson shall develop a dossier. (See AR II-1.0-1, Section II.H for development of a dossier.)

A dossier relative to a recommendation for promotion to associate professor or professor and/or for the granting of tenure also must include at least three letters of evaluation from qualified persons outside the University. These letters shall be obtained by the department chairperson directly from appropriately qualified persons selected in part from, and in part independent of, suggestions of the individual being considered for promotion and/or tenure. All letters of evaluation received shall be included in the dossier and be accompanied by a written statement by the department chairperson indicating for each letter whether or not the name of the respondent had been suggested by the individual under consideration and, if known, whether or not the respondent had been a previous faculty colleague of the individual. The department chairperson shall request the outside evaluators to return their letters on a date prior to the chairperson's meeting with or requesting letters of advice from the departmental faculty members to be consulted. The chairperson shall take positive actions to make available to the consulted faculty members all letters received and to encourage them to read and consider these letters before providing individual written judgments to the department chairperson on a recommendation to promote to associate professor or professor and/or grant tenure.

The department chairperson shall forward the completed dossier with the chairperson's recommendation to the dean.

E. Use of a College Advisory Committee on Promotion and Tenure

Each college shall have an advisory committee, established by the dean

after consultation with an appropriate faculty body of the college or elected by the faculty, which is concerned with matters related to faculty promotion and tenure. Prior to making a decision to approve or disapprove or to making a recommendation, as appropriate, relative to a proposal to promote and/or grant tenure, the dean has the option in most cases to seek advice or a recommendation from a college advisory committee on promotion and tenure. However, the dean is required to obtain a written recommendation from the advisory committee (1) when an assistant professor must be considered for promotion with tenure in the sixth or next-to-last year of the individual's probationary period, (2) when an associate professor must be considered for tenure in the next-to-last year of a probationary period, and (3) when a professor must be considered for tenure in the first half of a one-year probationary period.

However, where feasible, a member of the college advisory committee on promotion and tenure shall be excluded from any participation in that committee's consideration of a recommendation if the affected individual and the advisory committee member are assigned to the same educational unit.

F. Promotion from Instructor to Assistant Professor

An individual shall not remain at the rank of instructor in the University System for more than three years. After two years at the rank of instructor, if it appears that promotion to a higher rank cannot be justified at the end of three years, the individual shall be given a year's terminal reappointment (See Section IV.B).

Promotion from instructor to assistant professor shall be approved or disapproved by the dean of the college to which the faculty member is assigned. Approved action is communicated through the appropriate chancellor/vice president to the President who reports the action to the Board of Trustees. In a case of disapproval and stopping a recommendation for promotion of an individual from instructor to assistant professor, the dean shall notify the individual of such action in writing with a copy to the department chairperson.

G. Promotion to Associate Professor or Professor

Reviews relative to considerations for promotion and/or granting tenure must be completed in time for the affected faculty member to be notified of the result in accordance with Section IV.B. An assistant professor must be promoted and granted tenure before or at the end of the stated probationary period or the appointment shall not be continued beyond the end of the probationary period (See Section III.G.1).

The process described in Sections III.B, III.C, and III.D applies to a recommendation to promote to associate professor or professor and/or to grant tenure. After obtaining, as desirable or necessary, advice or a recommendation from the college's advisory committee on promotion and tenure, the dean shall approve or disapprove the recommendation to promote and/or grant tenure. If approved, the dean shall forward the dossier with an affirmative recommendation to the appropriate chancellor/vice president. In

case of disapproval and stopping the proposal to promote and/or grant tenure, the dean shall notify the faculty member of such action in writing with a copy to the department chairperson.

Upon receiving the dossier from the dean, the chancellor/vice president shall review the dossier for completeness and obtain a recommendation from the appropriate Area Committee. The Area Committee, however, may request the use of an ad hoc committee (appointed by the chancellor/vice president) for further evaluation before returning the dossier with the Area Committee's recommendation to the chancellor/vice president (see Section XII). For a recommendation to promote and/or grant tenure affecting a faculty member who is or may be involved in research and/or graduate programs, the chancellor/vice president also shall obtain a recommendation from the Dean of the Graduate School. Additionally, the chancellor/vice president shall obtain a recommendation from the appropriate vice chancellor for academic affairs. After reviewing the dossier and all recommendations, the chancellor/vice president shall either approve the proposal for promotion and/or tenure and forward an affirmative recommendation to the President of the University or disapprove and stop the proposal and notify the Dean of the College. The dean, in turn, shall inform the individual, in writing, and the department chairperson/director.

If an affirmative recommendation is forwarded to the President by the chancellor/vice president, the President shall approve or disapprove the recommendation to promote and/or grant tenure. If approved, the president shall make an affirmative recommendation to the Board of Trustees for final action. In case of disapproval and stopping the recommendation to promote and/or to grant tenure, the President shall inform the appropriate chancellor/vice president who, in turn, informs the dean. The dean, in turn, shall notify the faculty member of such action, in writing, with a copy to the department chairperson.

The Board of Trustees shall take final action on the proposal to promote and/or grant tenure by approving or disapproving the President's recommendation. The President, through the appropriate chancellor/vice president, shall inform the dean of the Board's action. The dean, in turn, shall notify the faculty member of the result in writing with a copy to the department chairperson.

A procedural flow chart with comments relative to proposals to promote and/or grant tenure is provided in Section XIV.

1. Required Consideration of an Assistant Professor for Promotion and Tenure

An assistant professor who is in the sixth or next-to-last year of a probationary period must be considered for promotion and tenure, unless the individual requests in writing that such not be done because of resignation or willingness to accept a terminal reappointment. A dossier for the individual shall be prepared according to established guidelines (see Section III.D), and a recommendation, either affirmative or negative, shall be made by the department chairperson and forwarded with the dossier to the dean of the

college. After reviewing the dossier for completeness, the dean shall obtain a written recommendation from the college's advisory committee on promotion and tenure. If the dean decides to recommend the faculty member for promotion and tenure, such a recommendation shall be added to the individual's dossier and forwarded to the appropriate chancellor/vice president for further consideration by normal procedures. If the dean makes a decision not to recommend the faculty member for promotion and tenure, the dean shall notify the individual of this action in writing before the end of the sixth or the next-to-last year of the individual's probationary period.

2. Promotion Review Opportunity for Tenured Assistant or Associate Professor

An assistant or associate professor with tenure whose promotion to a higher rank has not been considered by an Academic Area Advisory Committee for a period of six years may request such consideration by October 1 of the seventh or a subsequent year. This request shall be submitted in writing to the chairperson of the individual's department. Upon receiving such a request, the chairperson of the department shall prepare a promotion dossier, and a recommendation, either supporting or opposing promotion, shall be forwarded by the chairperson to the dean. The dean shall review the dossier and forward it with the dean's recommendation to the appropriate chancellor/vice president by January 15 of the academic year in which the request is made. After examining the dossier for completeness, the chancellor/vice president shall submit the dossier to the relevant Area Committee for review. Upon completion of its review, the Area Committee shall recommend to the chancellor/vice president in the usual manner. If a faculty member is considered by an Area Committee for promotion under this option, the provision of another opportunity for such consideration shall not be mandatory until six or more years have passed.

H. Consideration of an Associate Professor or a Professor for Tenure

An associate professor on appointment without tenure may be considered for tenure at any time prior to the next-to-last year of the stated probationary period. However, a non-tenured associate professor in the next-to-last year of a probationary period, or a professor in the first half of a one-year probationary period, must be considered for tenure at that respective specific time, unless the individual requests in writing that such not be done because of resignation or willingness to accept, as applicable, a terminal reappointment or a notice of non-renewal of appointment. A dossier relative to considering the individual for tenure shall be prepared according to established guidelines (see Section III.D) and a recommendation, either affirmative or negative, shall be made by the department chairperson and forwarded with the dossier to the dean of the college. After checking the dossier for completeness, the dean shall obtain a written recommendation from the college's advisory committee on promotion and tenure. If the dean decides to recommend the faculty member for tenure, such a recommendation shall be added to the dossier and forwarded to the appropriate chancellor/vice president for further consideration by normal procedures (refer to procedural flow chart in Section XIV). If the dean makes a decision not to recommend an associate professor for tenure but, on the contrary, to offer the individual a

terminal reappointment, the dean shall notify the individual of this action in writing, before the end of the next-to-last year of the individual's probationary period. If the dean makes a decision not to recommend a professor for tenure but, on the contrary, to inform the individual of non-renewal of appointment, the dean shall notify the individual of this action, in writing, no later than March 1 if the individual's one-year probationary period expires at the end of the academic or fiscal year or three months in advance if the probationary period terminates during the year.

I. Failure to Support a Recommendation to Promote and/or Grant Tenure

Whenever a recommendation to promote and/or grant tenure is disapproved at any level, this fact shall be reported back to the preceding level(s) with supporting reasons and an opportunity provided for a thorough discussion of the recommendation among the concerned parties. Any related appeal(s) to the appropriate chancellor/vice president concerning procedural matters or privilege and/or to the University Senate Advisory Committee on Privilege and Tenure concerning procedural matters, privilege, or allegations of violation of academic freedom shall be initiated in writing by the faculty member within 60 days after being notified in writing by the dean of the disapproval of the recommendation to promote and/or grant tenure.

IV. Selected Policies and Procedures Affecting Academic Employment

A. Prior Service

1. Applicability of Prior Service to Probationary Period

The applicability of prior service at the University or other institution to the probationary period of a faculty member shall be reviewed initially by the faculty member and the concerned department chairperson/unit director and by the dean. Probationary period means the time leading up to evaluation for the award of tenure, and applies to any of the faculty series in which tenure can be obtained. This review should occur as early as possible, preferably either before and/or during the interviewing of the applicant or soon after the appointment as a faculty member. The following questions shall serve as guidelines in considering the applicability of prior service, or in making a request for waiver, or elimination of part or all of the prior service:

> (a) Did the prior appointment include expectations for promotion and/or tenure similar to those which prevail in the anticipated new or present appointment at the University of Kentucky? (b) Were teaching and service assignments and expectations arranged in order to assure faculty members adequate time for investigation and scholarly or creative productivity? (c) Were the measurable achievements in the prior service appointments such that these should be counted as part of the achievements to be evaluated by the University of Kentucky in consideration for promotion and tenure? (d) Did the faculty member utilize the same knowledge and skills and have the same career goals in the prior appointment as will be used in the new appointment at the University of Kentucky? and (e) Does employment in the new post at the University of Kentucky involve a change of career, and, therefore, a change in the expectations which should be placed upon measurable achievements within a particular period of time?

2. Request for Waiver of All or Part of Prior Service

Should prior service at the University or other institutions involve significantly different professional responsibilities or professional activity than would or does obtain in the new or present appointment, a petition that all or part of the prior service be eliminated from consideration in determining the probationary period at the University of Kentucky may be initiated. The petition must be made by the prospective or appointed faculty member now being considered for, or actually in a post, with the possibility of achieving tenure. A petition for waiver requires support of the chair, or unit director, and dean. A petition which is supported by the dean shall be forwarded to the appropriate chancellor or vice president. After obtaining a recommendation on the matter from the Prior Service Advisory Committee (refer to AR III-1.0-3), the chancellor/vice president shall approve or disapprove the request.

For a faculty member with prior full-time service at a college or university, if a request for waiver of all or part of the prior service has

not occurred by the time of the faculty member's initial appointment at the University of Kentucky, the following statement shall be included as a condition of appointment on the Notice of Academic Appointment and Assignment form for the initial appointment: "A faculty member with prior service at a college or university has the right to request a waiver of all or part of the prior service. However, such a request must be considered within one year after the starting date of this initial appointment at the University of Kentucky with the possibility of achieving tenure. (Refer to Section IV.A of AR II-1.0-1.)"

Prior full-time service as a faculty member in the research title series, in the clinical title series, or in a temporary post with specific and restricted responsibilities are examples of service which might be waived upon a subsequent regular appointment to the Regular Title Series, Special Title Series, Extension Title Series or Librarian Series.

B. Notification of Non-Renewal of Appointment: Non-Tenured Faculty Appointments

Part-time, visiting, or temporary short-term appointments with explicit terminal dates of one year or less terminate at the expiration of the term without notice.

For those employed year-to-year on a fiscal or academic year basis, notification of non-renewal of appointment at the end of the first year of service shall be given no later than March 1 if the appointment expires at the end of that year or three months in advance if the one-year appointment terminates during the academic year. Notification of non-renewal of appointment at the end of the second year of service shall be given no later than December 15 if the appointment expires at the end of the year or six months in advance if the appointment expires during the year. Notification of non-renewal of appointment after more than two years of service shall be given at least 12 months before expiration of the appointment. Any such notification of non-renewal of appointment shall be made in writing by the dean.

It is University policy not to provide written reasons in cases of non-renewal of appointment. However, upon the faculty member's request, the dean of the college may meet with the faculty member and discuss informally the circumstances surrounding the non-renewal. If the faculty member is not satisfied with this conference, a related conference with the appropriate chancellor/vice president may be requested.

Any related appeal(s) to the appropriate chancellor/vice president concerning procedural matters or privilege and/or to the University Senate Advisory Committee on Privilege and Tenure concerning procedural matters, privilege, or allegations of violation of academic freedom must be initiated in writing by the concerned faculty member within 60 days after being notified in writing by the dean of non-renewal of appointment. When such an appeal to the University Senate Advisory Committee on Privilege and Tenure has been initiated in writing by a faculty member, the chairperson of the Committee shall inform the appropriate dean and chancellor/vice president of the development.

C. Termination of Appointment

1. Reasons for Termination

Except in cases of financial emergency, the termination of a tenured appointment or the dismissal of a person prior to the expiration of a non-tenured appointment shall be, in accordance with KRS 164.230, only for reasons of incompetency, neglect of or refusal to perform duties, or for immoral conduct.

In a case of termination because of a financial emergency, the faculty member may have the issues reviewed by the University Senate Advisory Committee on Privilege and Tenure with the right of appeal to the President and the Board of Trustees. The faculty member shall be given notice as soon as possible and never less than 12 months' notice. The released faculty member's position shall not be filled by a replacement within a period of two years unless the released faculty member has been offered reappointment and given a reasonable time within which to accept or decline it.

2. Procedure

Dismissal of a faculty member with tenure or of a non-tenured faculty member before the end of a specified term of appointment shall be preceded by discussions between the faculty member and the appropriate administrative officer or officers looking toward a mutual settlement. In the event of failure to agree upon a settlement, the appropriate chancellor/vice president shall be responsible for the preparation of a reasonably particularized statement of charges which shall be furnished to the faculty member and the University Senate Advisory Committee on Privilege and Tenure. The committee shall make an informal investigation for the purpose of attempting to effect an adjustment and, in the case of failure, shall recommend to the President whether, in its opinion, dismissal proceedings should be undertaken. Its opinion shall not be binding upon the President.

If the President initiates dismissal proceedings, the concerned individual shall have the right to be heard initially by the University Senate Hearing Committee (Privilege and Tenure).

The faculty member shall be informed in writing by the President regarding specific charges at least 20 days prior to the hearing. At least seven days prior to the hearing, the faculty member shall answer the charges in writing. The faculty member may waive the hearing. If the faculty member waives the hearing but denies the charges or asserts that the charges do not support a finding of adequate cause, the Hearing Committee shall evaluate all available evidence and base its recommendation upon the evidence in the record.

The Hearing Committee, in consultation with the President and the faculty member, shall exercise its judgment as to whether the hearing shall be public or private. During the proceedings the faculty member shall be permitted to have an academic advisor and a counsel of personal choice. At the request of either party or the Hearing Committee, a representative of a responsible educational association shall be permitted to attend the

proceedings as an observer. A full stenographic record of the hearing or hearings shall be taken and made available to the parties concerned. The burden of proof that adequate cause for dismissal exists shall rest with the institution and shall be satisfied only by clear and convincing evidence in the record considered as a whole. If the faculty member's competence is in question, the testimony should include that of qualified faculty members from this and/or other institutions of higher education.

Upon the conclusion of the hearing, the Hearing Committee shall report to the President that adequate cause for dismissal has or has not been established by the evidence in the record. It may, in addition, recommend that, although adequate cause for dismissal has been established, an academic penalty less than dismissal would be more appropriate, giving supporting reasons for the recommendation. If the President rejects the report, the President shall provide reasons in writing to the Hearing Committee and to the faculty member and provide an opportunity for response before transmitting the case to the Board of Trustees.

A decision adverse to the faculty member may be made only after an opportunity has been given for an additional hearing before the Board of Trustees as required by KRS 164.230. The Board shall either sustain the recommendations of the Hearing Committee and the President or return the proceedings to the President and the Hearing Committee with specific objections. The Hearing Committee then shall reconsider, taking into account the stated objections and receiving new evidence if necessary. The Board of Trustees shall make a final decision after a study of the Hearing Committee's reconsideration.

3. Suspension

Until the final decision on termination of an appointment has been reached, the faculty member shall be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Before suspending a faculty member, pending an ultimate determination of the individual's status through the hearing procedure, the President shall consult with the University Senate Advisory Committee on Privilege and Tenure. Salary shall be continued during the period of suspension.

D. Academic Freedom of Non-Tenured Faculty

If faculty members on non-tenured appointments or faculty members on post-retirement appointments allege that decisions not to reappoint them were caused by considerations violative of academic freedom, or that they were given less advance notice than specified in these regulations, they shall present their allegations in writing to the University Senate Advisory Committee on Privilege and Tenure within 60 days after being notified in writing by their respective deans of the decisions not to reappoint. Allegations so presented shall be given preliminary consideration by the Advisory Committee on Privilege and Tenure, which shall attempt to settle the matter by informal methods. The faculty members' allegations shall be accompanied by statements that they agree to the presentation, for the

consideration of the committee, of such reasons and evidence as the University may allege in support of its decisions. If the difficulty is unresolved at this stage and if the committee so recommends, the procedures set forth in PART X.B.5.b of the Governing Regulations shall be applied, except that the faculty members making the complaints are responsible for stating the grounds upon which they base their allegations, and the burden of proof shall rest upon them. If prima facie cases are established via these procedures in favor of the faculty members, it becomes incumbent upon the persons who made the decisions not to reappoint to present evidence in support of those decisions.

E. Resignation

Notice of resignation should be given early enough to obviate serious inconvenience to the University. If faculty members desire to terminate existing appointments or to decline renewals in the absence of notices of non-renewal, they shall give written notice of no less than three months if their rank is instructor or assistant professor, and no less than four months if their rank is higher, before the end of their duties during the academic year (exclusive of a summer session) or thirty days after receiving notification of the terms of their appointments for the coming year, whichever date occurs later. However, they may properly request a waiver of this requirement in cases of hardship or in situations where they would otherwise be denied substantial professional advancement.

F. Administrative Personnel

Administrative personnel who hold academic rank are subject to the foregoing regulations in their capacity as faculty members. Administrators who allege that considerations violative of academic freedom significantly contributed to decisions to terminate their appointments to administrative posts or not to reappoint them shall be entitled to the same procedures as those for non-tenured faculty who allege violation of academic freedom.

G. Graduate Student Academic Staff

In no case shall an appointment of a graduate or teaching assistant be terminated before the end of the period of appointment without the individual's being provided with an opportunity to be heard before the University Senate Advisory Committee on Privilege and Tenure.

A graduate or teaching assistant, who has established a prima facie case to the satisfaction of the committee that a consideration violative of academic freedom significantly contributed to the individual's non-reappointment, shall be given a statement of reasons by those responsible for the non-reappointment and an opportunity to be heard by a University Senate Hearing Committee (Privilege and Tenure).

H. Opportunities for Hearings

In no case shall a member of an academic staff, who is not otherwise protected by the preceding regulations which relate to dismissal proceedings, be dismissed (termination before the end of a period of appointment) without

having been provided with a statement of reasons and an opportunity to be heard before the University Senate Advisory Committee on Privilege and Tenure.

A member of an academic staff who establishes a prima facie case to the satisfaction of the committee that a consideration violative of academic freedom significantly contributed to the member's non-reappointment shall be given a statement of reasons by those responsible for the non-reappointment and an opportunity to be heard by the University Senate Hearing Committee (Privilege and Tenure).

I. Change of Assignment

When it is in the best interests of the institution, and if the professional status of an individual is not seriously jeopardized thereby, a change in the duties assigned to an individual may be made without such change of assignment being regarded as a violation of the individual's privilege or tenure rights.

V. Criteria of Evaluation for Appointment and Promotion in the Regular Title Series

A. Areas of Activity

Four areas of activity are important in the evaluation of faculty for appointment and promotion in the regular title series: (1) teaching, including both formal classroom activities and informal influence on students' growth; (2) research and other creative productivity; (3) professional status and activity; and (4) University and public service.

Since all appointments and promotions shall be made on the basis of merit, the following detailed statements regarding each of these areas will serve as a guide to review committees evaluating the accomplishments of a faculty member.

1. Teaching and Student Relations

Markedly superior teaching and advising are distinct values and should be recognized in appointment or promotion. Recognition also should be given to a faculty member's contribution to student welfare through service on student-faculty committees or as an advisor to student organizations.

Objective evidence of the quality of teaching shall be included in the final dossier. Such evidence should include: (a) reports by colleagues qualified in the field; (b) evaluations by students and, if available, graduates; and (c) when appropriate, the subsequent accomplishments of graduates whose major work has been supervised by the individual under consideration.

Colleges shall evaluate the quality as well as the quantity of academic advising done by each faculty member. The results of this evaluation shall be considered in the annual performance review and in the decisions concerning retention and/or promotion of each faculty member.

2. Research and Other Creative Activity

The individual under consideration must show evidence of continuing research or creative activity in the particular field of assignment. Normally, publication in the form considered appropriate for the field will constitute this evidence. Evaluation of the quality of such publication is imperative, and specialists in the field from both inside and outside the University should be called upon to attest to the value of the individual's research. Since certain types of research or creative work require a longer period of development before publication than do others, evaluation also should be made of work in progress, particularly in cases where retention is involved. It should be understood that in certain activities, "publication" as used in this document may be achieved in modes different from those of the sciences and the book-based disciplines.

3. Professional Status and Activity

The demonstration that the abilities of the individual under consideration are recognized outside the University is important in evaluation, but such recognition must be weighted according to rank. Obviously, a candidate for the lowest rank will not be likely to have achieved wide recognition. There are many ways in which extramural recognition may be evidenced, and those entrusted with evaluation will use the kind of evidence appropriate to their fields. Qualitative rather than quantitative judgments should be made.

4. University and Public Service

Effective participation in activities appropriate to the formation of educational policy and faculty governance and effective performance of administrative duties shall be taken into consideration in the evaluative process. A service component is a normal part of a faculty member's obligation to the University.

Service to the community, state, and nation also must be recognized as positive evidence for promotion, provided that this service emanates from the special competence of the individual in an assigned field and is an extension of the individual's role as a scholar-teacher. In the colleges of the Medical Center, patient care is recognized as a special competence in an assigned field and is an integral part of the service component. Public service unrelated to the individual's role as a scholar-teacher does not constitute evidence for appointment, promotion, or salary increase.

B. Balance and Intellectual Attainment

A major consideration in any appointment or promotion with tenure is superior achievement in the various activities discussed in the preceding paragraphs. While the proportion of these activities may vary in terms of the individual's assignments and specialty, it must be recognized that superior intellectual attainment is evidenced both by the quality of the individual's teaching and the quality of the individual's research or other creative activity. Ideally, individuals selected for tenure should demonstrate superiority in all of the major criteria discussed here and, while special circumstances may cause the weight of emphasis on each to vary, care must be taken to insure that outstanding performance in a single activity does not obliterate the other factors that should be considered in evaluating academic excellence.

C. General Criteria for Ranks

Although it is impossible to specify the exact criteria for judging an appointment or promotion to any one particular rank, the following general statements are guides for review committees.

1. Assistant Professor

Appointment or promotion to the rank of assistant professor shall be made after it has been determined that the individual has earned the terminal degree appropriate to the field of assignment and has a current capability for good teaching, research, and University service and a potential for significant growth in these areas.

2. Associate Professor

Appointment or promotion to associate professor shall be made only after an indication of continuous improvement and contribution by an individual both in teaching and research or other creative activity. Furthermore, the individual should have earned some regional recognition for excellence appropriate to the field of assignment.

3. Professor

Appointment or promotion to the rank of professor is an indication that, in the opinion of colleagues, an individual is outstanding in teaching and in research or other creative activity and, in addition, has earned national and, perhaps, international recognition. It should be stressed further that this rank is recognition of attainment rather than of length of service.

The September 20, 1989 revisions of this Administrative Regulation are applicable to those appointed in the Regular Title Series prior to January 2000 and should be retained as Page V-A.

10/8/99

V. Criteria of Evaluation for Appointment and Promotion in the Regular Title Series

A. Areas of Activity

Three areas of activity are important in the evaluation of faculty for appointment and promotion in the regular title series: (1) teaching, advising and other instructional activities; (2) research and/or other creative activity; (3) professional, University, and public service. Evaluation of a faculty member's performance in each area of activity should be commensurate with his or her approved distribution of effort agreement. Excellence in teaching, advising and other instructional activities, research and creative scholarship, and in professional, University and public service is expected. .

Since all appointments and promotions shall be made on the basis of merit, the following detailed statements regarding each of these areas will serve as a guide for evaluating the accomplishments of a faculty member.

1. Teaching, Advising, and Other Instructional Activities

Teaching involves creating a learning environment, as well as transmitting, transforming and extending knowledge. Superior teaching and advising shall be recognized as integral components of the evaluation for promotion and tenure as appropriate given the faculty member's assignment. Educational activities extend far beyond the classroom, and the University of Kentucky acknowledges the importance of educating citizens, both on and off campus, as part of its land grant mission. Recognition also should be given to a faculty member's contribution to student welfare through service on student-faculty committees or as an advisor to student organizations.

Objective evidence of the quality of teaching shall be included in the final dossier. Such evidence should include: (a) reports by colleagues qualified in the field; (b) evaluations by students and, if available, graduates; and (c) when appropriate, the subsequent accomplishments of graduates whose major work has been supervised by the individual under consideration. Teaching must be documented through the teaching portfolio.

Colleges shall evaluate the quality as well as the quantity of academic advising done by each faculty member. The results of this evaluation shall be considered in the annual performance review and in the decisions concerning retention and/or promotion of each faculty member.

2. Research and Other Creative Activity

University faculty have a responsibility for the creation of knowledge. Scholarship related to research and/or creative endeavors must be original, of high quality, and validated by rigorous peer review. Communication of the work's significance to the scholarly community and to the public at large is a component of the mission of the University and, therefore, its

evaluation is an integral part of the promotion and tenure process. The documented quality of research and/or creative scholarship shall be an integral component of the promotion and tenure evaluation process as appropriate given the faculty member's assignment.

Evidence of recognition of research and/or creative activity and its long-lasting merit and worth is expected. Normally, publication in the form considered as appropriate for the field will constitute this evidence.

In addition to the more traditional methods of presentation, examples of creative scholarship include public performances and exhibitions, audio and visual recordings, applications of technical innovations and other products.

3. Professional, University and Public Service

A service component is a normal part of a faculty member's obligation to the University. Formation of educational policy, participation in faculty governance, and effective performance of administrative duties, will be taken into consideration in the evaluation process.

Faculty members are expected to engage in service related to their professional role as scholars for the benefit and development of local, state, national, international, and the University communities. Documented scholarship related to service that is directly associated with one's special field of knowledge, expertise, and professional role within the University will be evaluated as positive evidence for promotion and tenure.

Citizenship activities of faculty members and projects unrelated to faculty members' professional roles in the University, while laudable, do not constitute evidence for academic appointment, promotion and awarding tenure.

B. Balance of Intellectual Attainment

A major consideration in any appointment or promotion with tenure is superior achievement in the various activities discussed in the preceding paragraphs. The proportion of these activities will vary in terms of the individual's assigned distribution of effort and specialty. Ideally, individuals selected for tenure should demonstrate superiority in all of the major criteria discussed here as reflected in their assigned distribution of effort. Care must be taken to insure that outstanding performance in a single activity does not receive undue consideration in relation to the other factors that should be considered in evaluating academic excellence.

C. General Criteria for Ranks

The following general criteria for appointment and promotion serve as guidelines for persons involved in the decision process.

Assistant Professor

Appointment or promotion to the rank of assistant professor shall be made after it has been determined that the individual has earned the terminal degree appropriate to the field of assignment as recognized by the academic discipline, has capability for excellent scholarship and teaching, and demonstrates potential for significant growth.

Associate Professor

Appointment or promotion to associate professor shall be made only after a candidate has met the criteria for assistant professor and has demonstrated high scholarly achievements commensurate with his/her assignment in areas of: (1) teaching, advising and other instructional activities; (2) research and other creative activity; (3) professional, university and public service. Particularly, an indication of continuous improvement and scholastic contributions should be evident as documented by the candidate. Further, the individual should have earned external recognition for excellence in her/his scholarly activities. Where appropriate, this recognition should be on a regional or national level as appropriate to the field of assignment.

Professor

Appointment or promotion to full professor shall be made only after a candidate has met the criteria for associate professor and has demonstrated high scholarly achievements commensurate with his/her assignment in areas of: (1) teaching, advising, and other instructional activities; (2) research and other creative activity; (3) professional, university and public service. Particularly, such an appointment implies that, in the opinion of colleagues, the candidate's scholarship is excellent and, in addition, s/he has earned a high level of professional recognition. Where appropriate, this recognition should be on a national or international level in the field of assignment. It should be stressed further that this rank is in recognition of attainment rather than length of service.

The October 8, 1999 revisions of this Administrative Regulation are applicable to those appointed in the Regular Title Series after December 31, 1999 and should be retained as Page V-B until V-A is no longer applicable.

10/8/99

VI. Appointment, Promotion, and Tenure in the Extension Title Series

The extension title series (or special title series for extension) consists of the following academic ranks and titles: (1) assistant extension professor; (2) associate extension professor; and (3) extension professor.

This title series and the associated criteria for ranks have been established to provide a system of evaluation for appointment, promotion, and granting tenure applicable to those University faculty whose primary assignment is to one of the University extension programs serving the citizens of the Commonwealth.

A. Criteria for Ranks

1. Assistant Extension Professor

In order to qualify for appointment as an assistant extension professor, a candidate shall hold the terminal degree appropriate to the field of assignment and, where required, certification in the field. Further, a candidate shall possess the essential instructional and organizational skills prerequisite to successful development and administration of a University service program and show evidence of potential for future professional growth.

2. Associate Extension Professor

In addition to meeting the criteria for assistant extension professor, appointment or promotion to the rank of associate extension professor shall be based on:

a. Evidence of professional development on a state and regional basis as indicated by factors such as:

(1) Leadership;
(2) Participation in professional organizations;
(3) Requests to serve as consultant, advisor, or expert participant; and
(4) Recognition for outstanding service in the field of specialization.

b. Demonstration of substantial instructional and organizational skills in the field of specialization as evidenced by achievements such as:

(1) Development of training or extension education programs;
(2) Preparation of public information materials;
(3) Publication of useful and creative articles in appropriate professional journals;
(4) Generation and dissemination of new knowledge and data through activities such as

evaluating and interpreting research and through conducting demonstrations, surveys, and other field activities; and

(5) Development of new concepts, designs, systems or procedures useful in the field of specialization.

c. Demonstration of significant contribution of service to the University and community.

Application of the above criteria should be weighted in terms of the individual's assignment.

3. Extension Professor

Appointment or promotion of an individual to the rank of extension professor is based, in addition to meeting criteria for the rank of associate extension professor, on continued broad professional growth and distinguished achievements by the individual in the particular field of assignment. The required level of performance is defined by:

a. Outstanding leadership and service to the profession as evidenced by regional and national recognition;

b. Innovative and effective approaches to the problems in the individual's field;

c. National recognition in extension education and in planning and developing programs; and

d. Substantial achievement as a scholar in the field of specialization as measured by modes of publication suitable to the individual's specialty and maintenance of contact with and development and application of new knowledge relevant to the individual's specialty.

B. Appointment and Promotion Procedures

All recommendations for appointment, promotion, or granting tenure in the extension title series shall be initiated by the chairperson of the department to which the individual is assigned (or by the appropriate dean if the individual has no departmental affiliation). Each recommendation shall be accompanied by a dossier which includes a current curriculum vitae of the individual, together with:

1. Letters of evaluation and recommendation from the chairperson of the department to which the individual is assigned and all other superior officers within the college who will be or are directly involved in administering the individual's program of work;

2. Written judgments from members of the educational unit who were consulted in accordance with the Governing Regulations (PART VII.B.5, second paragraph. See also Appendix I to this Administrative Regulation).

XII. Academic Area Advisory Committees

A. Purpose

The Academic Area Advisory Committees are established for the purpose of providing the chancellors/vice presidents and the President with a systematic and broad base of advisement from faculty on matters of appointment, promotion, and tenure.

B. List of Academic Area Advisory Committees

1. Biological Sciences
2. Humanities and Arts
3. Physical and Engineering Sciences
4. Social Sciences
5. Medical Center Clinical Sciences
6. Extension Title Series
7. Librarian Series

C. Composition of Academic Area Advisory Committees

The membership of each Academic Area Advisory Committee shall consist of no fewer than five members. The Medical Center Clinical Sciences Academic Area Advisory Committee shall consist of nine members, three of whom shall be from the College of Medicine, two from the College of Dentistry, and one each from the Colleges of Allied Health Professions, Nursing, and Pharmacy and the Department of Veterinary Science. In addition, each Area Committee shall have one alternate who, with the exception described in the next paragraph, shall be entitled to participate as a voting member at meetings when any regular member is absent and to attend any other meetings of the Area Committee as a non-participating observer. Members and alternates are appointed by the President from a list of candidates provided by the Senate Council. The list shall include at least twice as many names as there are vacancies. Members and alternates shall be full professors who shall serve staggered two-year terms. The President shall designate the chairperson of each committee.

A member or an alternate of an Area Committee, however, shall be excluded from any participation in that Area Committee's consideration of a recommendation if the affected individual and the Area Committee member or alternate are assigned to the same educational unit.

D. Selection of Members and Alternates of Academic Area Advisory Committees

The members and alternate of an Area Committee should have a representation as broad as possible from the educational units which the Area Committee serves. No department shall be

represented by more than one person. Appointments as members and alternates on Area Committees shall be rotated among educational units so that over a period of years all educational units shall be represented. Any Area Committee may recommend that the appropriate chancellor/vice president appoint ad hoc committees to handle cases requiring additional expert advice from people well qualified in the particular discipline involved. Ad hoc committees will be discharged as soon as their reports are submitted to the Area Committees. The Area Committees should acknowledge the advice of any ad hoc committees in preparing their recommendations to the appropriate chancellor/vice president.

E. List of Educational Units Assigned to the Academic Area Advisory Committees

A proposal to appoint, promote, and/or grant tenure requiring an evaluation and a recommendation from an Academic Area Advisory Committee normally shall be referred to the Area Committee associated with the concerned individual's educational unit as listed below. In a few appropriate cases, however, with prior agreement between the individual and the chancellor/vice president, an evaluation and a recommendation may be obtained from an Area Committee other than the one normally associated with the educational unit to which the individual is assigned.

The President may exempt faculty of any educational unit in the University System from evaluation by an Area Committee when the standards of an accrediting agency make this desirable or when such an exemption appears to be in the best interests of the University.

Biological Sciences

Agronomy
Anatomy and Neurobiology
Animal Sciences
Anthropology (biological phase)
Biochemistry
Biological Sciences
Biomedical Engineering
Dentistry (Oral Biology)
Entomology
Forestry
Kinesiology and Health Promotion (biological phase)
Horticulture
Microbiology and Immunology
Nutrition and Food Science (biological phase)
Nutritional Sciences
Pharmacology
Pharmacy (Pharmaceutical Sciences)
Physiology and Biophysics

Plant Pathology
Psychology (biological phase)
Toxicology

Humanities and Arts

Architecture (art phase)
Art
Classical Languages and Literatures
English
French Language and Literature
Germanic Languages and Literatures
History
Human Environmental Sciences (art and design phase)
Honors
Journalism and Telecommunications
Communications and Information Studies
Music
Philosophy
Russian and Eastern Studies
Spanish and Italian Languages and Literatures
Theatre

Medical Center Clinical Sciences

Allied Health Professions
Dentistry (except Oral Biology)
Medicine
Nursing
Pharmacy (Pharmaceutical Practice)
Veterinary Science

Physical and Engineering Sciences

Agricultural Engineering
Architecture (mechanical phase)
Biomedical Engineering
Chemical Engineering
Chemistry
Civil Engineering
Computer Science
Electrical Engineering
Engineering Mechanics

Geological Sciences
Mathematics
Mechanical Engineering
Materials Science and Engineering
Mining Engineering
Physics and Astronomy
Statistics

Social Sciences

Accountancy
Administration and Supervision
Agricultural Economics
Anthropology (social phase)
Behavioral Science (social phase)
Communication
Curriculum and Instruction
Diplomacy and International Commerce
Economics
Educational and Counseling Psychology
Educational Policy Studies and Evaluation
Geography
Kinesiology and Health Promotion (social phase)
Higher Education
Human Environmental Sciences (business and behavioral science phases)
Management (Decision Science and Information Systems, Finance, Marketing)
Political Science
Psychology (social phase)
Public Administration
Rehabilitation Counseling
Rural Sociology
Social and Philosophical Studies in Education
Social Work
Sociology
Special Education
Vocational Education

Extension Title Series

Librarian Series

Medical Center Library System
University Library System

F. Appointment, Promotion and Tenure in the Lexington Community College

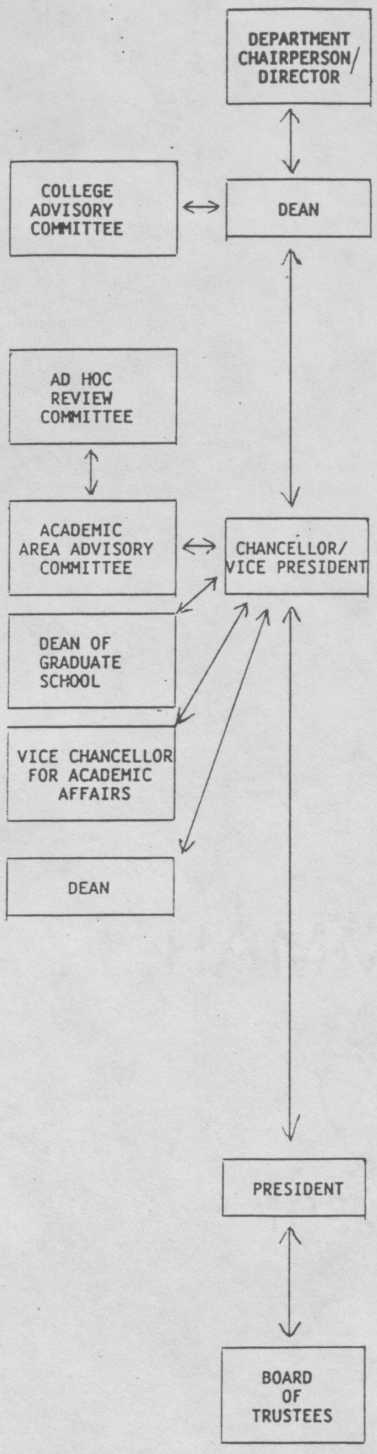
The provisions in AR II-5.0-2 Policies and Procedures on Appointment, Promotion, Granting of Tenure, and Termination of Appointment applicable to faculty in the University of Kentucky Community College System Sections I, II, III, IV, V, and VI shall apply with the following exceptions:

- After January 14, 1998, faculty appointed at the rank of Associate Professor (with tenure) or Professor with tenure or promoted to the rank of Associate Professor with tenure, shall be tenured in the Lexington Community College.

- The Chancellor of the Lexington Campus shall perform the functions of the Chancellor of the Community College System. The Chancellor of the Lexington Campus is not required to obtain a recommendation from the Community College System Advisory Committee on Appointment, Promotion and Tenure.

- The University System Advisory Committee on Privilege and Tenure of the University Senate shall perform the functions for the Lexington Community College now specified for the Committee on Privilege and Tenure of the Senate of the Community College System.

PROCEDURAL FLOW CHART FOR PROPOSALS ON INITIAL APPOINTMENT, REAPPOINTMENT, JOINT APPOINTMENT, TERMINAL REAPPOINTMENT, AND POST-RETIREMENT APPOINTMENT IN THE UNIVERSITY SYSTEM



Department Chairperson/Director

1. Initiates proposal for initial appointment, reappointment, joint appointment, terminal reappointment, or post-retirement appointment.
2. Prepares dossier relative to proposal, if required.
3. Forwards dossier with recommendation to the dean.

Dean

1. Reviews dossier for completeness.
2. On optional basis, may obtain a recommendation on the proposal from a College Advisory Committee.
3. Approves or disapproves a proposal relative to an instructor, an assistant professor, a post-retirement appointment on a fee schedule basis, or a part-time faculty appointment at any rank, except in a case covered by footnote (*), and informs department chairperson/ director of action taken. Approved action is communicated through the chancellor/vice president to the President who reports it to the Board of Trustees.
4. For a proposal concerning a full-time associate professor or professor, forwards dossier with an affirmative recommendation to the appropriate chancellor/vice president or disapproves and stops the proposal and so informs the concerned individual in writing with a copy to the department chairperson/director.
5. If a proposal for reappointment at any rank is disapproved, notifies the individual in writing about a non-renewal of appointment or offers a terminal reappointment, as appropriate. (Check also footnote (**).)

Chancellor/Vice President

1. Reviews dossier for completeness.
2. Approves or disapproves proposal for appointment of visiting faculty member at any rank, or of lecturer, without reference to an Academic Area Advisory Committee (or simply Area Committee).
3. For a proposal concerning an initial appointment or a primary appointment in a joint appointment of a full-time associate professor or professor (except one in the visiting title series), obtains a recommendation from the appropriate Area Committee. The Area Committee may, however, request use of an ad hoc committee (appointed by the chancellor/vice president) for further evaluation before returning dossier with Area Committee's recommendation to the chancellor/vice president. A proposal concerning a reappointment, non-primary appointment in a joint appointment, terminal reappointment, or post-retirement appointment is not referred to an Area Committee.
4. Obtains a recommendation, if required, from the Dean of the Graduate School.

(Note: Steps 1, 3, and 4 may be delegated by the Chancellor/Vice President to the Vice Chancellor for Academic Affairs.)

5. Obtains a recommendation from the Vice Chancellor for Academic Affairs.
6. Reviews the proposal and supporting dossier with all recommendations.
7. Decides on a recommendation and, if negative, informs the dean of the college. The dean informs the individual, in writing, and the department chairperson/director.
8. Forwards recommendation of approval to President.
9. Maintains a documentation file of all recommendations and actions relative to any proposal received.
10. Handles communications from the President to the deans in the chancellor's/vice president's sector.

President

1. Reviews proposal.
2. Approves or disapproves proposal. In case of approval, submits affirmative recommendation to Board of Trustees for final action. In case of disapproval and stopping the proposal, informs the appropriate chancellor/vice president. The chancellor/vice president informs the dean. The dean, in turn, notifies the faculty member, in writing, with a copy to the department chairperson/director.

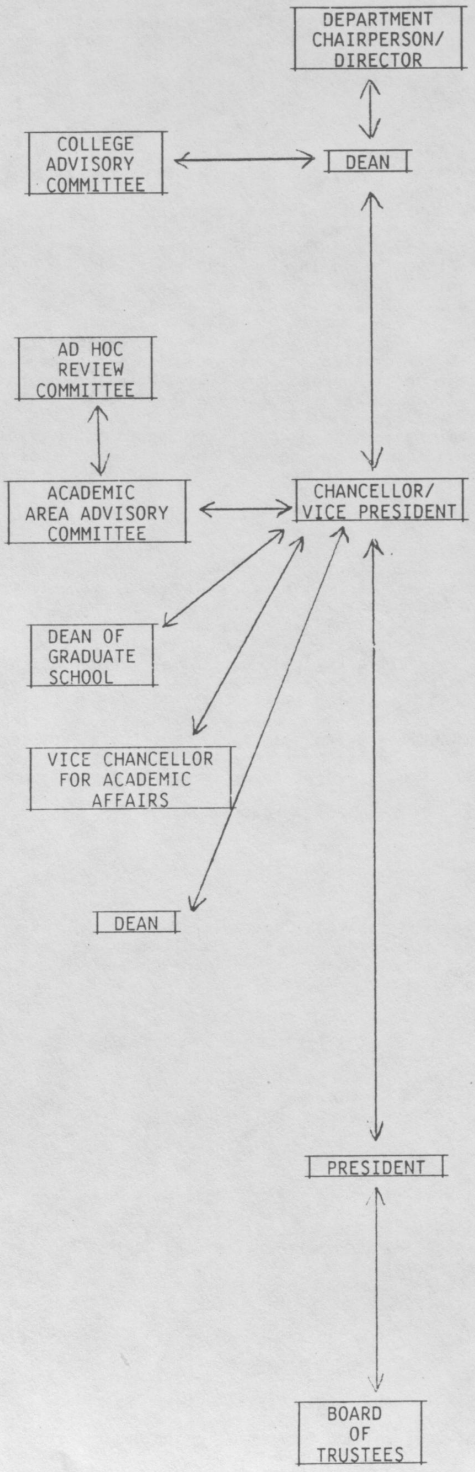
Board of Trustees

1. Takes final action, i.e., approves or disapproves the President's recommendation.
2. The President, through the appropriate chancellor/vice president, informs the dean of the Board's action. The dean, in turn, informs the faculty member in writing with a copy to the department chairperson/director.

(*) Approval by the chancellor/vice president is required, however, for an appointment at any rank in the Visiting Title Series or as lecturer. Also, approval by the Board of Trustees is required for an initial appointment to any faculty position for which the annual salary exceeds $60,000.

(**) Possible action in a case in which the department chairperson's/director's recommendation for reappointment for a specific term is rejected by the dean and a terminal reappointment is offered instead is discussed in Sections II.F and II.G of this Administrative Regulation.

PROCEDURAL FLOW CHART
FOR PROPOSALS TO PROMOTE AND/OR GRANT TENURE
IN THE UNIVERSITY SYSTEM



Department Chairperson/Director

1. Initiates proposal to promote and/or grant tenure.
2. Prepares dossier relative to proposal, if required.
3. Forwards dossier with recommendation to the dean.
4. See footnote (*).

Dean

1. Reviews dossier for completeness.
2. Obtains recommendations from College Advisory Committee in cases where such is required (Section III.D); otherwise, obtains recommendation only when desired.
3. Approves or disapproves recommendation to promote from instructor to assistant professor. In case of approval, reports action through the chancellor/vice president to the President who reports it to the Board of Trustees. In case of disapproval, notifies the faculty member in writing with a copy to the department chairperson/director.
4. Approves or disapproves recommendation to promote and/or grant tenure to associate professor or professor. In case of approval, forwards dossier with affirmative recommendation to appropriate chancellor/vice president. In case of disapproval and stopping of proposal, notifies the faculty member in writing with copy to the department chairperson/director.
5. See footnote(*).

Chancellor/Vice President

1. Reviews dossier for completeness.
2. Obtains recommendation, if required, from appropriate Academic Area Advisory Committee (or simply Area Committee). The Area Committee may, however, request use of an ad hoc committee (appointed by the chancellor/vice president) for further evaluation before returning dossier with Area Committee's recommendation to the chancellor/vice president.
3. Obtains a recommendation, if required from the Dean of the Graduate School.

(Note: Steps 1, 2, and 3 may be delegated by the Chancellor/Vice President to the Vice Chancellor for Academic Affairs.)

4. Obtains a recommendation from the Vice Chancellor for Academic Affairs.
5. Reviews the proposal and supporting dossier with all recommendations.
6. Decides on a recommendation and, if negative, informs the dean of the college. The dean informs the individual, in writing, and the department chairperson/director
7. Forwards recommendation of approval to President.
8. Maintains a documentation file of all recommendations and actions relative to proposal.
9. Handles communications from the President to the deans in the chancellor's/vice president's sector.
10. See footnote (*).

President

1. Reviews proposal.
2. Approves or disapproves proposal. In case of approval, submits affirmative recommendation to Board of Trustees for final action. In case of disapproval and stopping the proposal, informs the appropriate chancellor/vice president. The chancellor/vice president informs the dean. The dean, in turn, notifies the faculty member, in writing, with a copy to the department chairperson/director.

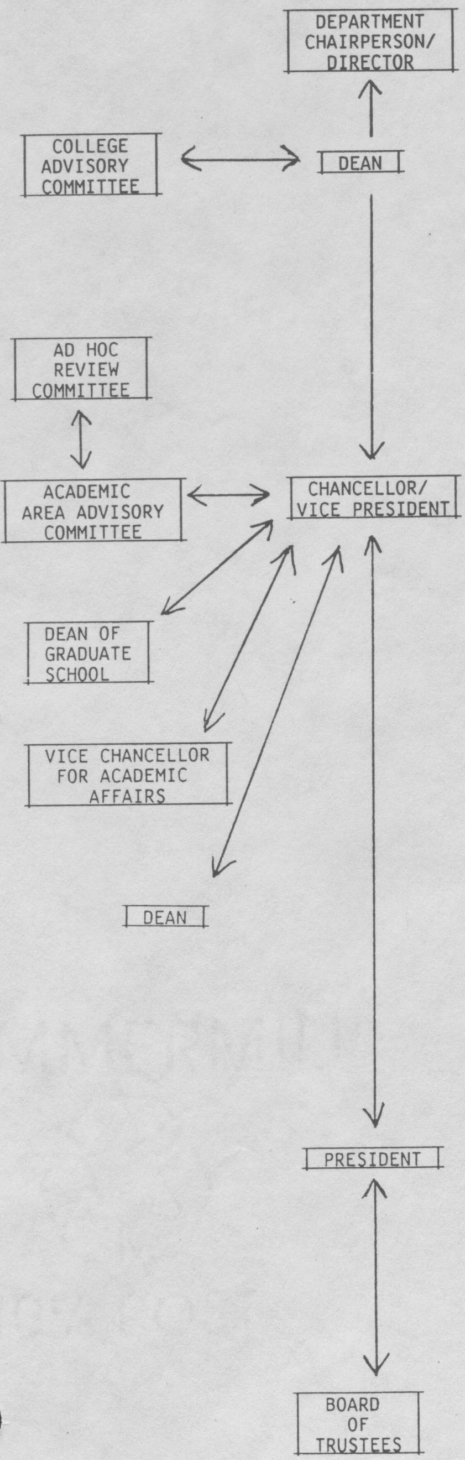
Board of Trustees

1. Takes final action, i.e., approves or disapproves the President's recommendation.
2. The President, informs the appropriate chancellor/vice president of the Board's action. The chancellor/vice president informs the dean. The dean, in turn, notifies the faculty member, in writing, with a copy to the department chairperson/director.

(*) The roles of the department chairperson/director, dean, and chancellor/vice president in a case of a tenured assistant or associate professor whose promotion to a higher rank has not been considered by an Area Committee for at least six years are described in Section III.F.2 of this Administrative Regulation.

WAR1:165

PROCEDURAL FLOW CHART
FOR PROPOSALS TO PROMOTE AND/OR GRANT TENURE
IN THE UNIVERSITY SYSTEM



Department Chairperson/Director

1. Initiates proposal to promote and/or grant tenure.
2. Prepares dossier relative to proposal, if required.
3. Forwards dossier with recommendation to the dean.
4. See footnote (*).

Dean

1. Reviews dossier for completeness.
2. Obtains recommendations from College Advisory Committee in cases where such is required (Section III.D); otherwise, obtains recommendation only when desired.
3. Approves or disapproves recommendation to promote from instructor to assistant professor. In case of approval, reports action through the chancellor/vice president to the President who reports it to the Board of Trustees. In case of disapproval, notifies the faculty member in writing with a copy to the department chairperson.
4. Approves or disapproves recommendation to promote and/or grant tenure to associate professor or professor. In case of approval, forwards dossier with affirmative recommendation to appropriate chancellor/vice president. In case of disapproval and stopping of proposal, notifies the faculty member in writing with copy to the department chairperson/director.
5. See footnote(*).

Chancellor/Vice President

1. Reviews dossier for completeness.
2. Obtains recommendation, if required, from appropriate Academic Area Advisory Committee (or simply Area Committee). The Area Committee may, however, request use of an ad hoc committee (appointed by the chancellor/vice president) for further evaluation before returning dossier with Area Committee's recommendation to the chancellor/vice president.
3. Obtains a recommendation, if required from the Dean of the Graduate School.

(Note: Steps 1, 2, and 3 may be delegated by the Chancellor/Vice President to the Vice Chancellor for Academic Affairs.)

4. Obtains a recommendation from the Vice Chancellor for Academic Affairs.
5. Reviews the proposal and supporting dossier with all recommendations.
6. Decides on a recommendation and, if negative, informs the dean of the college. The dean informs the individual, in writing, and the department chairperson/director
7. Forwards recommendation of approval to President.
8. Maintains a documentation file of all recommendations and actions relative to proposal.
9. Handles communications from the President to the deans in the chancellor's/vice president's sector.
10. See footnote (*).

President

1. Reviews proposal.
2. Approves or disapproves proposal. In case of approval, submits affirmative recommendation to Board of Trustees for final action. In case of disapproval and stopping the proposal, informs the appropriate chancellor/vice president. The chancellor/vice president informs thje dean. The dean, in turn, notifies the faculty member, in writing, with a copy to the department chairperson.

Board of Trustees

1. Takes final action, i.e., approves or disapproves the President's recommendation.
2. The President, informs the appropriate chancellor/vice president, of the Board's action. The chancellor/vice president informs the dean. The dean, in turn, notifies the faculty member, in writing, with a copy to the department chairperson.

(*) The roles of the department chairperson, dean, and chancellor/vice president in a case of a tenured assistant or associate professor whose promotion to a higher rank has not been considered by an Area Committee for at least six years are described in Section III.F.2 of this Administrative Regulation.

WAR1:165

XV. Appendix I

University of Kentucky Governing Regulations, PART VII.B.5, Second Paragraph:

The department chairperson is responsible for recommendations on the appointment of new members of the department, promotions, reappointments, terminal appointments, decisions not to reappoint, post-retirement appointments, and the granting of tenure. Procedures and criteria used in preparing recommendations shall be those established by the University, the college, and the department faculty. As a minimum, the procedures must include consultation with all tenured members of the department and with all full-time, non-tenured faculty members (except those appointed in the research title or visiting series) with the actual or equivalent rank of assistant professor or higher who have been members of the department for two years, except as noted below. All recommendations on matters listed above, excluding reappointments and post-retirement appointments, shall include the written judgment of each consulted member of the department along with the recommendation of the chairperson. The following exceptions may be made: (1) faculty members on approved leave of absence or with a primary administrative, service, or other assignment outside the department may, but are not required to, provide written judgments on all recommendations; (2) faculty members need not be consulted on recommendations for promotion affecting members with equivalent or higher rank, except that all faculty members with tenure shall be consulted on recommendations for granting of tenure; (3) faculty members without tenure need not be consulted on recommendations for granting of tenure; (4) the right to make recommendations on temporary appointments and/or appointments at the assistant professor level or below may be delegated, with these appointments to be reviewed by the tenured faculty of the department during the second semester of the first year of appointment; and (5) in a large and diverse department, upon prior recommendation by the department faculty and approval of the dean and the chancellor/vice president, consultation with faculty members may be restricted to those associated with the concerned, previously-defined academic division or program area in the department.

XVI. Appendix II

Faculty Workload Policy Statement - University System

A. Introduction

The University of Kentucky is the Commonwealth's primary land grant institution, and its three-fold mission of instruction, research, and service is unique among the public colleges and universities in Kentucky. The faculty is responsible for the discovery, creation, and transmission of knowledge and skills across the generations as well as the advancement of culture in our society. The University serves students and scholars from across the Commonwealth as well as from beyond its borders. Across a wide variety of areas and disciplines, the University provides an environment in which new ideas are fostered. Its faculty members disseminate that knowledge to students in baccalaureate through graduate and professional degree programs, and in continuing education at all levels.

Because the University is a comprehensive teaching and research institution, the academic units, faculties, programs, and students are heterogeneous. The students served by its programs, the qualifications and responsibilities of faculty members who provide instruction, and the many benefits to the Commonwealth are not easily categorized.

To provide the breadth of academic programs required of the University, the faculty performs a complex combination of duties. In this document these collective duties are termed WORKLOAD. Workload may be defined as all faculty activities related to essential professional activities and responsibilities: teaching, research and creative activity, interacting with students, clinical care, institutional and professional service, service to the community, and professional development. The essential character of workload is established for all the diverse types of faculty appointments in the guidelines for reappointment, promotion, and tenure within the University and in the distribution of effort agreement that directs each faculty member's working schedule. Workload management requires the realistic assignment of a faculty member's time and University resources.

Faculty members are independent professionals without prescribed working hours. For some, the work period fits a conventional work day, five days a week. For most, the work day is more flexible, and ultimately more time consuming. Commonly, heavy time commitments to teaching, grading, and research fill days, late nights, and weekends during the fall and spring semesters. During the summer months many faculty members commit to rigorous research or academic preparation schedules. Because of the flexible, overlapping, and complex nature of academic work, and because many faculty members are able to set their own schedules within a class-time framework, time spent in any one of the three areas of teaching, research, and service varies from day to day and may change markedly from semester to semester.

Many studies indicate that most University faculty members work an average of fifty-five hours per week. [See, for example, Harold E. Yuker, Faculty Workload: Research, Theory, and Interpretation ASHE-ERIC Higher

Education Research Report No.10. (Washington, DC:Association for the Study of Higher Education, 1984)]. The work Week includes activities in a multitude of environments such as libraries, laboratories, and formal and informal settings around the University and elsewhere. Such activities include teaching and advising, constructing and scoring examinations, reading and grading papers, mentoring graduate students, directing graduate thesis and dissertation research, administrative duties, governance work, research and creative work, keeping abreast of developments in one's professional field, and providing professional services. The faculty work year ranges from nine to twelve months. Many faculty members are not compensated for some months each year, yet they spend these months preparing new courses, in professional development, and preparing research or creative projects for publication, exhibition, or performance.

Faculty workload includes formal classroom instruction, from undergraduate through postdoctoral levels, which may be measured by semester credit hours; laboratory, studio, and clinical contact hours; and informal non-classroom teaching. Workload includes research, or those activities that have as their goal a specific scholarly production, whether it be non-sponsored, individual research, or organized research supported by extramural funding. Workload also includes external service activities performed by faculty members on behalf of the general public, and internal service, or work on behalf of colleagues, students, and University units, and professional activities. While teaching, research, and service may be regarded as separate activities, in practice, these three workload components are rarely distinct. Administrative flexibility is required to assign and asses research, service, and teaching. Therefore, workload assignments should be determined by educational unit administrators who understand the abilities and interests of their individual faculty members.

The standard for teaching-only working assignments for regular-title appointment faculty members is twelve undergraduate credit hours per semester, or the equivalent effort in teaching-related responsibilities. The workload standard for research- or service-only assignments would be equivalent in time and effort to the teaching-only assignment. Most University System faculty members will not have such singular focus assignments but will divide their time among teaching, research, and service responsibilities. Specific guidelines for determining credit hour workload equivalents should be developed at the educational unit level and should recognize the variability of teaching assignments, such as class size and level; research involvement; and service responsibilities.

Appropriate workload management by educational unit administrators would best meet departmental and college responsibilities by maximizing the application of faculty expertise through a Differentiated Distribution of Effort or DDE. The rationale for a DDE stems from the recognition that the University's three-part mission is an aggregate institutional mission, not necessarily the mission of each individual faculty member. The DDE will permit the department chair or unit director, with approval by the dean or the appropriate administrative officer, to assure fairness in the distribution of responsibility among faculty members. The merit evaluation system should reflect the reality of workload distributions and the amount of effort that constitutes a full load equivalent.

B. Faculty Workload

1. Teaching

One role of the University of Kentucky is to offer course work and degree programs to students which are on a par with those at the leading public universities in the country. Teaching is broadly defined to include formal classroom instruction, which may be measured by semester credit hours, but also includes laboratory, studio, and clinical contact hours. Courses may consist of lectures, discussion and quiz sections, laboratory exercises, field studies, industrial and clinical practice, and seminars. Formal classroom teaching includes conception, design, and preparation; research; performance; individual tutoring and mentoring; and evaluation of student accomplishment.

Teaching extends beyond the formal classroom setting. Since some of the most valuable teaching frequently occurs in one-on-one sessions outside the classroom, every contact between students and faculty members is a teaching opportunity. In these settings, formal credit hours do not measure the actual contact hours faculty members spend with students, yet such instruction often accounts for a major portion of the work week for the faculty members involved. Much undergraduate laboratory, studio, and field work is informal. At the graduate level most education combines informal and formal classroom teaching. Beyond-the-classroom education has many aspects of an apprenticeship. For example, students in the health care professions learn from faculty as they treat patients. For these students, such experience may be the single most important component of the educational process.

Teaching also includes advising, whether it be advising lower division class members, upper division majors, graduate students working on thesis or dissertation research, supervision of internships, or guidance given students enrolled in professional programs. Teaching and advising may merge in many programs to become one process. Therefore, the teaching portion of the overall workload will vary among individuals, from program to program, and from semester to semester, depending upon the teaching duties of each person. Faculty members may teach fewer courses when actual contact hours substantially exceed formal credit hours, as they usually do in laboratory, studio, clinical, and field work assignments.

Professional development is also of primary importance since to be effective teachers it is mandatory that faculty members know and understand the intellectual and practical status of each subject they teach, and follow disciplinary advances through the professional literature and other appropriate creative forums. This workload component cannot be measured by the number of courses or credit hours taught. Nevertheless, it is at the heart of all University System academic programs.

2. Research and Other Creative Activity

Because the University of Kentucky is the Commonwealth's primary research institution, faculty members are expected to maintain research programs on a par with those at the best benchmark institutions. Therefore, most faculty members are selected on the basis of their ability to make

original research contributions. Research includes those activities that have as their goal a specific scholarly production and may be non-sponsored, individual research, or organized research supported by extramural funding. Research results in a collective advancement of knowledge which may have applied, theoretical, or aesthetic attributes, and it has a central role in enhancing teaching. An effective research program also underwrites professional development.

Research styles and methods vary widely from one discipline to another. For example, the historian may spend long hours in the University library and in bibliographic collections across the globe in order to interpret our heritage. The engineer may form an academic-industry team to enhance robot design and thereby improve work place productivity. The musician, artist, poet, and architect create sounds, visions, words, and structures which will uplift community spirit.

Research output can be measured by quality and number of productions or publications, and, in some fields, by awards, contracts, and grants received.

3. Service

Based upon the faculty member's professional expertise, service includes activities established and maintained by the University on behalf of the general public, or external service. Also included is internal service or work on behalf of University units, and professional activities.

The University of Kentucky is committed to providing public service to the Commonwealth and its residents. Specific examples of such external service include agricultural extension work; diagnostic and regulatory activities whereby faculty members bring agricultural information and research findings to farming communities, agribusiness, and the general public. Also included are health care services; service on committees that support the implementation of the Kentucky Educational Reform Act; and advising county governments, student or civic organizations.

The University depends upon its faculty members to provide many academic governance functions, and this work comprises a part of their internal service. For example, faculty members serve on admission committees, faculty search committees, review panels, reappointment, promotion and tenure committees, budget and program task forces, minority recruitment committees, and many others. Faculty members may serve in formal administrative positions for a period, but they are expected to maintain active research programs and teach.

Faculty members are also responsible for service to their professional disciplines. They edit and manage journal publications, and serve on editorial boards that evaluate the quality of research manuscripts submitted for publication. They serve as officers of professional organizations, constitute groups that advise state and federal governments, sit on national panels that select research grant applications for funding, organize and chair scholarly and public meetings and symposia, and serve in advisory capacities to government, industry, and social service organizations.

4. Interactions Among Teaching, Research, and Service

Individual faculty members' workloads consist of three separate components: teaching, research, and service. For most academic disciplines, these components are rarely clearly distinct. Teaching and research become one for most physical science, life science, social science, humanities, and engineering faculty projects, where research by the faculty member is inseparable from teaching research methods to graduate students and postdoctoral fellows. Research and service are inseparable when the research involves issues relevant to the community or the Commonwealth, such as programs to assess drug abuse or improve the health of Kentucky farmers. Teaching and service are one when the teaching is in a community health care center or a demonstration school. Research and teaching missions are often combined in programs other than those leading to baccalaureate and graduate degrees. For example, a faculty member may be doing research on reading which affects teaching in the secondary education classroom or is applied to adult literacy programs in the community.

C. Principles for Implementing Faculty Workload Policies at the University of Kentucky

1. Each educational unit is responsible to its dean or appropriate administrator for contributing to three mission areas: teaching, research, and service. The chair or administrator best knows and understands unit needs and the abilities and interests of their faculty members. Therefore, individual faculty workloads (be they regular-, extension-, special-, clinical-, or research-title series; librarian series; or adjunct series), are determined by, or in consultation with, the educational units most familiar with those responsibilities. Unit administrators should be allowed latitude in making individual workload assignments, and care should be taken that all of a faculty member's contributions to the institution be considered.

2. Policies and practices shall assure that full-time, regular-title series faculty members have comparable total effort; individual distributions of teaching, research, and service may vary but should not result in reduced effort for some individuals within an educational unit. By their nature, other title series faculty appointments carry more definitive workload specifications.

3. The workload for an individual faculty member would be equivalent to:

a. A teaching-only assignment in which the person would teach some combination of classes and engage in associated teaching-related activities that, given the qualifications in Section B (1) above, would be equal to twelve undergraduate credit hours. At the University of Kentucky, the standard teaching-only workload is twelve undergraduate credit hours per semester, or the equivalent in other teaching, research, and service responsibilities.

b. A research-only assignment equivalent to teaching twelve undergraduate credit hours in which the person would direct research activities, supervise research team members, administer grants and contracts, prepare grant proposals, and/or engage in other research activities as described in Section B (2) above, sufficient to maintain a vigorous research program comparable to successful full-time researchers in the same or comparable fields at the best of our benchmark institutions.

c. A service-only assignment in which the person would engage in activities, such as those described in Section B (3) above, for the equivalent of teaching twelve undergraduate credit hours.

In practice, few faculty members with regular-title appointments would have such a singular focus but would combine teaching, research, and service responsibilities, such that their aggregate workload would be equivalent to any one of these assignments.

University faculty members are the products of rigorous graduate and post graduate education, and possess unique talents and abilities. Appropriate workload management by educational unit administrators would seek to best serve student interests and meet departmental responsibilities by maximizing the application of faculty expertise through a Differentiated Distribution of Effort or DDE. The rationale for a DDE stems from the recognition that the University's three-part mission -- teaching, research, and service -- is an aggregated institutional mission, not necessarily the mission of each individual faculty member. Therefore, to implement a DDE, workload should be conceived of as variable individual efforts which, when aggregated at the educational unit level, allow that unit to meet its academic responsibilities and contribute to the overall University mission. To enhance the ability of a particular educational unit to meet its academic responsibilities, individuals may be assigned asymmetrical workload distributions that emphasize one or two mission areas, rather than all three. Because of promotion and tenure requirements, a DDE heavily weighted toward one area would normally be inappropriate for untenured faculty members who are full time and regular-title series, since there is an expectation that excellence be demonstrated in each of the three mission areas.

The DDE should also permit the department chair or unit director, with approval by the dean or appropriate administrative officer, to assure fairness in the distribution of responsibility among faculty members. For example, since the University of Kentucky is the Commonwealth's primary research institution, and faculty members are expected to establish research programs, an individual whose research has produced an internationally recognized body of work and has obtained external funding support may be assigned to teach one or two courses per semester. Their remaining academic effort would be allotted to research and service. This effort would constitute a full academic workload, and the definition of full load and contact hour will vary across departments. The chair might assign another faculty member, whose research program and service responsibilities are limited, to teach three or four courses. Such an assignment would be reevaluated on a regular basis, in conjunction with a regular faculty review period.

These are examples, and many other DDE combinations are possible. The merit evaluation system should reflect the reality of workload distributions and the amount of effort that constitutes a full load equivalent.

4. Considerations for adjusting workload distributions for an individual should relate to:

a. Difficulty, scope, size, and level of courses taught (e.g., number of preparations, development of new courses or revisions of existing courses, type of instruction, class size, use of teaching assistants, advisement and mentoring activities, etc.);

b. Research responsibilities and/or service expectations.

5. Research, service, and non-classroom teaching are more difficult to quantify than formal classroom teaching but are, nevertheless, assessed according to merit evaluation and reappointment, promotion, and tenure guidelines. Policies and practices shall assure that full-time faculty members have comparable total effort, although individual distributions of teaching, research, and service may vary.

D. Expectations and Outcomes

In support of this workload policy, the University System will operate in consideration of the following:

1. Expectations

a. That faculty members in each educational unit should participate fully with unit administrators in determining appropriate specific guidelines and procedures for assigning workloads;

b. That faculty members should participate fully at the college and university levels to develop and implement general workload guidelines;

c. That each academic unit should clarify and formalize their criteria and procedures to assure that all faculty members within the unit have comparable workloads;

d. That reappraisals of workload policy within educational units should occur at regular intervals to respond to university and college missions and to adjust to changes in size, structure, and curricular demands; and,

e. That those policies and practices should be made clear to all faculty members each year.

2. Outcomes

a. On behalf of the Commonwealth of Kentucky, the University faculty aspires to accomplish a three part mission: to create knowledge

through research; to preserve and disseminate knowledge through teaching; and to serve the public and academic community through the application of learning and expertise. This workload statement seeks to achieve these ideals through the realistic management of faculty time and University resources.

b. The University faculty places high value upon the process and product of scholarship, and seeks to make University students and Commonwealth residents the chief beneficiaries of that scholarship. Teaching must be informed by research that has currency; to do otherwise would be to offer outdated ideas and solutions to tomorrow's problems. Faculty members will seek to underwrite their own research programs through proposals to external funding sources. Research awards will enhance those resources provided by the Commonwealth and, in addition to supporting research, will greatly benefit teaching and service productivity.

c. University System teaching and research programs will provide students studying at the University at all levels -- undergraduate through postdoctoral -- with the best educational experience that faculty and resources can provide. Thus, a university education will foster a cadre of graduates who will be informed and skilled citizens, providing leadership for the Commonwealth's business, industry, professions, and government.

d. University programs will also contribute to the life of the community by helping individuals to define and pursue personal goals which enrich their own lives and which ultimately contribute to the well-being of the Commonwealth's citizens.

e. Given these commitments on the part of university faculty members, this workload statement seeks to assure the faculty, in turn, that their assignments will be equitable and recognition and reward will be based upon the quality of their accomplishments.

POLICY OF THE UNIVERSITY OF KENTUCKY GOVERNING SPEAKERS FROM OFF CAMPUS (APPROVED BY THE BOARD OF TRUSTEES)

In the historical role of a democratic institution of higher learning devoted to the search for truth, the University of Kentucky is dedicated to maintaining on its campus a spirit of free intellectual inquiry and an open exchange of ideas. It promotes vigorous, uninhibited debate and discussion, as well as critical and objective evaluation of divergent points of view.

The University expects that various speakers who come to the campus will represent different shades of opinion and that some will express controversial and unpopular views. It is essential to free inquiry and the ultimate discovery of truth that all ideas be freely expressed and freely subjected to critical analysis in the University setting. To this end the University has reexamined and reaffirms and makes explicit its traditions in this area.

It is the policy of the University to encourage its administration, faculty and students to invite outside speakers to its campus. The appearance of such speakers does not imply approval or disapproval of them or of their views. They are brought to the campus because it is believed that their discussions will further the educational goals of the University.

The University will act responsibly in inviting speakers and expects its guests to act responsibly. Its policies require that no law or governing regulation of the University be violated by the speech or program. The University also requires that meetings on its campus at which off-campus speakers appear be peaceful and orderly and in no way interfere with the proper functioning of the University. Further, the University through the Office of the President may prescribe conditions for the conduct of programs at which off-campus speakers appear. These conditions may include requiring a University official or a senior faculty member to chair the program, requiring opportunity for comments and questions from the floor, or such other practices as may be necessary to preserve order and to insure an atmosphere of open exchange of ideas. In addition, the President may take appropriate action to insure that the University community is provided with a balanced exposure to divergent opinions on controversial issues.

The protection of student freedom of discussion on the campus is a necessary facet of the preservation of the spirit of free inquiry to which the University is dedicated. The faculty must bear the major responsibility for carrying out the University's mission of producing and disseminating knowledge. The conduct of this mission requires an atmosphere of freedom to examine and discuss all ideas, including the

novel and sometimes unpopular. The University expects the examination and discussion of ideas to be conducted in a fashion appropriate to the educational function and dignity of the University in accordance with its policies. Subject to this expectation and their own exercise of responsibility and discretion, faculty members, administrators, and registered student organizations are free to bring speakers to the campus of the University, providing that proper arrangements for the use of University facilities have been made.

POLICIES AND PROCEDURES FOR SOLICITING, RECEIVING, RECORDING AND ADMINISTERING GRANTS AND CONTRACTS FOR SPONSORED PROJECTS

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POLICIES AND PROCEDURES FOR SOLICITING, RECEIVING, RECORDING, AND ADMINISTERING GRANTS AND CONTRACTS FOR SPONSORED PROJECTS

I. Introduction

In meeting its obligations for teaching, research, and public service, the University frequently enters into contractual arrangements with other entities such as the federal government, state and local governments, industry, and private foundations. University faculty and staff participate in these arrangements and University facilities are used. The following policies and procedures are provided to govern these activities.

II. Definition of Grants and Contracts for Sponsored Projects

Grants and contracts for sponsored projects represent a contractual obligation between the grantor and the University for the performance of a specific activity through which the grantor, or sponsor, is entitled to receive some consideration or benefits. The contractual obligation is normally documented by a proposal/award combination, contract, or a written memorandum of agreement. Funds are classified as a grant or contract when any of the following characteristics or conditions exist:

A. The sponsor requires a detailed technical report of results from the sponsored activity.

B. Testing or evaluation of products is involved.

C. An activity results in the preparation, synthesis, or separation of a product.

D. Specific University obligations in providing consideration or benefits to the sponsor are identified.

E. An activity is directed to satisfying specific sponsor requirements (e.g., terms and conditions stating a specific scope of work to be done).

F. A specified period of performance is prescribed and termination is at the discretion of the sponsor.

Generally a report of expenditures and/or a provision for audit is required for a grant or contract.

The University of Kentucky assumes full legal responsibility for complying with all requirements imposed by the grantor or sponsor upon acceptance of grants and contracts for sponsored projects.


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The Director of the Office of Sponsored Projects Administration (OSPA), who also serves as the Associate Director of the University of Kentucky Research Foundation, is delegated the responsibilities of the Office as outlined in Section IV and shall, for these purposes, be responsible to the Vice President for Research and Graduate Studies who also serves as the Executive Director of UKRF.

The Director of OSPA is delegated responsibility for negotiation of all grants and contracts for sponsored projects, including fixed-price program support agreements, and is authorized to execute contractual documents and accept grants, after consultation when appropriate with the unit performing the work of the grant or contract, with the concurrence of the Vice President for Research and Graduate Studies.

This delegated responsibility and authority shall be performed in accordance with established policies and procedures of the University of Kentucky. The Director of OSPA also is assigned responsibility for negotiation of indirect cost rates relating to sponsored projects as calculated by the Controller and Treasurer and submitted to the cognizant federal agency and such other organizations as may be appropriate. Before finalization of indirect cost rates, the Director shall consult with the chancellors and Vice President for Research and Graduate Studies, or their designees, and obtain final approval of the Controller and Treasurer.

VI. Designation of the University of Kentucky Research Foundation (UKRF) as Agent

A. The University of Kentucky Research Foundation (UKRF) is designated as an organization through which funds may be received, invested, and expended in the interests of the University of Kentucky. It is the primary purpose of UKRF to act as the agent of the University in the receipt and disbursement of funds for grants and contracts. When appropriate, UKRF also may act as agent of the University on matters such as public service, scholarships, fellowships, training grants, publications, and the endowment of professorships, as well as for other purposes consistent with the institution's governing regulations and policies. All assets of UKRF are held for the benefit of the University of Kentucky. Should UKRF be dissolved, all of its assets would automatically be vested in the University.

B. UKRF shall act as the agent for the University in contracting with entities external to the University for the conduct of research and other sponsored projects (except for those excluded in Section III) to be carried out in whole or in part through the use of the University's facilities and personnel.

C. Preparation of annual budgets for UKRF shall be the responsibility of the Executive Director of UKRF/Vice President for Research and Graduate Studies after coordination and consultation with the chancellors. Prior to submission to the UKRF Board of Directors, proposed annual budgets shall be submitted to the Associate Vice President for Institutional Planning, Budgeting and Effectiveness and to the Controller and Treasurer for review.

D. UKRF shall pay to the University any and all funds received as reimbursement for indirect costs incurred in carrying out grants and contracts for sponsored projects, less the amount of approved operating expenses of UKRF attributable to the performance or procurement of the said sponsored projects.

VII. Solicitation of Agreements

A. The Office of Sponsored Projects Administration (OSPA), with the concurrence of the Vice President for Research and Graduate Studies and the individuals having responsibilities (e.g., human subjects, biohazards, etc.) named in Section VII.C., and in support of the principal investigator or project director, shall submit all proposals for grants and contracts for sponsored projects in the name of the University or the University of Kentucky Research Foundation (UKRF), as appropriate. This policy does not prohibit the freedom of members of the faculty and staff to discuss possible research or other programs with potential sponsors; however, discussions with potential grantors or sponsors should be confined to professional and technical matters. University employees must exercise caution to avoid committing the University or UKRF to any action, as only the Director of OSPA, with the concurrence of the Vice President for Research and Graduate Studies, is authorized to execute contractual documents or accept grants or contracts.

B. Each chancellor and vice president shall establish procedures to ensure that all proposals for grants and contracts, including fixed-price program support agreements and projects not awarded on the basis of a formal proposal, are submitted through OSPA.

C. Funds for a sponsored project usually are awarded on the basis of a formal proposal prepared by a principal investigator. Such proposals shall be reviewed and endorsed on the Internal Approval Form by any affected department chairperson, director, dean, president of a community college, chancellor, or vice president, and then forwarded to OSPA for final review and submission to the sponsor. Proposals which include new courses, unusual financial commitments, new graduate degrees, additional space, experimental animals, human subjects, biohazards, etc., shall require approval by the appropriate University administrator or office with responsibility for each of these activities.

D. After a proposal has been received by the sponsor, OSPA shall conduct all negotiations regarding budget changes, etc., with the advice and assistance of the principal investigator and appropriate University officials.

E. The general policy governing grants and contracts for sponsored projects is that all costs are to be reimbursed by the grantor/sponsor, including salaries of faculty and staff working on the project, fringe benefits, all other direct costs, and full indirect costs as determined with established cost principles for educational institutions.

F. Policy and procedures for approval of sponsored projects are as follows:

1. All proposals for sponsored projects, including fixed-price program support projects and written memoranda of agreement, shall include a complete budget reflecting full costs of the project (excluding internal service center costs such as computing and animal care, where current subsidized rates will be used). The principal investigator shall attach a certification that the budget represents the best estimate of full costs, including all salaries of faculty and staff applicable to the project, fringe benefits, full indirect costs, facilities requirements, supplies, equipment, etc. All costs not to be reimbursed by the sponsor shall be clearly indicated together with the internal sources of funds to cover these.

2. Chairpersons, directors, college deans, president of a college, chancellors and vice presidents, as appropriate, shall certify that they have reviewed and approved the proposal, including the full cost budget and sources of internal funds as required to cover unreimbursed costs.

3. Awards or agreements that provide for reimbursement of full costs of the sponsored project may be accepted and approved by the Director of OSPA, under specific written delegation from the chancellor(s) or vice president(s).

4. Awards or agreements for grants and contracts with matching requirements, those involving special competitive situations wherein the University makes significant concessions in cost sharing, and those involving significant contributions of space and equipment or obligations to continue a program beyond the extramural funding period must be approved by the appropriate chancellor or vice president.

5. Awards or fixed-price agreements for grants and contracts for frequently occurring sponsored projects of short duration involving drug studies, or similar testing projects, where the indirect costs are built into a service fee schedule (e.g., clinic-and/or hospital-based studies) may be approved by the appropriate chancellor or vice president. Budgets prepared for these awards or fixed price agreements for grants and contracts need not reflect full costs.

6. All other awards or agreements for grants and contracts that do not provide for reimbursement of full costs of the sponsored project may be accepted and approved by the Director of OSPA, after review and approval by the appropriate sector budget staff, as may be designated by the appropriate chancellor or vice president.

VIII. Acceptance

A. Upon receipt of contractual documents for grants and contracts, the Office of Sponsored Projects Administration (OSPA) staff shall review the terms of the contract and compare them with the proposal originally submitted. The contract then shall be reviewed with the principal investigator and the appropriate University administrator(s), at which time any

unusual requirements shall be discussed and specific contract requirements brought to their attention. After this review, any changes shall be negotiated with the sponsor. Significant changes in scope of work, budget, or University of Kentucky and/or University of Kentucky Research Foundation (UKRF) costs shall require the concurrence of those who initially reviewed and approved the proposal under this policy. When all points of disagreement are resolved to the mutual satisfaction of all parties, the contract shall be executed on behalf of the University and UKRF by the Director of OSPA.

B. Quarterly reports shall be prepared by OSPA and submitted to the President, the chancellors, vice presidents, and the Controller and Treasurer: (1) a report listing all contracts and grants accepted with full cost recovery, and (2) a report listing all contracts and grants accepted with less than full cost recovery, showing amounts and categories of expense, sources and amounts of internal funds to cover unreimbursed costs, and the reasons for acceptance.

C. Occasionally, proposed contractual documents or agreements are not acceptable. If the differences cannot be negotiated with the sponsor, OSPA shall formally reject the project.

IX. Administration of Grants and Contracts for Sponsored Projects

A. All grants and contracts involving sponsored projects shall be administered through the Office of Sponsored Projects Administration (OSPA), unless otherwise approved by the President of the University of Kentucky.

B. Acceptance of a grant or contract for a sponsored project obligates the University, the principal investigator, and any affected department chairperson, director, college dean, president of a community college, chancellor or vice president to exercise full responsibility for pursuit of the project work.

C. OSPA is responsible for formally requesting and negotiating with the sponsor any changes in the terms and conditions of grants or contracts.

D. University policies and regulations, including purchasing and travel regulations, shall be followed in the execution of grants and contracts for sponsored projects.

X. Accounting for Grants and Contracts for Sponsored Projects

The Controller and Treasurer of the University, who also serves as Treasurer of the University of Kentucky Research Foundation (UKRF), is assigned responsibility for financial accounting, establishing accounts, processing and preauditing of all business transactions, financial reporting, and billings to grantors/sponsors.

A. Grants and contracts with federal, state government, and all other agencies shall be accounted for in UKRF.

B. Restricted and designated gifts shall be accounted for in the University.

XI. Policy Governing Fellowship and Traineeship Agreements Bearing Cost of Education Allowances

A. The University receives grants for the support of students which, in addition to a stipend for the student, include an institutional cost of education allowance. The allowance is for the purpose of reimbursing the institution for the costs associated with educating the student. These grants are two types: (1) general institutional programs, and (2) categorical programs wherein the fellowships are limited to a particular department or program.

B. Cost of education allowances associated with general institutional graduate fellowship programs shall be appropriated for the use of the Vice President for Research and Graduate Studies for payment of required tuition and the further support of graduate education. Residual funds in the account at the end of the fiscal year shall be reappropriated for these uses.

C. Cost of education allowances associated with categorical programs shall be allocated for payment of student tuition. The remainder shall be allocated for use in providing incidental support to students and in developing the program further in accordance with the terms of the grant. Residual funds at the expiration of the grant shall be reappropriated for support of the program.

XII. Fixed-Price Program Support Agreements and Program Support Residuals

A. General

Normally grants and contracts will be of the cost-reimbursement type. However, fixed-price agreements may be used when the total direct and indirect costs of producing the required project, report or other benefits to the sponsor can be determined with reasonable assurance prior to initiation of the agreement. Such fixed-price agreements are frequently preferred by industrial sponsors and less frequently by government sponsors. Faculty and staff have the freedom and are encouraged to identify and cultivate possible sponsored projects with representatives of industry and other external parties. However, agreements are required to be negotiated through the Office of Sponsored Projects Administration (OSPA) in accordance with established policies and procedures for grants and contracts for sponsored projects.

B. Procedures

1. If a grantor or sponsor solicits a formal proposal for a fixed-price agreement, it will be prepared by the principal investigator for subsequent review and approval as required by existing regulations and procedures.

2. If a University employee is contacted by a grantor or sponsor who indicates an interest in contracting for a fixed-price agreement without a formal proposal, but for which the grantor or sponsor expects to receive a certain product, report, or other benefit, the following guidelines shall be followed:

a. The University employee will notify and consult with the appropriate dean, director, president of a community college, or that administrator's designee, and with OSPA.

b. In consultation with the University employee, OSPA will estimate the total direct and indirect costs of carrying out the project and shall determine the price to be quoted to the sponsor. Direct costs shall include salaries of faculty and staff working on the project, fringe benefits, and all other direct costs of executing the agreement. The indirect costs shall be based only on the total direct costs of the sponsored activity. The amount by which the agreed-upon fixed-price exceeds the total direct and indirect costs shall be defined as "fixed-price program support residual balance".

c. OSPA shall negotiate the agreement and review the contractual documents with the University employee and also with other appropriate University administrator(s) as required by existing policy. When all points of disagreement are resolved, the contract shall be executed. If differences cannot be negotiated, OSPA shall formally reject the grant or contract.

3. For certain units specifically identified to conduct short-term projects on a fixed price basis, the Vice President for Research and Graduate Studies, with the approval of the appropriate chancellor, may designate a representative to act for OSPA in the preparation of proposals and acceptance of agreements for such units.

C. Fixed-Price Program Support Residual Balances

1. At the completion of a sponsored project, or at six-month intervals if the project requires a period in excess of a year, and upon a certification by the appropriate University unit administrator that total direct and indirect costs have been properly charged as provided herein, program support residual balances shall be transferred to a designated University unrestricted general fund account. Prior to the transfer of residual balances, OSPA shall review the expenditures charged to the project account for reasonableness in terms of the requirements of the project agreement.

2. Designated accounts for program support residual balances are classified as discretionary accounts and are established in the name of the University unit/principal investigator that generated the funds.

3. Prior to expenditure of funds, annual budgets are required to be submitted to and approved by the Vice President for Research and Graduate Studies, and processed in accordance with existing policy.

4. Unexpended balances in the designated accounts shall carry forward at the end of each fiscal year.

5. Upon request of a unit administrator, individual designated accounts for program support residual balances may participate in earnings from pooled investments under the following conditions:

a. A minimum cash balance of $10,000 is required for participation in the pool. Individual accounts may not be pooled to achieve the minimum of $10,000.

b. The funds invested shall participate in the pool for no less than one year to receive investment income.

c. Investment for individual designated accounts for program support residual balances shall not be made except upon approval of the Controller and Treasurer.

6. Expenditures from designated accounts are at the discretion of the University unit administrator or principal investigator, as appropriate, and may be for any purpose in support of the enrichment of academic and research programs of the University unit consistent with established University policies.

7. Expenditures that are personal in nature or represent personal gain to an individual shall not be permitted.

8. An annual report of expenditures from designated accounts shall be submitted to the appropriate chancellor and the Vice President for Research and Graduate Studies, along with a statement as to how the expenditures assisted in the enrichment of the academic and research programs of the University unit, and shall be accompanied by a statement as to anticipated utilization of unexpended balances. (See Appendix I)

APPENDIX I

FIXED-PRICE AGREEMENTS

POLICY AND PROCEDURE

Fixed-price agreements will be defined in two categories and all fixed-price agreements will fall within one of these categories.

CATEGORY I - Human Clinical Studies

These are studies which usually test a drug or apparatus, involve the use of human subjects, are of a short duration, may make use of shared support staff (i.e., technicians and nurses), and are hospital based. They are identified as a separate category due to these unique characteristics. The designation as a Human Clinical Study will be made in the appropriate Dean's office when the proposal/protocol is routed with an Internal Approval Form (IAF). A "Fixed-Price Agreement Budget Form" with Column A completed will accompany the IAF. The form will reflect an estimate of the actual cost necessary to perform the study and any anticipated program support residual balance.

An individual ledger 4 account will be established for each study and direct cost expenditures related to the project will be charged to this account. Full indirect cost will be charged in a way unique to this category. A flat rate, equivalent to the negotiated off campus Medical Center "Research" indirect cost rate, will be assessed against actual cash received. (The current off campus rate of 26% MTDC converts to 20.6% of total receipts.) The off campus research rate is appropriate to this type of activity because the majority of the project is conducted in the hospital and because the off campus rate reflects the administrative portion of the full on campus rate. The charge will be made against cash rather than expenditures for two reasons: 1) The majority of human clinical studies agreements are paid on a "per patient" basis. A price (including direct and indirect costs) is negotiated for each subject recruited into the project. Payment is received as subjects become available and the total number of subjects may be difficult to determine at the beginning of a project. 2) Other appropriate sources of funds may be used to support the study (i.e. ledger 3 accounts funded by program support residual balances from previous studies or ledger 2 accounts funded by KMSF). Because indirect costs are not assessed against expenditures made to ledger 2 and ledger 3 accounts, indirect will be charged on the entire amount of cash received in the ledger 4 grant account.

No state funded general fund accounts or other unrelated sponsored project accounts will be charged.

At the conclusion of a Human Clinical Study Column B of the Budget Form mentioned above will be completed. Based on information provided by Sponsored Projects Accounting (SPA), the

Office of Sponsored Projects Administration (OSPA) will indicate on the form actual expenditures incurred on the ledger 4. The PI's department will attach a list of other appropriate account numbers used to complete the project and the type and amount of expenditures incurred on those accounts. Signatures of the Principal Investigator (PI), Dean or Associate Dean for Research and Vice Chancellor or Vice President for Research & Graduate Studies will certify that all costs have been properly charged. OSPA will sign the form if actual expenditures are reasonable in relation to projected expenditures. If actual expenditures appear to be unreasonable, OSPA will return the form to the PI for further explanation.

After all necessary approvals have been obtained the residual balance will be transferred into an unrestricted general fund account.

CATEGORY II - Fixed-Price Agreements

This designation will apply to all fixed-price agreements which are not considered Human Clinical Studies.

A "Fixed-Price Agreement Budget Form" with Column A completed will accompany the IAF. As indicated in section VII.F.1. of the sponsored projects AR "All proposals for sponsored projects, including fixed-price program support projects...shall include a complete budget reflecting full costs of the project..." Any anticipated program support residual balance will also be noted on the form.

At the conclusion of the project, OSPA will complete Column B of the Budget Form based on information furnished by SPA. If full indirect costs have been charged to the ledger 4 account, the form will be forwarded to the PI. The PI will sign and obtain other necessary signatures to certify that all direct and indirect costs have been properly charged. After OSPA's review and approval the residual balance will be transferred into an unrestricted general fund account.

Fixed-price agreements, as well as cost-reimbursement agreements, may be accepted with less than full cost recovery (AR II-1.0-3, Section VII.F.). If a residual balance exists at the conclusion of a fixed-price agreement which has been accepted with less than full indirect cost recovery, the applicable indirect cost rate will be calculated against appropriate direct cost expenditures. The residual balance will be used to cover indirect costs not assessed during the life of the project. If a residual balance still remains, OSPA will complete column B of the "Fixed-Price Budget Form." After the appropriate signatures are obtained and if actual expenditures are reasonable in relation to projected expenditures, the residual will be transferred into an unrestricted general fund discretionary account.

UNIVERSITY OF KENTUCKY ADMINISTRATIVE REGULATIONS	IDENTIFICATION	PAGE
	AR II-1.0-4	1
	DATE EFFECTIVE: 9/15/70	SUPERSEDES REGULATION DATED:

POLICY RELATIVE TO REQUESTS FOR APPEARANCES
BEFORE THE BOARD OF TRUSTEES
(APPROVED BY THE BOARD OF TRUSTEES)

Anyone desiring to be heard by the Board of Trustees will first submit in writing the subject matter and the reason for desiring a hearing before the Board of Trustees to the President.

The President shall determine if the subject matter is relevant and material to the University of Kentucky.

If the President determines the matter is relevant and material to the University of Kentucky, the President shall refer the matter to a Committee appointed by the Chairperson of the Board.

Said Committee will fix a time, place, and conditions for the petitioner or petitioners to appear before the Committee.

Said Committee shall report its findings of fact and conclusions to the full Board.

The full Board will act on the Committee's report or may determine that the full Board will hear the petitioner at such time and place as the full Board may determine.

WAR1:92

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.0-5	PAGE 1
	DATE EFFECTIVE 1/18/96	SUPERSEDES REGULATION DATED 8/30/88 6/11/92

POLICIES FOR FACULTY PERFORMANCE REVIEW

The following University policies are to be applied in the conduct of faculty performance reviews:

A. The performance of tenured faculty will be reviewed annually or, at the discretion of the dean or president of the college, during the first year of each biennium with the rating applying for the biennium. Any tenured faculty member, upon request, shall be granted an annual review.

The performance of non-tenured faculty will be reviewed annually. Special attention will be given to the evaluation of persons in their first year of employment to maximize effective guidance.

The performance of each faculty member appointed in the extension title series will be reviewed by the chairperson of the department to which the individual is assigned and the dean of the college in which the individual's position is funded, using the evaluation instrument and appeal process of the college in which the individual's position is funded.

The performance of faculty on assignment in international programs or in other out-of-state programs shall be evaluated on the basis of their performances and accomplishments in their assigned areas of activity (refer to Section A of AR II-1.1-8).

Exceptions to these performance review policies will apply in cases of (1) tenured faculty who will retire before or at the end of the current fiscal year, (2) non-tenured faculty whose appointments will not be renewed, and (3) faculty on joint appointments in any educational units in which their non-primary appointments provide no more than twenty percent of their regular salary.

1. A primary purpose of the performance review is individual and institutional self-improvement. To help in achieving this purpose, the performance review will determine for each faculty member both a quantitative assessment and a qualitative judgment of the faculty member's activities during the review period in teaching and advising, research and scholarship, University and public service, and other appropriate activities with relative weightings based on a prior agreement pertinent to the distribution of effort among any or all of these activities.

2. To serve this purpose, inputs from students, colleagues, and administrators are to be used. Teaching, advising, research, and service assignments must be evaluated in annual and biennial reviews and in appointment, retention, promotion, and tenure.

The results of this evaluation shall be considered in the decisions concerning retention, promotion, and merit ratings of each faculty member. The assessment of teaching shall include the results of student appraisals for at least one semester per year and also other relevant information. Colleges, working through appropriate University bodies, shall develop some means to evaluate the quality as well as the quantity of academic advising done by each faculty member. As this procedure is developed and implemented, the results of this evaluation shall be considered in the annual performance review.

The extent and character of each faculty member's teaching and advising should be documented by a body of supporting materials regularly maintained and updated by the faculty member. For the University System, such documentation shall include a teaching portfolio as outlined in Appendix I.

3. The quantitative data are to be provided at least once annually by the faculty member to the department or division chairperson through an instrument approved by the appropriate chancellor or vice president.

4. These data are to be supplemented by other inputs of the educational unit as pertinent.

B. Reviews are to be based upon the distribution of effort performed by the faculty member.

1. In any case for which an agreement on the distribution of effort has not been developed previously, the distribution of effort depicted by other approved instrument for the current year will be used.

2. During the spring semester of each year, the administrator of each educational unit (e.g., department, division, school, community college, or college organized as whole) with advice from the faculty of the unit will develop an overall distribution of faculty time for approval by the dean or president of the college or next administrative officer. In any case of disagreement that is not readily resolved, the decision of the dean or president of the college or next administrative officer will be final.

3. A written agreement is to be developed annually between the unit administrator and the faculty member on the distribution of effort expected of the faculty member in major activities during the succeeding year. For any faculty member who is or will be associated with a multidisciplinary research center or institute, the agreement shall be consistent with the conditions of establishment of the faculty position and signed by the faculty member, director of the research center or institute, the department chairperson, and the dean. In case of lack of agreement on the distribution of effort, the next higher level of University administration will become involved in resolving any issues. In case of a significant change in the faculty member's distribution of activities during the review period, an appropriately revised agreement is to be negotiated. An individual who is hired with the prospect of becoming a tenured faculty

member shall be assigned duties by the unit commensurate with making due progress toward meeting requirements for tenure. The annual performance review of each non-tenured faculty member shall include some discussion with the unit administrator of the individual's progress toward consideration for tenure in terms of the unit's expectations.

4. The unit administrator shall consult with the tenured members of the faculty regarding the progress of each non-tenured faculty member toward consideration for tenure in terms of the unit's expectations. Consultation about a non-tenured faculty member who has been or is on assignment in an international program or in some other out-of-state program shall include, if the individual is eligible to be considered for tenure, evaluations of the individual's performance and accomplishments in assigned areas of activities in such programs (refer to Sections A and D of AR II-1.1-8). For each non-tenured faculty member who is associated with any multidisciplinary research centers or institutes, the unit administrator also shall consult with the directors of the pertinent centers or institutes. These discussions should occur at the end of the non-tenured faculty member's second and fourth years, but may occur more frequently at the administrator's discretion. The results of these discussions should be communicated to the individual non-tenured faculty member and a record maintained in the faculty member's file.

C. Rankings or ratings are to be used.

1. At least three evaluative groupings are to be used, whether letter, numerical, or descriptive designations.

2. The rankings are to be designed to recognize both outstanding and marginal performances as well as those appraised as degrees of good or satisfactory.

D. An appeals process is to be developed for both the college and the academic sector (Medical Center, Lexington Campus, Community College System, Research and Graduate Studies, or Information Systems) levels.

1. On the sector level, under certain conditions and after being considered in the college, appeals can be addressed to the appropriate chancellor or vice president.

2. An appeal emanating from a college shall be considered by a committee appointed by the chancellor or vice president; after a hearing, the committee will make a recommendation to the chancellor or vice president whose decision shall be final.

E. The responsibility for developing the procedures by which the policies for faculty performance review are to be implemented in each academic sector of the University is centered in the office of the chancellor or vice president for that academic sector.

1. The colleges are the focal points to which the review procedures are delegated.

2. The dean or president of each college is responsible for the exercise of the procedures.

APPENDIX I

Teaching Portfolio
(University System)

A. Teaching Evaluation

The teaching portfolio is composed of a variety of materials related to teaching and advising collected and maintained by the faculty member. It serves as an instrument for review, evaluation, and improvement of teaching and advising. The teaching portfolio enables faculty to describe their teaching assignments, methods, and circumstances, which - of necessity - vary widely in a complex university environment. The portfolio concept encourages faculty to submit a variety of materials that describe, explain, and assess teaching, advising, and related activities. Just as publications, extramural grants, and peer evaluations testify to the nature and quality of a faculty member's research, materials contained in the portfolio document the nature and quality of a faculty member's teaching and advising.

The following items are required for documentation of teaching:

1. A brief reflective statement by the instructor which describes teaching and advising assignments, sets forth philosophies or objectives, and provides whatever information may be necessary to provide colleagues with a context for interpreting and understanding the other evaluative information.

2. For each semester under review, a list of all courses taught, with the title, course number, number of students enrolled, and - for each different course - a short description.

3. Representative course syllabi.

4. A quantitative and qualitative summary of student evaluations.

The following items are suggested but not required:

1. Materials prepared for teaching activities, such as assignments, exercises, handouts, examinations or other assessment materials.

2. Indicators of student learning: such as examples of graded work; reference to students who succeed in advanced courses of study and/or who earn academic awards; accomplishments of former students; evident of learning by use of pre-and post-testing procedures.

3. Evidence of peer regard: colleague class visitation reports; peer evaluations of course content, materials, assignments, and practices.

4. Documentation of teaching-related activity: curriculum and course development; consulting work; innovative teaching methods; participation in teaching programs of other units or at other universities.

5. Evidence of recognition: teaching related grants; publications related to teaching and advising; teaching awards and honors.

6. Enumeration and description of work with individual students: supervision of Honors students, graduate students, independent or experiential learning; consultation with students outside the department.

B. Advising Evaluation

Where advising is a portion of the faculty member's usual assignment, evaluation should include the extent of advising and it quality along with an indication of the grounds for evaluation.

The portfolio must include the following items:

1. A section of the reflective statement which describes the nature and extent of advising and any other information necessary to provide colleagues with a context for evaluation of advising.

2. For each semester under review, the number and level of undergraduate and graduate program advises, and a list of masters and doctoral students for whom the instructor served as a member of a thesis or advisory committee.

3. A list of those students for whom the professor served as preceptor, or director of a thesis or dissertation.

4. Summary of activities associated with student organizations and service on student-faculty committees.

The following items are suggested but not required:

1. Student evaluation of advising.

2. Evaluation of advising by unit colleagues or administrators.

PART I

REVIEW OF EDUCATIONAL UNITS

The purpose of program/unit review is to improve the quality of teaching and learning, research, and public service by systematically reviewing mission, goals, priorities, activities and outcomes. Continuous program/unit improvement requires a planning process which integrates current goals and priorities with the basic mission. Continual improvement also requires a review process which evaluates progress toward goal achievement and provides feedback which assists in refinement of plans and direction for the unit. The planning and review processes used by each unit should be appropriate to that unit, but all such processes will include three basic elements: (I) strategic planning; (II) annual review; and (III) periodic review.

The primary concern is the degree of progress of the educational unit. Thus, the chief administrative officers of the educational units will be evaluated in terms of the unit(s) and program(s) for which they are responsible and not in isolation from these, in relation to the contributions of their units to the broader goals of the University and the Commonwealth, in relation to available resources and support, in relation to established University priorities, and in terms of the responsibilities defined in the Governing Regulations. (See PART II)

(I) STRATEGIC PLANNING. The University's Strategic Plan establishes the broad framework for planning at all levels of the institution. Within this framework, each unit must engage in a continuous planning process which involves faculty, staff and students. Clear goals and expected outcomes should be developed for the unit overall as well as for each of its instructional, research, and service programs.

(II) ANNUAL REVIEW. The performance of each educational unit (including any college, community college, school, department, graduate center, research center/institute, and interdisciplinary instructional program) should be reviewed annually by the administrator to whom the unit reports. The annual review should be utilized to assess progress toward goals and to modify where deemed appropriate the unit's goals, priorities, and expected outcomes.

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(III) PERIODIC REVIEW. The unit's performance will be comprehensively evaluated periodically. The primary purpose of both annual review and periodic review is improvement in the quality and effectiveness of the units and their programs.

I. Strategic Plan

Each unit shall have a strategic plan which includes, but is not necessarily limited to, the following:

A. Mission Statement

Statement of the unit's mission, a description of each of the unit's instructional, research, and public service programs, and an explanation of how each supports the University's mission.

B. Environmental/Self-Assessment

An assessment of the unit's strengths and weaknesses, and an assessment of external environmental trends influencing the unit at the present and in the future (e.g., quality and quantity of faculty, students, and staff; support provided to the University and to the public; quality of facilities and equipment; demand by majors and by non-majors; demand for graduates; etc.).

C. Current Priorities and Objectives

Statement of the unit's current goals and priorities in instruction, research, and service. For each of the priorities identified, the unit should designate:

1. Expected Results, Standards of Progress, and Evaluation Methods

Description of the criteria or standards used to determine progress toward goals of the unit along with a description of evaluation techniques and methods (qualitative and/or quantitative) used to assess goal attainment.

2. Use of Results

Description of how the results of assessment and evaluation activities are used both to improve program quality and the overall effectiveness of the unit and to refine unit goals, priorities, and expected outcomes in the unit's plan.

D. Educational Outcomes for Degree Programs

Statement of each degree program's goals and expected educational outcomes for students who complete the program. For each educational outcome, the unit should designate:

1. Standards of Progress and Evaluation Methods

Description of the standards used to determine progress toward goals of each degree program in the unit along with a description of evaluation techniques and methods (qualitative and/or quantitative) used to assess goal attainment.

2. Use of Results

Description of how the results of assessment and evaluation activities are used to improve program quality and the overall effectiveness of the unit and to refine unit goals, priorities, and expected outcomes as it relates to degree programs.

E. Implementation Plan

A copy of the unit's plan which identifies actions to be taken and a time frame for accomplishment of goals.

The planning cycle for departments and other units below the college and vice presidential level will normally be determined by the dean of the college, or president in the Community Colleges, in consultation with the appropriate chancellor/vice president. Plans must be completed at least once during a unit's review period, typically in the self-study year as preparation for the periodic review. In each planning cycle, the unit's plan must be reviewed by the administrator to whom the unit reports. Resource allocation requests should be included in the deliberations of the unit administrator's subsequent plans when budget matters are considered.

II. Annual Review

The purpose of the annual review is to assess progress in accomplishing goals and objectives during the year based upon the resources available and to identify objectives for the next academic year. Objectives would be based on the goals and priorities of the unit's plan.

The annual review will consist of a concise report to the unit's administrative superior which summarizes: (1) accomplishments during the past year; (2)

adjustments made to the unit's strategic plan, objectives, or programs; and, (3) goals and priorities for the next year.

III. Periodic Review

The purpose of periodic review is to provide the unit with the opportunity for an in-depth analysis of itself, a review of its strategic plan, and a review by a committee external to the unit, regarding effectiveness in meeting goals in instruction, research, and public service. Specifically, the periodic review phase of the planning and review cycle includes the following three components: (1) preparation of a self-study report by the unit, (2) evaluation by a review team external to the unit, and (3) revision of the unit's strategic plan as based on recommendations from the self-study process and the periodic review team.

Review schedule: The Chancellors for the Lexington Campus, the Medical Center, and the Community College System and the Vice President for Research and Graduate Studies shall conduct reviews of all colleges and educational units under their administrative authority according to a set schedule. This formal, structured review of each educational unit is usually scheduled every four to six years.

In the case of a community college, periodic review will occur at least once in each five-year period and usually during the decennial institutional self-study related to accreditation or during the fifth year after such a study.

Notification that the periodic review process is about to begin shall be provided to the unit by the appropriate administrative superior approximately three months prior to the formal appointment of the review team. This notification shall signal the initial development of the self-study report. The focus of the unit's internal review and the resultant self-study should be the quality of the unit's programs. Areas of special interest to the unit shall be identified at the beginning of the periodic review by the unit administrator and of the administrative superior, usually a dean, for educational units and by the dean and chancellor/vice president for college and center/institute reviews.

To avoid duplication of effort, the periodic review should be coordinated with accreditation or other external reviews whenever possible. Any information gathered for accreditation self-study or other evaluation reports completed within the past three years, including the unit's annual reports, should serve as the core of the periodic review.

Changing a periodic review schedule: The periodic review of any educational unit at other than the regularly scheduled time may be requested by a majority of the members of the unit, the chief administrative officer of the unit, or the administrative

officer to whom the chief administrator reports. Such requests must be in writing, must include a rationale for the "off-schedule" review, and must be submitted to the appropriate chancellor/vice president. "Off-schedule" reviews also may be initiated by the appropriate chancellor/vice president or by the President. Any change in schedule must be approved by the appropriate chancellor/vice president who communicates such changes to the President and the Senate Council or Community College Council, whichever is appropriate. Extension of a regularly scheduled periodic review shall not exceed two years.

A. Unit Self-Study Report

In the first step of the periodic review, the unit prepares a self-study report. The report shall provide background data and other information needed by the periodic review team. The unit's strategic plan and the results of the annual reviews shall serve as an important source of information for this report. In addition, the report shall include information on at least the following points relating to the unit:

1. Current Plans

A copy of the unit's current strategic plan and annual reports since the last unit self-study shall be provided. The plans should include those items outlined in the strategic plan section of this regulation (see Section I.) including statements of the unit's current goals, objectives, priorities, expected results and criteria used to evaluate success in meeting the unit's goals for instruction, research, and service.

2. Evaluation of Planning and Decision Making

A description and evaluation of the effectiveness of the unit's planning process along with the appropriateness of faculty and others' participation in the planning process shall be provided. Description of the extent to which the unit's strategic plan is appropriate given resources available and whether the plan is being implemented shall be provided.

3. Quality of Degree Programs and Educational Outcomes

Evidence of quality instruction, research and public service shall be provided including statements of each degree program's goals and expected educational accomplishments and outcomes for students who complete each program in the unit.

4. Recommendations

Recommendations for modifications in the structure, programs, or goals of the programs of this unit shall be included as well as recommendations for eliminating functions which cannot be adequately supported.

The nature of the unit and/or any special focus given the periodic review may require that additional issues be addressed in the unit's self-study report.

B. Team Review

The purpose of the team review is to provide the unit with an external perspective. This includes a judgment of program quality and assessment of the effectiveness of the instructional, research, and public service programs.

After consultation with the unit's administrative officer, the administrative officer to which the unit reports will appoint and charge an ad hoc Review Team. Review teams for departments shall be appointed by the college dean after consultation with the appropriate college council. The Chancellor/Vice President shall consult with the Senate Council to seek nominations prior to appointment of review teams for colleges. The appropriate dean(s) shall also be consulted prior to appointment of the review team.

The review team for instructional units shall be formed principally from faculty members and shall include faculty members from within and without the unit being reviewed. (Individuals from within the unit will be expected to not participate in matters which will prevent members of the unit from being candid.) The team shall also include undergraduate and graduate student representation as appropriate and may include alumni and practicing professionals. The review team for research units shall include faculty members in the field and may include researchers knowledgeable in the field from outside the University.

Each review team should collect information it deems most appropriate, but certain information shall be incorporated in all reviews. However, systematic assessment and evaluation will involve all unit faculty, staff, and students (where appropriate) regarding the operation and progress of the unit.

The review team should focus its review and recommendations on the following major areas:

(1) Quality of the degree programs and student learning
(2) Quality of research and service programs and benchmark comparisons
(3) Quality of faculty/staff and unit productivity
(4) Quality of recruitment and retention of a diverse faculty, staff and student body.

(5) Quality of management, adherence to policies and collegial environment
(6) Quality of planning, evaluation, and resources maximizing program effectiveness in terms of allocation

Upon completion of this phase of the periodic review, the review team should meet with the unit faculty, staff, and chairperson/director and with the unit's immediate administrative supervisor to discuss the findings.

The substance of the review team's report is to be shared with the administrative officer of the unit being evaluated, and the full report is to be forwarded to the next levels of administration, including the appropriate chancellor/vice president. An executive summary of the report is to be prepared by the chancellor/vice president and forwarded to the President.

In the case of unit reviews, the administrative officer receiving the review team's report shall provide a preliminary copy of it to each faculty/professional staff member in the unit and shall make a preliminary copy available to students and staff. Before distribution, the preliminary report may be edited by the administrator to whom the report is submitted to eliminate material clearly invasive of personal privacy and material which may be libelous.

In the case of college reviews, the chancellor/vice president shall provide each faculty member/professional staff in the college with a summary of the review team's final report. This summary shall include all major findings and conclusions and all recommendations. In addition, copies of the full, final report shall be distributed to each department/division in the college and to the University Library for access by faculty, staff, and students. Before providing access, copies of the final report may be edited by the chancellor/vice president to whom the report is submitted to eliminate material clearly invasive of personal privacy and material which may be libelous.

In the case of both reviews, the administrative officer receiving the reports will work cooperatively with the unit leadership to address issues and recommendations raised throughout the review process. A brief report addressing the activities planned to respond to the recommendations will be prepared by the administrative officer, filed with the unit evaluated, and forwarded through appropriate administrative channels to the chancellor/vice president.

C. Revision of the Strategic Plan and Implementation

Upon completion of the periodic review phase of the planning cycle, the unit will revise and refine its strategic plan based on the recommendations

from the unit's self-study as well as those of the periodic review team. In addition, the unit will prepare as part of the regular annual review process an implementation plan which designates responsibility and sets a schedule for activities to achieve goals based on agreed upon recommendations.

In this concluding step of the periodic review, the unit assimilates the recommendations from the periodic review to refine its strategic plan, thus completing one planning and review cycle and beginning another.

D. Preparation of the Council on Higher Education Program Review Documents

Because the goals of the University's unit review and the program assessment review required by the Kentucky Council on Higher Education are compatible, the report prepared under this administrative regulation may be used as the basis for the review required by the Kentucky Council on Higher Education. Since the University's schedule for programs does not coincide with the Council on Higher Education's, a summary of the findings of the most recent internal unit review may be used unless deemed otherwise by the chancellor/vice president of that sector/area. Because the academic structure varies by sector/area, the chancellor/vice president in each sector/area will assign responsibility for completion of these reports. The reports will be submitted to the Council on Higher Education by the President. (See Appendix I.)

APPENDIX I

The chancellor/vice president or designate shall prepare the Program Summary Report for each of the unit's degree programs when the program is scheduled for review by the Kentucky Council on Higher Education.

INSTRUCTIONS RELATED TO THE PROGRAM SUMMARY REPORT

The Program Summary Report consists of two parts. Part One is the title page. Part Two presents specific information about the educational unit administering the degree program.

Part One: Title Page

The title page is designed as follows. Copies may be obtained through the Office of the chancellor/vice president in each sector/area.

TITLE PAGE FOR PROGRAM SUMMARY REPORT

INSTITUTION _____

CHANCELLOR/VICE PRESIDENT AREA _____

DEPARTMENT/DIVISION/INSTITUTE _____

DEGREE PROGRAM _____ DEGREE LEVEL _____

ACCREDITATION STATUS _____

OTHER DEGREE PROGRAMS ADMINISTERED BY THE DEPARTMENT/DIVISION

PROGRAM NAME	DEGREE

DATE OF REVIEW _____

DATE SUBMITTED TO PRESIDENT'S OFFICE _____

CIP # _____

Part Two: Degree Program Information for Council on Higher Education

A. Matters for Attention of the Unit Administrator

If the program is on the list to be reviewed by the Council on Higher Education staff, the unit administrator will provide information for each degree program in three to five single spaced pages addressing the following:

I. Response to staff concerns.

II. Criteria assessed and findings on Qualitative Assessment of the Program.

III. Criteria assessed on findings on Performance Review of the Program.

IV. Program implications from the Institutional Plan.

V. Conclusions and recommendations.

B. Matters for Specific Attention of the chancellor/vice president of the University

1. Although the program review and initial recommendations may involve several structures such as the review team and the educational unit administering the program, the conclusions and recommendations submitted to the Council on Higher Education as part of the Program Summary Report should be those arrived at or agreed to by the administration of the University.

2. The program performance objectives presented in the Program Summary Report should be those accepted by the administration of the University and incorporated in the University's planning process.

3. The administration of the University shall be responsible for the preparation of the final draft of each Program Summary Report.

4. The administration of the University should be prepared to substantiate claims made in the Program Summary Report and to respond to specific questions on the report.

5. All reports are approved by the chancellor/vice president before being submitted to the President of the University.

PART II

REVIEW OF THE CHIEF ADMINISTRATIVE OFFICERS OF EDUCATIONAL UNITS

The primary purpose of evaluation of educational unit heads (college deans, community college presidents, department and division chairpersons, and directors of schools, programs, and research centers/institutes) is to enhance academic administrative leadership and effectiveness. Other purposes of review are to promote a climate of cooperation among faculty and administration and to maximize the effectiveness of the unit's execution of its responsibilities for all areas of scholarship, including research, instruction, and public service and in the case of community college presidents, academic, business and community affairs.

Two distinct types of performance assessment are delineated: an annual review and a summative evaluation. The major function of the annual review is to enable the supervising officer to evaluate the educational unit head's performance and to find ways to improve that performance. The summative evaluation shall take into consideration the performance criteria delineated below and the extent to which progress has been made across the annual reviews. Summative evaluations of administrative officers of educational units shall be conducted in the context of the periodic review or evaluation of educational units themselves, as described in Part I of AR II-1.0-6. Although the evaluation of unit leaders shall be coordinated with that of the units themselves, it is a separate and distinct process. The summative evaluation of the unit leader ordinarily would be done by the review team charged with the periodic review of the educational unit, since the team would be gathering much of the information needed for evaluation of the administrator.

Coordination of both periodic reviews of educational units (Part I of AR II-1.0-6) and of unit leaders, as described herein, with other reviews required for accreditation, the Council of Higher Education, or other mandates is of high priority. A goal is to minimize the number and intrusiveness of reviews being carried out while providing the information needed for review and evaluation purposes.

The administrative supervisor of the educational unit being assessed is responsible for executing the reviews and evaluations. The purpose of the recommended policies described below is twofold: 1) to delineate clearly the most significant responsibilities of the educational unit heads; and 2) to specify components of the reviews and evaluations of administrative and academic leadership. Faculty and staff input into both types of reviews is sought to give the insights of those most directly affected by the unit leader's roles.

I. <u>Annual Reviews and Summative Evaluation of Administrative Officers of Educational Units</u>

A. Annual Reviews

At least once every year, each educational unit head and her/his administrative supervisor shall have a formally scheduled interview focusing explicitly on the systematic review and assessment of the educational unit head's job performance. This discussion shall include the educational unit head's accomplishments, areas for leadership and administrative improvement, and plans for helping her/his unit realize its goals. It shall include a discussion based on the unit's annual report on goals and accomplishments of the past year and plans for the next year (see (AR II-1.0-6, Part I Section B). Every other year, faculty and staff shall be given the opportunity to provide written comments on their educational unit head's strengths and areas for improvement prior to the performance review interview. The format and invitation for this feedback shall come from, and the comments be returned to, the educational unit head's administrative supervisor. A written summary of the comments received shall be provided to the educational unit head being reviewed.

The first annual review shall be conducted no later than the end of the first year of a new appointment of the head of an educational unit. Its major purpose shall be to provide the unit leader with constructive feedback on performance to aid in improving her/his leadership and administration. The performance criteria shall be those delineated below and any implied by the Governing and Administrative Regulations. Additional annual reviews shall be conducted every year, until the year prior to the last year of a term appointment. Every other year faculty and staff members and heads of units shall be invited to participate in the annual reviews through completion of a survey instrument to be developed and administered by the administrative supervisor of the unit leader being reviewed.

Reviews shall be scheduled and conducted by the administrative supervisor of the unit leader being reviewed and shall include a summary interview dedicated solely to the review process and its results.

B. Summative Evaluations

The summative evaluation of the educational unit head shall be conducted in coordination with the review of the educational unit. When possible, the review team appointed to conduct the periodic unit review shall also conduct a separate review of the unit head. In those cases when an external review team is appointed (e.g., as in the review of professional schools), the external review team may provide insight about the unit head whenever practical. Summative evaluations shall occur no less frequently than every three to six years for chairpersons/directors depending upon the normal term of the administrative appointment. Deans and community college presidents shall be evaluated periodically, but not less frequently than every five

years. The evaluation shall be structured to include input from faculty and staff. These evaluations shall include written assessment from faculty members of the unit. All faculty will be invited to contribute written reviews. All written evaluations shall be coordinated by, and reported to, the administrative supervisor of the unit leader being reviewed.

Other appropriate administrators and representatives from constituencies outside the unit (e.g., vice-chancellors; other deans, either within the institution or external to it; directors of centers and institutes) whose work involves substantial interactions with unit(s) may be invited to contribute to the evaluations.

A written summary of the evaluations shall be provided to the unit administrator being reviewed, carefully avoiding any personal comments which could be attributed to any single reviewer. Those assessing unit leader performance shall include both those areas in which leaders have shown strengths and those areas in which performance could be improved. The invitation for this feedback shall come from, and the written comments be returned to, the unit leader's supervisor. A brief executive written summary of comments received shall be provided by the supervisor of the unit to the leader being reviewed. The framework of the evaluation shall be that provided by the responsibilities listed below, as well as any additional ones implied in the Governing and Administrative Regulations. The evaluation need not be conducted if reappointment for a subsequent term is not under consideration.

II. Performance Criteria

Major responsibilities of deans/community college presidents/chair-persons/directors are stated in Governing Regulations PART VII. Listed below is a further elaboration of the performance expectations and responsibilities of heads of educational units intended to assist them in meeting the expectations of the University in leadership and administration of the unit. The unit's administrative leader:

- Develops and maintains effective academic and administrative leadership for unit and supports its continual improvement. Where appropriate, replaces leadership in a unit promptly in the event of inadequate performance.
- Leads the development of outcome measures by which the units' progress is evaluated.
- Leads the development and implementation of written procedures for the conduct of the academic and administrative affairs of the unit.
- Implements the operating procedures of the unit in accordance with the Governing Regulations and Administrative Regulations, rules of the appropriate academic senate, rules of the unit, and other applicable regulations. Ensures current documentation of unit's policies and

procedures is on file in the appropriate University office as required by the University Governing and Administrative Regulations.

- Provides strong leadership for the unit in developing a shared vision and creating, refining, and implementing the unit's Strategic Plan. This includes, but is not limited to, periodic review and revision of the unit's goals, objectives, and priorities as well as assessment of the effectiveness and accountability for resource utilization in the unit.
- Continually evaluates and facilitates, where appropriate, interaction of teaching, research, and service programs with other units, in order to build on the existing strengths of the University. This includes interaction with programs across the sectors (e.g., the Community College system).
- Ensures evaluations of all faculty/staff in the unit are carried out fairly and equitably, without explicit or implicit consideration of non-professional or personal factors in full accordance with published unit and University Rules and Regulations.
- Seeks diligently to obtain resources outside the University and encourages unit faculty and staff to seek resources to aid the development of unit program(s) in accordance with the Strategic Plan. Sees that the unit's resource distribution is in full accordance with that implied by the Strategic Plan.
- Assists faculty in acquiring the resources necessary to maximize their potential and effectiveness.
- Ensures procedures are followed that facilitate the success of the recruitment and retention of a diverse faculty, staff, and student body, including both women and minorities.
- Ensures high quality and diverse candidate pools for all faculty and staff appointments.
- Facilitates active, supportive relationships between newly appointed and experienced professionals.
- Ensures the faculty has adequate opportunities to participate in the development of academic policy, academic programs, and other appropriate activities of the college.
- Solicits and uses advice and counsel from faculty in the accomplishment of her/his duties.
- Operates the programs of the unit and allocates its resources through collegial management procedures which properly respect minority opinions and findings as well as those of the majority.
- Explicates, both orally and in writing, the responsibilities each faculty/staff member accepts in becoming a member of the unit. Articulates those outcomes by which the faculty/staff member's success is measured and offers advice and guidance to aid all unit members in improving their performances.
- Communicates information promptly and effectively to all members of the unit who are affected by the information.

- Encourages unit member initiatives and supports unit members at all levels of the University fairly and objectively.
- Supports effective faculty and staff development.
- Establishes effective methods of student recruitment including vigorous efforts to recruit a diverse pool of students to the unit.
- Operates an effective unit committee structure and delegates authority to committees and individuals.
- Maintains a complete and up-to-date personnel file for each member of the unit that contains the items listed in AR II-1.0-1; informs the faculty/staff member regularly of the need to update items in the personnel file (applicable only if file is maintained by administrative head).
- Assures equitable assignments in individual workloads.
- Conducts oral and written annual reviews of progress of non-tenured faculty members and all staff and biennial reviews of tenured faculty members in accordance with published unit and University rules and regulations.
- Develops and maintains good faculty, staff, and student morale and promotes a collegial working environment within the unit.
- Represents the unit effectively at appropriate administrative levels of the University and, as appropriate, to external constituencies.
- Adheres to the highest standards of professional ethics, in particular with respect to student relationships and matters which concern the professional lives of all faculty and staff members.

POLICIES RELATIVE TO TEACHING AND RESEARCH ASSISTANTS*

The following policies, recommended by the University Senate and approved administratively in 1974, shall be implemented or applied relative to teaching and research assistants in the University System:

A. Teaching assistants shall be carefully supervised and guided in their duties and responsibilities, which shall be thoroughly explained at the outset of each semester. In an educational unit with a large number of teaching assistants, an experienced teacher in the educational unit might provide this service or possibly an appropriate specialist in teaching methods might be consulted. If necessary and available, funds should be designated specifically for the supervision of basic courses to which teaching assistants are assigned.

B. Teaching and research assistants who are also full-time graduate students** should be assigned responsibility requiring no more than fifty percent of their time. Normally for teaching assistants, this would mean service for not more than an average of twenty hours per week including time spent in preparation, classroom and laboratory teaching, grading papers, counseling students, or in any combination of those activities in which teachers are customarily engaged. The responsibilities of research assistants will vary with the fraction of time for which they are employed, but normally a one-half time appointment should require no more than twenty hours per week of assignable duties.

C. Teaching and research assistants who are candidates for a Master's degree shall serve no more than a maximum of three years without completion of their degree requirements.

D. Teaching and research assistants who are doctoral students shall serve no more than four years without successfully completing their qualifying examinations.

E. Graduate teaching and research assistants shall maintain satisfactory academic records and progress toward degrees; their assistantships shall not be renewed if their academic progress is unsatisfactory.

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* Refer also to AR II-1.0-9: Policies on International Teaching Assistants.

** Full-time graduate students are graduate students with a course load of nine or more credit hours per semester during an academic year or six hours during a summer session.

F. Teaching and research assistants shall be notified by March 1 whether or not their appointments will be renewed for the coming year; if a final decision on reappointment cannot be made by March 1, they shall be provided an explanation and informed as to when they might expect to be notified.

G. Teaching assistants shall be represented in educational unit deliberations about courses for which they have any classroom teaching responsibilities.

H. Each educational unit shall have written policies concerning the appointment and reappointment of teaching and research assistants; these policies shall be made available to all prospective assistants at the time the initial offer is made and to all assistants whenever the policies are changed.

I. Each educational unit at the outset of the academic year shall require the attendance of all new teaching assistants at an orientation program designed to inform them of their upcoming duties, rights, and responsibilities. This program shall be in addition to any University orientation program. (Refer to Sections L.2, L.3, and M of AR II-1.0-9.)

J. Each educational unit shall be responsible for systematic evaluations of the performances of teaching and research assistants, according to established educational unit criteria, and the results of these evaluations shall be presented to the assistants in some formal manner.

K. Each educational unit annually shall furnish graduate students serving as teaching and research assistants with a suitable statement or form, authorized or approved by the administration, that might be of help to them in reporting their annual incomes to the Internal Revenue Service.

L. The Office of Planning and Budget annually shall collect data on the number of teaching and research assistants in the University and the funds allocated to them.

PROCEDURES FOR SEARCH COMMITTEES FOR CHIEF ADMINISTRATIVE OFFICERS OF EDUCATIONAL UNITS*

A search committee charged with making recommendations on the appointment of the chief administrative officer of an educational unit shall operate under the following minimum guidelines and procedures which have been prescribed by the President after consultation with the Senate Council and the Community College Council.

A. The number and types of members of a search committee shall be established by the appointing administrative officer after consultation with groups and or individuals as specified in PART VIII.A.3 of the Governing Regulations.

B. A search committee, with the possible exception of one to recommend on the appointment of a director of a multidisciplinary research center or institute, shall have at least one student member.

C. A search committee shall, as a minimum, provide the faculty members of the concerned educational unit with a reasonable opportunity for each of the following:

1. To recommend possible candidates for the position;

2. To meet with any seriously considered candidate who is interviewed by the committee on campus; and

3. To express their opinions to the committee about the candidates whom they have met (such expressions are to reflect the opinion of concerned individuals and should be made known to the committee within a relatively short time).

D. A search committee is expected to maintain confidentiality with respect to its work and considerations. The committee also shall honor the request of any person to have one's candidacy remain confidential except to those involved in the selection process, until such time the person becomes a seriously considered candidate.

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* The term "educational unit" includes any department, school, interdisciplinary instructional program, multidisciplinary research center or institute, graduate center, college, community college, division of a community college, or other unit equivalent to one of these.

E. It is the affirmative action policy of the University that no candidate for a position shall be accorded preferential treatment or be discriminated against on the basis of characteristics which are not pertinent to the performance of the duties of the position.

F. It is the role and responsibility of the search committee exclusively to make the final recommendations on candidates with supporting rationale to the administrative officer who appointed the committee.

POLICIES ON INTERNATIONAL TEACHING ASSISTANTS*

It is vitally important that students at the University of Kentucky be exposed to many cultures and to many social systems. This educational diversity may be met only partially through formal courses; equally necessary is the opportunity to meet and associate with students and teachers with different backgrounds, different traditions, different standards of behavior, and different ways of speaking. In providing this richness of experience, it is essential that those with teaching responsibilities satisfy reasonable expectations of communication skills and possess appropriate understanding of the backgrounds of their students. Teaching assistants from other regions of the world are valuable components of this educational process. It is essential, however, to ensure that these teaching assistants be proficient in spoken English and that they be given adequate training and supervision.

The following policies shall apply to University of Kentucky employment as a teaching assistant of any individual for whom English is not the native language. Such individuals are referred to in the following sections as international teaching assistants (ITAs).

A. The Chancellor for the Lexington Campus shall appoint a committee of faculty, staff, and students each year to organize and coordinate an orientation program for all teaching assistants prior to the beginning of the fall semester and to direct the training, screening, evaluation, and monitoring of ITAs. The student members of the committee shall not, however, have access to information in a teaching assistant's confidential file, such as scores on Test of Spoken English (TSE) and Test of English as a Foreign Language (TOEFL). The orientation committee shall be chaired by a faculty or staff member appointed by the Chancellor to serve as an orientation director. The director shall report to the Dean of Undergraduate Studies.

B. The orientation committee shall develop criteria each year for the screening of ITA candidates. These criteria shall be applicable only after approval by the Dean of Undergraduate Studies and the Chancellor for the Lexington Campus. The criteria for evaluation shall include interviews and test scores (as described below), the particular nature of the proposed teaching assignment, the level of the course and the students, and the extent to which oral communication is essential. Judgments of the candidate's competence in the subject matter shall be left to the educational unit.

C. Each new ITA candidate shall be interviewed by the orientation committee for the purpose of assessing communication skills and potential performance as a teacher. The ITA's educational unit shall be invited to have a representative participate in the interview.

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* Refer also to AR II-1.0-7: Policies Relative to Teaching and Research Assistants.

D. ITA candidates shall be expected to have earned scores of at least 550 on the Test of English as a Foreign Language (TOEFL) examination. If a candidate scores less than 550 on the TOEFL examination and there is evidence beyond the TOEFL examination that a potential teaching assistant has greater proficiency in English than indicated by the candidate's score, the orientation committee may recommend to the Dean of Undergraduate Studies that an assistantship be permitted; the Dean shall review the evidence presented and provide a recommendation to the Chancellor, whose decision shall be final.

E. Prior to approval as a teacher, an ITA candidate must score at least 250 on the Test of Spoken English (TSE) or on an equivalent examination. The TSE (or equivalent) may be taken before or after the individual's arrival at the University of Kentucky. The orientation director shall ensure that this examination is administered.

F. After consultation with the ITA's educational unit, the orientation committee shall recommend to the Dean of Undergraduate Studies on the qualifications of each ITA to teach. A copy of the committee's recommendation on each ITA shall be sent to the appropriate educational unit and dean. The committee may recommend unconditional approval, conditional approval (such as suitability for certain teaching assignments but not for others, pairing with another teaching assistant in a laboratory course, etc.), or disapproval. Removal of the restrictions imposed by conditional approval shall require re-examination by the committee. The recommendations of the orientation committee shall be followed unless reversed by the Dean of Undergraduate Studies; the educational unit may appeal these recommendations through the dean of the college and the Dean of Undergraduate Studies to the Chancellor.

G. ITAs not approved for teaching assignments shall be assigned duties not requiring classroom student contact. The educational units responsible for these ITAs shall be responsible for funding the nonteaching duties.

H. The orientation committee and orientation director shall recommend a program of remediation for ITAs not approved for teaching or for ITAs granted conditional approval. These ITAs shall be re-examined by the committee, which shall notify the educational unit and the dean of the college by February 10 of the ITAs approved or disapproved for teaching assignments in the following academic year. Upon recommendation of the educational unit, a student not approved for teaching in August may be re-examined by the committee in time to be assigned teaching duties in the spring semester.

I. Students not approved for initial or renewed teaching assignments for the following year shall be informed by their educational units of such action by March 1. Students not approved for teaching assignments by March 1 shall lose their appointments and remuneration for teaching assistantships at the end of the initial academic year, and shall be so notified by the educational unit. Re-employment of such students in nonteaching roles shall be at the discretion of the academic program and shall be funded by that program. Exceptions may be considered by the orientation committee to permit continuation of conditional approval or assignment to duties not requiring classroom student contact.

J. ITAs shall arrive on campus in time to participate in activities which may be scheduled as early as August 16. The Test of Spoken English or equivalent examination shall be administered to students who were unable to take it before coming to the University of Kentucky.

K. The orientation committee shall organize a special orientation program for ITAs. This special program shall consist of at least twelve hours of orientation and shall be coordinated with the orientation programs provided for all teaching assistants (refer to Section I of AR II-1.0-7). ITAs must participate in both the special ITA orientation program and the University-wide and departmental programs provided for all teaching assistants.

L. The ITA orientation program shall include components of:

1. Cross-cultural understanding:
   (a) Core values, patterns, and processes of American culture;
   (b) Purposes and functions of American higher education; and
   (c) Characteristics of University of Kentucky students.

2. University policies, regulations, administrative procedures, and academic support units:
   (a) Teaching, grading, testing, and advising policies;
   (b) Rights of students;
   (c) TA responsibilities;
   (d) Academic Ombud's recommendations; and
   (e) Sources of instructional and personal help.

3. Communicating and interacting with students in the classroom:
   (a) Speaking style appropriate to classroom;
   (b) Interacting with students: use of humor, informality;
   (c) Listening and responding skills;
   (d) Nonverbal language: eye contact, gestures, physical movement; and
   (e) Speech characteristics (fluency, intonation, accent, and pronunciation.

M. Each educational unit using ITAs shall:

1. Conduct a follow-up program of supervision and training of ITAs which is integrated with the overseeing of all teaching assistants;

2. Provide for the development of teaching skills appropriate to the discipline;

3. Evaluate the performance of ITAs; and

4. Assign one or more faculty members to monitor and supervise ITAs.

N. The orientation committee shall review departmental ITA programs, monitor the development of ITAs and their professional performance in teaching, and work with and assist educational units as feasible and appropriate in improving teaching by ITAs. The director shall report through the Dean of Undergraduate Studies to the Chancellor each semester; this report shall include evaluations of each ITA, detailed descriptions of the orientation and training programs that have been held, and the results of systematic surveys of student opinion.

AR II—1.1

CONSULTING AND OTHER OVERLOAD EMPLOYMENT

I. Faculty Consulting and Other Overload Employment Outside the University

A. University Policy

The University has an obligation to encourage its faculty to assist in the transfer of knowledge from the University into the general community. It recognizes that the effectiveness of its academic programs can be enriched by appropriate faculty involvement with the realities of social, economic, and technologic activities outside the University. Faculty members are uniquely qualified to assist in meeting a variety of societal needs by way of limited consulting activity. Personal participation in professionally relevant consulting activities should enhance a faculty member's competence as a teacher and a researcher.

With appropriate prior administrative approval, a faculty member employed on a full-time basis may render professional consulting services in the public interest to an individual association, governmental agency, business, or others. Such consulting activities, however, should not interfere with the fundamental responsibility of a faculty member to meet regularly assigned duties and obligations to teaching and research, including being regularly available to students and colleagues, which are normally expected of a full-time faculty member and for which the faculty member receives compensation from the University. The dean or president of a college, with the approval of the chancellor/vice president of the affected chancellor/vice president sector, has the authority to limit external consulting and other overload employment for faculty in that college to less than the maximum extent when such limitation is necessary to meet the college's commitments to instruction, research, and service.

The above principles apply to all faculty members during the period of their active full-time employment by the University. Any non-assignment period during May 16-August 15 is excluded for those faculty members employed on a nine-month (academic year) assignment basis. Similarly, any non-assignment period is excluded for faculty members on a ten-month or eleven-month assignment basis. Additionally, any authorized annual leave or vacation period is excluded for those faculty members employed on a ten-month, eleven-month, or twelve-month assignment basis. Also excluded are those professional services covered under University-enacted professional service plans.

However, at all times while on full-time or part-time appointment, during either an assignment period or a non-assignment period, faculty members must avoid any situations in which their involvement may actually conflict, or appear to conflict, with their University duties and responsibilities. While it is not possible to anticipate every factual situation which might give rise

to a conflict of interest, such a conflict of interest does arise within the meaning of this regulation when a faculty member represents the legal interests of another party against the University or when a faculty member engages in litigation on behalf of another party against the University. A conflict of interest also may arise in a case of a potentially patentable invention or discovery (see AR II-1.1-3 for a statement of the University's intellectual properties policy and guidelines for determining the interests of the University and a member of its staff). Interpretations as to conflicts of interest in particular factual situations are to be made by the President of the University with the proviso that an adverse decision can be appealed to the Hearing Committee of the Board of Trustees.

B. Approval Procedure

The variety of outside employment situations and the potential of such for detracting from a faculty member's regular University activities, for lacking professional relevance to the faculty member's field, or for constituting a conflict of interest for the faculty member demand a standard procedure for review and approval.

The viability of this policy depends upon the manner in which faculty members exercise this opportunity for enrichment of the academic program of the University. The following guidelines and procedures are set forth to aid in the interpretation of the policy for professional employment (consulting or professional practice) outside the University for compensation. In general, any outside employment demanding more than purely spare-time effort must be substantially justified in terms of the contribution its performance can bring to the faculty member's pursuit of teaching, research, and service. The basic responsibility for determining the appropriateness of any outside employment rests with the personal and professional integrity of the individual faculty member.

When desiring to engage in such activities, a faculty member shall make a formal proposal in writing to the concerned department or division chairperson using a copy of Form F (illustrated at the end of this administrative regulation). Since approval shall not be granted for blanket authorization to consult or engage in professional practice, a proposal should be specific. Such a proposal shall indicate the nature of the work to be performed, the estimated amount of time involved, the duration of the assignment, and the scale of compensation. The department or division chairperson's recommendation on the proposal shall be forwarded to the appropriate college dean or president whose recommendation, in turn, normally shall be forwarded to the chancellor/vice president of the concerned sector for final action. These proposals shall be made a matter of record by the chancellor/vice president who shall transmit periodic reports to the President and to the Board of Trustees.

In cases where urgency can be demonstrated relative to the consideration of proposals for consulting and other overload employment, chairpersons of departments and divisions and deans and presidents of colleges should be sensitive and responsive to the need for prompt action. In such a case, upon

receipt of the faculty member's proposal and the department or division chairperson's recommendation, the dean or president of the college shall approve or disapprove the proposal and report the resulting action to the faculty member, department or division chairperson, and chancellor/vice president of the sector.

Whenever a proposal by a faculty member is disapproved by an official of the University, it is the obligation of that official to provide the faculty member, upon request, with an oral statement of the reason for the decision. The faculty member also is entitled to appeal such a disapproval through established channels.

Faculty members engaged in consulting and other overload activities must not use the name of the University of Kentucky in such a manner as to suggest institutional endorsement or support of a non-University enterprise.

Requests for outside employment that involve significant use of other University personnel, facilities, or equipment should be performed on a contractual basis with the University rather than on an individual consulting basis.

A faculty member wishing to engage in continuing consulting or other outside employment must resubmit a request annually.

The following professional activities are subject to the guidelines in Section I.A. but are excluded from the approval requirements mentioned in Section I.A. and discussed in this section:

1. Occasional service on review panels, site visit teams, professional committees or boards, and related voluntary professional services;

2. Occasional lectures or seminars at other institutions;

3. Occasional telephone or office consultation; and

4. Occasional reading and evaluation of manuscripts, writing reviews, serving as expert witness, rendering professional opinions in depositions, etc.

Occasional, as applied to this section, shall be interpreted generally as no more than four times per year.

II. Special Considerations Regarding Faculty Consulting and Other Overload Employment Within the University

The University recognizes that there are occasional circumstances when a faculty member may be the most appropriate person to undertake University assignments which are beyond the scope of that individual's normal departmental, college, and University-wide responsibilities. Examples include the conducting of continuing education classes, the grading of correspondence courses, and participating in various types of sponsored activities for which

the basic responsibility lies outside the faculty member's educational unit. Equity demands that procedures for compensation above the individual's regular University contract be provided for these situations. At the same time, however, the local nature of the circumstances and the relative closeness of participants suggest that special attention be given to the potential impingement on the individual's regular duties and the potential for conflicts of interest. Accordingly, the following additional constraints are placed on the approval procedure for this type of overload employment.

Additional compensation for internal overload assignments (e.g., continuing education classes, including extension and evening programs classes, and grading in correspondence courses) may be governed by specific fee schedules. Such fee schedules must be approved by the appropriate University authority. In the absence of such fee schedules, per diem compensation may not exceed 1/195, 1/217, 1/238, or 1/260 on a nine-month, ten-month, eleven-month, or twelve-month assignment basis, respectively, of the individual's regular assignment period salary for the pertinent fiscal year unless expressly approved otherwise in advance by the chancellor/vice president of the affected sector. The total of such internal overload compensation during a regular assignment period may not exceed 39/195, 39/217, 43/238, or 48/260 on a nine-month, ten-month, eleven-month, or twelve-month assignment basis, respectively, of the individual's pertinent regular assignment period salary.

Regardless of whether an approved fee schedule or an appropriate per diem compensation is used, prior administrative approval of a proposal for an internal overload assignment (i.e., an assignment such as one of those mentioned in the two preceding paragraphs) is still required. The approval procedure for internal overload assignments shall be identical with the previously described outside employment approval procedure except for the above special constraints.

If an internal overload assignment is to be compensated from sponsored project funds, the faculty member's proposal for overload employment shall be forwarded sequentially to the department or division chairperson, dean or president of the college, principal investigator for the sponsored project, and the Director of the Office of Sponsored Projects Administration for recommendations on approval prior to final action by the chancellor/vice president of the affected sector.

III. Limitation on Overall Combination of Consulting and Other Overload Employment During a Regular Assignment Period or a Summer Period

A faculty member regularly employed full-time on a nine-month assignment basis, which includes no vacation allowance, may be permitted to engage in external consulting and/or other overload activities to a maximum extent of 39 days during a regular assignment period which covers August 16 of one year through May 15 of the following year.

A faculty member regularly employed full-time on a ten-month assignment basis, which includes a one-month vacation allowance, may be permitted to engage in

external consulting and/or other overload employment to a maximum extent of 39 days during a regular assignment period.

A faculty member regularly employed full-time on an eleven-month assignment basis, which includes a one-month vacation allowance, may be permitted to engage in external consulting and/or other overload employment to a maximum extent of 43 days during a regular assignment period.

A faculty member regularly employed full-time on a twelve-month assignment basis, which includes a one-month vacation allowance, may be permitted to engage in external consulting and/or other overload activities to a maximum extent of 48 days during a twelve-month period which covers May 16 of one year through May 15 of the following year.

A faculty member regularly employed on a nine-month, ten-month, or eleven-month assignment basis may be permitted to engage in part-time or full-time University employment during a period not included in a regular assignment period. Employment during an interim period between regular assignment periods shall not be considered as internal overload employment but shall be subject to established guidelines and constraints (see AR II-1.1-7). With appropriate prior approval, a faculty member regularly employed on an assignment basis of less than twelve months may engage in external overload activities up to an average of one day per week while on full-time University summer assignment.

IV. Staff Consulting Outside the University, Special Assignment and Overload Employment Within the University

The University recognizes that exempt staff employees may enrich the University by appropriate involvement in limited external consulting activity. Personal participation in professionally relevant consulting activities may also enhance the staff member's competence in the respective professional or administrative role.

An exempt staff member employed on a full-time basis may render professional consulting services in the public interest to an individual association, government agency, business, or others. Such consulting activities, however, should not interfere with the fundamental responsibility of the individual to meet regularly assigned duties. Exempt staff engaged in consulting and overload activities are expected to adhere to the conflict of interest statements spelled out in State Law and University Regulations. Consulting shall be done only on vacation leave, weekends, evenings or times when the employee is not expected to be carrying out responsibilities of the position held (e.g., University holidays).

The University recognizes there may be instances where an exempt staff employee may be the most appropriate person to undertake a specialized internal assignment that would otherwise necessitate employment of an additional individual. In an instance where additional compensation is requested for such a specialized assignment, all following criteria must be strictly satisfied, with the exception that Criteria 2 and 4 need not be met where the assignment involves the teaching of a night or extension class or the preparation and/or grading of correspondence class materials.

1. The assignment is clearly beyond the scope of the specified duties (as set forth in the job description of the employee's regular position) that are performed during normal and usual working hours.

2. The assignment normally is outside the organizational unit(s) in which the employee is regularly assigned. Only with prior written approval of the appropriate chancellor/vice president may an exempt employee teach a University of Kentucky course for academic credit within the organizational unit to which the employee is regularly assigned.

3. Except when an exempt employee teaches a University of Kentucky course for academic credit, the assignment to be performed is totally separate and apart from normal and usual working hours. (The period normally excluded is 8:00 a.m. through 5:00 p.m. Staff who teach during usual working hours shall adjust the usual working hours to make up the time. Also, a staff employee shall not teach more than one course during usual working hours.)

4. Except when an exempt employee teaches a University of Kentucky course for academic credit, the assignment is of special and infrequent nature thereby making it unfeasible to hire a temporary employee to perform the assignment.

5. The assignment clearly serves the best interests of the University.

6. In no case is any such assignment to be undertaken without the prior express approval of the dean/president of the college or the head of the administrative/operating division under whom the employee is regularly administratively responsible and the dean/president of the college or the head of the administrative/operating division who will be administratively responsible for the employee's overload assignment. If the internal overload assignment is to be compensated from sponsored project funds, approvals from the principal investigator for the sponsored project and the Director of the Office of Sponsored Projects Administration also must be obtained prior to final approval by the dean/president of the college or the head of the administrative/operating division who will be administratively responsible for the employee's overload assignment. A copy of Form S (illustrated at the end of this administrative regulation) shall be used for requesting and obtaining approvals for any such internal overload assignment.

No additional compensation in lieu of vacation will be permitted.

Any compensation for such services will be at an hourly rate unless otherwise covered by a fee schedule which has been approved by the chancellor/vice president of the affected sector. No hourly rate compensation shall exceed that derived by dividing the employee's basic annual salary by 2080. The employee's fringe benefits shall not be affected by monies paid for overload assignments.

The total compensation an employee receives under this policy during a fiscal year may not exceed 20% of the employee's basic annual salary for that year.

UNIVERSITY OF KENTUCKY
EXTERNAL AND/OR INTERNAL OVERLOAD FORM FOR FACULTY

☐ LEXINGTON CAMPUS ☐ MEDICAL CENTER ☐ COMMUNITY COLLEGE SYSTEM ☐ RESEARCH AND GRADUATE STUDIES ☐ INFORMATION SYSTEMS

Last Name	First Name	M.I.	Rank	Social Security Number	Date of Request

College _____ Department/Division _____ Regular Assignment Period _____ Regular Assignment Period Salary (RAPS)

Months: ☐ 9 ☐ 10 ☐ 11 ☐ 12

Type of Request

☐ External Overload ☐ Internal Overload

Period Involved in Request

☐ Regular Assignment Period ☐ Interim Period

EXTERNAL OVERLOAD

Nature of external activity:

Employer:

Dates covered by request: _____ to _____ Total number of days of external activity involved in this request (assume one hour = 0.125 day _____

Compensation rate: per diem _____ other basis _____

Total compensation for requested external activity: _____

INTERNAL OVERLOAD

Nature of internal activity:

Source of funds: Account number _____

Dates covered by request: _____ to _____ Total number of days of internal activity involved in this request (assume one hour = 0.125 day) _____

Compensation rate: per diem _____ Fee schedule _____

Total compensation for requested internal activity: _____

Maximum per diem compensation permitted:

☐ Nine-month basis RAPS/195 = _____
☐ Ten-month basis RAPS/217 = _____
☐ Eleven-month basis RAPS/238 = _____
☐ Twelve-month basis RAPS/260 = _____

Maximum total compensation permitted during assignment period:

☐ Nine-month basis (39/195) RAPS = _____
☐ Ten-month basis (39/217) RAPS = _____
☐ Eleven-month basis (43/238) RAPS = _____
☐ Twelve-month basis (48/260) RAPS = _____

UNIVERSITY OF KENTUCKY
EXTERNAL AND/OR INTERNAL OVERLOAD FORM FOR FACULTY

Form F
AR II-1.1-1

REQUESTS FOR EXTERNAL AND/OR INTERNAL OVERLOADS PREVIOUSLY APPROVED
For the applicable twelve-month period of May 16, 19___ through May 15, 19___

EXTERNAL OVERLOADS				INTERNAL OVERLOADS			
Date	Employer	Number of Days	Total Compensation	Date	Source of Funds	Number of Days	Compensation
		Total Days _____				Total Days _____	Total Compensation _____

FACULTY MEMBER: I certify that the requested activity will involve neither a conflict of interest nor an interference with regular University duties.

Signed: _____ Date: _____

APPROVALS

Department/Division Chairman	Date	Principal Investigator (if sponsored project funds are used)	Date
College Dean/President	Date	Director, Sponsored Projects Administration (if sponsored project funds are used)	Date
Chancellor/Vice President	Date		

Forward all copies to the Office of the Chancellor/Vice President for approval. Distribution of copies after action by the Chancellor/Vice President: white copy - Chancellor/Vice President; yellow copy - College Dean/President; pink copy - Department/Division Chairman; goldenrod copy - Faculty Member.

UNIVERSITY OF KENTUCKY
INTERNAL OVERLOAD FORM FOR EXEMPT STAFF EMPLOYEES

TO BE COMPLETED BY UNIT IN WHICH EMPLOYEE IS REGULARLY ASSIGNED

Last Name | First Name | M.I. | Social Security Number | Date of Request | Basic Annual Salary

	Educational Unit or Administrative/Operating Unit	College or Administrative/Operating Division	Chancellor/Vice President Sector
Regular Assignment:	_____	_____	_____
Overload Assignment:	_____	_____	_____

TO BE COMPLETED BY UNIT IN WHICH EMPLOYEE WILL PERFORM OVERLOAD

Nature of requested internal overload assignment:

Dates covered by requested assignment: _____ to _____

Hours and days when requested assignment will be performed, if approved:*

Source of funds: Account number _____

Compensation rate: Fee schedule _____ or hourly rate _____, as applicable

If hourly rate is applicable: Basic annual salary divided by 2080** _____

Total number of hours related to requested assignment _____

Total compensation related to requested assignment: _____

TO BE COMPLETED BY PERSONNEL OFFICE OF SECTOR IN WHICH EMPLOYEE IS REGULARLY ASSIGNED

Total compensation related to other approved internal overload assignments during current fiscal year: _____

If this requested assignment is approved:
Total compensation from all internal overload assignments during current fiscal year _____ Basic annual salary(20/100)*** _____

* Requested internal overload assignment must be approved prior to assignment being performed.
** Hourly rate may not exceed value obtained by dividing basic annual salary by 2080.
*** Total compensation from all internal overload assignments during a fiscal year may not exceed twenty percent (20%) of the exempt staff employee's basic annual salary for the pertinent fiscal year.

UNIVERSITY OF KENTUCKY
INTERNAL OVERLOAD FORM FOR EXEMPT STAFF EMPLOYEES

Form S
AR II-1.1-1

EMPLOYEE: I certify that the proposed overload payment plus the total of all other internal overload payments previously approved for me during the current fiscal year does not exceed twenty percent (20%) of my basic annual salary.

Signed: _____ Date: _____

IMMEDIATE ADMINISTRATIVE SUPERVISOR FOR EMPLOYEE IN REGULAR ASSIGNMENT:

1. The assignment is clearly beyond the scope of the specified duties (as set forth in the job description) of the employee's regular position that are performed during normal and usual working hours.
2. The assignment is outside the organization unit in which the employee is regularly assigned, or prior approval has been obtained from the appropriate Chancellor/Vice President for the employee to teach a University of Kentucky course for academic credit within the organization unit to which the employee is regularly assigned. (Appropriate authorization shall be attached.)
3. Except when teaching one University of Kentucky course for credit, the assignment to be performed is totally separate and apart from usual working hours.

Confirmed: _____ Date: _____

IMMEDIATE ADMINISTRATIVE SUPERVISOR FOR EMPLOYEE IN OVERLOAD ASSIGNMENT

4. Except when teaching one University of Kentucky course for credit, the assignment is of special and infrequent nature thereby making it not feasible to hire a temporary employee to perform the assignment.
5. The assignment clearly serves the best interest of the University.

Confirmed: _____ Date: _____

PERSONNEL OFFICIAL IN SECTOR IN WHICH EMPLOYEE IS REGULARLY ASSIGNED:
All conditions in AR II-1.1-1 and Personnel Policy 33.0 are valid.

Confirmed: _____ Date: _____

Dean/President of College or Head of Administrative/Operating Division (responsible for employee's regular assignment)	Date	Principal Investigator (if sponsored project funds are used)	Date
Dean/President of College or Head of Administrative/Operating Division (responsible for employee's overload assignment)	Date	Director, Sponsored Projects Administration (if sponsored project funds are used)	Date

Forward all copies to the dean/president of the college or the head of of the administrative/operating division responsible for the employee's overload assignment for final approval and distribution of copies: white copy - dean/president of the college or the head of the administrative/operating division responsible for the employee's overload assignment; green copy - dean/president of the college or the head of the administrative/operating division responsible for the employee's regular assignment; yellow copy - Personnel Office for the chancellor/vice president sector in which the employee has regular assignment; pink copy - immediate administrative supervisor for employee in overload assignment; goldenrod copy - employee.

FACULTY SALARY CONVERSION RELATED TO CHANGE IN ASSIGNMENT PERIOD

A faculty assignment period may be on a nine-month, ten-month, eleven-month, or twelve-month basis as discussed in AR II-1.1-7. In justifiable cases, a faculty assignment period is changed from one basis to another and such a change appropriately may be accompanied by a change in assignment period salary. The following table depicts the usual faculty salary conversions related to changes in faculty assignment periods. Any proposed exceptions to this conversion methodology must be approved by the dean/president of the college, director of libraries, or other pertinent administrator and also by the appropriate chancellor/vice president.

Any administrative supplement in addition to the converted faculty salary shall be established in writing and shall be applicable only during the period of administrative assignment. Such a supplement shall not be a factor and, therefore, shall be removed before implementing any faculty salary conversion related to a change in assignment period.

FACULTY SALARY CONVERSION TABLE

New Assignment Period (Months)	Old Assignment Period (Months)	Salary Conversions
9	10	FAPS-9 = FAPS-10
9	11	FAPS-9 = 9/10 FAPS-11 = 0.90000 FAPS-11
9	12	FAPS-9 = 9/11 FAPS-12 = 0.81818 FAPS-12
10	9	FAPS-10 = FAPS-9
10	11	FAPS-10 = 9/10 FAPS-11 = 0.90000 FAPS-11
10	12	FAPS-10 = 9/11 FAPS-12 = 0.81818 FAPS-12
11	9	FAPS-11 = 10/9 FAPS-9 = 1.11111 FAPS-9
11	10	FAPS-11 = 10/9 FAPS-10 = 1.11111 FAPS-10
11	12	FAPS-11 = 10/11 FAPS-12 = 0.90909 FAPS-12
12	9	FAPS-12 = 11/9 FAPS-9 = 1.22222 FAPS-9
12	10	FAPS-12 = 11/9 FAPS-10 = 1.22222 FAPS-10
12	11	FAPS-12 = 11/10 FAPS-11 = 1.10000 FAPS-11

Relationships in this table are based on the ratio of the number of non-vacation or working months during the new faculty assignment period to the number of such months during the old assignment period.

Designations

FAPS-9 = Faculty assignment period salary on 9-month assignment basis
FAPS-10 = Faculty assignment period salary on 10-month assignment basis
FAPS-11 = Faculty assignment period salary on 11-month assignment basis
FAPS-12 = Faculty assignment period salary on 12-month assignment basis

WAR1-11

INTELLECTUAL PROPERTY DISPOSITION AND ADMINISTRATIVE REGULATION (APPROVED BY THE BOARD OF TRUSTEES)

I. PREAMBLE

Research leading to new knowledge and the transfer of this new knowledge through teaching and service are two of the major responsibilities of the University of Kentucky. Traditionally, these responsibilities have been met through teaching, publication, and demonstration. As early as 1946, the University recognized that some new knowledge or technology had commercial value and warranted protection through the patent process. In 1974, a copyright policy recognized the traditional rights of faculty to the written fruits of their scholarly activity and the University's rights of ownership to other materials produced as a result of direct assignments, e.g., videotapes, films, and programmed instruction materials.

Implicit in these developments was the understanding that the University not only had a responsibility to bring new knowledge into use by the general public, but also that such knowledge or technology sometimes has commercial value and should be treated as a financial asset to be used, conserved, or applied in such a way as to generate an appropriate financial return. Transfer of such information or technology through licensing satisfied both objectives, i.e., dissemination for use and the realization of a return.

Developments in recent years have broadened the scope of information and technology that can have potential commercial value and that, therefore, should be treated as assets subject to University ownership and control. In addition to new machines, compositions of matter, and written materials which traditionally have been the subject of patents and copyrights, new life forms, bioengineered agents, plant varieties, computer software, video courses, etc., are now normal outcomes of University activities. Thus, a broad policy covering all aspects of intellectual property is provided.

II. OBJECTIVES OF THE POLICY

A. To facilitate the transfer of knowledge and technology and the utilization of such knowledge and the technology to the general benefit of society.

B. To encourage research, scholarship, and a spirit of inquiry, thereby generating new knowledge.

C. To provide an administrative system to determine the commercial significance of discoveries and new developments and to assist in bringing these into public use.

D. To provide for the equitable disposition of interests in new intellectual property among the developer, author, or inventor (the originator), the University, and, where applicable, the sponsor.

E. To provide incentives to originators in the form of personal development, professional recognition, and financial compensation.

F. To safeguard intellectual property so that it may receive adequate and appropriate legal protection against unauthorized use.

III. COVERAGE AND DEFINITION

A. This policy covers all intellectual property conceived, first reduced to practice, written, or otherwise produced by faculty, staff, or students of the University of Kentucky using University funds, facilities, or other resources.

B. Intellectual property, for the purpose of this policy, is defined as the tangible or intangible results of research, development, teaching, or other intellectual activity. Intellectual property may include the following categories:

1. Inventions, discoveries, or other new developments which are appropriate subjects of patent applications.

2. Written materials, sound recordings, videotapes, films, computer programs, computer-assisted instruction materials, works of art including paintings, sculpture, and musical compositions, and all other material which may be copyrightable.

3. Tangible research property such as biological materials including cell lines, plasmids, hybridomas, monoclonal antibodies, and plant varieties; computer software, data bases, integrated circuit chips, prototype devices and equipment, circuit diagrams, etc.; and analytical procedures, laboratory methods, etc. All such tangible research property may or may not be patentable or copyrightable.

The three categories above are not mutually exclusive; a given article of intellectual property may include aspects of all three categories.

IV. GENERAL POLICY

All rights to intellectual properties as defined in Section III shall be owned and controlled by the University through its designated agent, the University of Kentucky Research Foundation (UKRF). When a University faculty member, staff member, or student develops or originates an item of intellectual property which, under the terms of this policy is to be owned and controlled by the University, the individual shall report the intellectual property to the Intellectual Property Committee (IPC). The originator shall: cooperate in the execution of legal documents and in the review of literature and prior art; be given opportunity to assist in the further commercial development of the intellectual property as defined in Section VI; and have an interest in and share in any income derived from the commercialization of such property.

A. Traditional products of scholarly activity which have customarily been considered to be the unrestricted property of the author or originator are excepted from the general policy. Such traditional products include journal articles; textbooks; reviews; works of art including paintings, sculpture, and musical compositions; and course materials such as syllabi, workbooks, and laboratory manuals. The University has not and will not claim any ownership rights to such traditional works and also specifically disclaims any potential rights to do so under the "work for hire" provisions of the U.S. Copyright Act.

B. Works produced in certain University units whose specific mission includes the production of works for instructional, public service, or administrative use and who employ staff and faculty for the purpose of producing such works are deemed to be "works for hire" and, therefore, the property of the University. The Computing Center, the Office of Instructional Resources, and Medical Center Division of Educational and Biomedical Resources are examples of such units. Works produced by such units include instructional films and videotapes, telecourses, drawings, slides, models, computer programs, etc. The University shall own and control all such works produced in such units. Income from the use of such works in University educational activities shall be considered income to the unit, subject to University resource management and budgeting policy. Arrangements with "talent" from other units or from outside the University may include payments based on sales or usage of such works. Such payments are considered to be a part of the costs of production. Commercialization of such works outside the University must be through assignment to UKRF which shall be responsible for the commercial development as defined in Section VI. However, in recognition of the differences between these units and regular academic departments, different and unique revenue sharing arrangements may be made with the approval of the appropriate chancellor. Nothing in this paragraph shall limit the rights of the employees of such units to works produced or developed outside the scope of their employment and not involving the use of University facilities or other resources.

C. Rights to intellectual property resulting from sponsored projects shall be owned and controlled by the University. In some instances, the provision of substantial funding, background information, product samples, or confidential proprietary data by a sponsor may create a situation in which the sponsor may claim partial or complete ownership of intellectual property that might result from the sponsored project. In such cases, final disposition of the property may be negotiated as a part of the sponsored project agreement.

D. In those cases where the final disposition of the property has not been negotiated as part of a sponsored project agreement, the University will proceed as described in Section VI.

V. ADMINISTRATIVE PROCEDURES

A. The legal interests of the University and its staff, faculty, and students in any intellectual property, except traditional scholarly works as described in Section IV.A., shall be determined in accord with this policy by the Intellectual Property Committee (IPC).

B. The IPC shall be a standing committee appointed by the President. Its members shall be members of the faculty and staff chosen to provide broad technical expertise across various disciplines. The Vice President for Research and Graduate Studies, who is also the Executive Director of the University of Kentucky Research Foundation (UKRF), shall be an ex officio, voting member of the Committee. Additional ad hoc members may be chosen by the committee's Chairperson if additional expertise is needed in the consideration of a particular intellectual property matter.

C. If the IPC determines that there has been no material use of University funds, facilities, or other resources, the IPC shall release the property to
the originator, and the University shall not exert any further claim to the property.

D. The IPC may determine that the University has a legal interest in the property but that the chances of successful commercialization are minimal or that the costs of pursuing such commercialization outweigh the income potential. In such cases the IPC shall release the property to the originator as above.

E. If the IPC determines that the University has a legal interest in the property and judges that there is a reasonable chance for successful commercialization, it shall: (1) inform the originator in writing that the University claims ownership rights to the property; (2) determine and record the rights of the originator to share in any income in accord with Section VII; and (3) refer the matter to UKRF together with its recommendations as to appropriate courses of action. The originator shall execute an assignment of ownership rights to UKRF as the designated agent of the University.

F. In some instances the IPC may find that the University has an ownership right in the discovery but that the discovery has not been developed to the point where a decision as to patentability or commercialization is possible. In such cases, the IPC shall place the discovery in a pending status, provide the originator reasons for taking such action and suggestions as to additional information or data that might be helpful, and request the originator to report back to the IPC at some specified interval if and when the discovery is brought to a more advanced stage.

G. Except for Section V.F., if the IPC takes no action within six months after receiving the initial report of the new discovery, right to the discovery shall be deemed to be released to the originator.

H. Because UKRF is the designated agent for the University in the management of the intellectual property program, it shall receive by assignment ownership rights from the originator. The Vice President for Research and Graduate Studies will have the responsibility for valuing the intellectual property so that the University's interests in any subsequent negotiations are protected. The process for licensing, selling, or otherwise conveying intellectual property will not involve the use of sealed bids. With close consultation and collaboration with the originator, UKRF shall determine the appropriate method of protection of the property and, where appropriate,

obtain such protection. The Vice President for Research and Graduate Studies will, having independently determined the value of the intellectual property, permit Kentucky Technology, Inc. (KTI) to commercialize this property as described in Section VI. In those cases where KTI does not execute its right of first refusal as described in Section VI, UKRF will license, sell, or otherwise convey the intellectual property. UKRF will distribute any net income from commercialization in accord with this policy and the determinations of the IPC. All costs associated with these actions shall be borne by UKRF, except that such costs shall be offset against future income in accord with Section VII.C.

I. Faculty, staff, or students of the University may request that the University accept, for management and commercialization, intellectual properties which are theirs alone and not originally subject to this policy. Given such a request, the Executive Director of UKRF, with advice of the IPC, shall determine if there is a reasonable expectation that the property can be commercialized successfully. If the University accepts management and commercialization responsibilities for such intellectual property, that intellectual property shall become subject to, and shall be treated in accord with, all provisions of this policy.

J. Intellectual property referred to or offered to the University by third parties ("off the street") shall be treated as any other gift offer and shall be channelled through the University Office of Development. If accepted by that office, the property shall be assigned to UKRF for management in accord with appropriate parts of this policy and the terms of the gift agreement.

VI. COMMERCIALIZATION

A. For purposes of protection and commercialization of intellectual property assigned to UKRF on behalf of the University, patent or copyright coverage may be sought, or the property may be treated as proprietary information, technical know-how, or trade secret.

B. In seeking and developing commercialization of intellectual property, UKRF shall be guided by the following principles:

1. A primary objective and responsibility of the University shall be to assure that the products of its intellectual activity are brought into the widest possible use for the general benefit of society.

2. Intellectual property should be treated as an asset and an appropriate return should be sought. Responsibility for this provision of the AR rests with the Vice President for Research and Graduate Studies.

3. Active originator participation in all commercialization efforts shall be vigorously sought.

C. UKRF will provide Kentucky Technology, Inc. (KTI) with the exclusive right of first refusal on intellectual property disclosures to UKRF in exchange for a license fee to be paid by KTI to UKRF. As a guideline, the

Executive Director of UKRF will negotiate an agreement with KTI in which KTI will retain 30% of all gross proceeds from licensing, equity investment, or other efforts in order to build a fund for the commercialization of other intellectual property. KTI will transfer the remaining 70% to UKRF as a license fee. KTI will have six months in which to exercise its option. In the event that KTI does not execute its option on any intellectual property, UKRF will seek a variety of arrangements including licenses, both nonexclusive and exclusive; outright assignment or sale of rights; and partnerships, joint ventures, or other equity participation modes. The selection of particular arrangements will depend on the circumstances of each individual case.

D. UKRF will retain 100% ownership of KTI and will purchase additional KTI stock, as appropriate, to further the endeavors of KTI to commercialize University intellectual property.

E. KTI will be the sole lessee of space in the Advanced Science and Technology Commercialization Center. The cost of such space will reflect reimbursement of University costs, the rates charged by comparable high technology commercialization centers, and the potential return to the University on the commercialization of its intellectual property.

F. In some situations it may be in the best interests of the University, the general public, and the originator to enter into commercialization arrangements with entities wholly or partially owned or controlled by the faculty, staff, or students who originated the property. Due to the potential of such arrangements for contributing to the economic development of the state and local areas, such arrangements may be considered and accepted, provided these are not specifically prohibited by law and that adequate provisions, including full disclosure of interests, are made to avoid or otherwise protect against conflict of interest on the part of those involved. Such negotiations for the creation of new commercial entities arising directly from the University's intellectual property or arising from a potential collaboration between the University's faculty, staff, or students and some outside entity will be handled by KTI in those cases where KTI has executed its right of first refusal or will be handled by UKRF in those cases where KTI has declined its option.

G. Commercialization of intellectual property by UKRF is a process which may take a considerable amount of time. This process may involve discussions and negotiations over months or sometimes years and, based on national data, more often fails than succeeds. Timing, market conditions, and many other factors enter into the process. Quick success is rare. However, to protect the originator, if no commercialization has occurred within two years after the property has been assigned to the University through UKRF, assuming that KTI has not executed its right of first refusal, the originator may request that all rights be returned. Such requests should be directed to the IPC. The IPC shall require UKRF to explain what efforts have been made and what additional efforts are planned. If the IPC determines that there is little chance of successful commercialization, it shall direct UKRF to return all rights to the originator, and the University shall no longer claim any rights to the property. If, on the other hand, the IPC determines that UKRF has undertaken reasonable efforts to commercialize and that further UKRF

efforts offer reasonable chances of success, it shall deny the originator's request. Such denials will be accompanied by a report summarizing the factors considered by the IPC in arriving at the decision. If the originator remains unsatisfied with the commercialization efforts, this process may be repeated at two-year intervals.

H. Commercialization of intellectual property by KTI is a process which may take a considerable amount of time. This process may involve discussions and negotiations over months or sometimes years and, based on national data, more often fails than succeeds. Timing, market conditions, and many other factors enter into the process. The Executive Director of UKRF shall require KTI to explain what efforts have been made and what additional efforts are planned. If the Executive Director of UKRF determines that there is little chance of successful commercialization and if there are no legal obstacles to proceeding otherwise, UKRF shall return all rights to the originator, and the University shall no longer claim any rights to the property. If, on the other hand, the Executive Director determines that KTI has undertaken reasonable efforts to commercialize and that further KTI efforts offer reasonable chances of success, the Executive Director shall deny the originator's request. Such denials will be accompanied by a report summarizing the factors considered by the Executive Director in arriving at the decision. If the originator remains unsatisfied with the commercialization efforts, this process may be repeated at two-year intervals.

VII. ROYALTY INCOME SHARING POLICY

A. Net income is defined as gross royalties, license fees, or other such payments received by UKRF on behalf of the originator and the University less necessary deductible costs, e.g., mailing or courier costs, interferences, licensing costs, patent enforcement, necessary travel, auditing fees, or sponsor shares. The phrase "gross royalties, license fees, or other such payments" means agreed upon payments specified in a license or other commercialization agreement usually expressed as a percentage of sales or a fixed dollar amount per unit manufactured in return for the right to use, copy, reproduced, make, or sell an item of intellectual property or product based on such property. UKRF shall reserve the right to suspend distribution of income where there is reason to believe that substantial deductible costs will be incurred in the future. The originator shall be informed of such decisions. An annual detailed accounting of income and costs shall be made available to the originator by UKRF.

B. Except as otherwise provided through supplementation under Section VII.C., net calendar year royalty or license income as defined in Section VII.A. derived from commercialization of intellectual property covered by this policy shall be shared as follows: 40% to the originator, 20% to the originator's department or immediate administrative unit, 20% to the dean of the originator's college, and 20% to UKRF.

C. In certain University units, because of conditions of employment and the nature of work assignments, and the fact that units often assume continuing responsibilities for maintenance and periodic revision of the property, an alternate distribution of net income to employees may be

appropriate. Units wherein these situations may occur should propose appropriate modifications to the distribution scale in Section VII.B. Upon approval by the President, such modifications shall be added to this policy as unit supplements. Such modifications may not increase the combined shares of the originator and the department as specified in Section VII.B., except in unusual and very specific circumstances.

D. The department's share shall be retained in a separate account in UKRF and shall be available for expenditure by the department in accord with a budget to be approved by the Vice President for Research and Graduate Studies. Such funds may be allowed to build across fiscal years to reach amounts necessary for major purchases or other nonrecurring purposes. Such funds may be invested, and the income shall be credited to the account in accord with existing policy regarding investment of restricted funds.

E. The originator's rights to share in net income as stated above (but not including the department's share) shall remain with the individual or pass to the individual's heirs and assigns for so long as net income is derived from the property.

F. Where more than one individual is considered to be the originator, such persons will determine among themselves the individual share each will receive. In the event that they cannot reach such agreement, the determination shall be made by the IPC after giving each individual an opportunity to present a personal position. Such determination by the IPC shall be final.

G. Originators are encouraged to consider making a gift of all or a part of their income shares to support University research activities. Upon request by an originator, UKRF will retain all or a part of the originator's share in a separate account within UKRF for expenditure in accord with the originator's wishes. The originator may restrict such gifts to any particular program or unit of the University including the originator's own research program. Such requests may be limited in duration to a specific time period or to some specific future event, e.g., the originator's retirement or resignation from the University, and may be cancelled or modified by the originator at any time.

H. This policy shall not change income-sharing agreements entered into prior to the adoption of this policy.

VIII. SHARING OF RESEARCH MATERIALS

There is a long tradition in some fields of sharing research materials such as reagents, cell lines, and purification media. The University encourages this cooperation among research scientists. However, recent conflicts over such issues as commercialization rights and personal and product liabilities suggest that the terms of such sharing be spelled out in a written agreement among the parties. A suggested form letter agreement is included in this policy and procedures document as Appendix A. Also, when significant costs to the University are involved in producing the material, provision for recovery of those costs not covered by sponsor support shall be

considered in making a sharing agreement. A copy of any such agreement shall be maintained by the faculty member and in the Office of the Vice President for Research and Graduate Studies.

IX. CONSULTING AGREEMENTS

A. Any faculty or staff member engaged in consulting work or in business is responsible for ensuring that clauses in the individual's agreements are not in conflict with this policy nor with the University's commitments; and that the institution's rights and the individual's obligations to the University are in no way abrogated or limited by the terms of such agreements. The Executive Director of UKRF or the University Legal Counsel's Office can provide assistance in this regard.

B. Faculty and staff members shall make clear to those with whom they make such agreements their obligations to the University and shall ensure that other parties to the agreement are provided with a current copy of this policy.

X. BASIS OF THE UNIVERSITY'S EQUITY IN INTELLECTUAL PROPERTY

The policies set forth herein constitutes an understanding which is binding on University faculty, staff, and students as a condition of their participation in University research, teaching, and service programs and for their use of University funds, space, or facilities.

APPENDIX A

Dear _____:

This is to acknowledge your request that certain research materials developed in the laboratory of _____ at the University of Kentucky be transported to your laboratory at _____ for scientific research purposes. I also acknowledge the implied representation that you and your associates are cognizant of any potential hazards which may exist in working with these materials. The materials concerned, which are owned by the University of Kentucky, are _____
_____
_____.

I will be pleased to permit use of these materials by you and within your laboratory for our cooperative scientific research. However, I am requesting your agreement that the materials will be used only for our cooperative work, that you will bear all risk to you or any others resulting from your use, and that you will not pass on these materials, their progeny or derivatives, to any other party or use them for commercial purposes without the express written consent of the University of Kentucky. In addition, any public or written announcement of this work or its results must credit the University of Kentucky as the source of these materials, and you must keep us informed of results obtained using any of these materials, especially if publication in the open literature is contemplated, prior to publication and even if no publication results. You understand that no other right or license to these materials, their progeny or derivatives, is granted or implied as a result of our transmission of these materials to you.

These materials are to be used with caution and prudence in any experimental work, since all of their characteristics are not known.

If you agree to accept these materials under the above conditions, please sign the enclosed duplicate of this letter and return it to me. The materials requested will be sent to you upon our receipt of the signed duplicate letter.

Sincerely,

_____ (Signature of Researcher)

_____ (Signature of Researcher's Department Chairperson)

I accept all conditions and stipulations noted above.

_____ (printed name)

_____ (signature)

_____ (date)

WAR1:163

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UNIVERSITY OF KENTUCKY ALCOHOL POLICY

The possession and consumption of alcoholic beverages is controlled by Kentucky statutes, city ordinances, and University regulations. All members of the University community are expected to obey these laws and regulations. The University desires to provide an environment where alcohol consumption by underage students is neither encouraged nor made available and, further, to promote alcohol education and counseling programs. Consistent with this philosophy, the University expects compliance with the following regulations.

A. Use of alcoholic beverages on University of Kentucky property must not violate state and local laws (see Appendix on page 3).

B. Alcoholic beverages are not permitted in classrooms, laboratories, offices, other buildings where the public has access, and all outdoor areas of the campus.

C. Alcoholic beverages are not permitted in undergraduate housing leased from and supervised by the University. This includes residence halls, fraternities, sororities, and the undergraduate section of Greg Page Apartments. The intent of this regulation is the promotion and maintenance of an environment conducive to study for its residents, the vast majority of whom are under twenty-one years of age.

Violation of this regulation may result in discipline under the Student Code of Conduct or termination of the housing contract, or both.

D. House corporations which supervise Greek chapter houses on property leased from the University are expected to establish house rules consistent with civil law and University regulations and are responsible for ensuring compliance by house residents.

Violation of the terms of the lease and University regulations could result in termination of the lease from the University.

E. Registered student organizations are expected to comply with University Regulations and with state and local laws regarding the conduct of members and guests at all times. For social occasions, student organizations also are expected to abide by University guidelines for event planning published by the Dean of Students.

During social events, student officers will be held accountable for compliance by members and guests. Violation of this regulation may result in discipline of the organization under the Student Code of Conduct or termination of student organization status.

F. Alcoholic beverages are not permitted at University of Kentucky athletic events.

G. Alcoholic beverages may not be sold, directly or indirectly, on University property. (For purposes of clarification, the University of Kentucky Faculty Club, Inc. and Spindletop Hall, Inc. are private corporations which lease property from the University and which hold valid alcoholic beverage license. The facilities occupied by these corporations are places wherein alcoholic beverages may be sold.)

H. Alcoholic beverages are permitted in graduate student apartments and houses, married student housing, and non-student residential housing, provided such use does not violate any law or University regulation.

I. Alcoholic beverages are permitted in University facilities for private events with permission of the respective Chancellor or Vice President (or the administrator's designee), provided such use does not violate any law or University regulation. Such request should be directed to the appropriate Chancellor or Vice President (or designee).

Note: Appendix follows on next page.

Appendix

Kentucky Statutes Applicable to the Use of Alcoholic Beverages

1. It is unlawful for a person to sell, give, purchase, or procure any alcoholic beverage for anyone under twenty-one years of age.
(See KRS 244.080)

2. It is unlawful for a person to possess or consume alcoholic beverages when under twenty-one years of age. (See KRS 244.085)

3. It is unlawful for anyone under twenty-one years of age to misrepresent his or her age for the purpose of purchasing alcoholic beverages.
(See KRS 244.085)

4. It is unlawful for anyone under twenty-one years of age to use or attempt to use any false, fraudulent or altered identification card, paper, or other document to purchase any alcoholic beverage. (See KRS 244.085)

5. It is unlawful for anyone to drink or be under the influence of any alcoholic beverage in public place(s). (See KRS 244.020)

a. "Public place" means a place to which the public or a substantial group of persons has access and includes but is not limited to highway and transportation facilities, schools, places of amusement, parks, places of business, playgrounds, and hallways and lobbies and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence. (See KRS 525.010)

b. The Attorney General has written: A state university campus is a "public place" and the school buildings located thereon are public buildings, so that the drinking of alcoholic beverages on the campus or in the buildings is a violation of law. (OAG 74-39)

c. The Attorney General also has written: A dormitory room on a state university campus is not a "public place" within the definition found in KRS 525.010. (OAG 87-11)

d. The Attorney General has written further: It must be remembered that this opinion does not concern or affect the landlord tenant relationship between state universities and their student dormitory residents. As landlords, state universities continue to have the authority to include as a term of the dormitory room rental agreement a prohibition as to or restrictions on the consumption of alcoholic beverages within the premises leased, even though the student resident may be 21 years or older. (OAG 87-11)

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EMPLOYEE EDUCATIONAL PROGRAM POLICIES AND PROCEDURES

I. Policies

The University encourages self-improvement and career growth of regular, full-time employees through their taking supplemental educational courses and pursuing programs of study.

A. To facilitate career growth and to encourage personal and professional development of employees, the University will waive the tuition for regular, full-time employees in accordance with the policies and procedures stated hereafter.

1. A regular, full-time employee is eligible for tuition waiver for University of Kentucky courses taken at the campus in Lexington, at a community college, or through the statewide Faculty and Staff Tuition Waiver Program (see attached Appendix 1).

2. If an employee is eligible, the maximum number of credit hours for which tuition will be waived shall be no more than six (6) per semester at the campus in Lexington, at a community college, or through the statewide Faculty and Staff Tuition Waiver Program (see attached Appendix 1).

a. Tuition waiver is available for all University of Kentucky courses for which the employee is eligible to register.

b. Tuition waiver is not available for audited or non-credit continuing education, or community education courses.

c. If an employee registers for more hours than the maximum (6 per semester) for which the tuition will be waived, the excess tuition shall be paid by the employee.

3. For the purpose of this policy section, the combination of summer sessions is considered as one semester. Therefore, the total amount of tuition which may be waived shall not exceed the normal tuition for six (6) hours of credit.

4. Fees other than tuition (e.g., breakage fees, books, etc.) shall not be waived by the University.

5. Employees utilizing this policy and who are part-time students shall not be eligible for the Student Health Service or other programs requiring student status but rather shall retain employee status for purposes of all such determinations.

6. In the event an employee terminates employment with the University prior to the first day of classes, any previously approved tuition waiver shall not be honored.

B. A regular full-time employee shall be permitted, with prior administrative approval, to take only one (1) course for credit per semester (or combination of summer sessions) on the campus in Lexington, at a community college, or through the statewide Faculty and Staff Tuition Waiver Program (see attached Appendix 1), during the employee's normal working hours.

1. Scheduling of classes and making up time shall be approved by the employee's department chairperson or immediate supervisor and by the dean or president of the college or the head of an administrative or operating division and shall not compromise the efficiency of any University organizational unit.

2. Provided the department chairperson or immediate supervisor is advised sufficiently prior to the event, an employee shall be given time off to talk with the employee's academic advisor and to attend advance registration, add-drop, etc.

3. All times away from the job as a result of this policy shall be made up within that regular work week, resulting in no net loss of time for which the employee is paid.

II. Delegation

Final approval for scheduling classes during normal working hours and related compensatory time must be approved by the dean or president of the college or by the head of the administrative or operating division, as appropriate. Procedures for certification of eligibility for tuition waiver shall be the responsibility of Human Resource Services.

III. Procedures

A. To enroll in a course offered during an employee's working hours, an employee shall seek approval of the department chairperson or immediate supervisor and of the dean or president of the college or the head of the administrative or operating division.

1. A request to enroll in a course during an employee's working hours shall be made with reasonable time for the department chairperson or immediate supervisor to make sound scheduling decisions.

B. An employee who participates in the tuition waiver program shall register for all desired courses in the same manner as that prescribed for other students attending the University. An employee's status as a student shall be governed by the University Senate Rules.

C. To receive tuition waiver, an employee shall complete an Employee Educational Program Form (Form 51.4.1, a copy of which appears at the end of this Administrative Regulation).

1. If an employee wishes to take a course during normal working hours, the employee shall submit the Employee Educational Program Form to the department chairperson/supervisor and the dean/president/division head within a reasonable time (usually no less than thirty days, but may be a longer period in certain departments) before the start of the semester or summer session.

2. After receiving approval of the department chairperson/supervisor and dean/president/division head, the employee shall submit the form to the Human Resources Services Office. The Human Resource Services Office shall verify employment status to determine eligibility for tuition waiver.

3. For courses taken outside an employee's normal working hours, an employee shall submit the Employee Educational Program Form directly to the Human Resource Services Office.

IV. Procedures for non-UK Employees to register in the Faculty and Staff Tuition Waiver Program

1. Register for course(s)at the University of Kentucky or Lexington Community College by contacting registrar information at (606) 257-3161 for the University of Kentucky and (606) 257-6103 for Lexington Community College

2. Obtain a Faculty and Staff Tuition Waiver Form (Form 51.4.2, a copy of which appears at the end of this Administrative Regulation) from Human Resource

Services at (606) 257-9555 ext. 114 or the Lexington Community College business office at (606) 257-6061.

3. Read the program provisions on the reverse side of the Faculty and Staff Tuition Program Waiver Form.

4. Complete all items in section I, II and III of the Faculty and Staff Tuition Program Waiver Form.

5. Obtain signature in sections IV on the Faculty and Staff Tuition Program Waiver Form from an appropriate Human Resource/Personnel official at your institution verifying regular full time employment status.

6. Forward the original Faculty and Staff Tuition Program Waiver Form to the University of Kentucky, Human Resource Services, 109 Scovell Hall, Lexington, Kentucky 40506-0064. Program forms must be received no later than the last day of drop/add each semester.

7. Direct questions regarding the Statewide Faculty and Staff Tuition Program Waiver Program to (606) 257-9555 ext. 114.

V. Forms

EMPLOYEE EDUCATIONAL PROGRAM FORM (Form 51.4.1)
FACULTY AND STAFF TUITION WAIVER PROGRAM FOR INSTITUTIONS OTHER THAN THE UNIVERSITY OF KENTUCKY AND LEXINGTON COMMUNITY COLLEGE (FORM 51.4.2)

UNIVERSITY OF KENTUCKY
EMPLOYEE EDUCATIONAL PROGRAM FORM

DATE _____

I. TO BE COMPLETED BY EMPLOYEE EACH TERM OF ENROLLMENT (Please type or print clearly and turn in to the appropriate Personnel Office.)

LAST NAME _____ FIRST NAME _____ M.I. _____ WORK PHONE # _____

DEPT./DIVISION _____ SOCIAL SECURITY # _____ DATE OF EMPLOYMENT _____

SECTOR IN WHICH YOU ARE EMPLOYED _____ ROOM & BUILDING _____ SPEED SORT _____

SEMESTER OF ENROLLMENT _____ YEAR _____

MY REGULAR WORK HOURS are _____ (1) starting time _____ (2) lunch begins _____ lunch ends _____ (3) ending time

NOTE: Exempt (monthly) employees work 8 hours per day (40 hour week); most nonexempt (bi-weekly) employees work 7.5 hours per day (37.5 hour week).

II. Do you expect to receive any form of University or federal financial aid (loan, scholarship or grant) other than a University tuition waiver? ☐ Yes ☐ No

_____ Employee Signature _____ Date

III. COURSE(S) FOR TUITION WAIVER Applying for tuition waiver is independent of the admission and registration process. An employee must apply for admission, be admitted and then register for class as any other student. (Under "Where Course Taken" and "Where You Registered For the Course", indicate Lexington campus, Lexington Community College or indicate independent study. The location "where you registered" may be different than where the course is being offered.)

Course Name, Number and Section Number	Days	Times	Number of Hours	Where You Registered For Course	Where Course Taken
(Example) ENG 101-005	MWF	10:00-10:50	3	Lex. Campus	Bourbon County
		TOTAL			

Is one course being taken during work hours: ☐ Yes ☐ No

IV. This section to be completed only if an employee is taking a course during work hours. (NOTE. Only one course may be taken during normal working hours.)

The approved manner in which I will make up scheduled work hours is as follows:

_____ Dept./Div. Chairman/Supervisor _____ Date _____ Dean/Dir./Div. Head/CC Pres. _____ Date

V. The above named individual is a regular full-time staff ☐ or faculty ☐ employee of the University of Kentucky. (Employee check one.)

_____ Personnel Official _____ Date

White - Personnel Official Canary - Dept./Div.Chairman/Supervisor Pink - Dean/Director/Div.Head/CC Pres. Goldenrod - Employee

FORM 51.4.1

UNIVERSITY OF KENTUCKY

FACULTY AND STAFF TUITION WAIVER PROGRAM FOR INSTITUTIONS OTHER THAN THE UNIVERSITY OF KENTUCKY AND LEXINGTON COMMUNITY COLLEGE

I. TO BE COMPLETED BY EMPLOYEE EACH TERM OF ENROLLMENT (Please type or print clearly)

NAME _____ DATE _____
(Last) (First) (M.I.)

SOCIAL SECURITY NUMBER _____ WORK PHONE NUMBER _____

INSTITUTION IN WHICH YOU ARE EMPLOYED (Check one)

☐ Eastern Kentucky University
☐ Kentucky State University
☐ Morehead State University
☐ Murray State University
☐ Northern Kentucky University
☐ University of Louisville
☐ Western Kentucky University
☐ Other please specify _____

SEMESTER AND YEAR OF ENROLLMENT (Check One)

YEAR _____ ☐ Fall ☐ Spring ☐ Summer 1 ☐ Summer 2

II. COURSE(S) FOR TUITION WAIVER. Applying for the tuition waiver is independent of the admission and registration process. An employee must apply for admission, be admitted and then register for class as any other student. (Under "Where Course Taken" and "Where You Registered For the Course", indicate Lexington campus or Lexington Community College. The location "where you registered" may be different than where the course is being offered.)

Course Name, Number and Section Number	Days	Times	Number of Hours	Where You Registered For Course	Where Course Taken
(Example) ENG 101-005	MWF	10:00-10:50	3	Lex. Campus	Bourbon County
		TOTAL			

III. I certify that I am not applying for the tuition waiver under this program in excess of six credit hours per academic term from an institution or combination of institutions.

_____ _____
(Employee Signature) (Date)

IV. The above named individual is a regular full-time employee of

_____
(Institution)

_____ _____
Personnel Official (Employing Institution) (Date)

Distribution:
Original - UK Human Resource Services; 1 copy - Personnel Office of Employing Institution; 1 copy - Employee

FORM 51.4.2

GENERAL PROVISIONS

1. This form is to be used by faculty and staff for all institutions other than the University of Kentucky and Lexington Community College.
2. The Faculty and Staff Tuition Waiver Program applies to the waiver of tuition only and does not include mandatory student fees, course and other fees, textbooks or other charges assessed by the course-offering institutions.
3. The Faculty and Staff Tuition Waiver Program applies to all courses offered for college credit, except: courses offered through overseas programs, independent study/correspondence courses, and audited courses. (Noncredit continuing or community education courses are not eligible for this program.)
4. **Participation in the Faculty and Staff Tuition Waiver Program may generate additional taxable income under the provisions of the federal tax code for graduate, professional and doctoral level programs.**
    a. The course-offering institution will provide a report to the chief personnel officer of each employing institution on all employees participating in the Faculty and Staff Tuition Waiver Program. The report shall designate the course number and whether the course is undergraduate, graduate, doctoral or professional.
    b. The employing institution is responsible for withholding of the proper taxes and for reporting taxable income for all employees of the institution regardless of the institution where the course is taken.
    c. **Any tax liability incurred through participation in this program is the responsibility of the employee.**
5. An institution is not required to offer a course during an academic term unless there are a sufficient number of tuition-paying students taking the course. An institution may restrict enrollment in a course if space is not available.

ELIGIBILITY CRITERIA

1. An employee, to be eligible for participation in the Faculty and Staff Tuition Waiver Program, must be classified by the employing institution as a regular full-time employee. Certification of employment must be provided by the employing institution for each academic term in which the employee seeks to participate in the program.
2. If employment is terminated prior to the first day of classes, an approved waiver will be canceled.
3. An employee is not eligible to receive a tuition waiver in this program in excess of six credit hours per academic term from an institution or combination of institutions. (Note: summer term means the period in the academic calendar between the spring and fall semester.)
4. **Employees must meet the course-offering institution's general admissions requirements and any specific program requirements.**

(For courses taken in the University of Kentucky University System)

a. **ADMISSION**: Refer to the University Bulletin for information concerning undergraduate admission and the Graduate School Bulletin concerning graduate admission. You must meet University admissions deadlines for the semester in which you plan to enroll; you will be assigned an advance registration date or an opening-of-the-term registration date. Students who apply late will be a assessed a late registration fee.
b. **CONTINUING STUDENTS**: All continuing students (including part-time and nondegree students) are required to advance register or they will incur a late registration fee.
c. **BILLING:** You will receive a billing. You should make a payment only for those fees in excess of the tuition (up to six hours).
d. **DROP:** If you decide to drop a course or withdraw for a term, you must notify the Registrar's Office. (FAILURE TO OFFICIALLY WITHDRAW WILL RESULT IN YOUR RECEIVING AN E IN THAT COURSE. THE E GRADE CANNOT BE CHANGED.)

5. **FORM DEADLINE:** The form must be received by UK Human Resource Services by no later than the last day of drop/add each semester.
6. No one is permitted to advance register or register with a delinquency on his/her record.

APPENDIX 1

Approved: August 8, 1997 by the Council on Postsecondary Education

2.51: FACULTY AND STAFF TUITION WAIVER PROGRAM INTERIM POLICY

I. Statement of Purpose

The 1997 First Extraordinary Session of the General Assembly resulted in the creation of a faculty and staff tuition waiver program [KRS 164.020(32)] with the express purpose of promoting employee and faculty development. Specific responsibility was granted to the Council on Postsecondary Education to develop and implement this program. Consistent with stated legislative purpose, this policy sets out the parameters of this program, which is intended to enhance the professional development opportunities of the employees and faculty of the public postsecondary institutions.

II. Statutory Authority

Authority is expressly granted in KRS 164.020(32) which provides the Council on Postsecondary Education shall:

> (32) Develop a statewide policy to promote employee and faculty development in all postsecondary institutions through the waiver of tuition for college credit coursework in the public postsecondary education system. Any regular full-time employee of a postsecondary public institution may, with prior administrative approval of the course offering institution, take a maximum of six (6) credit hours per term at any public postsecondary institution. The institution shall waive the tuition up to a maximum of six (6) credit hours per term; ...

Additional requirements for employees of the Kentucky Community and Technical System are stated in KRS164.5807:

> (6) A regular full-time employee may, with prior administrative approval, take one (1) course per semester or combination of summer sessions on the University of Kentucky's campus or at a community college during the employee's normal working hours. The University of Kentucky shall defray the registration fee up to a maximum of six (6) credit hours per semester or combination of summer sessions.

Section A. Definitions

1. "Course-offering institution" means the institution where an employee has enrolled to take a college credit course under the provisions of this policy.

2. "Employing institution" means the institution where an employee seeking a benefit under this policy, works on a full-time basis.

3. "Institution" means a state-supported postsecondary institution as described in KRS 164.001(10).

4. "Regular full-time employee" or "employee" means an employee so classified by an employing institution within the human resources system of that institution. NOTE: Until July 1, 1998, participation by the technical branch of the Kentucky Community and Technical College System (KCTCS) is limited to employees of the postsecondary technical institutions and the postsecondary faculty of the area centers. On July 1, 1998, all KCTCS employees will become eligible.

5. "Summer term" or "summer session" means the period in the academic calendar between the spring and the fall semester.

Section B: General Requirements

1. The program is to be titled the Faculty and Staff Tuition Waiver Program.

2. The Faculty and Staff Tuition Waiver Program applies to the waiver of tuition and does not include mandatory student fees, course and other fees, textbooks or other charges assessed by a course-offering institution.

3. The Council on Postsecondary Education requires that all tuition waived under this program:

   a. be recorded consistent with residency requirements;
   b. be recorded in the financial accounting system of the course-offering institution consistent with financial reporting guidelines of the Council; and
   c. be separately identified in the course-offering institution's student database consistent with Council guidelines.

4. The Faculty and Staff Tuition Waiver Program applies to all courses offered for college credit not specifically excluded by this policy.

5. A course-offering institution may, through a written policy, exclude non-credit continuing or community education courses, courses offered through overseas programs, correspondence courses and audited courses.

6. Participation in the Faculty and Staff Tuition Waiver Program may generate additional taxable income under the provisions of the federal tax code for graduate, professional and doctoral level programs.

   a. The course-offering institution shall provide a report to the chief personnel officer of each employing institution on all employees participating in the Faculty and Staff Tuition Waiver Program. The report shall designate the course number and whether the course is undergraduate, graduate, doctoral or professional.

   b. The employing institution is responsible for withholding of the proper taxes and for reporting taxable income for all employees of the institution regardless of the institution where the course is taken.

   c. Any tax liability incurred through participation in this program is the responsibility of the employee.

7. This policy confers a financial benefit to regular, full-time employees and is not intended to guarantee access or preferential treatment to any academic course or program.

8. An employee eligible to participate in this program may take courses during normal working hours with written permission of the employing institution.

9. An institution is not required to offer a course during an academic term unless there are a sufficient number of tuition-paying students taking the course. An institution may restrict enrollment in a course if space is not available.

10. An institution may offer additional benefits to its own employees or to employees of other postsecondary institutions that exceed the benefits of this policy.

Section C: Eligibility Criteria

1. An employee, to be eligible for participation in the Faculty and Staff Tuition Waiver Program, must be classified by the employing institution as a regular full-time employee. Certification of employment shall be provided by the employing institution for each academic term in which the employee seeks to participate in the program.

2. If employment is terminated prior to the first day of classes, an approved tuition waiver will be canceled.

3. An employee is not eligible to receive a tuition waiver under this program in excess of six credit hours per academic term from an institution or combination of institutions.

4. Employees must meet the course-offering institution's:

    a. general admission requirements; and

    b. any specific program requirements.

    c. A course-offering institution may require that a student achieve a minimum grade level, not to exceed a 2.0 on a 4.0 grade scale, in order to continue to be eligible to participate in the Faculty and Staff Tuition Waiver Program in subsequent academic terms.

Section D: Effective Date of This Policy

Original approval: August 8, 1997. Amended: November 3, 1997

Certification:
Kenneth J. Walker, Acting Chief Operating Officer

III. FACULTY AND STAFF TUITION WAIVER PROGRAM STATEWIDE (NON-UK EMPLOYEES)

UNIVERSITY OF KENTUCKY ADMINISTRATIVE REGULATIONS	IDENTIFICATION AR II-1.1-6	PAGE 1
	DATE EFFECTIVE 6/16/83	SUPERSEDES REGULATION DATED AR II-2.0-6 4/4/72

POLICY STATEMENT ON NAMING UNIVERSITY BUILDINGS

Naming new buildings and changing the names of existing structures of the University of Kentucky, whether on the main campus or elsewhere, is of interest to the entire University community. Choosing a truly appropriate name - one that accounts for present and possible future uses of the building, that reflects functions performed and interests served by so simple a thing as a name - is no easy task. There is a need to establish workable methods and standards for appropriately naming University buildings which will serve the following ends:

Aid the President and the Board of Trustees in selecting suitable names;

Encourage participation in the naming process by the University community, faculty, staff, alumni, trustees, and friends; and

Make more generally understood the considerations involved in suitably naming University buildings.

I. Guidelines

A. All University buildings, such as the Medical Center, dormitories, and athletic facilities which are dedicated to highly specialized uses that prevent their conversion to other functions, shall carry as part of their names terms which describe their uses, whatever other names may be given them. Functionally descriptive names attached to other types of buildings do not, however, prevent their later use for different purposes and with different names.

Functionally descriptive names for general purpose office-classroom and administrative buildings are generally to be discouraged since future changes in occupancy would require costly and time-consuming changes on each occasion.

B. When some other name seems more appropriate than a functionally descriptive one, the nominations should demonstrate that the remarkable associations of that name either with the history of the University or the nation or with the advancement of knowledge and learning guarantee that it will remain memorable long beyond the lifetime of those who propose the name. Nominations whose claims are parochial, of recent date and untested by the passage of time, or based on personal enthusiasm are to be avoided. Considerable historical perspective should be exercised before proposing names. Nominations of persons on active service with the University, especially where that service is to be performed in a building so

named, is at best in questionable taste and should not be considered except in the most extraordinary cases. Proposing the names of living persons no longer on active service with the University also should be approached as most exceptional cases.

C. Priorities governing the selection of names:

1. All living units, athletic and recreational structures and areas, and specialized-function structures should carry in their names terms describing their uses, such as House, Village, Field, or Coliseum, whatever other names may be given them.

Such structures or areas ought to be given names that carry some general significance for the University as a whole, as Memorial Coliseum now does. If personal names are to be considered, first priority ought to attach to those whose interest in the University has been expressed in some unusually significant manner, or to those whose names permanently and generally symbolize to a unique degree some important aspect of University life or values.

2. Service structures should carry only functionally descriptive names.

3. Community colleges and other off-campus structures should ordinarily be given names which describe their geographical location.

4. General administrative and multipurpose office and classroom buildings serving several disciplines or offices may properly carry names of historical significance to the University as a whole, as distinct from those names of interest only to a particular function or use.

5. Buildings devoted to the interests of a single administrative or academic unit may carry names associated historically with that field of study or endeavor or names of those whose interests in that field and in the University merit the honor.

6. It is appropriate to express the esteem and appreciation the University feels for one who has brought honor to the institution by personal accomplishments, or who has given significantly of personal time and money, by giving the person's name to a University structure or area. Wherever possible, however, the person's name should grace a structure that houses some activity appropriate to that person's field of interest or endeavor.

II. Procedures

A. The duty of surveying and recommending proposed names to the President and the Board of Trustees should be lodged in an advisory committee appointed by the President.

1. All nominations should be submitted to the chairperson of this committee, together with a statement indicating the suitability of the proposed name in accordance with the guidelines. (Refer to AR III-1.1-1 for the committee's charge.)

2. All nominations should conform to these procedures and guidelines. If a peculiarly appropriate name does not so conform, the reasons for setting aside the usual criteria should accompany the nomination.

3. All nominations shall be held in the strictest confidence by all interested parties.

B. It is not possible to establish hard and fast rules to govern every naming situation that may arise. An orderly approach, however, is indicated.

1. All new buildings should be named, wherever practicable, by the time preliminary architect's drawings are approved. Barring this, their names and the name changes of existing buildings should be determined as far as possible ahead of occupancy.

2. When no final determination of the name of a new building seems appropriate at the time of construction, it shall be given a functionally descriptive name until such time as circumstances warrant a permanent name.

3. The names of certain existing buildings which reflect participation in underwriting their construction by some donor, subscription, or other special circumstance, and whose original use was designed for particular occupants, may come in question when occupancy is changed. In such cases, special consideration should be given to the destination of its original name, and consultations between all interested parties should precede recommendations to the Board of Trustees.

4. The names of rooms in, or of spaces within or adjoining, buildings whose use will be confined to their occupants shall be left to the discretion of those administering the space during their term of occupancy, subject only to the approval of the committee and the President and to the provisions of the guidelines.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.1-7	PAGE 1
	DATE EFFECTIVE 10/27/94	SUPERSEDES REGULATION DATED 1/2/86 10/27/94

FACULTY APPOINTMENT AND ASSIGNMENT PERIODS

Tenured faculty members are on continuous appointment. Non-tenured faculty members are appointed on a fiscal year basis (July 1 - June 30). Regular assignments of faculty members, however, shall be on nine-month (academic year), ten-month, eleven-month, and twelve-month bases within a fiscal year.

Faculty members employed on a nine-month (academic year) assignment basis normally shall be available for participation in academic activities from August 16 through May 15. There is no entitlement to vacation during this period. Faculty members employed on a nine-month assignment basis may be permitted to engage in University employment during an interim between regular assignment periods to a maximum extent of three months or 66 working days per year. Daily or monthly compensation for full-time University employment during such an interim shall not exceed 1/195 or 1/9, respectively, of an individual's regular nine-month assignment period salary for the fiscal year in which the activity occurs.

Faculty members employed on a ten-month assignment basis shall be normally available for participation in academic activities from August 1 through May 31, or during any other ten-month period which has been established after consultation with the affected faculty members and approved by the appropriate chancellor or vice president. All full-time faculty members on a ten-month assignment basis shall be entitled to 22 working days of vacation leave with pay per assignment period. With prior administrative approval, faculty members may take vacation leave at appropriate times during the period in which they are eligible to take such leave; however, each member of the teaching faculty shall be in actual attendance at least until after Commencement and until all reports have been made, and at least three days prior to the first day of registration for the fall semester, unless for special reasons leave is approved. Vacation leave normally cannot be accumulated from one assignment period to another; however, under unusual circumstances, provided it is in the best interest of the University and has advance approval by the appropriate chancellor or vice president, a faculty member employed on a ten-month assignment basis also may take unused vacation leave during the assignment period following that in which the leave was earned. Faculty members employed on a regular ten-month basis may be permitted to engage in University employment during an interim between regular assignment periods to a maximum extent of two months or 44 working days per year. Daily or monthly compensation for full-time University employment during such an interim shall not exceed 1/217 or 1/10, respectively, of an individual's regular ten-month

assignment period salary for the fiscal year in which the activity occurs.

Faculty members employed on an eleven-month assignment basis shall be normally available for participation in academic activities from August 1 through June 30, or during any other eleven-month period which has been established after consultation with the affected faculty members and approved by the appropriate chancellor or vice president. All full-time faculty members on an eleven-month assignment basis shall be entitled to 22 working days of vacation leave with pay per assignment period. With prior administrative approval, faculty members may take vacation leave at appropriate times during the period in which they are eligible to take such leave; however, each member of the teaching faculty shall be in actual attendance at least until after Commencement and until all reports have been made, and at least three days prior to the first day of registration for the fall semester, unless for special reasons leave is approved. Vacation leave normally cannot be accumulated from one assignment period to another; however, under unusual circumstances, provided it is in the best interest of the University and has advance approval by the appropriate chancellor or vice president, a faculty member employed on an eleven-month assignment basis also may take unused vacation leave during the assignment period following that in which the vacation leave was earned. Faculty members employed on a regular eleven-month assignment basis may be permitted to engage in University employment during an interim between regular assignment periods to a maximum extent of one month or 22 working days per year. Daily or monthly compensation for full-time University employment during such an interim shall not exceed 1/238 or 1/11, respectively, of an individual's regular eleven-month assignment period salary for the fiscal year in which the activity occurs.

A faculty member employed on a nine-month, ten-month, or eleven-month assignment basis shall not engage in two or more University assignments during a interim between two regular assignment periods unless a request for such has been forwarded through proper administrative channels and approved in advance by the appropriate chancellor or vice president. For any such request which is approved, an individual's total compensation from all types of University assignments during such an interim shall not exceed the maximum compensation permitted in the absence of summer session teaching.

Faculty members employed on a twelve-month assignment basis shall be normally available for participation in academic activities from July 1 through June 30. All full-time faculty members on a twelve-month assignment basis shall be entitled to 22 working days of vacation leave with pay per assignment period. With prior administrative approval, faculty members may take vacation leave at appropriate times during the period in which they are eligible to take such leave; however, each member of the teaching faculty shall be in actual attendance at least until after Commencement and until all reports have been made, and at least three days prior to the first day of registration for the fall semester, unless for special reasons leave is approved. Faculty

members employed on a twelve-month assignment basis may take vacation leave either during the assignment period in which the vacation leave is earned or during the subsequent assignment period.

Temporary faculty members on full time assignment are entitled to the same holiday leave granted to regular faculty members; are not entitled to vacation leave; and are not entitled to compensation for unused holiday leave.

Faculty assignments within each chancellor or vice president sector shall be administered in a manner approved by the chancellor or vice president for that sector.

WAR1:103
(2509A)

GUIDELINES FOR EMPLOYMENT OR ASSIGNMENT OF FACULTY AND STAFF RELATED TO OUT-OF-STATE PROGRAMS

The University of Kentucky is continuously involved in out-of-state programs which are pertinent and justifiable in view of both the nature and mission of the University. Funding for these programs shall be derived through contracts, grants, and cooperative agreements. Activities in such programs must be considered as appropriate professional activities for the faculty and staff associated with the programs.

A. Faculty Performance Review and Promotion

Faculty and staff on out-of-state assignments in international or other programs shall be evaluated for purposes of performance review and promotion on the basis of their performances and accomplishments in their assigned areas of activity (refer to Sections A and B.4 of AR II-1.0-5). They shall receive salary increases based on merit, promotion, and catch-up adjustments in conformity with such increases received by on-campus faculty and staff of comparable rank or status.

B. Salary

Out-of-state assignments on international or other programs involve some disruptions of individuals' personal and professional lives and usually incur significant additional costs such as those associated with maintaining dual residences and making more long-distance communications. Therefore, relative to such assignments, the following salary adjustments shall be permitted:

1. During assignments involving one month or more of continuous service, salaries of faculty and staff participants may be increased up to ten percent to provide compensation for additional costs usually incurred while on temporary assignments away from home.

2. During assignments involving a period of one year or more, faculty who normally are appointed on a nine-month, ten-month, or eleven-month assignment basis shall have their appointments changed to a twelve-month assignment basis and their annual base salaries increased by a factor of two-ninths, two-tenths, or one-eleventh, respectively.

3. When such an assignment does not allow consulting activities in accordance with normal University policy, an individual's twelve-month base salary may, to the extent permitted by the funding agency, be increased.

4. Assignments involving increased responsibilities may carry salary increases up to eight percent of twelve-month base salaries. Normally only one individual per program or project shall receive such an increase, and the increase shall be limited to the period during which the individual has increased responsibilities. No such adjustment shall be made for a temporary assignment of sixty days or less.

5. Faculty and staff serving in such assignments supported through contracts, grants, or cooperative agreements from governmental agencies or other institutions shall be eligible to receive other allowances and perquisites which the funding agencies normally afford their employees. In the absence of other arrangements, the regulations for United States Government employees may be used.

C. Vacation and Sick Leave

Faculty and staff on out-of-state assignments in international or other programs for periods of less than one year shall maintain their normal annual leave or vacation privileges. When such assignments prevent taking vacation leave which shall lapse on a given deadline, individuals may request postponement of the deadline, but in no case shall postponement of more than three months be approved.

Individuals on out-of-state assignments in international or other programs for periods of one year or more shall be expected to take vacation leave earned during such assignments prior to the end of the assignments. Unused vacation leave to which faculty and staff were entitled at the commencement of their out-of-state assignments shall be restored to them upon their return to campus.

Faculty and staff shall be eligible for sick leave during out-of-state assignments in international or other programs exactly as though they were assigned on campus. Sick leave required during such an assignment shall, to the maximum extent possible under the rules of the funding agency, be paid from contract, grant, or cooperative agreement funds; in all cases, however, individuals shall be entitled to sick leave normally available to them under University policies.

D. Employment of Faculty

When it is necessary to employ faculty for out-of state assignments in international or other programs for a period of one academic year (nine months) or less, appointments shall be made on a visiting faculty basis. When it is necessary or desirable to employ faculty for such programs for a period exceeding nine-months, but not exceeding seven years including applicable prior service, appointments without tenure shall be made and handled in the same manner as for those of other non-tenured faculty. However, in such a case, if it is not known that a position will be available for an individual to continue with the University after completion of an out-of-state assignment, the individual should be so informed at the time of initial appointment.

Also, remarks should be included on the Notice of Academic Appointment and Assignment form for the individual to indicate clearly that conditions of the appointment are such that the appointment shall neither be renewed beyond a fixed date nor lead to consideration for tenure.

When individuals are on leave from similar institutions where they are employed in capacities equivalent to those for which they are being employed in international programs, salaries shall be determined as though the individuals were already University of Kentucky employees with the exception that differences in fringe benefits paid by their home institutions and those paid under their assignments with the University of Kentucky may be taken into account. When the preceding conditions are not applicable, salaries shall be negotiated.

E. Exceptions

Because of regulations of certain funding agencies or special requirements of some out-of-state assignments in international or other programs, it is recognized that it may not always be possible to follow exactly the guidelines in this administrative regulation. Deviations from these guidelines, therefore, may be made upon written approval of the appropriate chancellor.

UNIVERSITY POLICY AND PROCEDURES ON SEXUAL HARASSMENT

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UNIVERSITY POLICY AND PROCEDURES ON SEXUAL HARASSMENT

A. University Policy

The University of Kentucky, in its efforts to foster an environment of respect for the dignity and worth of all members of the University community, is committed to maintaining a work-learning environment free of sexual harassment. The presence of sexual harassment in our community undermines the mission of the University and will not be tolerated. Sexual harassment is a form of sex discrimination prohibited by both state and federal law. These state and federal laws have time limitations which must be met regardless of whether an employee or student decides to follow the procedures outlined below for making either an informal or formal complaint.

The following general policy statement on sexual harassment was approved by the Board of Trustees on March 1, 1983:

> It is the policy of the University of Kentucky that sexual harassment of students, faculty, and staff is prohibited. Complaints of sexual harassment will be treated and investigated with full regard to the University's due process requirements.

B. Definition

For purposes of this Policy sexual harassment is a form of sexual discrimination that includes unwelcome* sexual advances, requests for sexual favors, or other verbal or physical actions of a sexual nature when:

> Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a university course, program, or activity;
>
> Submission to or rejection of such conduct by an individual is used as a basis for an employment decision or a decision affecting an individual's status in a university course, program, or activity; or
>
> Such conduct substantially interferes with an individual's work, academic participation or performance, or creates an intimidating, hostile, or offensive working or educational environment.

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* Conduct of an amorous or sexual nature occurring in an apparently welcome relationship may be unwelcome due to the existence of a power difference which restricts a subordinate's freedom to participate willingly in the relationship.

C. Prohibited Acts and Sanctions

Every member of the University community is prohibited from:

Engaging in sexual harassment;

Retaliating in any manner against any individual who complains about sexual harassment or who participates in any procedure to investigate or redress a complaint of sexual harassment; and,

Making an intentionally false accusation of sexual harassment through the University's procedures.

Any member of the University community who engages in one of these prohibited acts against any other member of the University community shall be subject to disciplinary action and appropriate sanctions.

D. Illustrations of Sexual Harassment

Sexual harassment most often takes place in situations of a power differential between the individuals involved. Typically, but not exclusively, such relationships are found between supervisor and employee; senior faculty and junior faculty; graduate teaching assistant and undergraduate; and faculty and student, when the student is enrolled in a faculty member's class or when the faculty member is in a position to continue to influence the student's academic performance, career, or advancement. The University's policy against sexual harassment prohibits sexual harassment between members of the University community regardless of their status within the University.

Sexual harassment encompasses sexual attention that is unwanted. Conduct prohibited under this policy may manifest itself in many different ways including, but not limited to, conduct as blatant as:

physical assault;
direct solicitation of sexual favors; or
direct solicitation of sexual favors accompanied by overt threats.

Sexual harassment may also arise from behavior which has the effect of creating an intimidating, hostile, or offensive educational or working environment. In this regard, the following types of acts may illustrate impermissible sexual harassment:

unwelcome physical contact;
sexual remarks about a person's clothing, or body;
sexual questions, jokes, anecdotes and stories; and
introduction of sexually explicit materials into the classroom or into the workplace without an educational or work-related purpose.

E. Amorous or Sexual Relationships

The University strongly urges those in positions of authority not to engage in conduct of an amorous or sexual nature with a person they are, or are likely in the future to be, in a position of evaluating. The existence of a power difference may restrict the less powerful individual's freedom to participate willingly in the relationship.

If one of the parties in an apparently welcomed amorous or sexual relationship must evaluate the performance of the other person, the relationship must be reported to the dean, department chair or supervisor so that suitable arrangements can be made for an objective evaluation of the student or employee.

F. Procedures for Considering Complaints of Sexual Harassment in the University of Kentucky

There are both informal and formal procedures for the investigation and resolution of complaints of sexual harassment. These procedures are internal to the University of Kentucky. Any individual with a complaint of sexual harassment ("complainant"), whether a student, faculty member, staff member or administrator, may elect to use either the informal or formal process.

The filing of an informal complaint is not a prerequisite to the filing of a formal complaint. The complainant may request the formal process at any time during the informal process or following conclusion of the informal process.

If an individual who has more than one role or status in the University (e.g., an employee also enrolled as a student) is involved in an incident of alleged sexual harassment, the individual's status at the time the alleged incident occurred is used to determine the applicable informal and formal procedure(s).

During the period the complainant participates in the informal procedures, the time limit for filing a formal complain shall be suspended.

The complainant may choose an individual to accompany the complainant at any or all stages of both the informal and formal procedures. The accompanying individual may be an advisor to the complainant, an advocate on behalf of the complainant, or both. The selection of an accompanying individual shall be at the discretion of the complainant.

1. Informal Procedures

Students, faculty members, staff members, or house officers at the University of Kentucky who believe they have been sexually harassed may consult an informal advisor to resolve a complaint of sexual harassment.

a. Determining the Appropriate Informal Advisor for the Complainant

If the Complainant is:	Contact:
Student (Lexington Campus Sector or Medical Center Sector)	Dean of Students or Academic Ombud
Student (Lexington Community College)	Dean of Students or Chief Student Affairs Officer

If the Complainant is:	Contact:
Student (Community College Sector)	Chief Student Affairs Officer
Faculty	Academic Ombud, Chief Student Affairs Officer, or Affirmative Action Office
Staff	Employee Counselor or Affirmative Action Office

2. Formal Procedures

a. References to Descriptions of Formal Procedures for the Lexington Campus Sector, the Medical Center Sector, and the Central Administration

If Alleged Harasser is:	Formal Procedure
Student	Article I - The University Judicial System
Faculty	Rules of the University Senate Section VI - Academic Rights of Students, or Section VII - Code of Faculty Responsibilities
Staff	University of Kentucky Personnel Policy and Procedure Manual University of Kentucky Staff Personnel Policy and Procedure No. 7.0: Grievances, or GR XII.H. Order of Communications
House Officer	University of Kentucky Administrative Regulations AR II-7.0-5, or GR XII.H. Order of Communications

b. References to Descriptions of Formal Procedures for the Community College Sector

If Alleged Harasser is:	Formal Procedure
Student	The Community College Code of Student Conduct Article I - The Community College Judicial System

If Alleged Harasser is:	Formal Procedure
Faculty	Rules of the Senate of the Community College System Section VII - Student Academic Affairs, or GR XII.H. Order of Communications
Staff	University of Kentucky Personnel Policy and Procedure Manual University of Kentucky Staff Personnel Policy and Procedure No. 7.0: Grievances, or GR XII.H. Order of Communications

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UNIVERSITY OF KENTUCKY
DRUG ABUSE POLICY AND PROCEDURES

I. Policy

The University of Kentucky is committed to providing a healthy and safe workplace for its most valuable resource - its employees. Conduct which is a violation of this policy poses unacceptable risk and disregard for the health, safety, and welfare of co-workers, students, and the total University community.

A. The unlawful possession, use, dispensation, distribution or manufacture of controlled substances by employees, while on University of Kentucky property and/or on University of Kentucky business, is prohibited.

B. Any employee who engages in the unlawful possession, use, dispensation, distribution, or manufacture of controlled substances, while on University of Kentucky property and/or on University of Kentucky business or who is convicted of a criminal drug statute violation which occurred in the workplace or while on University property is subject to disciplinary action, up to and including suspension and/or discharge.

C. The legal use of prescribed medicines under the direction of a licensed physician is permitted. Employees in selected positions, designated by the University of Kentucky, are required to make such use known to an appropriate University of Kentucky representative. (See departmental standard operating procedures.) An employee using prescribed medicines should consult with a physician concerning the safe use of the drug during working hours.

II. Delegation

Authority for enforcement of this policy is vested with the appropriate chancellor or vice president in coordination with the sector personnel office.

III. Procedures

A. The University of Kentucky provides for its employees educational programs and general information which include the following:

(a) The dangers of drug use and abuse in the workplace;
(b) University of Kentucky Drug Free Workplace Policy;
(c) The availability of drug counseling, rehabilitation and employee assistance programs; and
(d) The penalties for violation of the University of Kentucky Drug Abuse Policy.

B. In the University System, whenever a supervisor witnesses the unlawful possession, use, dispensation, distribution or manufacture of controlled substances by an employee, that supervisor shall (1) immediately notify the appropriate police authority, (2) suspend the employee pending further investigation, and (3) inform the sector chief personnel officer or the appropriate dean. In the Community College System, the supervisor shall inform the community college president who shall (1) immediately notify the appropriate police authority, (2) suspend the employee pending further investigation, and (3) inform the community college chief official for staff personnel or for faculty.

1. The appropriate sector chief personnel officer for the Lexington Campus and the Medical Center or the respective community college president in conjunction with the employee's supervisor and the community college chief personnel officer, and the University Police (for Lexington Campus, Medical Center/Hospital and Community College employees working in Lexington) shall conduct an investigation and, based on the factual information obtained from all parties involved, determine whether there has been a violation of this policy.

NOTES: (1) If the employee is engaged in the performance of a grant or contract, the sector chief personnel officer or dean or president will notify the Vice President for Research and Graduate Studies that an investigation has been instituted.

(2) All discussions, investigations and basis for disciplinary or rehabilitative actions shall be strictly confidential.

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2. For staff employees, if the evidence confirms that the employee has violated this policy, the sector chief personnel officer or president of a community college with the community college chief personnel officer, in accordance with Staff Personnel Policy and Procedures Number 12 and Number 62, shall determine the appropriate sanction to include the following:

a. Disciplinary action up to and including suspension and/or discharge; and/or

b. Referral to an employee assistance program and/or drug rehabilitative program.

For faculty members and for teaching assistants and research assistants in their teaching and research assignments in the University System, if the evidence confirms that the faculty member, teaching assistant, or research assistant has violated this policy, the dean shall make a written report containing the dean's recommendation and findings and forward it to the appropriate chancellor through the University Senate Advisory Committee on Faculty Code. In addition to referral to an employee assistance program

and/or drug rehabilitative program, sanctions include those listed in Section 4.0 of the Code of Faculty Responsibility. For faculty members of the Community College System, the president shall make a written report containing the president's recommendation and findings and forward it to the Chancellor who shall impose a sanction.

3. For postdoctoral scholars, residents, and clinical fellows, if the evidence confirms that a postdoctoral scholar, a resident, or a clinical fellow has violated this policy, the dean of the appropriate college in the Medical Center or the Dean of the Graduate School for all such persons outside the Medical Center shall make a written report containing the dean's recommendation and findings and forward it to the Chancellor for the Medical Center or the Vice President for Research and Graduate Studies, as appropriate, who shall impose a sanction.

4. For student employees, if evidence confirms that the student has violated this policy, the sector chief personnel officer or the president of the community college with the community college chief personnel officer, consistent with Staff Personnel Policy and Procedures Number 12.0 and Number 62.0, shall determine the appropriate sanction in accordance with the student employee's status as an at-will employee.

NOTE: Nothing in this policy shall be construed to prohibit or interfere with whatever appropriate disciplinary action which may be taken in accordance with the student employee's student status, as provided by the Code of Student Conduct.

C. Whenever a supervisor notices an employee with overt signs of mental or physical impairment thought secondary to substance abuse, or when job related behavior or work performance suggests substance abuse, the supervisor shall refer the employee to the Lexington Campus Employee Assistance Program (REFER). In the University Hospital/Medical Center, employees shall be referred to the designated employee assistance program coordinator. Community College System employees shall be referred to an appropriate local rehabilitation health service by the president.

1. The decision to acknowledge substance abuse and accept therapeutic intervention rests with the employee and participation in an employee assistance program or rehabilitation program is voluntary. However, refusal to participate in appropriate intervention program(s) shall result in disciplinary action, up to and including suspension and/or dismissal.

2. The Employee Assistance Program coordinator or, where no employee assistance program exists, the sector chief personnel officer or the respective dean or the community college president with the community college chief personnel officer shall monitor the progress of the employee and inform the supervisor of the employee's progress and anticipated safe return to the job.

3. If an employee with suspected substance abuse and/or poor work performance, thought secondary to that substance abuse refuses employee assistance program referral and/or appropriate rehabilitation services, the appropriate dean or president of a community college, the sector chief personnel officer and the employee's supervisor shall institute the appropriate work performance evaluation and action.

D. The sector chief personnel officer shall notify the Lexington Campus Police Department whenever unauthorized controlled substances are found on University of Kentucky property.

E. In compliance with the Federal Drug-Free Workplace Act of 1988 (Section 5151), an employee shall abide by this Drug Abuse Policy, and notify the immediate supervisor if the employee is convicted of a criminal drug offense occurring in the workplace or while on University business within five (5) days after the conviction. The immediate supervisor shall immediately notify the respective sector chief personnel officer or community college president when a staff employee is involved and the appropriate dean or community college president when a faculty member is involved. If the employee is under Federal contract or grant, the sector chief personnel officer, dean, or community college president shall notify the Vice President for Research and Graduate Studies who in turn shall notify the appropriate Federal contract/granting agency within ten (10) days after notification to the supervisor of the conviction.

1. Within thirty (30) days after an employee's conviction for a drug offense on University of Kentucky property and/or on University of Kentucky business, the University of Kentucky shall take appropriate sanctions and remedies in accordance with this policy, Staff Personnel Policy and Procedures Number 12.0 and Number 62.0 or the Faculty Code of Responsibility or other appropriate administrative policies and procedures, up to and including termination, suspension, and/or satisfactory participation in an approved substance abuse assistance/rehabilitation program.

IV. Drug Free Workplace Notification Form

This form is provided in the Appendix which follows on the next page.

APPENDIX

MEMORANDUM

TO: All Employees
FROM: David P. Roselle
RE: Drug-Free Policy Notification

The Federal Drug-Free Workplace Act of 1988 (Section 5151) requires that all employees receive a copy of the University's statement which certifies that UK is a drug-free workplace. This policy notification and the signed statement (below) insure the University's compliance with the federal law. For purposes of the law and this policy, drug is defined as "controlled substance," which means any controlled substance in schedules I through V of section 2020 of the Controlled Substance Act, which, in turn, means virtually every controlled substance from the worst street drugs to mild prescription drugs; however, the two substances not covered are alcohol and tobacco products. The entire text of the University's policy and procedures for being a drug-free workplace is contained in AR II-1.1-10 and in Staff Personnel Policy and Procedures Number 13.0: Drug Abuse Policy.

The University of Kentucky is committed to providing a drug-free workplace for its employees. Accordingly, it is a violation of University policy for an employee to unlawfully manufacture, distribute, dispense, or use a controlled substance while in the workplace or on University business. It is University policy that a violation of the above shall result in appropriate action which may include referral to an employee assistance program/rehabilitation program and/or disciplinary action up to and including suspension or dismissal. Additionally, the University has a drug-free awareness program which includes educational programs and general information on the following:

1. The dangers of drug use and abuse in the workplace;
2. The details of the University's Drug Abuse Policy (AR II-1.1-10 and Policy 13.0); and
3. The availability of drug counseling, rehabilitation and employee assistance programs.

After reading this policy notification, I request that you read and sign the following certification. This document will be placed in your personnel file in the sector personnel office.

Drug-Free Workplace Policy Certification

In accordance with federal law and University policy, I understand the following:

1. That I shall notify my immediate supervisor within five (5) days of my conviction of any criminal drug statute violation which occurred in the workplace or while on University business;

2. That, if I am employed on a federal grant or contract, the University shall notify the granting or contracting agency within ten (10) days of receiving notice of my conviction; and

3. That the University shall take appropriate action, as outlined in AR II-1.1-10, within thirty (30) days of receiving notice of my conviction.

I have read carefully the policy notification and the above. I fully understand the information and requirements contained herein. I further understand that failure to abide by the University's Drug Abuse Policy may result in my being required to participate satisfactorily in a drug abuse assistance/rehabilitation program and/or in disciplinary action up to and including suspension or dismissal.

Signature	Date	Social Security Number

Print Full Name	Department and Sector

(White) copy—Personnel File; (Canary) copy—Employee

UNIVERSITY OF KENTUCKY
ALCOHOL ABUSE POLICY AND PROCEDURES

I. Policy

The University is committed to providing a healthy and safe workplace for its employees. The problem of alcohol abuse constitutes a growing national crisis; therefore, the University has this alcohol abuse policy.

A. Conduct which is a violation of this policy poses unacceptable risk and disregard for the health, safety and welfare of co-workers, students and the total University community.

1. Alcohol abuse, or being under the influence or the unauthorized use or consumption of alcohol on University of Kentucky property or while on University business, is prohibited and is subject to disciplinary action up to and including suspension and/or discharge.

2. Reporting to work under the influence of alcohol is prohibited and is subject to disciplinary action, up to and including suspension and/or discharge.

II. Delegation

Authority for enforcement of this policy is vested with the appropriate chancellor or vice president in conjunction with the sector personnel office.

III. Procedures

A. The University of Kentucky provides educational programs and general information on the danger of alcohol use and abuse in the workplace. The University of Kentucky trains its supervisors to recognize mental and physical signs of problem drinking.

B. In the University System, whenever a supervisor notices an employee suspected of being under the influence of alcohol, that supervisor shall (1) suspend the employee pending further investigation and (2) inform the respective sector chief personnel officer for a staff employee, or the appropriate dean for faculty. For the Community College System, the supervisor shall inform the community college president who shall (1) suspend the employee pending further investigation and (2) inform the community college chief official for staff personnel or for faculty.

1. For faculty the appropriate dean or community college president, and for staff employees the respective sector chief personnel officer for the Lexington Campus and the Medical Center or the respective community college president in conjunction with the employee's supervisor and the community college chief personnel officer, shall conduct an investigation

and, based on factual information obtained from all parties involved, determine whether there has been a violation of this policy.

NOTE: All discussions, investigations, and basis for disciplinary or rehabilitative actions shall be strictly confidential.

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2. For staff employees, if the evidence confirms that the employee has violated this policy, the sector chief personnel officer with the employee's supervisor, or the appropriate community college president with the employee's supervisor and the community college chief personnel officer, shall review the factual information to determine the appropriate action which includes the following:

(a) Disciplinary action up to and including suspension and/or discharge; and/or

(b) Referral to an employee assistance program or rehabilitation program.

3. For faculty members and for teaching assistants and research assistants in their teaching and research assignments in the University System, if the evidence confirms that the faculty member, the teaching assistant or the research assistant has violated this policy, the dean shall make a written report containing the dean's recommendation and findings and forward it to the appropriate chancellor through the University Senate Advisory Committee on Faculty Code. In addition to referral to an employee assistance program and/or drug rehabilitative program, sanctions include those listed in Section 4.0 of the Code of Faculty Responsibility. For faculty at a community college, the president shall make a written report containing the president's recommendation and findings and forward it to the Chancellor who shall determine a sanction.

4. For student employees, if evidence confirms that the student has violated this policy, the sector chief personnel officer and/or the appropriate community college president, consistent with Staff Personnel Policy and Procedures Number 12.0 and Number 62.0, shall determine the appropriate sanction in accordance with the student employee's status as an at-will employee.

NOTE: Nothing in this policy shall be construed to prohibit or interfere with whatever appropriate disciplinary action which may be taken in accordance with the student employee's status, as provided in the Code of Student Conduct.

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5. For postdoctoral scholars, residents, and clinical follows, if the evidence confirms that a postdoctoral scholar, a resident, or a clinical fellow has violated this policy, the dean of the appropriate college in the Medical Center or the Dean of the Graduate School for all such persons

outside the Medical Center shall make a written report containing the dean's recommendation and findings and forward it to the Chancellor for the Medical Center or the Vice President for Research and Graduate Studies, as appropriate, who shall impose a sanction.

C. Whenever a supervisor notices an employee with overt signs of mental and physical impairment thought to be secondary to substance abuse, or when job related behavior or work performance suggests substance abuse, the supervisor shall refer the employee to the Lexington Campus Employee Assistance Program (REFER). University Hospital/Medical Center employees shall be referred to the designated employee assistance program coordinator. Community College employees shall be referred to an appropriate local rehabilitation health service by the community college president.

1. The decision to acknowledge problem drinking and accept therapeutic intervention rests with the employee, and participation in an employee assistance program or rehabilitative program is voluntary. However, refusal to participate in appropriate intervention program(s) shall result in disciplinary action, up to and including suspension and/or dismissal.

2. The Employee Assistance Program coordinator or, where no employee assistance program exists, the appropriate dean for faculty members, the sector chief personnel officer for staff employees, or the respective community college president for faculty or staff, shall monitor the progress of the employee and inform the employee's supervisor of the employee's progress and anticipated safe return to the job.

3. If an employee with problem drinking and/or poor work refuses or fails therapy, then the appropriate dean for faculty members, the chief sector personnel officer or the respective community college president, in conjunction with the employee's supervisor, shall institute an appropriate work performance evaluation and action.

FAMILY AND MEDICAL LEAVE

I. Policy and Definitions

A. Employees subject to the provisions of Staff Personnel Policy and Procedures should refer to Policy #88.0, which is the applicable policy for family and medical leave for such employees.

B. Recognizing the occurrence(s) of family emergencies which involve either the University employee or a family member, the University provides unpaid family or medical leave of up to twelve (12) weeks in a twelve (12) month period.

C. Any employee who has been a University employee for twelve (12) months and has worked at least one thousand two hundred fifty (1250) hours during the previous twelve (12) month period may take up to twelve (12) weeks of unpaid leave for an emergency involving the employee or a family member during any twelve (12) month period for any or all of the following reasons:

1. Because of the birth of a child of the employee and in order to care for such son or daughter;

2. Because of the placement of a child with the employee for adoption or foster care;

3. In order to care for the spouse, or child, or parent, of the employee, if such spouse, child, or parent has a serious health condition; or

4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.

D. For purposes of this policy, the following definitions shall apply:

1. The term "parent" means the biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child (minor).

2. The term "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves the following:

a Inpatient care in a hospital, hospice, or residential medical care facility; or

b Continuing treatment by a health care provider.

3. The term "child" means a biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, or a child of a person standing in loco parentis, who is:

   a. Under eighteen (18) years of age, or

   b. Eighteen (18) years of age or older and incapable of selfcare because of a mental or physical disability.

4. The term "spouse" means a husband or wife, as the case may be.

5. The term "health care provider" means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices or other persons determined by the United States Secretary of Labor to be capable of providing health care services.

NOTE: A higher standard for Family and Medical leave is held for an employee to be absent for the employee's serious medical condition than for an employee to be absent to care for a child, spouse, or parent. An employee shall be granted Family and Medical leave because the employee has a serious medical condition and because the employee cannot perform the functions of the position; an employee shall be granted Family and Medical leave because a spouse, child, or parent has a serious medical condition and because the employee is needed to care for the family member.

E. Leave taken for child birth or placement (adoption or foster care) may not be taken intermittently or on a reduced schedule. This leave may be taken only within twelve (12) months of the date of the birth or placement of the child.

NOTE: Under Kentucky law, an employee may take up to six (6) weeks of unpaid leave for the adoption of a child under the age of seven (7). This Policy expands the six (6) weeks leave to twelve (12) weeks in one Family and Medical leave twelve (12) month period; however, there is no limit to the number of six (6) weeks periods which an employee may be granted for the adoption of additional children under the age of seven (7).

F. Leave taken to care for a spouse, child, or parent or for the serious health condition of the employee may be taken intermittently or on a reduced schedule when medically necessary. Taking leave on an intermittent or reduced schedule under this paragraph shall not result in a reduction in the total amount of leave to which an employee is entitled under this regulation.

   1. For example, one who takes intermittent leave under this Policy, who normally works a five-day week and who takes one day of leave under this policy will use one-fifth of one week of leave available under this Policy. With this intermittent schedule, the employee could take one day (one fifth of a

week) for up to sixty (60) weeks to get the full twelve (12) weeks of Family and Medical leave.

2. Under a reduced schedule for Family and Medical leave, if a full-time employee who regularly works five days a week, must take off one half of the workweek, one half week (or two and one half days) of leave under this Policy is used each week. Thus it could take the employee up to twenty four (24) weeks to use the entire entitlement of Family and Medical leave.

3. For employees who work less than full-time, leave entitlement under this Policy is calculated on a pro rata (or proportional basis). If an employee's work schedule varies from week to week, the average weekly hours worked during the twelve (12) weeks prior to the start of the leave under this Policy will be used to calculate the employee's normal work schedule.

4. A less than full-time employee is entitled to twelve (12) weeks of the less than full-time employee's regular work week. For example, one who works thirty (30) hours per week is entitled to twelve (12) thirty (30) hour weeks of Family and Medical leave.

5. A less than full-time employee who takes intermittent leave is entitled to the equivalence of twelve (12) weeks of that employee's less than full-time schedule. For example, if an employee who normally works a schedule of thirty (30) hours per week changes to a twenty (20) hour week on a reduced work schedule, the ten (10) hours of leave would equal one third (.33) of a week of leave under this Policy. This employee could take up to thirty six (36) weeks to use the entire entitlement.

NOTE: Granting a faculty member Family and Medical leave by the hour is not a violation of the employee's exempt status under the Fair Labor Standards Act.

G. An eligible employee is entitled to take a total of twelve (12) weeks of leave under this policy during a twelve (12) month period; the twelve (12) month period begins on the first day of the first approved Family and Medical leave which the employee requests.

For example, an employee who becomes eligible for Family and Medical leave on September 1, 1994, [The employee has worked at least one thousand two hundred fifty (1250) hours during the previous twelve (12) months.] does not have an established Family and Medical leave twelve (12) month period until the employee requests this leave for a particular purpose.

H. Pursuant to an appropriate first request, the above employee goes on a Family and Medical leave on January 15, 1995. This employee's Family and Medical leave twelve (12) month period runs from January 15, 1995 to January 14, 1996. On January 15, 1996, or any date

thereafter, the employee is eligible for a second twelve (12) weeks of Family and Medical leave, provided that the employee has worked one thousand two hundred fifty (1250) hours during the previous twelve (12) months.

I. A faculty member taking leave under Section 4 of this policy shall first take any sick leave available under the Sick Leave Policy [GR X.C.5.b.(1)] and any vacation leave available under the Vacation Leave Policy (GR X.C.2.). After exhaustion of these leaves, the faculty member would be in a leave without pay status for the balance of the approved Family and Medical leave.

J. In the case of childbirth or placement (adoption or foster care), the employee shall, whenever foreseeable based on birth or placement, give the department chair or dean thirty (30) days notice, before the leave is to begin, of the employee's intention to take such leave. If the birth or placement requires leave to begin in less than thirty (30) days, the employee shall provide the supervisor with such notice as is practicable.

K. When leave under Section I C 3 or 4 of this Policy is taken for planned medical treatment, the employee shall act in accordance with the following:

1. Shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the teaching/research activities of the University department in which the employee works, subject to the approval of the health care provider of the child, spouse, or parent of the employee, as appropriate; and

2. Shall provide the department chair or dean with no less than thirty (30) days notice, before the date the leave is to begin, of the employee's intention to take leave under Sections I C 1 or 2 except that if the date of the treatment requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

L. In any case in which husband and wife are both employees of the University, the combined (total) number of workweeks of leave entitlement under this policy is twelve (12) weeks during any twelve (12) month period if such leave is taken under Sections 1 or 2 or for the care of a sick parent under Section 3.

II. <u>Delegation</u>

The responsibility for approving leave taken under the Policy is delegated to the appropriate chancellor or vice president acting on the recommendation of the dean or department head. The department head shall be responsible for reporting complete and accurate records of leave taken under this Policy.

III. Procedure

A. An employee seeking leave under this Policy shall submit a written request for leave with the department head or dean. If approved by the department head or dean, the request shall be sent to the appropriate chancellor or vice president for final approval.

B. An employee shall give the department thirty (30) days advanced notice of the need to take leave under Family and Medical leave when it is foreseeable for the birth or placement of a child for adoption or foster care, or for planned medical treatment.

C When advanced notice is not practicable (e.g., premature birth), notice shall be given as soon as practicable, ordinarily within one (1) or two (2) work days of the emergency need for the leave.

D. An employee shall follow standard departmental notice for an absence in the case of an emergency need for this leave.

E. The request shall be supported by a written medical certification issued by the health care provider of the employee or of the child, spouse, or parent of the employee, as appropriate. Such a certificate shall be provided in a timely manner, e.g., usually fifteen (15) calendar days. Such a certificate from the health care provider shall state the following:

1. The date on which the serious health condition commenced;

2. The probable duration of the condition;

3.1. For purposes of leave under Section I C 3, a statement that the eligible employee is needed to care for the child, spouse, or parent and an estimate of the amount of time that such employee is needed to care for the child, spouse, or parent; and

3.2. For purposes of leave under Section I C 4, a statement that the employee is unable to perform the essential functions of the position at the University;

4. In the case of certification for intermittent leave, for leave on a reduced leave schedule, or for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment;

5. In the case of certification for intermittent leave, or for leave on a reduced leave schedule, under Section 4, a statement of the medical necessity for the intermittent leave or for leave on a reduced leave schedule and the expected duration of the intermittent leave or reduced leave schedule; and

6. In the case of certification for intermittent leave or for leave on a reduced leave schedule, under Section 3, a statement that the employee's intermittent leave or leave on a reduced schedule (a) is necessary for the care of the child, parent, or spouse who has a serious health condition or (b) will assist in their recovery, and a statement as to the expected duration and schedule of the intermittent leave or reduced leave schedule.

F. In any case where the department/college official determines that a more specific medical explanation is necessary, the department/college official shall consult with the chancellor's office. The chancellor's office may request from the health care provider a further certification which, at least, provides the appropriate medical facts within the knowledge of the health care provider regarding the condition.

G. In all cases, it is the appropriate departmental official's responsibility, with the concurrence of the appropriate chancellor or vice president, to designate leave as Family and Medical leave, paid or unpaid, under this Policy, based on the information furnished by the employee and the health care provider.

NOTE: An employee shall satisfy the requirements of a written request for Family and Medical leave and of an accompanying doctor's statement by submitting a completed FORM AR II-1-12 (Appendix 1).

H. In any case the department head has reason to doubt the validity of the certification provided in accordance with the above Section for leave under Section I C 3 or 4, the department head may require, at the expense of the department, that the employee obtain the opinion of a second health care provider, designated or approved by the department head. (The department head may consult with the Director of the Wellness Program in designating a physician. This second health care provider may not be an employee of the University.)

In any case where a second opinion is obtained and the second opinion differs from the first opinion, then the department may require, at the department's expense, an opinion of a third medical care provider, designated and approved jointly by the employee and the department head.

In any case where a third opinion is sought, the third opinion shall be considered to be final and binding on both the employee and the department.

I. An employee who takes leave under this Policy shall be entitled, upon return from such leave, (a) to be restored by the department to the position of employment held by the employee when the leave commenced or (b) to be restored to an

equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.

With approval of dean or community college president, the position of an employee taking leave under this Policy may be filled by a temporary employee during the period of approved leave.

J. Upon recommendation of a dean or president of a community college, the President or the appropriate chancellor or vice president may deny restoration of employment to any employee who is in the highest paid ten percent (10%) of all salaried employees if the following circumstances exists:

1. This action is necessary to prevent substantial and grievous economic injury to the University;

2. The President or the appropriate chancellor or vice president notifies the employee of the University's intent to deny restoration, and the reasons supporting the denial; and

3. In any case in which the leave under this Policy is commenced, the employee elects not to return to employment with the University after receiving such notice.

K. During any period that an employee takes leave under this Policy, the University shall continue the employee's health plan for the duration of the leave at the same level and conditions of coverage as if the employee had been in employment continuously for the duration of the leave.

During any period of leave approved under this Policy, the University shall continue to contribute the employer's credit portion toward the employee's health insurance plan.

During any period of leave approved under this Policy, the University shall continue to cover the cost of the employee's basic life insurance.

During any period of paid leave approved under this Policy or during a period of six (6) months or less of unpaid leave approved under this Policy, the University shall continue to cover the cost of the employee's enrollment in the long term disability plan.

During any period of leave approved under this Policy, the employee shall make arrangements with the Employee Benefits Office to pay the costs of other benefits for which the employee would ordinarily be responsible.

The Employee Benefits Office shall terminate any benefits for which the employee has not made appropriate payment after such payment is past due for thirty (30) days.

L. During any period of leave approved under this Policy, the employee's original date of employment (service date) shall be retained.

In accordance with GR X-3, B.2., chancellors and vice presidents shall determine Family and Medical Leave status for non-tenured faculty to insure reinstatement to an equivalent position, including any suspension of the probationary period.

Non-tenured faculty members may apply for an extension of the probationary period of 26 weeks beyond the date given on the original Notice of Primary Academic Appointment and Assignment if they take Family Medical Leave of 6 weeks or more. If the total of Family Medical Leave, during the probationary period, exceeds 26 weeks, the faculty member may apply for an extension of 1 year beyond the date given in the original Notice of Primary Academic Appointment and Assignment.

To apply for an extension of the probationary period, the faculty member must file a written request for an extension of the probationary period with the dean/community college president [with an informational copy to the appropriate department or division chairperson] no later than the last day of the fifth year of the probationary period. Failure to make such a request in the time period stipulated in this policy may be excused by the chancellor/vice president on a showing by the faculty member of an exceptional reason for the failure to comply.

The faculty member whose application for extension is approved is not expected to present a record of accomplishment different from that expected for a probationary period of normal length.

If the department head has any reasonable doubt of the continued validity of an approved Family and Medical leave, and if the Family and Medical leave continues for over six (6) weeks, a department head may require reports from the employee on the employee's status and intent to return to work.

Such re-certification may be required at the end of six (6) weeks and again at the end of nine (9) weeks.

At the time an employee gives notice of intent not to return to work, the University's obligation to provide any benefits ceases.

The employee shall be obligated to repay to the University any health insurance premium which the University paid for the employee, if the employee fails to return to University employment after an approved period of leave under this Section, and if the employee fails to return to work for a reason other than the following:

The continuation, recurrence or onset of a serious health condition that entitled the employee to leave under Sections I C 3 or 4, or

Other circumstances beyond the control of the employee.

M. If the employee fails to return to work, at the end of an approved Family and Medical leave, because of the continuation, recurrence, or onset of the serious health condition (See above.) a department head may require supporting evidence as follows:

1. A certification issued by the health care provider of the child, spouse, or parent of the employee, as appropriate, in the case of an employee unable to return to work because of a condition specified in Section I C 3, or

2. A certificate issued by the health care provider of the eligible employee, in the case of an employee unable to return to work because of a condition specified in Section I C 4.

3. A certification for a leave due to a serious health condition of an employee is sufficient if the certification states that a serious health condition prevented the employee from being able to perform the functions of the position of the employee on the date that the leave of the employee expired.

4. A certification for a leave due to serious health condition of a family member shall be sufficient if the certification states that the employee is needed to care for the child, spouse, or parent who has a serious health condition on the date that the leave of the employee expired.

N. When an employee is due to return to work from a Family and Medical leave, a department head may require presentation of a certificate that the employee is able to resume to work.

Certification from an employee's health care provider that an employee is able to resume work shall be in accordance with the department's customary and uniformly applied procedures.

A certification shall be required in departments where there are specific physical requirements in a job description.

IV. Form

AR II-1.1-12 (Appendix I), Request for Family and Medical Leave and Certification of Physician or Practitioner Form

V. Policy Interpretation of Family Medical Leave Act for Faculty (See Appendix II)

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APPENDIX 1

REQUEST FOR FAMILY AND MEDICAL LEAVE
and
CERTIFICATION OF PHYSICIAN OR PRACTITIONER FORM

SECTION A. This section, consisting of ( ) questions, is to be completed by the employee who is requesting Family and Medical Leave in accordance with Policy 88.0 (A.R.).

1. Employee's full name: _____

2. Employee's social security number: _____-_____-_____

3. Department in which employee is regularly employed: _____
_____

4. Employee is seeking Family and Medical Leave (FML) for which of the following reasons:

   _____ Birth of a child and to care for that child

   _____ Placement of child with employee for adoption or foster care

   _____ Care of spouse, child or parent of employee

   _____ A serious health condition prevents employee from being able to perform functions of position.

5. Patient's name (if other than employee): _____

6. Patient's relationship to employee (if not employee): _____

7. Date on which requested FML is to commence: _____

8. Date on which FML would probably end: _____

9. Number of days FML will be taken with pay _____; without pay _____

10. Number of days of temporary disability leave which will be used _____

11. Number of days of vacation leave which will be used _____

12. If FML is to be taken for care of a family member, state below the care which the employee will provide, an estimate of the time period which this care will be provided, and, if FML is requested on an intermittent basis or on a reduced leave schedule, a requested schedule:

Employee's signature: _____ Date: _____

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SECTION B This section is to be completed by physician or practitioner.

1. Employee's name: _____

2. Patient's name (if not employee): _____

3. Date on which condition commenced or was diagnosed: _____

4. Probable duration of condition: _____

5. Is inpatient hospitalization required? Yes _____ No _____

6. Dates hospitalization will be required: From _____ to _____

7. If patient is employee, is employee able to perform work of any kind: Yes _____ No _____

8. (If answer to # 7 is NO, skip this question.) Is employee able to perform the functions of employee's position? (Please answer this question after reviewing statement from UK concerning the essential functions of the employee's position, or if no statement provided, after discussion with the employee.) Yes _____ No _____

9. Indicate general regimen of treatment. [Indicate schedule of visits or treatment necessary; referral(s) to other provider of health services.]

The following questions (#10 through #13) are to be answered only if the certificate related to the care for an employee's seriously-ill family member:

10. Is inpatient hospitalization of the family member required?
Yes _____ No _____

11. Does (or will) the patient require assistance for basic medical, hygiene, nutritional needs, safety or transportation?
Yes _____ No _____

12. After review of the employee's signed statement (See Section A, opposite page.), is the employee's presence necessary or would it be beneficial for the care of the patient? (The answer to this question may include psychological comfort and will probably involve your expressing a professional opinion.) Yes _____ No _____

13. Estimate the period of time needed or the period of time the employee's presence would be beneficial:

_____ _____ _____
Name, physician or practitioner (please print) Signature Date

Type of practice (field of specialization, if any) _____

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APPENDIX II

Policy Interpretation of Family and Medical Leave Act for Faculty

AR II-1.1-12 provides for a family and medical leave for UK employees. Further, the policy provides for up to twelve weeks of unpaid family or medical leave (FML) for any of the noted qualifying events.

As it specifically relates to faculty, Section I.I states, "A faculty member taking leave under Section 4 of this policy shall first take any sick leave available under the Sick Leave Policy [GR X-13 or GR X.C.5.b.(1)] and any vacation leave available under the Vacation Leave Policy (GR X-8 or GR X.C.2.). After exhaustion of these leaves, the faculty member would be in a leave without pay status for the balance of the approved Family and Medical leave."

It is expected that any faculty member will give the appropriate dean, director, or community college president notice (30 days notice is required, per Section I.J. of the policy) of any absence which may be the result of a Family and Medical Leave (FML) qualifying event. It should be noted that the University may only designate FML leave based upon information ascertained directly from the faculty member and the FML leave must be designated prior to the faculty member's returning from leave.

Upon the establishment of one of the qualifying events, the dean, director or president must designate the FML leave days as paid or unpaid. The number of paid days will depend on the available vacation leave and/or the applicable sick leave days. Per the policy, if the faculty member is eligible for vacation leave (ten, eleven, or twelve month faculty) or sick leave (also called temporary disability leave or TDL), either or both of these paid leaves must be used, if the qualifying event is an applicable use of that leave.

For a faculty member who is eligible for sick leave [GR X-13 or GR X.C.5.b.(1)] and who is placed on FML leave for selfcare (with a serious health condition and who is unable to perform the functions of her/his position), the FML leave will be with pay, not to exceed the 12 weeks of FML leave, with the approval of the chancellor or vice president, and the total paid leave (including the non-FML leave) may not exceed six months. [See GR X-13.C.5.b.(1).] For a period where one is unable to perform the functions of her/his position for longer than six months, one may apply for long term disability.

For other qualifying events (father's leave for birth of a child, adoption, foster care, and care of a child, spouse or parent), a faculty member may, for that qualifying event, request and be granted (or denied) sick leave with pay for up to five (5) days by the appropriate chancellor or vice president, and the remaining FML leave would be without pay,

unless the faculty member is ten, eleven, or twelve month faculty and has available vacation leave. It should be noted that faculty with vacation leave may take that leave "at appropriate times during the period in which they are eligible to take such leave." (GR X-8 or GR X.C.2).

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REGULATIONS GOVERNING THE USE OF MEMORIAL COLISEUM

A. The Office of the Director of Athletics, through delegation by the Vice President for Fiscal Affairs, shall be responsible for approval of applications for use of Memorial Coliseum, except for those pertaining to the swimming pool and its auxiliary rooms.

B. While Memorial Coliseum is used largely in terms of the needs of the athletics and physical education programs, it is also designed to serve as an auditorium, music hall, conference center, et cetera. Therefore, no unit or organization has priority for the use of the Coliseum facilities except that approved athletics and physical education schedules will be observed.

C. University units and groups, including registered student organizations, may use the Coliseum provided their needs cannot be adequately met in another facility. However, each event must be significantly related to the purposes or curricula of the University and, if sponsored by a registered student organization, have the approval of the faculty advisor and the Dean of Students. During the academic year the Student Activities Board shall have exclusive right to use the Coliseum for the purpose of producing and promoting concerts with the sole exception of those sponsored by the Central Kentucky Concert and Lecture Series. The Student Activities Board is granted this right provided the net proceeds from such events are used to support other cultural and entertainment programs open to the campus community.

D. When the Coliseum is used by a University unit or group for an event involving no admission fee, there will be no charge other than the cost of setting up special facilities. For an event for which an admission fee is charged, a contract between the University sponsoring group and the University will be negotiated in advance and the charge involved for use of the Coliseum will conform to a schedule established by the Vice President for Fiscal Affairs.

E. Non-University groups or agencies may apply for the use of the Coliseum when the program to be presented is of an educational, cultural, or charitable nature, or relates to other purposes approved by the Director of Athletics and the President. In all cases, however, the use of the Coliseum shall be in compliance with Part XII.D of the University of Kentucky Governing Regulations.

F. When the Coliseum is used by a non-University group or agency, a contract between the group or agency shall be negotiated in advance stating the charge for use of the

Coliseum and setting forth the responsibilities of the group or agency and of the University. The charge for use of the Coliseum will conform to a schedule established by the Vice President for Fiscal Affairs.

G. Any unit or agency using the Coliseum, whether University or non-University, shall take proper care of the building and its equipment and shall be financially responsible for any damage thereto during use resulting from abuse or neglect.

H. Memorial Coliseum is dedicated to the memory of Kentuckians who died in World War II, and no program that is out of keeping with the memorial spirit shall be held in the building.

I. Applications for use of the Coliseum shall be made in writing in advance on forms which are available in the Office of the Director of Athletics.

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ENVIRONMENTAL HEALTH AND SAFETY

The University of Kentucky intends to provide a safe and healthy environment for its students, faculty, staff and visitors. The University strives to play a leadership role in the Commonwealth in its environmental stewardship, health protection and safety standards and in its compliance with laws and regulations relating to the environment, health and safety. The achievement of these goals will be objectives for units at all levels of the institution. Employees and students are expected to be supportive of these goals in their University activities.

ENVIRONMENTAL HEALTH AND SAFETY PROGRAMS AND RESPONSIBILITIES

A. Division of Environmental Health and Safety

The Division of Environmental Health and Safety is responsible for development, oversight and management of environmental health and safety programs that protect the environment, provide safe and healthy conditions for work and study, and comply with applicable laws and regulations. Division staff will function as consultants to deans, directors, heads of academic and administrative units, other staff members, and students in all areas of environmental health and safety. In addition to consultation, the division will make health and safety investigations as necessary and upon request, will assist departmental safety committees in the development of intra-departmental safety programs, and participate in health and safety training and education projects.

The Division of Environmental Health and Safety will provide technical assistance in determining existing or potential health and safety hazards. Assistance can be provided through consultations and code interpretations either for existing operations and facilities or for those which are being planned. Additionally, the division will inspect and report on the environmental health and safety aspects of University operations and facilities. Such inspections may be routine or at the request of a department and the results will be reported to the appropriate administrative personnel.

The division will maintain reference materials from local, state, and federal agencies, particularly in regard to rules and regulations affecting campus operations, and will assist in the technical interpretation of same. The Division will develop additional appropriate environmental health and safety standards for unique campus situations and submit them for administrative approval.

The director of the division reports to the Vice President for Fiscal Affairs. The Environmental Health and Safety Committee also reports to the Vice President for Fiscal Affairs.

B. Chancellors, Vice Presidents, Deans, Directors, Chairs and Other Heads of Academic and Administrative Units

Chancellors, vice presidents, deans, directors, chairs and other heads of academic and administrative units have a primary responsibility for the health and safety of their staff and students and for compliance with all applicable laws and regulations; for providing funds needed for safety and health improvements and for making those improvements; and for ensuring that supervisors, employees and students comply with the duties set forth in these regulations. In addition, some units, such as the Hospital, may have other specific requirements and responsibilities established by agencies external to the University.

The formation of departmental or college safety committees is encouraged; experience has indicated that such committees can provide an effective means of implementing safety programs.

C. Supervisors

Each supervisor has certain specific responsibilities for providing a working environment free from safety and health hazards for those supervised. These responsibilities include, but are not limited to, the following:

1. Informing new employees about safety and health procedures, rules and regulations, as well as their specific responsibilities.

2. Assuring that required equipment and personal protective devices are provided, maintained, and used.

3. Taking prompt action when unsafe acts or conditions are reported or noted.

4. Providing for health and safety training and education on a continuing basis.

5. Promptly investigating and reporting all on-the-job accidents and requesting medical treatment if required.

6. Promptly investigating and reporting all job-related health or safety problems.

7. Coordinating or conducting internal inspections to assure safe and healthful conditions.

8. Requesting the assistance of the next higher level of supervision regarding budget requests for health and safety improvements.

D. Employees

Each employee has certain specific responsibilities to comply with existing safety and health standards, rules, and regulations. The responsibilities include, but are not limited to, the following:

1. Following all safety and health standards and rules.

2. Reporting all hazardous conditions to the supervisor.

3. Wearing or using prescribed protective equipment.

4. Reporting any job-related injuries or illnesses to the supervisor and seeking treatment promptly.

5. Refraining from the operation of any mechanical equipment without both proper instructions and authorization.

E. Students

Students are responsible for following all health and safety standards and rules.

PHYSICIANS' SERVICES PLAN
(APPROVED BY THE BOARD OF TRUSTEES)

ARTICLE I. NAME OF THE PLAN

The Plan shall be known as the PHYSICIANS' SERVICES PLAN of the University of Kentucky Medical Center.

ARTICLE II. SCOPE OF THE PLAN

The Plan establishes policies and general procedures relating to compensation for services rendered by participating physicians, regardless of speciality, with full-time faculty appointments in the College of Medicine. This Plan is applicable to compensation derived from salary and from the Medical Services Account, both of which are established by the University Board of Trustees. The Plan is applicable to all services of such faculty members incident to the care of patients and to all other activities which are a part of the Medical Center program. Income from publications and honoraria for lectures or other activities which are not a part of the Medical Center program are excluded from the Plan, but remain subject to policies and regulations of the Board of Trustees.

ARTICLE III. PURPOSE OF THE PLAN

The purpose of the Plan is to facilitate proper functioning of the teaching, research, and service programs of the Medical Center, consistent with the integrity and responsibilities of the University. With this purpose paramount in consideration, the operation of the Plan will be evaluated periodically with the underlying principles hereinafter set forth as guides.

ARTICLE IV. DEFINITIONS

A. The "FUND" as used herein means The Fund for Advancement of Education and Research in the University of Kentucky Medical Center, a non-profit corporation organized in 1959 under the laws of Kentucky to promote, advance, and support the educational, research, and other purposes of the University of Kentucky Medical Center. The "BOARD OF DIRECTORS OF THE FUND" means the Board of Directors of The Fund for Advancement of Education and Research in the University of Kentucky Medical Center, which Board consists of five members, including the Chancellor for the Medical Center, the Vice Chancellor for Clinical Professional Services who is also the Dean of the College of Medicine, the Chairperson of the Executive Committee of the Board of Trustees of the University, and two members appointed by the Board of Trustees of the University.

B. The "FACULTY ADVISORY COMMITTEE OF THE FUND" as herein used means that Committee of The Fund for Advancement of Education and Research in the University of Kentucky Medical Center appointed by the Board of Directors of The Fund pursuant to Article X of this Plan.

C. The "FACULTY ADVISORY COMMITTEE OF THE COLLEGE OF MEDICINE" as herein used means that Committee of the College of Medicine appointed by the Dean of the College of Medicine as provided in Article IX of this Plan.

D. The "CLINICAL DEPARTMENTS" as herein used means the following departments of the College of Medicine: Anesthesiology, Diagnostic Radiology, Emergency Medicine, Family Practice, Medicine, Neurology, Obstetrics and Gynecology, Opthamology, Pathology, Pediatrics, Preventive Medicine and Environmental Health, Psychiatry, Radiation Medicine, Rehabilitation Medicine, and Surgery, and any other departments that in the future may be established and designated as clinical by the Board of Trustees of the University. "BASIC SCIENCE DEPARTMENTS" as herein used means any of the other academic departments of the College of Medicine not specifically included in this definition of clinical departments.

E. The "MEDICAL SERVICES ACCOUNT" as herein used means that separate depository account to be established as provided in Article VII of this Plan.

F. The "BOARD OF TRUSTEES" as herein used means the Board of Trustees of the University which by law is the governing board of the institution.

ARTICLE V. UNDERLYING PRINCIPLES

A. Medical care will be provided in the Medical Center because it is essential to the teaching and research programs and to the proper use of the facilities and skills in the Center to reinforce health care resources in local communities throughout the Commonwealth.

B. The kinds and volume of medical care provided by the Medical Center will be determined by the needs of the teaching, research, and service programs of the Center.

C. Medical Center patient care facilities will be used exclusively for activities which are part of the Center's teaching, research, and service programs and separated areas will not be provided for private clinics or pavilions. All patients admitted to the Medical Center will receive care on an equal basis as part of the teaching and research programs, irrespective of ability to pay or source of payment.

D. An optimal teaching environment will imbue students with understanding, sympathy, and respect for the patient as a person and will cultivate attitudes which are consistent with the highest ideals of the medical profession. To develop in students the ability to relate to patients differing widely in personality and environmental factors requires that teaching patients not be drawn from a single segment of society but rather that they represent a cross-section of the population. Moreover,

optimal use of the Center's facilities in serving the needs of research activities requires absence of arbitrary restriction by social classification of patients. Such restrictions also would impair the value and usefulness to the people and physicians of the Commonwealth of the medical care resources available in the Center to reinforce resources available in local communities. In drawing teaching patients from all segments of the population, it will be the intent of the Medical Center to follow to the fullest extent possible the principle of strengthening the relationships between patients and their physicians by accepting patients upon referral of, and returning patients with appropriate reports to, physicians having responsibility for ongoing care, not precluding appropriate acceptance of patients requiring emergency care or upon referral of health and welfare agencies or the University Health Service.

E. For a significant proportion of the patients admitted under policies in existence, it should be possible to obtain, either from the patient or some third-party agency on behalf of the patient, payment of all or part of the cost of hospital services. Where payment for such services is obtainable, the Medical Center and the faculty members participating in this Plan will make appropriate charges to cover the cost of providing these services.

F. Where payment is obtainable for hospital services, frequently payment will be obtainable for medical services rendered by physicians who are full-time members of the College of Medicine faculty and, with few exceptions, payment by or on behalf of patients for the medical services they receive is deemed proper and appropriate. Income derived from such services is incidental to the purposes for which patients are admitted to the Medical Center and in this sense is properly considered a "by-product" from the operation of the programs for which the Center exists.

G. The professional interests of full-time members of the clinical faculty of the College of Medicine should be concentrated in academic medicine. Arrangements creating financial incentives for full-time faculty members which would tend inappropriately to divert or dilute their concentration on teaching, research, and program responsibilities are not consistent with the mission of the Medical Center.

H. Each full-time member of the clinical faculty can rightfully expect:

1. The facilities, material, and support needed for teaching and research;

2. Ample opportunity to maintain and develop clinical skills; and

3. Compensation for work on a basis which recognizes the faculty member's responsibilities, competence, and productive effort and which is reasonably in line with compensation which the faculty member could obtain elsewhere in academic medicine.

Success in attracting and holding an outstanding clinical faculty will depend on meeting these expectations.

I. Assurance that the level of compensation for full-time members of the clinical faculty is competitive with other good medical teaching centers and adequate to attract and maintain a strong, competent faculty is basically the responsibility of the University. Responsibility should rest with the University not only for ensuring that initial and subsequent levels of remuneration are adequate, but also for ensuring that such levels are not excessive. Through budgetary and related actions, the University should, to the extent possible and permissible, assure the faculty member that the faculty member's total remuneration from all sources will be in accord with a predetermined level which is fixed consistent with adequacy and which is periodically reviewed.

J. Payments received for physicians' services rendered by members of the full-time faculty of the College of Medicine in this Plan should be used only for remuneration of such faculty, in such manner and in such amounts as determined by the Board of Trustees, and for such other purposes in the Medical Center as may be recommended by representatives of the full-time faculty of the College of Medicine in this Plan.

K. With respect to each member of the full-time clinical faculty of the College of Medicine in this Plan, the amount of total compensation will be established by the Board of Trustees in the operating budgets of the Medical Center. The manner and extent to which compensation from the Medical Services Account is combined with other compensation will be reviewed and approved annually by the Chancellor for the Medical Center with periodic reporting to the Board of Trustees with the objective of providing stability of total compensation without impinging on the freedom of faculty members to apportion their time and efforts among teaching, research, and patient care activities as determined by their interests and program responsibilities.

ARTICLE VI. SETTING OF CHARGES FOR PHYSICIANS' SERVICES

Standard schedules of charges for physicians' services, as developed from time to time by the various clinical departments of the College of Medicine, subject to review by the Faculty Advisory Committee and approval by the Dean of the College of Medicine, will be the general basis for assessing such charges to patients. However, the amount of charges to any individual patient may be adjusted as determined by the physician rendering the services, if variation from standard charges is deemed by the physician to be warranted by the circumstances.

ARTICLE VII. BILLING AND COLLECTION OF CHARGES FOR PHYSICIANS' SERVICES

Charges for services rendered by the full-time members of the faculty of the College of Medicine in this Plan will be billed by the Medical Center in a manner naming the physician rendering the service. Billing of charges from the Medical Center for physicians' services will be coordinated with billing

for hospital services. Collection of all amounts so billed will be handled by the Medical Center, with undesignated receipts from or on behalf of individual patients being applied on a prorated basis to payment of hospital charges and to payment of charges for physicians' services. Major problems relating to collection from patients of charges for physicians' services will be handled in a manner that is subject to the concurrence of the physicians rendering the services to the patients. Any payments, other than compensation as established by the Board of Trustees, which are received by full-time faculty members for professional services within the scope of the Plan shall be transmitted on a current basis to the Medical Center for inclusion with other funds collected for physicians' services.

All funds collected or received by the Medical Center for services rendered by full-time members of the faculty of the College of Medicine in this Plan shall be so collected and received by the Medical Center as Trustee for The Fund for the Advancement of Education and Research in the University of Kentucky Medical Center. Such funds shall be segregated upon receipt and shall be paid over by the Medical Center to the Fund by depositing the same in a separate account of the Fund in such depository as may be designated. Such separate account shall be designated and known as the Medical Services Account of the Fund.

ARTICLE VIII. USE OF FUNDS DEPOSITED IN THE MEDICAL SERVICES ACCOUNT

As a standing policy, The Fund for the Advancement of Education and Research in the University of Kentucky Medical Center will use and expend all monies and funds deposited in the Medical Services Account to the extent available for the following purposes:

A. Compensation to members of the full-time clinical faculty of the College of Medicine in this Plan in such amounts as may be necessary to provide the difference between other University compensation and the total compensation as established by the Board of Trustees in the operating budget of the Medical Center. The operating budget will show the amounts to be paid from the Medical Services Account, which amounts are dependent upon the availability of funds.

B. Such other purposes in the Medical Center as from time to time may be recommended to the Board of Directors of the Fund by the Faculty Advisory Committee of the Fund provided, however, that such funds may not at any time be used for payment to members of the full-time faculty of the College of Medicine in this Plan of income in excess of the total compensation established for the individual members thereof by the Board of Trustees in the operating budget of the Medical Center.

ARTICLE IX. THE FACULTY ADVISORY COMMITTEE OF THE COLLEGE OF MEDICINE

The Dean of the College of Medicine shall appoint a Faculty Advisory Committee of the College of Medicine, which Committee shall consist of the chairpersons of the clinical departments as defined in Article IV herein, the chairperson of one of the basic science departments of the College, and such other faculty members as the Dean deems desirable. The Dean shall

serve ex officio as Chairperson of the Committee. The Committee shall meet at least quarterly and shall review the operation of this Plan, including matters relating to the applicability of the Plan to sources of income, standard schedules of charges for physicians' services as developed by the clinical departments, and any other aspects of the operation of the Plan. This Committee shall make such recommendations as it may deem appropriate to the Dean of the College of Medicine with respect to the modification of the policies and procedures provided by this Plan or utilized in its operation.

ARTICLE X. THE FACULTY ADVISORY COMMITTEE OF THE FUND

The Board of Directors of the Fund will establish within the organizational structure of the Fund a Faculty Advisory Committee, which shall consist of all the members of the Faculty Advisory Committee of the College of Medicine. The chairpersons of the clinical departments and the chairperson of the basic science department shall be the only voting members of this Committee of the Fund except that the Dean of the College of Medicine shall vote upon motions on which the other voting members of the Committee are equally divided. It shall be the duty of the Faculty Advisory Committee of the Fund to make recommendations from time to time to the Board of Directors of the Fund on the use of monies in the Medical Services Account of the Fund, specifically with respect to use of such monies pursuant to subparagraph B of Article VIII of this Plan and within the purposes authorized by the Articles of Incorporation of the Fund. In the performance of its duty the Committee shall review the status of the Medical Services Account, for which reviews the Fund shall provide summary statements of deposits, expenditures, and commitments by major categories.

ARTICLE XI. LIMITATIONS ON MEDICAL PRACTICE BY FACULTY MEMBERS

As a condition of employment, physicians who are full-time faculty members in the College of Medicine in this Plan shall not maintain offices or engage in the practice of medicine outside of the approved programs of the Medical Center except in infrequent and special circumstances as in emergencies and in other situations where provision of service is required by professional ethics.

ARTICLE XII. EFFECTIVE DATE

Upon approval by the Board of Trustees of the University of Kentucky, the Physicians' Services Plan will be effective as of September 20, 1960. Subsequent modifications or amendments of the Plan will be effective upon approval of the Board of Trustees or as of such date as may be specified by the Board of Trustees.

PROVISIONS FOR SUPPLEMENTAL COMPENSATION UNDER THE PHYSICIANS' SERVICE PLAN (APPROVED BY THE BOARD OF TRUSTEES)

I. UNDERLYING CONSIDERATIONS

The factors and considerations which underlie the provisions herein include the following:

A. The problem of a deteriorating competitive position in retaining and attracting faculty in clinical fields is acute and pressures are expected to become more intense in the years immediately ahead.

B. Budgetary restrictions upon the University and the prospects for the foreseeable future make it essential that income from professional fees and other sources be increased to provide support for faculty compensation necessary for the maintenance and development of participating clinical departments and faculty to meet the growing program requirements they face.

C. Third-party payment programs, the principal source of payment for professional fees, are increasingly requiring not only direct involvement in the care of patients on the part of faculty, but full documentation of this as a condition for payment of professional fees for services of faculty physicians. These requirements are often difficult to fulfill in a teaching setting; in the absence of special effort there will be loss of potential income of significant amounts.

D. A major and essential requirement for achieving increased financial support from the source of professional fees is a high level of interest and effort toward this objective on the part of full-time faculty members who provide the services and meet the requirements that make professional fee income realizable. Such interest and effort are important factors in attracting an increasing proportion of paying patients, which is essential for the support of the University Hospital as well as for improvement in professional fee income.

E. A method is needed for giving more specific recognition of and incentive for performance in the clinical departments which produces increased income from professional activities.

F. Provision for such recognition and incentive can be accomplished by modifications within the existing Physicians' Services Plan, and it is the consensus that such modification should allocate funds for supplemental compensation among participating clinical departments for the purpose of recognizing faculty performance.

II. APPLICABLE PROVISIONS

Pursuant to the above considerations, the following provisions are adopted:

A. Supplemental compensation will be determined on a semi-annual basis and established by approval action of the Board of Trustees upon supplementary operating budgets of the College of Medicine covering six month periods. The appropriation of funds for expenditures projected in such a budget will be equal in amount to additional income to the University provided by a grant from income derived from professional fees of participating physicians by the Board of Directors of THE FUND to the University specifically for the purpose of financing the supplementary operating budget. Such a grant will be in addition to that made by THE FUND in support of clinical salaries provided in the basic operating budget of the College of Medicine.

B. FUND grants for the purpose of supplemental compensation will constitute non-recurring funds, and approval of the supplementary operating budget based thereon will not constitute an increase in the budget base of the College of Medicine. Supplemental compensation payable to participating individuals in accordance with approved supplementary operating budgets will be distributed in the months of March and September of each year, based on equity determinations on January 1 and July 1 of each year, provided, however, that such individuals must continue in the employment of the University through the first day of March and September respectively to be eligible to receive the supplemental compensation payable at such times and no rights to receive such supplemental compensation shall vest in individuals prior to such dates.

C. THE FUND budget will be projected each year recognizing as income such factors as the collection experience with participating physicians bills, anticipated patient day equivalents of service, and schedule of charges. The amount of the grant to the University by THE FUND for the purpose of supplemental compensation will be determined as of January 1 and June 30 by the Board of Directors, and will be the amount by which payments received in the Medical Services Account since the prior semi-annual date are in excess of the sum of (1) pro rata requirements for coverage of THE FUND grant in support of salaries provided in the basic operating budget, (2) requirements for coverage of other expenditures which have been budgeted or are reserved in the Medical Services Account pursuant to recommendations by the Physicians' Services Plan Faculty Advisory Committee, and (3) requirements for maintenance of a reserve against monthly fluctuations in payments to the account; provided, however, that the total amount of such grant for purposes of supplemental compensation by THE FUND shall not exceed 25 percent of the aggregate amount of the clinical faculty salary payments made since the prior semi-annual date to participating individuals in clinical faculty positions, whose duties include provision of professional services to patients, in clinical departments of the College of Medicine. This percentage limitation is subject to adjustment in future years by revisions of the Plan as may be found necessary to maintain competitive levels of total compensation for faculty positions in participating clinical departments as determined by periodic comparisons with prevailing levels of total compensation for comparable faculty positions in institutions selected

for benchmark purposes utilizing a similar practice plan when such information is available.

D. The supplementary operating budget for the College of Medicine will be prepared and submitted, in accordance with University budgetary procedures, immediately following the determination of the amount of THE FUND grant to the University for supplemental compensation. The amount of supplemental compensation for a participating department chairperson will be determined by the dean.

E. The amount of supplemental compensation provided for any individual faculty member in the supplementary budget for a semi-annual period, when annualized, shall not exceed 50 percent of the regular salary of the individual. Because supplemental compensation is not considered as a part of basic salary, no deductions will be made for TIAA or CREF and there will be no University contributions to TIAA or CREF for the supplemental compensation.

F. In the preparation of the supplementary operating budget, the Dean of the College of Medicine will allocate 70 percent of the total amount of THE FUND grant generated by participating faculty for supplemental compensation among the clinical departments or faculty on the basis of available data to measure the performance of the respective departments or faculty in producing income including, but not limited to, professional fee income. Such allocations will be the basis for departmental budget submittals in which the distribution of supplemental compensation among participating faculty members of the respective departments is to be made by the department chairperson, based on the chairperson's determination and judgment of relative performance and contributions to the program of the department. If the amount of allocation to a department is in excess of the amount which can be or is used by the department for salary supplementation, up to 50 percent of the amount of such excess, subject to the approval of the Dean, may be added to the current balance outstanding in the incidental account for the department, to be available for expenditure in accordance with policies and procedures applicable to such accounts. The residual 50 percent or more of such excess shall be added to amount available for budgeting by the Dean of the College of Medicine under the provisions of Paragraph II.G, herein.

G. The budget for the remaining 30 percent of the amount of the grant will be prepared by the Dean of the College of Medicine with the funds available being devoted, in accordance with the Dean's discretion, to (1) providing supplemental compensation for participating faculty members in clinical departments where appropriate recognition of performance and contribution to the patient care program is not possible within formula allocations to departments, and (2) supplementing the position pool for additions to faculty in clinical departments with funds to be used only after other funds available for the position pool have been fully committed. Commitments made for additional faculty in clinical departments based upon allocations for this purpose by the Dean, in accordance with the foregoing provisions, shall be included in the basic operation budget of the College of Medicine and financed by the basic grant of THE FUND to the University for the fiscal year following such allocation. In recognition of this commitment, the Dean may authorize chairpersons of participating clinical

departments to recruit for filling duly-approved faculty positions based upon the Dean's use of funds allocated to supplement the position pool, provided, however, that the effective date of any full-time faculty appointment shall not be prior to July 1 of the fiscal year following such allocation. Since such positions will not require funding until the following year, funds in the current year earmarked for the position may be spent, in the Dean's discretion, for nonrecurring items which do not increase the budget base.

H. The allocations among participating departments of the amount representing 70 percent of THE FUND grant for supplemental compensation will be determined as follows:

1. The amount of payments to the Medical Services Account received, in the six-month period upon which THE FUND grant for supplemental compensation is based, from the combined sources of the Physicians Accounts Office or its equivalent and the University Hospital, plus the amount of income for professional services of faculty members accruing to the institution in the six-month period from other sources, including grants and contracts, will be determined in aggregate for all clinical departments of the College of Medicine and separately for each such department.

2. The amount determined for each participating department, expressed as a percentage of the amount determined for all departments in aggregate, will be the basis for dividing among departments the funds available for distribution, and the amount to be allocated to the respective departments will be calculated accordingly.

I. Data on the factors to be utilized in determining departmental allocations will be submitted by the Dean of the College of Medicine for review by the Physicians' Services Plan Faculty Advisory Committee prior to preparation of the supplementary operating budget. Upon recommendation of the Committee, adjustments in the factors used may be made by the Dean if deemed necessary to avoid inequities due to limitations of available data. Computations of the amount of allocations for individual participating departments will be provided to the chairpersons of the departments, respectively.

J. Following adoption of the provisions herein, recommendations may be made by the Faculty Advisory Committee from time to time for modifications deemed to be appropriate and desirable, with the understanding that at the end of the first year the entire plan for supplemental compensations will be critically reviewed and appropriate changes made.

DENTAL SERVICES PLAN
(APPROVED BY THE BOARD OF TRUSTEES)

ARTICLE I. NAME OF THE PLAN

The Plan shall be known as the DENTAL SERVICES PLAN of the University of Kentucky Medical Center.

ARTICLE II. SCOPE OF THE PLAN

The Plan establishes policies and general procedures relating to compensation for services rendered by all dentists, regardless of specialty, with full-time faculty appointments in the College of Dentistry. This Plan is applicable to compensation derived from salary and from the Dental Services Account both of which are established by the University Board of Trustees. The Plan is applicable to all services of such faculty members incident to the care of patients and to all other activities which are a part of the Medical Center program. Income from publications and honoraria for lectures or other activities which are not a part of the Medical Center program are excluded from the Plan, but remain subject to policies and regulations of the Board of Trustees.

ARTICLE III. PURPOSE OF THE PLAN

The purpose of the Plan is to facilitate proper functioning of the teaching, research, and service programs of the Medical Center, consistent with the integrity and responsibilities of the University. With this purpose paramount in consideration, the operation of the Plan will be evaluated periodically with the underlying principles hereinafter set forth as guides.

ARTICLE IV. DEFINITIONS

A. The "FUND" as used herein means the Fund for Advancement of Education and Research in the University of Kentucky Medical Center, a non-profit corporation organized in 1959 under the laws of Kentucky to promote, advance, and support the educational, research, and other purposes of the University of Kentucky Medical Center. The "BOARD OF DIRECTORS OF THE FUND" means the Board of Directors of the Fund for Advancement of Education and Research in the University of Kentucky Medical Center, which Board consists of six members, including the Chancellor for the Medical Center, the Vice Chancellor for Clinical Professional Services who is also the Dean of the College of Medicine, the Dean of the College of Dentistry, the Chairperson of the Executive Committee of the Board of Trustees of the University of Kentucky, and two members appointed by the Board of Trustees of the University.

B. The "DENTAL FACULTY ADVISORY COMMITTEE OF THE FUND" as herein used means that Committee of the Fund for Advancement of Education and Research in the University of Kentucky Medical Center appointed by the Board of Directors of the Fund pursuant of Article X of this Plan.

C. The "FACULTY ADVISORY COMMITTEE OF THE COLLEGE OF DENTISTRY" as herein used means that Committee of the College of Dentistry appointed by the Dean of the College of Dentistry as provided in Article IX of this Plan.

D. The "DENTAL SERVICES ACCOUNT" as herein used means that separate depository account to be established as provided in Article VII of this Plan.

E. The "BOARD OF TRUSTEES" as herein used means the Board of Trustees of the University which by law is the governing board of the institution.

ARTICLE V. UNDERLYING PRINCIPLES

A. Dental care will be provided in the Medical Center because it is essential to the teaching and research programs and to the proper use of the facilities and skills in the Center to reinforce health care resources in local communities throughout the Commonwealth.

B. The kinds and volume of dental care provided by the Medical Center will be determined by the needs of the teaching, research, and service programs of the Center. Income derived from the provision of such care is incidental to the purposes of these programs and in this sense is properly considered a "by-product" of their operation.

C. Medical Center patient care facilities will be used exclusively for activities which are part of the Center's teaching, research, and service programs. All patients admitted to the Medical Center will receive care as part of the teaching and research program.

D. An optimal teaching environment will imbue students with understanding, sympathy, and respect for the patient as a person and will cultivate attitudes which are consistent with the highest ideals of the dental profession. To develop in students the ability to relate to patients differing widely in personality and environmental factors requires that teaching patients not be drawn from a single segment of society but rather that they represent a cross-section of the population. Moreover, optimal use of the Center's facilities in serving the needs of research activities requires absence of arbitrary restriction by social classification of patients. Such restrictions also would impair the value and usefulness to the people and dentists of the Commonwealth of the dental care resources available in the Center to reinforce resources available in local communities. In drawing teaching patients from all segments of the population, it will be the intent of the Medical Center to follow to the fullest extent possible the principle of strengthening the relationships between patients and their dentists.

E. The professional interests of full-time members of the clinical faculty of the College of Dentistry should be concentrated in academic dentistry. Arrangements creating financial incentives for full-time faculty members which would tend to inappropriately divert or dilute their concentration on teaching, research, and program responsibilities are not consistent with the mission of the Medical Center.

F. Each full-time member of the clinical faculty can rightfully expect:

1. The facilities, material, and support needed for teaching and research;

2. Opportunity to maintain and develop clinical skills; and

3. Compensation for work on a basis which recognizes the faculty member's responsibilities, competence, and productive effort and which is reasonably in line with compensation which the faculty member could obtain elsewhere in academic dentistry.

Success in attracting and holding an outstanding clinical faculty will depend on meeting these expectations.

G. Assurance that the level of compensation for full-time members of the clinical faculty is competitive with other good teaching centers and adequate to attract and maintain a strong, competent faculty is basically the responsibility of the University. Responsibility should rest with the University not only for ensuring that initial and subsequent levels of remuneration are adequate, but also for ensuring that such levels are not excessive. Through budgetary and related actions, the University should, to the extent possible and permissible, assure the faculty member that the faculty member's total remuneration from all sources will be in accord with a predetermined level which is fixed consistent with adequacy and which is periodically reviewed.

H. Payments received for dentists' services rendered by members of the full-time faculty of the College of Dentistry should be used only for remuneration of such faculty, in such manner and in such amounts as determined by the Board of Trustees, and for such other purposes in the Medical Center as may be recommended by representatives of the full-time faculty of the College of Dentistry.

I. With respect to each member of the full-time clinical faculty of the College of Dentistry, the amount of total compensation will be established by the Board of Trustees in the operating budgets of the Medical Center. The manner and extent to which compensation from the Dental Services Account is combined with other compensation will be reviewed and approved annually by the Chancellor for the Medical Center with periodic reporting to the Board of Trustees with the objective of providing stability of total compensation without impinging on the freedom of faculty members to apportion their time and efforts among teaching, research, and patient care activities as determined by their interests and program responsibilities.

ARTICLE VI. SETTING OF CHARGES FOR SERVICES

Standard schedules of charges for dentists' services, as developed by the College of Dentistry, subject to review by the College Council of the College of Dentistry and approval by the Dean of the College of Dentistry, will be the general basis for assessing such charges to patients. However, the amount of charges to any individual patient may be adjusted as determined by the dentist

rendering the services, if variation from standard charges is deemed by the dentist to be warranted by the circumstances.

ARTICLE VII. BILLING AND COLLECTION OF CHARGES FOR SERVICES

Charges for dental services rendered by the full-time members of the faculty of the College of Dentistry will be billed by the Medical Center for payment at the time services are provided or subsequently, with such charges and billings being appropriately coordinated with charges and billings for other services to patients. Collection of all amounts so billed will be handled by the Medical Center. Amounts collected for combined charges for services and undesignated receipts from or on behalf of individual patients who receive dental services will be applied on appropriate bases of proration to payment for dentists' services and to payment for other services. Major problems relating to collection from patients of charges for dentists' services will be handled in a manner that is subject to the concurrence of the dentists rendering the services to the patients. Any payments, other than compensation as established by the Board of Trustees, which are received by full-time faculty members for professional services within the scope of the Plan shall be transmitted on a current basis to the Medical Center for inclusion with other funds collected for dentists' services.

All funds collected or received by the Medical Center for dentists' services rendered by members of the faculty of the College of Dentistry shall be so collected and received by the Medical Center as Trustee for the Fund for Advancement of Education and Research in the University of Kentucky Medical Center. Such funds shall be segregated upon receipt and shall be paid over by the Medical Center to the Fund by depositing the same in a separate account of the Fund in such depository as may be designated. Such separate account shall be designated and known as the Dental Services Account of the Fund.

ARTICLE VIII. USE OF FUNDS DEPOSITED IN THE DENTAL SERVICES ACCOUNT

As a standing policy, The Fund for Advancement of Education and Research in the University of Kentucky Medical Center will use and expend all monies and funds deposited in the Dental Services Account to the extent available for the following purposes:

A. Compensation to members of the clinical faculty of the College of Dentistry in such amounts as may be necessary to provide the difference between other University compensation and the total compensation as established by the Board of Trustees in the operating budget of the Medical Center. The operating budget will show the amounts to be paid from the Dental Services Account, which amounts are dependent upon the availability of funds.

B. Such other purposes in the Medical Center as from time to time may be recommended to the Board of Directors of the Fund by the Dental Faculty Advisory Committee of the Fund provided, however, that such funds may not at any time be used for payment to members of the faculty of the College of Dentistry of income in excess of the total compensation established for the individual members thereof by the Board of Trustees in the operating budget of the Medical Center.

ARTICLE IX. THE FACULTY ADVISORY COMMITTEE OF THE COLLEGE OF DENTISTRY

The Dean of the College of Dentistry shall appoint a Faculty Advisory Committee of the College of Dentistry, which committee shall consist of the department Chairpersons, and such other faculty members as the Dean deems desirable. The Dean shall serve ex officio as Chairperson of the Committee. The Committee shall meet periodically and shall review the operation of this Plan, including matters relating to the applicability of the Plan to sources of income, standard schedules of charges for dentists' services, and any other aspects of the operation of the Plan. This Committee shall make such recommendations as it may deem appropriate to the Dean of the College of Dentistry with respect to the modification of the policies and procedures provided by this Plan or utilized in its operation. In the event that changes are deemed necessary, they will be brought before the College faculty by the Chairperson of the Committee.

ARTICLE X. THE FACULTY ADVISORY COMMITTEE OF THE FUND

The Board of Directors of the Fund will establish within the organizational structure of the Fund a Dental Faculty Advisory Committee, which shall consist of all the members of the Faculty Advisory Committee of the College of Dentistry. It shall be the duty of the Chairperson of the Dental Faculty Advisory Committee of the Fund to make recommendations from time to time to the Board of Directors of the Fund on the use of monies in the Dental Services Account of the Fund, specifically with respect to use of such monies pursuant to subparagraph B of Article VIII of this Plan and within the purposes authorized by the Articles of Incorporation of the Fund. In the performance of its duty the Committee shall review the status of the Dental Services Account, for which reviews the Fund shall provide summary statements of deposits, expenditures, and commitments by major categories.

ARTICLE XI. LIMITATIONS ON PRACTICE BY FACULTY MEMBERS

As a condition of employment, dentists who are full-time faculty members in the College of Dentistry will not maintain offices or engage in the practice of dentistry outside of the approved programs of the Medical Center except in infrequent and special circumstances as in emergencies and in other situations where provision of service is required by professional ethics.

ARTICLE XII. EFFECTIVE DATE

Upon approval by the Board of Trustees of the University of Kentucky, the Dental Services Plan will be effective upon approval on March 2, 1993. Subsequent modifications or amendments of the Plan will be effective upon approval of the Board of Trustees or as of such date as may be specified by the Board of Trustees.

WAR1:80

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-7.0-4	PAGE 1
	DATE EFFECTIVE 9/19/95	SUPERSEDES REGULATION DATED AR II-4.0-4 9/21/71 AR II-7.0-4 5/3/83 4/4/95 3/2/93

PROVISIONS FOR FACULTY SALARY SUPPLEMENTAL COMPENSATION UNDER THE DENTAL SERVICES PLAN (APPROVED BY THE BOARD OF TRUSTEES)

I. Objectives

The specific objectives of the proposed salary supplementation plan include the following:

A. To increase faculty income over and beyond that available through State support to the College of Dentistry in an effort to remain competitive with other institutions;

B. To increase faculty incentive to participate in income-producing activities which will normally be beneficial to the College of Dentistry, the University of Kentucky, and the State; and

C. To maintain primary emphasis on the teaching and research programs of the College of Dentistry.

II. Basis

The proposal is based on a system allowing the Dean and Department Chairpersons to reward faculty members for unusual productivity and effort. The rewards will be derived from income generated by faculty activity but will not necessarily be directly related to the fiscal productivity of each individual. The system should allow maintenance of College balance without overcompensation for one segment of activity to the exclusion of other equally important commitments.

III. Applicable Provisions

A. Supplemental compensation salary, fringe benefits, etc. will be estimated for the ensuing fiscal year during the annual operating budget process; the amount budgeted will be included as a separate nonrecurring, supplemental budget item. This supplemental budget will be submitted to the THE FUND Board and the Board of Trustees for approval as part of the annual operating budget. The appropriation of funds for expenditures will be equal in amount to additional income to the University provided by a grant by the Board of Directors of THE FUND to the University specifically for the purpose of financing the supplementary operating budget. Such a grant will be in addition to that made by THE FUND in support of salaries provided in the basic operating budget of the College of Dentistry.

B. FUND grants for the purpose of supplemental compensation will constitute non-recurring funds, and approval of the supplementary operating budget based thereon will not constitute an increase in the budget base of the College of Dentistry. Supplemental compensation payable to participating individuals in accordance with approved supplementary operating budgets will be distributed quarterly by the University based on equity determinations on September 30, December 31, March 31, and June 30 of each fiscal year. Supplemental compensation will be paid at the end of the month following the equity determinations. Individuals no longer in the employment of the University are eligible to receive supplemental compensation at the first distribution following termination based on equity determinations through the last day of their employment.

C. The Chancellor of the Medical Center is delegated the authority to approve the percentage of net revenue to be allocated for supplemental compensation. The amount of the grant to the University by THE FUND for the purpose of supplemental compensation or increases to individual discretionary accounts will be calculated quarterly based on the approved percentage to individual faculty members on the basis of net revenues collected from professional fees and other sources. Criteria utilized in determining the percentage will be submitted by the Dean of the College of Dentistry for review by the faculty prior to preparation of the supplementary operating budget. Changes in the criteria may be made by the Dean if necessary to reconcile differences between the actual figures and the projected supplemental budget. Disbursements for the first quarter of a fiscal year will be based on the prorata revenues collected from July 1 - September 30th. Disbursements for the second quarter of a fiscal year will be based on pro rata revenues collected from October 1 - December 31st. Disbursements for the third quarter of a fiscal year will be based on pro rata revenues collected from January 1 - March 31st. Disbursements for the fourth quarter of a fiscal year will be based on prorata revenues collected from April 1-June 30th. Supplemental compensation and increases to individual discretionary accounts are predicated on and subject to pro rata reductions based on: (a) projected availability of cash on the disbursement dates; (b) availability of net revenues to meet projected annual DSP budget; (c) a projected positive cash balance at the end of the fiscal year; and (d) sufficient projected fund balance to have allocated fund balance to cover Accounts Receivable in accordance with University policy. To the extent distributions have been made for supplemental compensation and increases to individual discretionary accounts, this constitutes full and final payment.

D. If the actual amounts generated and required for the supplementary expenses are greater than the approved annual supplementary operating budget, a revised budget should be prepared and submitted in accordance with university budgetary procedures, before the established budgetary authority is reached.

E. In preparation of the supplementary operating budget, the Dean of the College of Dentistry will allocate THE FUND grant for supplemental compensation based

on generation of income from professional fees and other sources and based on performance.

F. Following adoption of the provisions herein, recommendations may be made by the Faculty Advisory Committee from time to time for modifications deemed to be appropriate and desirable.

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COMMITTEE ON ENVIRONMENTAL HEALTH AND SAFETY

The Committee on Environmental Health and Safety exercises advisory and other stated responsibilities for the Biological, Chemical, Environmental, Fire, Accident, Industrial Hygiene, Occupational Health, and Radiation Safety programs of the University of Kentucky. The roles of the Committee and its various subcommittees relate to fire, accident, and other general safety matters and to the acquisition, safe use and disposition of radioactive and hazardous materials. The Committee functions within the context of established external regulations, University policies, and recognized standards for the safe conduct of operations.

The Committee and its various subcommittees are appointed by the President of the University of Kentucky, and the Committee reports to the Vice President for Administration with an advisory relationship to the Director of Environmental Health and Safety. The Committee and subcommittees shall be composed of appointed and ex officio members to include faculty, staff, student, and external representation, and the chairperson of each shall be designated by the President. The appointed members normally shall have staggered three-year terms.

The Committee shall function with subcommittees as necessary to satisfy regulatory and program needs.

The Committee is charged with the responsibility to:

1. Recommend to the Vice President for Administration, on an annual basis, on the establishment and charges for subcommittees of the Committee.

2. Recommend policies and procedures for the Biological, Chemical, Environmental, Fire, Accident, Industrial Hygiene, Occupational Health, and Radiation Safety programs that will provide for the safety and health of people and that will comply with regulatory requirements.

3. Recommend educational programs which will prepare members of the University community to comply with environmental and safety policies, procedures, and regulations.

4. Serve as the Institutional Biohazards Committee for recombinant DNA and carry out the Committee functions required under NIH regulations to include: policy and procedure recommendations; compliance reviews; individual research project approval; and the certification that facilities, procedures, and practices and the training and expertise of the personnel involved have been reviewed and approved.

5. Serve as the Radiation Safety Committee to review and oversee the use of radioactive material and exercise responsibilities required by regulations including the review and approval of authorized users and methods of use of radioactive materials, radiation program changes prior to submittal for licensure; and the establishment and monitoring of the program to maintain occupational doses.

6. Review as required by policies or regulations, but at least on an annual basis, reports on the amount and type of radioactive and hazardous materials acquired, used and disposed of by the University.

7. Review, on a timely basis and specifically as required by policies or regulations, reports of any incidents or violation of policies or procedures where radioactive or hazardous materials are involved.

8. Review, as required by policies or regulations but at least on an annual basis, reports of accidents and injuries (including worker's compensation) or other safety problems.

9. Recommend on the training, experience and medical requirements, with consideration of regulatory requirements, for personnel who work with, or in the vicinity of, radioactive and hazardous materials; and conduct at least an annual review of compliance with such requirements.

The Committee shall be responsible for an annual report and, on request, special reports to the Director of Environmental Health and Safety or Vice President for Administration.

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GRIEVANCE PROCEDURE FOR HOUSE OFFICERS

I. Policy

It is the intention of the University to deal fairly with House Officers; i.e., those individuals with a recognized professional degree in one of the health professions engaged in postgraduate training; Pharm. D. and hospital chaplain residents; clinical psychology interns; and rational behavior therapy fellows in training in University Hospital or affiliated health care settings.

In the normal course of working together on a day-to-day basis, problems in connection with the working relationship can be expected to arise. In most cases, the problem can and should be resolved at the first level of supervision. However, when a mutually satisfactory solution cannot be worked out at the first level, the house officer should be given an opportunity to appeal the decision without fear of prejudice.

The procedure outlined herein is designed to provide a method of dealing with house officer grievances in a prompt and equitable manner without placing an unreasonable burden on the University's resources and personnel. The proceedings are informal in nature. Procedural due process in this context does not require many of the features of the formal judicial proceedings employed by courts-of-law, such as public hearing, representation by counsel, cross-examination of witnesses, and adherence to rules of evidence. Thus, emphasis is placed on a method of getting at the facts, assuring that these are reported accurately to the proper authority, and providing a decision which is fair to all concerned.

II. Grievance Procedure

A. Stage I

1. The aggrieved house officer shall state any personal complaint to the house officer program director of the department to which the house officer is assigned.

2. The program director may request that the complaint be stated in writing; the house officer shall be obligated to comply with the request.

3. The complaint shall be reported by the program director to the department chairperson.

4. Every effort shall be made by the program director to deal with the complaint on its merits without undue delay. However, the program director shall be allowed up to three (3) working days (Saturdays, Sundays, and holidays excluded) to resolve the matter satisfactorily. The decision of the house staff program director shall be termed an answer for the aggrieved house officer.

5. The program director's answer shall be in writing.

6. A copy of the answer shall be forwarded to the department chairperson.

B. Stage II

1. If the aggrieved house officer is not satisfied with the answer of the house officer program director or if the answer is not received from the director within the time allowance stated in Stage I, the house officer may appeal directly to the department chairperson.

2. The appeal shall be made within three (3) working days (Saturdays, Sundays, and holidays excluded) after expiration of the director's time allowance as stated in Stage I.

3. The department chairperson may request that the appeal be stated in writing; the house officer shall be obligated to comply with the request.

4. The decision of the department chairperson shall be given in writing to the house officer within five (5) working days (Saturdays, Sundays, and holidays excluded) after receipt of the appeal.

5. Copies of the appeal and the decision shall be forwarded to the appropriate dean, as well as to the appropriate house officer program director.

C. Stage III

1. If the aggrieved house officer is not satisfied with the decision of the department chairperson, or if the decision is not received within the time allowance outlined in Stage II, the house officer may appeal to the dean of the college.

2. The appeal shall be made within three (3) working days (Saturdays, Sundays, and holidays excluded) after receiving the decision or, if no decision is received, within three (3) working days (Saturdays, Sundays, and holidays excluded) after expiration of the time allowance of the department chairperson as stated in Stage II.

3. The dean may request that the appeal be stated in writing; the house officer shall be obligated to comply with the request.

4. The dean or the dean's designee shall investigate the appeal and shall forward a decision in writing to the house officer within five (5) working days (Saturdays, Sundays, and holidays excluded) after receipt of the appeal.

5. Copies of the appeal and the decision shall be forwarded to the Clinical Board of the University Hospital, as well as to the appropriate department chairperson and house officer program director.

D. Stage IV

1. If the aggrieved house officer is not satisfied with the decision of the dean and if the stated grievance is one of the following:

a. A charge of unfair termination of residency;

b. A charge of discriminatory act in violation of University fair employment rules and regulations;

c. A charge of violation of pertinent basic University policies, including the policy that sexual harassment of students, faculty, and staff is prohibited;

d. A charge of violation of the Code of Professional Behavior; the house officer may, during the next three (3) working days (Saturdays, Sundays, and holidays excluded) request a formal hearing before a grievance hearing committee.

2. The Clinical Board of University Hospital shall appoint a grievance hearing committee and shall designate a chairperson.

3. The committee shall be composed of at least three (3) impartial members who are members of units outside the department of the house officer and are either department chairpersons or residency program directors.

4. The committee shall investigate the grievance, accumulate and study the facts in the case, conduct necessary hearings, and submit a written report of its findings and recommendations for disposition to the Clinical Board of the University Hospital within a period of ten (10) working days (Saturdays, Sundays, and holidays excluded) after notification of committee appointment, unless extended for cause.

5. The house officer may have a spokesman of personal choice (including legal counsel) to represent the house officer at a scheduled hearing. At the hearing, the house officer or the house officer's spokesman (counsel) shall not be permitted to confront and cross-examine other individuals but shall be furnished, in advance of the hearing, a list of those persons scheduled to appear before the committee.

6. The Clinical Board of the University Hospital, upon reviewing the committee's recommendation, shall render a final decision and so notify the house officer in writing.

7. A copy of the committee's report of findings and recommendations, together with a copy of the final decision of the Clinical Board of the University Hospital shall be forwarded to the residency program director, the appropriate dean, and, for confidential filing in the house officer's personnel folder by, the Associate Dean for Clinical Affairs. In any case involving sexual harassment, copies of the committee's report and the Clinical Board's final decision also shall be forwarded to the Affirmative Action Officer.

HEALTH SCIENCES STUDENT PROFESSIONAL BEHAVIOR CODE

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HEALTH SCIENCES STUDENT PROFESSIONAL BEHAVIOR CODE

A. Introduction

The Introduction to the University's Code of Student Conduct states: "The Code does not cover decisions of the faculty of a professional school as to character, moral or ethical, required of a student for purposes of awarding a degree or certificate, or for continuation as a candidate for such degree or certificate...."

This document, the Health Sciences Student Professional Behavior Code, hereafter denoted as HSSPBC, provides the standards and procedures to be used in the health sciences colleges of the Medical Center where questions of character, to be defined in terms of professional conduct, arise regarding a student enrolled in courses or programs, including clinical programs, in any of the colleges of the Medical Center.

The HSSPBC shall be uniformly applicable to all colleges of the Medical Center. The HSSPBC shall be applicable to all students enrolled in colleges of the Medical Center, including graduate students enrolled in the courses or programs offered by the colleges, and students licensed to practice.

B. Standards

Upon graduation or licensure, the health sciences student will be expected to adhere to accepted standards of professional practice.

Character, moral or ethical, is an important component of professional behavior and of the overall assessment of the performance of each health sciences student. A student's continued enrollment depends in part on the student's ability to adhere to recognized standards of professional practice and conduct. The standards are drawn from the duly legislated practice acts of the professions that have educational programs in the Medical Center.

Violation of one or more of the standards shall be sufficient grounds for the dean of a Medical Center college to initiate a review of the appropriateness of the student's continuing enrollment in courses or programs of the College.

Unprofessional conduct of a student includes conduct leading to, or associated with, one or more of the following in a context or manner which is relevant to professional practice when such conduct occurs at any site which is the subject of a clinical affiliation agreement or at any site where the student is engaged in a course or other learning experience for credit toward graduation or upon University property as that term is defined in the University's Code of Student Conduct:

1. Conviction for a felony;

2. Abuse of a controlled substance or drug;

3. Misappropriation or illegal use of drugs or other pharmacologically active agents;

4. Chronic or persistent abuse of alcohol;

5. Any condition or behavior which may endanger clients, patients, or the public, including failure to carry out the appropriate or assigned duties where lack of doing so may endanger the health or well-being of a patient or client;

6. Behavior or action which deceives, defrauds, or harms the public and/or profession;

7. Falsifying or, through negligence, making incorrect entries or failing to make essential entries in health records;

8. Deliberate deception of a patient or client through failure of the student to identify student status;

9. Failure to maintain client or patient confidentiality;

10. Obtaining any fee by fraud or misrepresentation;

11. Removal or suspension from any clinical setting by appropriate administrative authority for unprofessional conduct; or

12. Commission of any act which has the effect of bringing the student, the University, or the student's intended profession into disrepute, including, but not limited to, any departure from or failure to conform to the standards of acceptable and prevailing professional practice with the state and any departure from or failure to conform to the principles or code of ethics recognized by the licensing, certifying, or professional association or agency of the student's intended profession.

C. Sanctions

Sanctions which may be imposed by a dean for violation of the standards are:

1. Written warning;

2. Probation with specific conditions;

3. Suspension from a college of the Medical Center or suspension from that college's courses or programs for a definite period;

4. Dismissal from a college of the Medical Center for an indefinite period; the conditions for readmission shall be specified at the

time of dismissal; readmission to the college or to the courses or programs of the college from which the student has been dismissed shall be only with the specified approval of the Chancellor for the Medical Center;

5. Termination as a student and/or candidate for professional degree or certificate in a college of the Medical Center without possibility of readmission to that college.

D. Jurisdiction

A student enrolled in a course or program in a college of the Medical Center shall be held to the Health Sciences Student Professional Behavior Code, the Code of Student Conduct, and Selected Rules of the University Senate of the University of Kentucky. If a violation of the Code of Student Conduct and also one or both of the other above referenced codes or rules allegedly has been committed in the same set of circumstances or facts, the dean of the college in which the student is enrolled and the Dean of Students of the University of Kentucky shall consult. (In cases involving a graduate student, the dean of the college also shall consult the Dean of the Graduate School.) They shall determine whether the Dean of Students, the dean of the college, and/or the Dean of the Graduate School will investigate and pursue the case in accordance with the appropriate procedure(s) and authorities.

A decision taken by a dean under the HSSPBC shall not preclude or be precluded by any action for which the student may be liable for the same or a related offense under the Code of Student Conduct, Selected Rules of the University Senate of the University of Kentucky, or behavioral standards which may have been established in any specific course.

E. Notifications by Dean to the Student

When a dean of a college, after investigation into an alleged violation of the standards, believes a student has committed a violation of the standards, the dean shall:

1. Notify the student in writing at a meeting or by certified mail that the student is charged with the violation of one or more of the standards; and

2. Notify the student in writing of the student's rights:

   a. The student has the right to waive the rights to a hearing and an appeal.

   b. The student has the right to a hearing before an impartial committee of faculty and students from the student's college, which hearing shall be conducted in accordance with the procedure described herein. A request from the student for a

hearing must be communicated in writing to the dean of the college and received within five (5) working days of the student's receipt of notification of the charge.

c. The student shall not be compelled to give testimony which might tend to be incriminating. Refusal to do so shall not be considered evidence of guilt.

d. The student shall receive a written statement of the conclusions and recommendation reached by the Hearing Committee.

e. The student shall have the right to appeal the decision of the dean to the Chancellor for the Medical Center.

F. Hearing Procedure

If the student has requested a hearing:

1. The dean shall form an impartial ad hoc Hearing Committee with representation from the following groups:

   a. Two college faculty members whose teaching occurs in a patient care setting, appointed by the dean;

   b. One representative of the college's full-time tenured faculty, who has no current academic or supervisory relationship with the student, chosen and appointed by the dean; and

   c. Two students within 12 months of completing professional degree requirements and in good standing, selected by the college's Student Advisory Council.

2. The dean shall designate one of the above described representatives to be the Chairperson of the Hearing Committee. The Chairperson shall:

   a. Be a voting member of the Committee; and

   b. Convene the Committee within 15 calendar days of the dean's receiving the student's written request for a hearing.

3 A quorum shall be all five members of the Committee.

4. The Hearing Committee shall establish procedural rules for the hearing which will ensure the orderly conduct of its functions. The Hearing Committee shall maintain a record of its proceedings.

5. The hearing may be open or closed, according to the student's choice, which shall be specified in the student's request for a hearing (refer to Section E.2.b).

6. The student may have an advisor of the student's own choice who may advise the student and speak on the student's behalf; however, neither the student nor the student's advisor may examine any witnesses or committee members unless permitted by the Chairperson.

7. The student shall be able to hear all witnesses. Any questions the student may wish to ask of witnesses shall be furnished to the Chairperson, to be asked by the Chairperson, at the Chairperson's discretion.

8. The student shall enjoy all other rights specified at the time of notification of charges, cited above.

G. Hearing Committee Report

The Hearing Committee, after concluding the hearing and taking evidence, shall reconvene in executive session with Committee members only, to review the evidence, to make findings, and to determine whether or not a violation of the standards has occurred. The Hearing Committee shall recommend an appropriate sanction to the dean if it concludes a violation has occurred. If the Committee determines that insufficient evidence exists to conclude that a violation of the standards has occurred, it shall so notify the dean. The Committee's summary of findings, including its determination of whether or not a violation of the standards has occurred, and any recommended sanction shall be communicated in writing to the dean.

H. Decision of the Dean

The dean shall not reverse the determination of the Committee as to whether or not a violation of the standards occurred. The dean shall take any recommendation of a sanction by the Hearing Committee under advisement. The dean may impose a sanction which is less than, the same as, or greater than that recommended by the Committee. The student shall be notified in writing by certified mail of the dean's decision, which shall be final unless appealed by the student.

I. Appeal

A student has the right to appeal a decision of the dean, unless waived, to the Chancellor for the Medical Center within 15 calendar days of the date of student's receipt of written notification of the dean's decision. An appeal may be based on one or more of the following grounds only:

1. Error of fact;

2. Lack of adherence to due process as established by this Code; or

3. Student's belief that the sanction is too severe.

The Chancellor shall review the dean's decision on only those grounds which are cited in the appeal and for which written documentation is submitted with the student's written request for an appeal.

The Chancellor's decision, which shall be made within 15 calendar days of the receipt of request for an appeal, shall be final.

The Chancellor's decision shall be recorded in writing and made a part of the student's permanent record. The Chancellor shall notify the student by certified mail, with a copy to the dean of the college.

J. Amendment of the Health Sciences Student Professional Behavior Code

As an Administrative Regulation, supplementary to the Governing Regulations of the University of Kentucky, amendment of the Health Sciences Student Professional Behavior Code shall be recommended by the Chancellor for the Medical Center, after consultation with Medical Center deans and other administrators, to the President with final approval of all amendments to be made by the Board of Trustees.

ENROLLMENT OF RESIDENTS AND CLINICAL FELLOWS

A system to identify and to keep an account of residents and clinical fellows pursuing advanced studies and specialist training in the University serves the interests of both the individuals concerned and the University. On the one hand, it provides recognition to such persons and defines their status and privileges; on the other hand, it enables the University to assess its contribution to their training program in terms of equipment, library facilities, faculty time, and space. For these reasons, the following procedures have been developed for the enrollment of residents and clinical fellows.

I. Jurisdiction

Residents and clinical fellows working within the Medical Center under the auspices of the Medical Center colleges and departments shall be under the jurisdiction of the Chancellor for the Medical Center. Certain matters may be delegated by the Chancellor for the Medical Center to appropriate college deans.

II. Definitions of Resident and Clinical Fellow

A. Resident -- An individual with a recognized professional degree in one of the health professions who is engaged in postgraduate training, in the individual's field, in University Hospital or one of its affiliated medical facilities.

B. Clinical Fellow -- An individual with a doctorate in one of the health professions, who is engaged in advanced training and research in University Hospital or one of its affiliated medical facilities. The training program is designed specifically for the needs of the trainee, and may or may not include assignments similar or identical to others in the trainee's field.

III. Eligibility for Enrollment as Resident or Clinical Fellow

A. Satisfactory completion of prerequisite requirements as approved by the college, and possession of a professional degree or its equivalent applicable to the program in question, such as the M.D., D.M.D., or Pharm.D., Master of Hospital Administration, Master of Divinity, or Ph.D. in Nursing or D.N.S.

B. Pursuit of any program of postgraduate clinical education in which the Medical Center staff assumes responsibility and which takes place in University Hospital or in one of its affiliated medical facilities. Each resident or fellow is under the supervision of an academic department in the Medical Center. This department, subject to the policies of the appropriate college, has the responsibility for the content, length, and evaluation of the training and research experience of the individual.

C. Not included in this category are individuals with the M.D., D.M.D., or other doctoral degrees who are engaged in training and/or research in the basic sciences departments or who are pursuing full-time research in clinical departments without clinical responsibilities. However, residents and clinical fellows may be assigned for training and/or research in basic sciences departments on a full-time basis as part of their approved program.

IV. Appointment

Residents and clinical fellows shall be appointed by the Director of the Office of House Staff Affairs in the College of Medicine after each individual's application for enrollment has received the approval of the proper departmental chairperson or head of a research unit and of the Chancellor for the Medical Center. Applications shall be made on forms which are available at the Office of House Staff Affairs in the College of Medicine.

V. Other Policies

Residents and clinical fellows are classified as both students and staff and as such are subject to certain other University policies including but not limited to the Grievance Procedure for House Officers (AR II-7.0-5), Health Sciences Student Professional Behavior Code (AR II-7.0-6), Bylaws and Rules and Regulations of the Medical Staff, and the Behavior Standards in Patient Care.

VI. Benefits

Residents and clinical fellows, in view of their classification as both students and staff, will be eligible for certain benefits but will not be eligible for participation in the University of Kentucky Retirement Plan. They are responsible for all fees except that for basic life insurance. Fees will be those currently in force and are subject to change as these are modified from time to time under the provisions of the contracts as negotiated between the University and various insurance companies. Specifically, they are eligible:

A. For an identification card, indicating clearly the recipient's status as a resident or clinical fellow, issued without fee by the Employee Benefits Office to each individual after a signed appointment form or other appropriate documentation of eligibility of the individual has been received from the Office of House Staff Affairs in the College of Medicine. This ID card will enable the recipient to have access to library facilities, recreational facilities, and check-cashing services on campus, and to make purchases with a discount at campus bookstores.

B. To enroll in one of the University of Kentucky employee health plans.

C. To use the Student Health Service by paying the semester health fee (although ineligible to use student group health insurance plan).

D. To pay the Student Activity Fee which will provide the following: Student Identification Card, access to tickets for all University-sponsored

events available to students (including athletic events), library privileges, and access to check-cashing service on campus.

E. For coverage by University's basic life insurance program.

F. To enroll in the University's optional life insurance program.

G. To purchase group accident insurance.

H. For coverage under the University's Long Term Disability Plan.

I. For coverage by provisions of Kentucky Worker's Compensation Act.

J. For coverage under the University's Blood Donor Program.

K. To apply for an A parking permit.

L. To participate in the voluntary tax-shelter plans offered by the University of Kentucky.

M. To apply for membership in the University of Kentucky Faculty Club.

N. To apply for membership in the Spindletop Hall Faculty, Staff, and Alumni Club.

O. For an entitlement to two calendar weeks of vacation leave with pay the first year and to three calendar weeks of such leave for each year of employment thereafter. However, vacation leave cannot be accumulated from one year to another.

P. For holiday leave with pay in accordance with University Hospital policies.

Q. For certain benefits which are available to University Hospital House Staff because of their responsibilities for patient care and services during nights and weekends. These benefits are specified in the House Staff brochure and are provided for the convenience of the employer and employee.

UNIVERSITY HEALTH SERVICE PHYSICIANS' SERVICE PLAN
(Approved by the Board of Trustees)

ARTICLE I. NAME OF THE PLAN

The Plan shall be known as the University Health Service Physicians' Service Plan of the University of Kentucky Medical Center.

ARTICLE II. SCOPE OF THE PLAN

The Plan establishes policies and general procedures relating to compensation for services rendered by all University Health Service Physicians, regardless of specialty, with full-time or part-time appointments in the University Health Service. This Plan is applicable to compensation derived from salary and from the University Health Service physicians incident to the care of patients and to all other activities which are a part of the Medical Center program. Income from publications and honoraria for lectures or other activities which are not a part of the Medical Center program are excluded from the Plan, but remain subject to policies and regulations of the Board of Trustees.

ARTICLE III. PURPOSE OF THE PLAN

The purpose of the Plan is to facilitate proper functioning of the teaching, research, and service programs of the Medical Center, consistent with the integrity and responsibilities of the University. With this purpose paramount in consideration, the operation of the Plan will be evaluated periodically with the underlying principles hereinafter set forth as guides.

ARTICLE IV. DEFINITIONS

A. The "FUND" as used herein means the Fund for Advancement of Education and Research in the University of Kentucky Medical Center, a non-profit corporation organized in 1959 under the laws of Kentucky to promote, advance, and support the educational, research, and other purposes of the University of Kentucky Medical Center. The "BOARD OF DIRECTORS OF THE FUND" means the Board of Directors of the Fund for Advancement of Education and Research in the University of Kentucky Medical Center, which Board consists of six members, including the Chancellor for the Medical Center, the Vice Chancellor for Clinical Professional Services who is also the Dean of the College of Medicine, the Dean of the College of Dentistry, the Chairperson of the Executive Committee of the Board of Trustees of the University of Kentucky, and two members appointed by the Board of Trustees of the University.

B. The "UNIVERSITY HEALTH SERVICE PHYSICIANS ADVISORY COMMITTEE OF THE FUND" as herein used means that Committee of the Fund for Advancement of Education and Research in the University of Kentucky Medical Center appointed by the Board of Directors of the Fund pursuant to Article X of this Plan.

C. The "PHYSICIANS ADVISORY COMMITTEE OF THE UNIVERSITY HEALTH SERVICE" as herein used means that Committee of the University Health Service appointed by the Director of the University Health Service as provided in Article IX of this Plan.

D. The "UNIVERSITY HEALTH SERVICE PHYSICIANS' SERVICES ACCOUNT" as herein used means that separate depository account to be established as provided in Article VII of this Plan.

E. The "BOARD OF TRUSTEES" as herein used means the Board of Trustees of the University which by law is the governing board of the institution.

ARTICLE V. UNDERLYING PRINCIPLES

A. Medical care will be provided in the Medical Center because it is essential to the teaching, research and service programs and to the proper use of the facilities and skills in the Center to reinforce health care resources in local communities throughout the Commonwealth.

B. The kinds and volume of medical care provided by the Medical Center will be determined by the needs of the teaching, research, and service programs of the Center. Income derived from the provision of such care is incidental to the purposes of these programs and in this sense is properly considered a "by-product" of their operation.

C. Medical Center patient care facilities will be used exclusively for activities which are part of the Center's teaching, research, and service programs. All patients admitted to the Medical Center will receive care as part of the teaching, research, and service program.

D. An optimal teaching environment will imbue students with understanding, sympathy, and respect for the patient as a person and will cultivate attitudes which are consistent with the highest ideals of the medical profession. To develop in students the ability to relate to patients differing widely in personality and environmental factors requires that teaching patients not be drawn from a single segment of society but rather that they represent a cross-section of the population. Moreover, optimal use of the Center's facilities in serving the needs of research activities requires absence of arbitrary restriction by social classification of patients. Such restrictions also would impair the value and usefulness to the people and physicians of the Commonwealth of the medical care resources available in the Center to reinforce resources available in local communities. In drawing teaching patients from all segments of the population, it will be the intent of the Medical Center to follow to the fullest extent possible the principle of strengthening the relationships between patients and their physicians.

E. The professional interests of full-time members of the University Health Service should be concentrated in their University Health Service position. Arrangements creating financial incentives for Health Service physicians which would tend to inappropriately divert or dilute their concentration on teaching, research, and program responsibilities are not consistent with the mission of the Medical Center.

F. Each full-time and part-time member of the University Health Service physician staff can rightfully expect:

1. The facilities, material, and support needed for teaching and research;

2. Opportunity to maintain and develop clinical skills; and

3. Compensation for work on a basis which recognizes the University Health Service physician's responsibilities, competence, and productive effort and which is reasonably in line with compensation which the University Health Service physician could obtain elsewhere in academic medicine.

Success in attracting and holding outstanding University Health Service physicians will depend on meeting these expectations.

G. Assurance that the level of compensation for full-time and part-time University Health Service physicians is competitive with other good teaching centers and University Health Services and adequate to attract and maintain (a) strong, competent, physicians is basically the responsibility of the University. Responsibility should rest with the University not only for ensuring that initial and subsequent levels of remuneration are adequate, but also for ensuring that such levels are not excessive. Through budgetary and related actions, the University should, to the extent possible and permissible, assure the University Health Service physician that the physician's total remuneration from all sources will be in accord with a predetermined level which is fixed consistent with adequacy and which is periodically reviewed.

H. Payments received for physicians' services rendered by University Health Service physicians should be used only for remuneration of such physicians, in such manner and in such amounts as determined by the Board of Trustees, and for such other purposes in the Medical Center as may be recommended by representatives of the University Health service physicians.

I. With respect to each full-time and part-time University Health Service physicians the amount of total compensation will be established by the Board of Trustees in the operating budgets of the Medical Center. The manner and extent to which compensation from the University Health Service Services Account is combined with other compensation will be reviewed and approved annually by the Chancellor for the Medical Center with periodic reporting to the Board of Trustees with the objective of providing stability of total compensation without impinging on the freedom of University Health Service physicians to apportion their time and efforts among teaching, research, and patient care activities as determined by their interests and program responsibilities.

ARTICLE VI. SETTING OF CHARGES FOR SERVICES

Standard schedules of charges for physicians' services, as developed by the University Health Service, subject to review by the University Health Service Advisory Committee and approval by the Director of University Health Service, will be the general basis for assessing such charges to patients. Variation from such standard established charges may be made with approval of the Director of the University Health Service.

ARTICLE VII. BILLING AND COLLECTION OF CHARGES FOR SERVICES

Charges for medical services rendered by full-time and part-time University Health Service physicians will be billed by the Medical Center for payment at the time services are provided or subsequently, with such charges and billings being appropriately coordinated with charges and billings for other services to patients. Collection of all amounts so billed will be handled by the Medical Center. Amounts collected for combined charges for services and undesignated receipts from or on behalf of individual patients who receive medical services will be applied on appropriate bases of proration to payment for physicians' services and to payment for other services. Major problems relating to collection from patients of charges for physicians' services will be handled in a manner that is subject to the concurrence of the physicians rendering the services to the patients. Any payments, other than compensation as established by the Board of Trustees, which are received by full-time and part-time University Health Service physicians for professional services within the scope of the Plan shall be transmitted on a current basis to the Medical Center for inclusion with other funds collected for physicians' services.

All funds collected or received by the Medical Center for services rendered by University Health Service physicians shall be so collected and received by the Medical Center as Trustee for the Fund for Advancement of Education and Research in the University of Kentucky Medical Center. Such funds shall be segregated upon receipt and shall be paid over by the Medical Center to the Fund by depositing the same in a separate account of the Fund in such depository as may be designated. Such separate account shall be designated and known as the University Health Service Physicians' Account of the Fund.

ARTICLE VIII. USE OF FUNDS DEPOSITED IN THE UHS PHYSICIANS' ACCOUNT

As a standing policy, The Fund for Advancement of Education and Research in the University of Kentucky Medical Center will use and expend all monies and funds deposited in the University Health Service Physicians' Account to the extent available for the following purposes:

A. Compensation to University Health Service physicians in such amounts as may be necessary to provide the difference between other University compensation and the total compensation as established by the Board of Trustees in the operating budget of the Medical Center. The operating budget will show the amounts to be paid from the University Health Service Physicians' Account, which amounts are dependent upon the availability of funds.

B. Such other purposes in the Medical Center as from time to time may be recommended to the Board of Directors of the Fund by the University Health Services Physicians' Advisory Committee of the Fund provided, however, that such funds may not at any time be used for payment to University Health Service physicians of income in excess of the total compensation established for the individual members thereof by the Board of Trustees in the operating budget of the Medical Center.

ARTICLE IX. THE UNIVERSITY HEALTH SERVICE PHYSICIANS' ADVISORY COMMITTEE

The Director of the University Health Service shall appoint a University Health Service Physicians' Advisory Committee. The Director shall serve as Chairperson of the Committee. The Committee shall meet periodically and shall review the operation of this Plan, including matters relating to the applicability of the Plan to sources of income, standard schedules of charges for physicians' services, and any other aspects of the operation of the Plan. This Committee shall make such recommendations as it may deem appropriate to the Director of the University Health Service with respect to the modification of the policies and procedures provided by this Plan or utilized in its operation. In the event that changes are deemed necessary, they will be brought before the University Health Service physicians by the Chairperson of the Committee.

ARTICLE X. THE UNIVERSITY HEALTH SERVICE PHYSICIANS' COMMITTEE OF THE FUND

The Board of Directors of the Fund will establish within the organizational structure of the Fund a University Health Service Physicians' Advisory Committee, which shall consist of all the members of the University Health Service Physicians' Advisory Committee of the University Health Service. It shall be the duty of the Chairperson of the University Health Service Physicians' Advisory Committee of the Fund to make recommendations from time to time to the Board of Directors of the Fund on the use of monies in the University Health Service Physicians' Services Account of the Fund, specifically with respect to use of such monies pursuant to subparagraph B of Article VIII of this Plan and within the purposes authorized by the Articles of Incorporation of the Fund. In the performance of its duty the Committee shall review the status of the University Health Service Physicians' Services Account, for which reviews the Fund shall provide summary statements of deposits, expenditures, and commitments by major categories.

ARTICLE XI. LIMITATIONS ON MEDICAL PRACTICE BY UNIVERSITY HEALTH SERVICE PHYSICIANS

As a condition of employment, physicians who are full-time employees of the University Health Service will not maintain offices or engage in the practice of medicine outside of the approved programs of the Medical Center except in infrequent and special circumstances as in emergencies and in other situations where provision of service is required by professional ethics.

ARTICLE XII. EFFECTIVE DATE

Upon approval by the Board of Trustees of the University of Kentucky, the University Health Service Physicians' Services Plan will be effective upon approval on January 25,1994. Subsequent modifications or amendments of the Plan will be effective upon approval of the Board of Trustees or as of such date as may be specified by the Board of Trustees.

WAR1:177

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	DATE EFFECTIVE 9/19/95	SUPERSEDES REGULATION DATED 4/4/95 1/25/95

PROVISIONS FOR UNIVERSITY HEALTH SERVICE PHYSICIANS' SUPPLEMENTAL COMPENSATION UNDER THE UNIVERSITY HEALTH SERVICE PHYSICIANS' PRACTICE PLAN
(Approved by the Board of Trustees)

ARTICLE I. NAME OF THE PLAN

The Plan shall be known as the University of Kentucky University Health Service Physicians' Practice Plan.

ARTICLE II. PURPOSE

To further the mission of the University Health Service, the objectives of the University Health Service Physicians' Practice Plan are to:

a. Increase University Health Service physician incomes over and beyond that available through other University Health Service funds in an effort to remain competitive with other university health services and other College of Medicine physicians.

b. To enhance University Health Service programs.

c. To provide a mechanism for incentives, recognition and rewards.

ARTICLE III. POLICY

Income generating activities of University Health Service physicians that relate to their professional expertise and/or credentials are facilitated by their employment at the University of Kentucky. To ensure accountability of these activities by the University of Kentucky, a University Health Service Physicians' Practice Plan is established which will maintain records of these activities and serve as the agent for collecting and dispersing funds generated by these activities. Therefore, it is necessary that all income generating activities covered by the Plan be routed through the Health Service Physician Practice Plan through the mechanism of the "Fund for Advancement of Education and Research in the University of Kentucky Medical Center."

ARTICLE IV. SCOPE

The provisions of this Plan apply to all full-time and part-time Health Service physicians assigned to the University Health Service during their period of assignment (refer to Article V.C.) (10 or 12 month appointments). The Plan is applicable to all services of Health Service physicians directly related to the care of patients

(professionally generated income) and to other activities which are part of the Medical Center Program. Income from publications, honoraria for lectures, royalties, copyrights or other activities which are not part of the Medical Center Program are excluded from the Plan, but remain subject to the policies and regulations of the University Health Service and the University of Kentucky Board of Trustees. Professionally generated income is defined as:

1. All compensation, income and payments (direct or in kind, and whether characterized as fees, retainers or otherwise) for professional services rendered, or to be rendered, including, but not limited to, those relating to the diagnosis, treatment and evaluation of patients or others, and consultations.

2. All payments, whether direct or in kind (excluding actual out-of-pocket costs) for providing advice, consultation, serving on boards or committees, overseeing, supervision or other participation with any person or entity involved with:

(a) health or medical care
(b) evaluation or care of patients
(c) prescribing drugs
(d) therapy of any kind
(e) health or medical care of any other type

3. Witness fees and payments relating to depositions, testimony or other evaluations in the capacity of a witness.

4. All other income which related to or would not exist, but for the professional education, experience or training which is the basis for the physician's appointment as a University Health Service physician.

ARTICLE V. DEFINITIONS

A. "THE FUND" as used herein means the "Fund for Advancement of Education and Research in the University of Kentucky Medical Center," a non-profit corporation organized in 1959 under the laws of Kentucky to promote, advance and support the educational, research and other purposes of the University of Kentucky Medical Center.

B. "Board of Trustees" as used herein means the Board of Trustees of the University of Kentucky which by law is the governing board of the institution.

C. Period of Assignment

1. The period of assignment is that contractual period for which the Health Service physician is appointed to work for the University of Kentucky University

Health Service. This is the 10 or 12 month period in each respective physician's appointment period.

2. Period of non-assignment is that period in which the individual Health Service physician is not under contract with the University of Kentucky. This includes the two month period of a ten month assignment to a Health Service physician position.

ARTICLE VI. PROCEDURES

A. Reporting

The Director of the Health Service will provide a quarterly summary report to the Health Service physicians of the types of activities included in the Plan, exclusions approved and disapproved and the amount of funds received and dispersed.

B. University Health Service Physicians' Practice Plan Committee.

The Practice Plan Committee will be composed of the following: the Director of the Health Service who shall serve as Chair of the Committee, the Clinical Director and the Director of Mental Health. The Administrator of the Health Service shall serve as ex-officio, without vote. Voting members of the committee must be participants of the Plan. The Committee shall meet periodically and review the operation of the Plan including matters relating to the applicability of the Plan to sources of income, schedules of charges for professional services and any other aspects of the operation of the Plan. The Committee shall make such modifications of the policies and procedures provided by the Plan or utilized in its operation.

C. Fees

The level of reimbursement/fees for professional services will be negotiated by the Director and/or the Administrator of the Health Service with the Guidance of the Practice Plan Committee as described in ARTICLE VI-D.

D. University Health Service Practice Plan Administrator

The UHS Practice Plan Administrator will be appointed by the Director; specifically, the UHS Practice Plan Administrator will be the Administrator of the University Health Service. The UHS Practice Plan Administrator will be responsible for: (1) preparing the annual budget of the Plan for the Director; (2) the daily operation of the UHS Practice Plan and preparation of appropriate reports on the financial status of the UHS Practice Plan to include projections of plan income generation and disbursement on a quarterly basis.

E. Salary Supplement; Discretionary Account

Income generated by professional activities of University Health Service physicians (other than that generated by mandatory student health fees) and deposited into "THE FUND" may be used in part for salary supplements to University Health Service physicians. The amount to be distributed to the salary supplement account will be determined by the University Health Service Practice Plan Committee with the advice and direction of the Plan Administrator. Income not distributed as physician supplements will be deposited to University Health Service Discretionary Account for enhancement of University Health Service programs and activities and for University staff Professional Development Accounts.

F. Budget Reporting

The proposed budget will be submitted by the Director to the University Health Service Physicians' Practice Plan Committee for review and comment.

G. Annual Budget

The annual budget of the Practice Plan will include:

1. Money available for distribution as physician salary supplements.

2. Money available for University Health Service discretionary account.

H. Billing Procedures

The billing procedures will be negotiated by the UHS Practice Plan Administrator using an appropriate approved University billing system.

I. Amendments

The policies and procedures of the University Health Service Physicians' Practice Plan will be an evolutionary process of change. All amendments will be in accordance with the rules and requirements of "THE FUND."

ARTICLE VII. APPLICABLE PROVISIONS

A. Supplemental physician compensation will be estimated for the ensuing fiscal year during the annual operating budget process; the amount budgeted will be included as a separate nonrecurring, supplemental budget item. This supplemental

budget will be submitted to THE FUND Board and the Board of Trustees for approval as part of the annual operating budget. The appropriation of funds for expenditures will be equal in amount to additional income to the University provided by a "grant" from the Board of Directors of "THE FUND" to the University, specifically for the purpose of financing the supplementary operating budget.

B. The supplementary operating budget for the University Health Service will be prepared and submitted in accordance with the University budgetary procedures. If the actual amounts generated and required for the supplementary expenses are greater than the approved annual supplementary operating budget, a revised budget should be prepared and submitted in accordance with University budgetary procedures before the established budgetary authority is reached.

C. In preparation of the supplementary operating budget the Director of the University Health Service will allocate monies to "THE FUND" grant for supplemental compensation based on generation of income from professional fees and other sources and based on incentives as determined by the UHS Physician's Practice Plan Committee.

D. The percentage of the income available in "THE FUND" to be distributed as physician supplements or to be deposited into the University Health Service Discretionary Account will be adjusted on an annual basis as determined by the University Health Service Physicians' Practice Plan Committee with the advice and direction of The Plan Administrator.

E. FUND Grants for the purpose of supplemental compensation will constitute non-recurring funds and approval of the supplementary operating budget based thereon will not constitute an increase in the budget base of the University Health Service. Supplemental compensation payable to participating individuals in accordance with approved supplementary operating budgets will be determined by the University quarterly as of September 30, December 31, March 31, and June 30 of each fiscal year and will not constitute an increase to the regular salary bases of the individuals involved. Supplemental compensation will be paid at the end of the month following the determinations.

F. Money deposited into "THE FUND" will be only that income generated by professional activities of University Health Service physicians from sources other than mandatory student health fees.

G. This quarterly supplement is guaranteed neither in kind nor amount, but is solely a function of that income which is generated as described above.

H. The actual supplement will be prorated based upon the individual's contract with the Health Service and upon other factors as determined by the Health Service Practice Plan Committee.

I. If an individual was hired during the quarter for which the supplement is issued, his/her supplement will be prorated based on the percentage of time the individual was actually employed during the quarter. This will be in addition to any other factors used to determine the amount of supplemental compensation.

J. If an individual leaves Health Service employment during the quarter, his/her supplement will be pro-rated based on the percentage of time the individual was actually employed during the quarter.

K. The Chancellor of the Medical Center is delegated the authority to approve the percentage of net revenue to be allocated for supplemental compensation. The amount of the grant to the University by "THE FUND" for the purpose of supplemental compensation or increases to the discretionary account will be calculated quarterly based on the approved percentage to individual physicians or to the Health Service Discretionary Account on the basis of net revenues generated from professional fees or other income sources. The Board of Directors will take action on the budget recommendations. Disbursements for the first quarter of a fiscal year will be based on the pro-rata revenues collected from July 1 - September 30. Disbursements for the second quarter of a fiscal year will be based on pro-rata revenues collected from October 1 - December 31. Disbursements for the third quarter of a fiscal year will be based on pro-rata revenues collected from January 1- March 31. Disbursements for the fourth quarter of a fiscal year will be based on pro-rata revenues collected from April 1 - June 30. Supplemental compensation and increases to the University Health Service discretionary account are predicated on and subject to pro-rata revenues based on:

a. Projected availability of cash on the disbursement dates

b. Availability of net revenues to the projected annual University Health Service Physicians' Practice Plan budget

c. A projected positive cash balance at the end of the fiscal year

d. Sufficient projected fund balance to have allocated fund balance to cover accounts receivable in accordance with University policy. To the extent distributions have been made for supplemental compensation and increases to University Health Service discretionary account, this constitutes full and final payment.

COLLEGE OF ALLIED HEALTH PROFESSIONS
FACULTY PRACTICE PLAN
(Approved by the Board of Trustees)

ARTICLE I. NAME OF THE PLAN

The Plan shall be known as the College of Allied Health Professions Faculty Practice Plan of the University of Kentucky Chandler Medical Center.

ARTICLE II. PURPOSE OF THE PLAN

The purpose of the Plan is to facilitate proper functioning of the teaching, research, and service programs of the U.K. Chandler Medical Center, consistent with the integrity and responsibilities of the University. Income generating activities of the faculty members of the College of Allied Health Professions that relate to their professional expertise and/or credentials are facilitated by their employment at the University of Kentucky. The Plan is created to insure accountability of these activities. The operation of the Plan will be evaluated periodically with the purpose and underlying principles hereinafter set forth as guides.

ARTICLE III. SCOPE OF THE PLAN

The Plan establishes policies and general procedures relating to compensation for services rendered by all faculty with full-time, part-time, joint, regular title, clinical title, and special title series faculty appointments in the College of Allied Health Professions during the faculty member's period of assignment. This Plan is applicable to compensation derived from salary and from the college service accounts, all of which are established b y the University Board of Trustees. The Plan is applicable to all services of such faculty members incident to the care of patients and to all other activities which are a part of the U.K. Chandler Medical Center program. Income from publications, honoraria for lectures, grants and additional other activities which are not a part of the U.K. Chandler Medical Center program are excluded from the Plan, but remain subject to policies and regulations of the College of Allied Health Professions and the Board of Trustees.

Provisions of the plan are applicable to all professionally generated income, and that income is defined as:

A. all compensation, income and payments (direct or in kind and whether characterized as fees, retainers, or otherwise) for professional services rendered or to be rendered, including, but not limited to, those relating to the diagnosis, treatment or evaluation of patients/clients and consultation;

B. all payments whether direct or in kind (excluding actual out-of-pocket costs) for providing advice, consultation, serving on boards or committees, overseeing, supervision or other participation with any person or entity involved with (a) health or medical care, (b)

evaluation or care of patients, (c) drugs, (d) therapy of any kind, (e) health or medical care of any other type;

C. witness fees and payments relating to depositions, testimony or other evaluations in the capacity of a witness; and

D. all other income which relates to and would not exist but for the license, certification, professional education, experience, or training which is the basis for faculty appointment in the College.

The Dean of the College of Allied Health Professions has the authority to interpret the definition of income described above and exclude certain income-generating activities which are not within the scope of the U.K. Chandler Medical Center program.

ARTICLE IV. DEFINITIONS

A. "THE FUND" as used herein means the Fund for Advancement of Education and Research in the University of Kentucky Chandler Medical Center, a non-profit corporation organized in l959 under the laws of Kentucky to promote, advance, and support the educational, research, and other purposes of the University of Kentucky Chandler Medical Center.

B. The "FACULTY ADVISORY COMMITTEE OF THE COLLEGE" as herein used means the Committee of the College of Allied Health Professions selected by the faculty participating in the College Service Plan as provided in Article IX of this Plan.

C. The "DEPARTMENT" as herein used means all officially approved departments in the College of Allied Health Professions.

D. The "COLLEGE OF ALLIED HEALTH PROFESSIONS FACULTY PRACTICE ACCOUNT" as herein used means that separate depository account to be established as provided in Article VII of this Plan.

E. The "BOARD OF TRUSTEES" as herein used means the Board of Trustees of the University which by law is the governing board of the institution.

ARTICLE V. UNDERLYING PRINCIPLES

A. Health care and services will be provided in the University of Kentucky Chandler Medical Center, in the surrounding community and in the Commonwealth because it is essential to the teaching and research programs and to the proper use of the facilities and skills in the Center to reinforce health care resources in local communities throughout the Commonwealth.

B. The kinds and volume of health care and service provided by the U.K. Chandler Medical Center will be determined by the needs of the teaching, research, and service programs of the Center. Income derived from the provision of such care is incidental to the purposes of these programs and in this sense is properly considered a "by-product" of their operation.

C. U.K. Chandler Medical Center and associated patient care facilities will be used for activities which are part of the Center's teaching, research, and service programs.

All patients admitted to the U.K. Chandler Medical Center will receive care as part of the teaching and research program.

D. An optimal teaching environment will imbue students with understanding, sympathy, and respect for the patient as a person and will cultivate attitudes which are consistent with the highest ideals of the health profession. To develop in students the ability to relate to patients differing widely in personality and environmental factors requires that patients for teaching not be drawn from a single segment of society but rather that they represent a cross-section of the population. Moreover, optimal use of the Center's facilities in serving the needs of research activities requires absence of arbitrary restriction by social classification of patients. Such restrictions also would impair the value and usefulness to the people and health professionals of the Commonwealth of the health care resources available in the Center to reinforce resources available in local communities. In drawing teaching patients from all segments of the population, it will be the intent of the U.K. Chandler Medical Center to follow to the fullest extent possible the principle of strengthening the relationships between patients and their health professionals.

E. The professional interests of full-time members of the faculty of the College of Allied Health Professions should be concentrated in academic health. Arrangements creating financial incentives for full-time faculty members which would tend inappropriately to divert or dilute their concentration on teaching, research, and program responsibilities are not consistent with the mission of the U.K. Chandler Medical Center.

F. Each full-time member of the faculty can rightfully expect:

1. The facilities, material, and support needed for teaching and research;

2. Opportunity to maintain and develop professional expertise; and

3. Compensation for work on a basis which recognizes the faculty member's responsibilities, competence, and productive effort and which is reasonably in line with compensation which the faculty member could obtain elsewhere in the academic health professions.

Success in attracting and holding an outstanding faculty will depend on meeting these expectations.

G. Assurance that the level of compensation for full-time members of the faculty is competitive with other good teaching centers and adequate to attract and maintain a strong, competent faculty is basically the responsibility of the University. Responsibility should rest with the University not only for ensuring that initial and subsequent levels of remuneration are adequate, but also for ensuring that such levels are not excessive. Through budgetary and related actions, the University should, to the extent possible and permissible, assure the faculty member that the faculty member's total remuneration from all sources will be in accord with a predetermined level which is competitive with other academic health professionals in a similar discipline and which is fixed consistent with adequacy and is periodically reviewed.

H. Payments received for health professionals' services rendered by members of the faculty of the College of Allied Health Professions should be used only for remuneration of such faculty, in such manner and in such amounts as determined by the

Board of Trustees, and for such other purposes in the U.K. Chandler Medical Center as may be recommended by the Faculty Advisory Committee of the College of Allied Health to the Board of Directors of THE FUND.

I. With respect to each member of the full-time faculty participating in the Service Plan, the amount of total compensation will be established by the UK Board of Trustees in the operating budgets of the U.K. Chandler Medical Center. The manner and extent to which compensation from the College of Allied Health Professions Faculty Practice Account is combined with other compensation will be reviewed and approved annually by the Chancellor for the U.K. Chandler Medical Center in consultation with the Dean with input from the department chairs of the College. The objective is one of providing stability of total compensation without impinging on the freedom of faculty members to apportion their time and efforts among teaching, research, and patient care activities as determined by their interests and program responsibilities.

ARTICLE VI. SETTING OF CHARGES FOR HEALTH PROFESSIONALS' SERVICES

Standard schedules of charges for health professionals' services, as developed from time to time by the various departments of the College of Allied Health Professions, subject to review by the Faculty Advisory Committee and approval by the Dean, will be the general basis for assessing such charges to patients. However, the amount of charges to any individual patient may be adjusted as determined by the health professional rendering the services if variation from standard charges is deemed by the health professional to be warranted by the circumstances.

ARTICLE VII. BILLING AND COLLECTION OF CHARGES FOR HEALTH PROFESSIONALS' SERVICES

Charges for health services rendered by the members of the faculty of the College of Allied Health Professions will be billed at the time services are provided or subsequently, with such charges and billings being appropriately coordinated with charges and billings for other services to patients. Billings and collections of all amounts will be handled by a billing system approved by the University. Amounts collected for combined charges for health services and undesignated receipts from or on behalf of individual patients who receive health services will be applied on an appropriate basis of proration to payment for health professionals' services and to payment for other services. Major problems relating to collection from patients of charges for health professionals' services will be handled in a manner that is subject to the concurrence of the health professionals rendering the services to the patients. Any payments for service, other than compensation as established by the Board of Trustees, which are received by full-time faculty members for professional services within the scope of the Plan shall be transmitted on a current basis to the U.K. Chandler Medical Center for inclusion with other funds collected for health professionals' services.

All funds collected or received by the College of Allied Health Professions for health professionals' services rendered by members of the College of Allied Health Professions shall be received by the College of Allied Health Professions for THE FUND. Such Funds shall be segregated upon receipt and shall be paid over by the College of Allied Health Professions to THE FUND by depositing the same in accounts designated for the College of Allied Health Professions. Such separate accounts established for each department generating service funds shall be designated and known as the College of Allied Health

Professions Faculty Practice Account of THE FUND. Unexpended balances from year to year will remain in the accounts designated for the College of Allied Health Professions.

ARTICLE VIII. USE OF FUNDS DEPOSITED IN THE COLLEGE OF ALLIED HEALTH PROFESSIONS FACULTY PRACTICE ACCOUNT

As a standing policy, THE FUND will use and expend all monies and funds deposited in the College of Allied Health Professions Faculty Practice Account to the extent available for the following purposes:

A. Such purposes which are proposed by the Dean to be included in the annual budget as outlined in Article XII, Section E of this plan.

B. Compensation to members of the faculty of the College of Allied Health Professions in such amounts as may be necessary to provide the difference between other University compensation and the total compensation as established by the Board of Trustees in the operating budget of the U.K. Chandler Medical Center. The operating budget will show the amounts to be paid from the College of Allied Health Professions Faculty Practice Account, which amounts are dependent upon the availability of funds.

B. Such other purposes in the College of Allied Health Professions as from time to time may be recommended to the Board of Directors of THE FUND by the Faculty Advisory Committee of the college provided, however, that such funds may not at any time be used for payment to members of the faculty of the College of Allied Health Professions of income in excess of the total compensation level established for the individual members thereof by the Board of Trustees in the operating budget of the U.K. Chandler Medical Center.

ARTICLE IX. THE FACULTY ADVISORY COMMITTEE OF THE COLLEGE OF ALLIED HEALTH PROFESSIONS

The Faculty Advisory Committee of the College of Allied Health Professions shall consist of five members elected by the faculty participating in the Plan of the College. The Dean shall serve ex officio as Chair of the Committee. The Committee shall meet periodically and review the operation of this Plan, including matters relating to the applicability of the Plan to sources of income, standard schedules of charges for health professionals' services as developed by the departments, and any other aspects of the operation of the Plan. This Committee shall make such recommendations as it may deem appropriate to the Dean of the College with respect to the modification of the policies and procedures provided by this Plan or utilized in its operation.

ARTICLE X. LIMITATIONS ON HEALTH PRACTICE BY FACULTY MEMBERS

As a condition of employment, faculty members in the College of Allied Health Professions who provide professionally related services as described in Article III of this Plan shall participate in the Plan and will not maintain offices or engage in the practice of health professions outside of the approved programs of the U.K. Chandler Medical Center, except in infrequent and special circumstances as in emergencies and in other situations where provision of service is required by professional ethics. Faculty members who are employed by the College of Allied Health Professions prior to the approval of the Plan by the Board of Trustees will have the option of not participating in the Plan; however if they

choose to join sometime after approval of the Plan, they must continue to participate until their employment is terminated.

ARTICLE XI. EFFECTIVE DATE

The College of Allied Health Professions Faculty Practice Plan will become effective upon approval by the Board of Trustees of the University of Kentucky. Subsequent modifications or amendments of the Plan will be effective upon approval of the Board of Trustees or as of such date as may be specified by the Board of Trustees.

ARTICLE XII. PROCEDURES

A. Faculty members requesting exclusion of an income-generating activity from the Plan will make a request in writing through the respective chair to the Dean. The Dean will make a decision based upon an interpretation of the definition of income to be included in the Plan. This decision will be communicated in writing by the Dean through the chair to the individual faculty member. Faculty members wishing to appeal the decision must do so in writing to the Chancellor of the U.K. Chandler Medical Center within one month from the date of receipt of the letter from the Dean. The decision of the Chancellor will be final.

B. The Dean of the College of Allied Health Professions will provide quarterly a written summary report to the faculty with a copy to the Chancellor. This report will include b y activity all funds budgeted, received, and expended to date for a given fiscal year. Also included will be a listing of all income-generating activities which have been excluded from the Plan based upon decisions made by the Dean or Chancellor as described above.

C. A fund administrator will be appointed by the Dean of the College of Allied Health Professions. The fund administrator will be responsible for:

1. Preparing the annual and supplemental budgets of the Plan for the Dean with input as needed from the department chairs.

2. The daily operation of all funds included in the Plan and the preparation of written monthly reports to the Dean on the financial status of the Plan, to include projections of income and expenses for the year.

D. The proposed budget will be submitted by the Dean to the department chairs and the Faculty Advisory Committee for review and comment.

E. The Annual Budget of the Plan will include:

1. Estimated administrative expenses to manage the Plan.

2. Provision of operating expense support for faculty in securing and managing contracts of the Plan.

3. Funding for a grant to the University to include:
   a) base salaries of clinical title series faculty members;
   b) salary support for faculty on state lines for that portion of their DOE allowed for income-generating professional services; and

c) base salary support for staff involved in assisting faculty in generation of professional income.

4. Funding for a contingency fund. The contingency reserve will be established to meet potential shortfalls and must contain a minimum of one month operating expenses for the Plan.

5. Funding for an account(s) to enhance college programs.

F. Faculty will document delivery of services to an approved billing agent who will in turn bill the patients/clients.

PROVISIONS FOR FACULTY SALARY SUPPLEMENTAL COMPENSATION UNDER THE COLLEGE OF ALLIED HEALTH PROFESSIONS FACULTY PRACTICE PLAN

I. Objectives

The specific objectives of the proposed salary supplementation plan include the following:

A. To increase faculty income over and beyond that available through State support to the College of Allied Health Professions in an effort to remain competitive with other institutions;

B. To increase faculty incentive to participate in income-producing activities which will be beneficial to the College of Allied Health Professions, the Medical Center, the University of Kentucky, and the State;

C. To maintain primary emphasis on the teaching and research program of the College of Allied Health Professions; and

D. To use professional practice by faculty as a vehicle for clinical training.

II. Basis

The proposal is based on a system allowing the Dean and department chairs to reward faculty members for unusual productivity and effort. The rewards will be derived from income generated by faculty activity and will primarily but not absolutely be related to the fiscal productivity of each individual. The system should allow maintenance of departmental balance without overcompensation for one segment of activity to the exclusion of other equally important commitments.

III. Applicable Provisions

A. Supplemental compensation (salary, fringe benefits, etc.) will be estimated for the ensuing fiscal year during the annual operating budget process; the amount budgeted will be included as a separate nonrecurring, supplemental budget item. This supplemental budget will be submitted to the FUND Board and the Board of Trustees for approval as part of the annual operating budget. The appropriation of funds for expenditures will be equal in amount to additional income to the University provided by a grant by the Board of Directors of THE FUND to the University specifically for the purpose of financing the supplementary operating budget. Such a grant will be in addition to that made by THE FUND in support of salaries provided in the basic operating budget of the College of Allied Health Professions.

B. FUND grants for the purpose of supplemental compensation will constitute non-recurring funds, and approval of the supplementary operating budget based thereon will not constitute an increase in the budget base of the College of Allied Health Professions. Supplemental compensation payable to individuals in accordance with an approved supplementary operating budget will be determined by the University quarterly as of September 30, December 31, March 31, and June 30 of each fiscal year and will not constitute an increase to the regular salary bases of the individuals involved.

Supplemental compensation will be paid at the end of the month following the determinations.

C. The amount of the grant to the University by THE FUND for the purpose of supplemental compensation or increases to discretionary accounts will be calculated quarterly and will be the amount by which payments received in the College of Allied Health Professions Faculty Practice Account since the prior quarterly date are in excess of the sum of (l) pro-rata requirements for coverage of THE FUND grant in support of salaries provided in the basic operating budget; and (2) requirements for coverage of other expenditures which have been budgeted or are reserved in the College of Allied Health Professions Faculty Practice Account pursuant to recommendations by the Faculty Advisory Committee of the College. Disbursements for the first quarter of a fiscal year will be based on the prorata revenues collected from July 1 - September 30th. Disbursements for the second quarter of a fiscal year will be based on prorata revenues collected from October 1 - December 31st. Disbursements for the third quarter of a fiscal year will be based on prorata revenues collected from January 1 - March 31st. Disbursements for the fourth quarter of a fiscal year will be based on prorata revenues collected from April 1 - June 30th.

D. If the actual amounts generated and required for the supplementary expenses are greater than the approved annual supplementary operating budget, a revised budget should be prepared and submitted in accordance with University budgetary procedures before the established budgetary authority is reached.

E. In preparation of the supplementary operating budget, the Dean of the College of Allied Health Professions will allocate not less than 70 percent of the total amount of THE FUND grant for supplemental compensation among the departments providing the services on the basis of available data to measure the performance of the respective departments in producing income including, but not limited to, professional fee income. Such allocations will be the basis for departmental budget submittal in which the distribution of supplemental compensation among faculty members in each of the respective departments is to be made by the department chairs, based on the department chairs' determination and judgment of relative performance and contributions to the program/division of the department. The amount of supplemental compensation for department chairs and program directors will be determined by the Dean.

F. The budget for the remaining 30 percent of the amount of the grant shall be prepared by the Dean of the College of Allied Health Professions with the funds available being devoted to providing supplemental compensation for faculty members in departments where appropriate recognition of performance and contribution to the patient care program is not possible within formula allocations to departments.

G. The allocations among departments of the amount representing 70 percent of THE FUND grant for supplemental compensation will be determined as follows:

The amount determined for each department, expressed as a percentage of the amount determined for all departments in the aggregate for the college, will be the basis for dividing among departments the funds available for distribution.

H. Data on the factors to be utilized in determining departmental allocations will be submitted by the Dean of the College of Allied Health Professions for review by the Faculty Advisory Committee of the College prior to preparation of the supplementary

operating budget. Upon recommendation of the Committee, adjustments in the factors used may be made by the Dean if deemed necessary to avoid inequities due to limitations of available data. Computations of the amount of allocations for individual departments will be provided to the chairs of the departments, respectively.

I. Following adoption of the provisions herein, recommendations may be made from time to time by the Faculty Advisory Committee through the Dean to the Chancellor for modifications deemed to be appropriate and desirable.

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COLLEGE OF NURSING
FACULTY PRACTICE PLAN
(Approved by the Board of Trustees)

ARTICLE I. NAME OF THE PLAN

The Plan shall be known as the College of Nursing Faculty Practice Plan of the University of Kentucky Chandler Medical Center.

ARTICLE II. PURPOSE OF THE PLAN

The purpose of the Plan is to facilitate proper functioning of the teaching, research, and service programs of the U.K. Chandler Medical Center, consistent with the integrity and responsibilities of the University. Income generating activities of the faculty members of the College of Nursing that relate to their professional expertise and/or credentials are facilitated by their employment at the University of Kentucky. The Plan is created to insure accountability of these activities. The operation of the Plan will be evaluated periodically with the purpose and underlying principles hereinafter set forth as guides.

ARTICLE III. SCOPE OF THE PLAN

The Plan establishes policies and general procedures relating to compensation for services rendered by all faculty with full-time, part-time, joint, regular title, clinical title, and special title series faculty appointments in the College of Nursing during the faculty member's period of assignment and which are a part of the faculty member's negotiated distribution of effort for the University. This Plan is applicable to compensation derived from salary and from the college service accounts, all of which are established by the University Board of Trustees. The Plan is applicable to all services of such faculty members incident to the care of patients and to all other activities which are a part of the U.K. Chandler Medical Center program. Income from publications, honoraria for lectures, grants and additional other activities which are not a part of the U.K. Chandler Medical Center program are excluded from the Plan, but remain subject to policies and regulations of the College of Nursing and the Board of Trustees.

Provisions of the plan are applicable to all professionally generated income, and that income is defined as:

A. all compensation, income and payments (direct or in kind and whether characterized as fees, retainers, or otherwise) for professional services rendered or to be rendered, including, but not limited to, those relating to the diagnosis, treatment or evaluation of patients/clients and consultation;

B. all payments whether direct or in kind (excluding actual out-of-pocket costs) for providing advice, consultation, serving on boards or committees, overseeing, supervision

or other participation with any person or entity involved with (a) health or medical care, (b) evaluation or care of patients, (c) drugs, (d) therapy of any kind, (e) health or medical care of any other type;

C. witness fees and payments relating to depositions, testimony or other evaluations in the capacity of a witness; and

D. all other income which relates to and would not exist but for the license, certification, professional education, experience, or training which is the basis for faculty appointment in the College.

The Dean of the College of Nursing has the authority to interpret the definition of income described above and exclude certain income-generating activities which are not within the scope of the U.K. Chandler Medical Center program.

ARTICLE IV. DEFINITIONS

A. "THE FUND" as used herein means the Fund for Advancement of Education and Research in the University of Kentucky Chandler Medical Center, a non-profit corporation organized in l959 under the laws of Kentucky to promote, advance, and support the educational, research, and other purposes of the University of Kentucky Chandler Medical Center.

B. The "FACULTY ADVISORY COMMITTEE OF THE COLLEGE" as herein used means the Committee of the College of Nursing selected by the faculty participating in the College Service Plan as provided in Article IX of this Plan.

C. The "DIVISION" as herein used means all currently approved divisions in the College of Nursing.

D. The "COLLEGE OF NURSING FACULTY PRACTICE ACCOUNT" as herein used means that separate depository account to be established as provided in Article VII of this Plan.

E. The "BOARD OF TRUSTEES" as herein used means the Board of Trustees of the University which by law is the governing board of the institution.

ARTICLE V. UNDERLYING PRINCIPLES

A. Health care and services will be provided in the U.K. Chandler Medical Center, in the surrounding community and in the Commonwealth because it is essential to the teaching and research programs and to the proper use of the facilities and skills in the Center to reinforce health care resources in local communities throughout the Commonwealth.

B. The kinds and volume of health care and service provided by the U.K. Chandler Medical Center will be determined by the needs of the teaching, research, and service programs of the Center. Income derived from the provision of such care is incidental to the purposes of these programs and in this sense is properly considered a "by-product" of their operation.

C. U.K. Chandler Medical Center and associated patient care facilities will be used for activities which are part of the Center's teaching, research, and service programs. All patients admitted to the U.K. Chandler Medical Center will receive care as part of the teaching and research program.

D. An optimal teaching environment will imbue students with understanding, sympathy, and respect for the patient as a person and will cultivate attitudes which are consistent with the highest ideals of the health profession. To develop in students the ability to relate to patients differing widely in personality and environmental factors requires that patients for teaching not be drawn from a single segment of society but rather that they represent a cross-section of the population. Moreover, optimal use of the Center's facilities in serving the needs of research activities requires absence of arbitrary restriction by social classification of patients. Such restrictions also would impair the value and usefulness to the people and health professionals of the Commonwealth of the health care resources available in the Center to reinforce resources available in local communities. In drawing teaching patients from all segments of the population, it will be the intent of the U.K. Chandler Medical Center to follow to the fullest extent possible the principle of strengthening the relationships between patients and their health professionals.

E. The professional interests of full-time members of the faculty of the College of Nursing should be concentrated in academic health. Arrangements creating financial incentives for full-time faculty members which would tend inappropriately to divert or dilute their concentration on teaching, research, and program responsibilities are not consistent with the mission of the U.K. Chandler Medical Center.

F. Each full-time member of the faculty can rightfully expect:

1. The facilities, material, and support needed for teaching and research;

2. Opportunity to maintain and develop professional expertise; and

3. Compensation for work on a basis which recognizes the faculty member's responsibilities, competence, and productive effort and which is reasonably in line with compensation which the faculty member could obtain elsewhere in the academic health professions.

Success in attracting and holding an outstanding faculty will depend on meeting these expectations.

G. Assurance that the level of compensation for full-time members of the faculty is competitive with other good teaching centers and adequate to attract and maintain a strong, competent faculty is basically the responsibility of the University. Responsibility should rest with the University not only for ensuring that initial and subsequent levels of remuneration are adequate, but also for ensuring that such levels are not excessive. Through budgetary and related actions, the University should, to the extent possible and permissible, assure the faculty member that the faculty member's total remuneration from all sources will be in accord with a predetermined level which is competitive with other academic health professionals in a similar discipline and which is fixed consistent with adequacy and is periodically reviewed.

H. Payments received for health professionals' services rendered by members of the faculty of the College of Nursing should be used only for remuneration of such faculty, in such manner and in such amounts as determined by the Board of Trustees, and for such other purposes in the U.K. Chandler Medical Center as may be recommended by the Faculty Advisory Committee of the College of Nursing to the Board of Directors of THE FUND.

I. With respect to each member of the full-time faculty participating in the Service Plan, the amount of total compensation will be established by the UK Board of Trustees in the operating budgets of the U.K. Chandler Medical Center. The manner and extent to which compensation from the College of Nursing Faculty Practice Account is combined with other compensation will be reviewed and approved annually by the Chancellor for the U.K. Chandler Medical Center in consultation with the Dean with input from the division directors of the College. The objective is one of providing stability of total compensation without impinging on the freedom of faculty members to apportion their time and efforts among teaching, research, and patient care activities as determined by their interests and program responsibilities.

ARTICLE VI. SETTING OF CHARGES FOR HEALTH PROFESSIONALS' SERVICES

Standard schedules of charges for health professionals' services, as developed from time to time by the various divisions of the College of Nursing, subject to review by the Faculty Advisory Committee and approval by the Dean, will be the general basis for assessing such charges to patients. However, the amount of charges to any individual patient may be adjusted as determined by the health professional rendering the services if variation from standard charges is deemed by the health professional to be warranted by the circumstances.

ARTICLE VII. BILLING AND COLLECTION OF CHARGES FOR HEALTH PROFESSIONALS' SERVICES

Charges for health services rendered by the members of the faculty of the College of Nursing will be billed at the time services are provided or subsequently, with such charges and billings being appropriately coordinated with charges and billings for other services to patients. Billings and collections of all amounts will be handled by a billing system approved by the University. Amounts collected for combined charges for health services and undesignated receipts from or on behalf of individual patients who receive health services will be applied on an appropriate basis of proration to payment for health professionals' services and to payment for other services. Major problems relating to collection from patients of charges for health professionals' services will be handled in a manner that is subject to the concurrence of the health professionals rendering the services to the patients. Any payments for service, other than compensation as established by the Board of Trustees, which are received by full-time faculty members for professional services within the scope of the Plan shall be transmitted on a current basis to the U.K. Chandler Medical Center for inclusion with other funds collected for health professionals' services.

All funds collected or received by the College of Nursing for health professionals' services rendered by members of the College of Nursing shall be received by the College of Nursing for THE FUND. Such Funds shall be segregated upon receipt and shall be paid over by the College of Nursing to THE FUND by depositing the same in accounts

designated for the College of Nursing. Such separate accounts established for each division generating service funds shall be designated and known as the College of Nursing Faculty Practice Account of THE FUND. Unexpended balances from year to year will remain in the accounts designated for the College of Nursing.

ARTICLE VIII. USE OF FUNDS DEPOSITED IN THE COLLEGE OF NURSING FACULTY PRACTICE ACCOUNT

As a standing policy, THE FUND will use and expend all monies and funds deposited in the College of Nursing Faculty Practice Account to the extent available for the following purposes:

A. Such purposes which are proposed by the Dean to be included in the annual budget as outlined in Article XII, Section E of this plan.

B. Compensation to members of the faculty of the College of Nursing in such amounts as may be necessary to provide the difference between other University compensation and the total compensation as established by the Board of Trustees in the operating budget of the U.K. Chandler Medical Center. The operating budget will show the amounts to be paid from the College of Nursing Faculty Practice Account, which amounts are dependent upon the availability of funds.

C. Such other purposes in the College of Nursing as from time to time may be recommended to the Board of Directors of THE FUND by the Faculty Advisory Committee of the College provided, however, that such funds may not at any time be used for payment to members of the faculty of the College of Nursing of income in excess of the total compensation level established for the individual members thereof by the Board of Trustees in the operating budget of the U.K. Chandler Medical Center.

ARTICLE IX. THE FACULTY ADVISORY COMMITTEE OF THE COLLEGE OF NURSING

The Faculty Advisory Committee of the College of Nursing shall consist of five members elected by the faculty participating in the Plan of the College. The Dean shall serve ex officio (with vote) as Chair of the Committee. Each member of the committee shall be a participant of the Plan. The term will be for three years and will run from July 1 through June 30. During the first election, two faculty members will be elected for a three-year term, two faculty members will be elected for a two-year term, and one faculty member will be elected for a one-year term. Thereafter, all terms will be for a period of three years. In the event a committee member is unable to complete the term, the faculty will elect a replacement for the remainder of the term.
The Committee shall meet periodically and review the operation of this Plan, including matters relating to the applicability of the Plan to sources of income, standard schedules of charges for health professionals' services as developed by the departments, and any other aspects of the operation of the Plan. This Committee shall make such recommendations as it may deem appropriate to the Dean of the College with respect to the modification of the policies and procedures provided by this Plan or utilized in its operation.

ARTICLE X. LIMITATIONS ON HEALTH PRACTICE BY FACULTY MEMBERS

As a condition of employment, faculty members in the College of Nursing who provide professionally related services as described in Article III of this Plan shall participate in the Plan and will not maintain offices or engage in the practice of health professions outside of the approved programs of the U.K. Chandler Medical Center, except in infrequent and special circumstances as in emergencies and in other situations where provision of service is required by professional ethics. Faculty members who are employed by the College of Nursing prior to the approval of the Plan by the Board of Trustees will have the option of not participating in the Plan; however if they choose to join sometime after approval of the Plan, they must continue to participate until their employment is terminated.

ARTICLE XI. EFFECTIVE DATE

The College of Nursing Faculty Practice Plan will become effective upon approval by the Board of Trustees of the University of Kentucky. Subsequent modifications or amendments of the Plan will be effective upon approval of the Board of Trustees or as of such date as may be specified by the Board of Trustees.

ARTICLE XII. PROCEDURES

A. Faculty members requesting exclusion of an income-generating activity from the Plan will make a request in writing through the respective division director to the Dean. The Dean will make a decision based upon an interpretation of the definition of income to be included in the Plan. This decision will be communicated in writing by the Dean through the division director to the individual faculty member. Faculty members wishing to appeal the decision must do so in writing to the Chancellor of the U.K. Chandler Medical Center within one month from the date of receipt of the letter from the Dean. The decision of the Chancellor will be final.

B. The Dean of the College of Nursing will provide quarterly a written summary report to the faculty with a copy to the Chancellor. This report will include by activity all funds budgeted, received, and expended to date for a given fiscal year. Also included will be a listing of all income-generating activities which have been excluded from the Plan based upon decisions made by the Dean or Chancellor as described above.

C. A fund administrator will be appointed by the Dean of the College of Nursing. The fund administrator will be responsible for:

1. Preparing the annual and supplemental budgets of the Plan for the Dean with input as needed from the division directors.

2. The daily operation of all funds included in the Plan and the preparation of written monthly reports to the Dean on the financial status of the Plan, to include projections of income and expenses for the year.

D. The proposed budget will be submitted by the Dean to the division directors and the Faculty Advisory Committee for review and comment.

E. The Annual Budget of the Plan will include:

1. Estimated administrative expenses to manage the Plan.

2. Provision of operating expense support for faculty in securing and managing contracts of the Plan.

3. Funding for a grant to the University to include:
   a) base salaries of clinical title series faculty members;
   b) salary support for faculty on state lines for that portion of their DOE allowed for income-generating professional services; and
   c) base salary support for staff involved in assisting faculty in generation of professional income.

4. Funding for a contingency fund. The contingency reserve will be established to meet potential shortfalls and must contain a minimum of two months operating expenses for the Plan.

5. Funding for an account(s) to enhance college programs.

F. Faculty will document delivery of services to an approved billing agent who will in turn bill the patients/clients.

PROVISIONS FOR FACULTY SALARY SUPPLEMENTAL COMPENSATION UNDER THE COLLEGE OF NURSING FACULTY PRACTICE PLAN

I. Objectives

The specific objectives of the proposed salary supplementation plan include the following:

A. To increase faculty income over and beyond that available through State support to the College of Nursing in an effort to remain competitive with other institutions;

B. To increase faculty incentive to participate in income-producing activities which will be beneficial to the College of Nursing, the Medical Center, the University of Kentucky, and the State;

C. To maintain primary emphasis on the teaching and research program of the College of Nursing; and

D. To use professional practice by faculty as a vehicle for clinical training.

II. Basis

The proposal is based on a system allowing the Dean and division directors to reward faculty members for unusual productivity and effort. The rewards will be derived from income generated by faculty activity and will primarily but not absolutely be related to the fiscal productivity of each individual. The system should allow maintenance of program balance without overcompensation for one segment of activity to the exclusion of other equally important commitments.

III. Applicable Provisions

A. Supplemental compensation (salary, fringe benefits, etc.) will be estimated for the ensuing fiscal year during the annual operating budget process; the amount budgeted will be included as a separate nonrecurring, supplemental budget item. This supplemental budget will be submitted to THE FUND Board and the Board of Trustees for approval as part of the annual operating budget. The appropriation of funds for expenditures will be equal in amount to additional income to the University provided by a grant by the Board of Directors of THE FUND to the University specifically for the purpose of financing the supplementary operating budget. Such a grant will be in addition to that made by THE FUND in support of salaries provided in the basic operating budget of the College of Nursing.

B. FUND grants for the purpose of supplemental compensation will constitute non-recurring funds, and approval of the supplementary operating budget based thereon will not constitute an increase in the budget base of the College of Nursing. Supplemental compensation payable to individuals in accordance with an approved supplementary operating budget will be determined by the University quarterly as of September 30, December 31, March 31, and June 30 of each fiscal year and will not constitute an

increase to the regular salary bases of the individuals involved. Supplemental compensation will be paid at the end of the month following the determinations.

C. The amount of the grant to the University by THE FUND for the purpose of supplemental compensation or increases to discretionary accounts will be calculated quarterly and will be the amount by which payments received in the College of Nursing Faculty Practice Account since the prior quarterly date are in excess of the sum of (l) pro-rata requirements for coverage of THE FUND grant in support of salaries provided in the basic operating budget; and (2) requirements for coverage of other expenditures which have been budgeted or are reserved in the College of Nursing Faculty Practice Account pursuant to recommendations by the Faculty Advisory Committee of the College. Disbursements for the first quarter of a fiscal year will be based on the prorata revenues collected from July 1 - September 30th. Disbursements for the second quarter of a fiscal year will be based on prorata revenues collected from October 1 - December 31st. Disbursements for the third quarter of a fiscal year will be based on prorata revenues collected from January 1 - March 31st. Disbursements for the fourth quarter of a fiscal year will be based on prorata revenues collected from April 1 - June 30th.

D. If the actual amounts generated and required for the supplementary expenses are greater than the approved annual supplementary operating budget, a revised budget should be prepared and submitted in accordance with University budgetary procedures before the established budgetary authority is reached.

E. In preparation of the supplementary operating budget, the Dean of the College of Nursing will allocate not less than 70 percent of the total amount of THE FUND grant for supplemental compensation among the divisions providing the services on the basis of available data to measure the performance of the respective divisions in producing income including, but not limited to, professional fee income. Such allocations will be the basis for division budget submittal in which the distribution of supplemental compensation among faculty members in each of the respective divisions is to be made by the division directors, based on the division directors' determination and judgment of relative performance and contributions of the program activities to the division. The amount of supplemental compensation for division directors will be determined by the Dean.

F. The budget for the remaining 30 percent of the amount of the grant shall be prepared by the Dean of the College of Nursing with the funds available being devoted to providing supplemental compensation for faculty members in divisions where appropriate recognition of performance and contribution to the patient care program is not possible within formula allocations to divisions.

G. The allocations among divisions of the amount representing 70 percent of THE FUND grant for supplemental compensation will be determined as follows:

The amount determined for each division, expressed as a percentage of the amount determined for all divisions in the aggregate for the college, will be the basis for dividing among divisions the funds available for distribution.

H. Data on the factors to be utilized in determining division allocations will be submitted by the Dean of the College of Nursing for review by the Faculty Advisory Committee of the College prior to preparation of the supplementary operating budget. Upon recommendation of the Committee, adjustments in the factors used may be made by the Dean if deemed necessary to avoid inequities due to limitations of available data.

Computations of the amount of allocations for individual divisions will be provided to the directors of the divisions, respectively.

I. Following adoption of the provisions herein, recommendations may be made from time to time by the Faculty Advisory Committee through the Dean to the Chancellor for modifications deemed to be appropriate and desirable.

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COLLEGE OF PHARMACY FACULTY PRACTICE PLAN
(Approved by the Board of Trustees)

ARTICLE I. NAME OF THE PLAN

The plan shall be known as the College of Pharmacy Faculty Practice Plan.

ARTICLE II. POLICY AND PURPOSE

A. Income generating activities that relate to the professional expertise, scientific acumen, and/or credentials of the faculty and professional staff of the College of Pharmacy are facilitated by their employment at the University of Kentucky. The Plan is established to provide a system for collection and disbursal of funds generated by such activities and to insure accountability of these activities by the University.

B. The plan is designed to further the mission of the College of Pharmacy by more effectively integrating its teaching, research, practice, and service programs. Its specific objectives are to: (1) enhance College programs; (2) integrate practice, research, and teaching roles; (3) foster academic excellence and balance in teaching, research, University and public service, and patient care; (4) provide a mechanism for incentives, recognition, and directions; (5) provide resources for initiating new programmatic directions; and (6) provide a clear and workable mechanism to promote technology transfer and economic development.

ARTICLE III. DEFINITIONS

A. "PROFESSIONALLY GENERATED INCOME," as herein used, means the following income attributable to members of the Plan:

1. All compensation, income and payments (direct or in kind, and whether characterized as fees, retainers, or otherwise) for professional services rendered or to be rendered, including, but no limited to, those relating to (a) the diagnosis, treatment, and evaluation of patients, (b) the provision of therapeutic products for patients or others, and (c) consultation;

2. All direct and in-kind payments (excluding actual out-of pocket costs) for providing (a) advice, (b) consultation, (c) service on boards, committees, commissions, or the like, and (d) oversight, supervision, or other participation with any entity or person involved with health or medical care;

3. All witness fees and payments relating to depositions, testimony, or other evaluations in the capacity of a witness;

4. Professional fees and compensation for educational consulting in medical and pharmacy focused programs in conjunction with the pharmaceutical industry and/or other external agencies;

5. All other income which relates to or would not exist but for the professional education, experience, or training of members of the Plan.

B. "EXCLUSIONS TO PROFESSIONALLY GENERATED INCOME," as herein used, means income from the following sources:

1. Royalties, as allowed under the University's copyright and patent policies;

2. Prizes for personal past achievements and not for services rendered;

3. Special administrative stipends paid by the University for the performance of administrative assignments beyond those normal to academic appointments;

4. Income for a profession or activity unrelated to the professional education, experience, or training that qualifies members of the Plan for a University appointment;

5. Payments for service to NIH or other governmental peer review research project site visits or review activities;

6. Any reimbursement and fees associated with regular continuing education programs funded by the College of Pharmacy.

C. THE FUND, as herein used, means THE FUND for Advancement of Education and Research in the University of Kentucky Chandler Medical Center, a non-profit corporation organized in 1959 under the laws of Kentucky to promote, advance, and support the educational, research, and other purposes of the University of Kentucky Chandler Medical Center.

D. "COLLEGE OF PHARMACY FACULTY PRACTICE PLAN ACCOUNT," as herein used, means that separate depository account to be established as provided in Article IV of this Plan.

E. "FACULTY PRACTICE PLAN COMMITTEE," as herein used, means the Committee that is selected in accordance with the provisions of Article VI of this Plan.

F. **NOTE:** Income generated from the above-mentioned non-plan activities remain subject to all University policies and regulations, including but not limited to University internal and external overload policies.

ARTICLE IV. GENERAL TERMS OF THE PLAN

A. Membership in the plan shall be limited to individuals who hold full-time (9, 10, 11, or 12 months) or less than full-but greater-than-half-time faculty appointments in the College of Pharmacy at the rank of Instructor or higher in the following academic series -- regular title, special title, research title, clinical title series, or other University-approved title series appointments. Membership is mandatory for all new faculty and is a condition of their employment. Faculty should provide written notification to the Dean of their decision not to participate in the Plan. However, individuals holding joint appointments in two or more Colleges of the Medical Center shall be members of the practice plan in the College where they hold primary appointments. Membership shall not extend beyond the termination of faculty appointment nor beyond the reduction of an appointment to one that is half-time or less.

B. Unless exemption is granted under Article V of the Plan, members of the Plan are obligated to conduct all activities that produce "professionally generated income" under the Plan, except for activities identified in Article III as "Exclusions To Professionally Generated Income." Members are also obligated to facilitate the collection of income from such activities by THE FUND, and to transmit any payments directly received for such activities to the University of Kentucky Chandler Medical Center for inclusion in the "College of Pharmacy Faculty Practice Plan Account." Members shall submit to the Dean of the College, upon request, a written acceptance of the terms of the Plan and an agreement to adhere to the terms thereof.

C. "Professionally Generated Income" produced by members of the Plan shall be collected under billing procedures negotiated by THE FUND administrator and shall be promptly transmitted to and received by THE FUND. Such income shall be segregated upon receipt by depositing the same in an account designated for the College of Pharmacy. Such separate account shall be designated and known as the College of Pharmacy Faculty Practice Plan Account of THE FUND. Unexpended balances from year to year will remain in the account designated for the College of Pharmacy.

D. As a standing policy, THE FUND will use and expend all monies deposited in the College of Pharmacy Faculty Practice Plan Account to the extent available for the following purposes:

1. Such purposes which are proposed by the Dean to be included in the annual budget as outlined in Article VII of the Plan;

2. Compensation to members of the faculty of the College of Pharmacy in such amounts as may be necessary to provide the difference between other University compensation and the total compensation as established by the Board of Trustees, in the operating budget of the U.K. Chandler Medical Center. The operating budget will show the amounts to be paid from the College of Pharmacy Faculty Practice Account, which amounts are dependent upon the availability of funds.

3. Such other purposes in the College of Pharmacy as from time to time may be recommended to the Board of Directors of THE FUND by the "Faculty Practice Plan Committee," provided that such funds may not at any time be used for payment to members of the faculty of the College of Pharmacy of income in excess of the total compensation level established for the individual members thereof by the Board of Trustees in the operating budget of the U.K. Chandler Medical Center.

ARTICLE V. EXEMPTIONS FROM PLAN

A. A member may request exemption from the operation of the Plan for specific activities. Such request must be made in writing to the member's Division Director and must state specific grounds for the granting of such an exemption. The Division Director will make a recommendation on the request and forward it to the Dean of the College for action.

B. The Dean of the College has authority to grant exemptions from the operation of the Plan. For any exemption granted, the Dean must document the precise nature of the exemption and the grounds for granting it.

C. A decision denying a request for exemption may be appealed to the Chancellor of the Medical Center. Such appeal must be made in writing and submitted to the Chancellor within one (1) month of the Dean's decision. The decision of the Chancellor will be final.

ARTICLE VI. THE FACULTY PRACTICE PLAN COMMITTEE

A. The "Faculty Practice Plan Committee" shall consist of five (5) members of the plan and the Dean of the College of Pharmacy, who will be an 'ex-officio' member of the committee (without voting privileges). Each of the three divisions of the College will elect from its members (in the plan) one person to serve on the committee; two members from the faculty of the College of Pharmacy (who are in the plan) will be elected to serve on the Committee by the faculty practice plan members.

B. Elections for initial membership on the Committee shall be held promptly after adoption of the Plan by the University Board of Trustees, with the initial terms of service ending on June 30, 1997. During academic year 1996-97, by use of ballots prepared by the Committee, elections will be held for successor members under the following conditions: one member from the

Pharmacology and Experimental Therapeutics (PET) Division shall be elected for a three (3) year term, one member of the Pharmacy Practice and Science (PPS) Division shall be elected for a two (2) year term, one member of the Medicinal Chemistry and Pharmaceutics (MCP) Division shall be elected for a one (1) year term, and two members of the faculty at large shall be elected for two (2) year terms. All succeeding elections for membership on the Committee shall be for three (3) year terms, except that individuals who fail to complete their terms shall be replaced by election for only the remainder of their terms.

C. The Committee shall meet periodically to review the operation of the Plan, including matters related to the applicability of the Plan to sources of income, standard schedules of charges for health and other professional services, promotion of services of members of the Plan, and any other aspect of the operation of the plan. The Committee shall make such recommendations as it may deem appropriate to the Dean of the College with respect to the modification of the policies and procedures provided by the Plan or utilized in its operation. The Committee shall set the level of reimbursement/fees for professional services under the Plan. The Committee can recommend termination of the practice plan.

ARTICLE VII. FUND ADMINISTRATOR AND BUDGET

A. The Dean of the College, in consultation with the faculty, shall appoint a FUND administrator. THE FUND administrator will be responsible for the day-to-day operation of the Plan and its funds and for the preparation of quarterly reports to the Dean and the Faculty Practice Plan Committee on the financial status of the Plan (including projections of Plan income generation and disbursements for the year). THE FUND administrator will also be responsible for preparing the annual budget of the Faculty Practice Plan for the Dean.

B. The annual budget for the Plan will include the following:

1. Funding for an account (or accounts) to enhance College programs;

2. Funding for estimated administrative expenses to manage the Faculty Practice Plan;

3. Funding for expenses associated with program implementation;

4. Funding for operating expenses to support faculty efforts to secure and manage contracts;

5. Funding for a grant to the University to provide for the payment of: (a) salary funding of all faculty lines to the extent supported by income generated by the Faculty Practice

Plan: and (b) salary support for staff involved in assisting faculty in generation of professional income;

6. Funding for a contingency FUND reserve, which will be established to meet potential shortfalls.

C. The proposed annual budget for the Plan shall be submitted by the Dean to Division Directors and to the Faculty Practice Plan Committee for review and comment.

ARTICLE VIII. MISCELLANEOUS PROVISIONS

A. The Dean of the College of Pharmacy or the Faculty Practice Plan FUND administrator will provide a quarterly summary report to the faculty and the Chancellor of the Medical Center detailing the types of activities included in the Plan, exemptions granted and denied, and the amounts of funds received and disbursed.

B. The effective date of the Faculty Practice Plan is July 1, 1996. On or before the effective date of the plan, each faculty member participating in the Plan shall sign a "Faculty Practice Plan Agreement" statement indicating his/her understanding and agreement with the terms and conditions of the Plan.

C. Amendments to the Pharmacy Faculty Practice Plan must be made in accordance with the University's Governing and Administrative Regulations.

D. All conditions of participation in the Plan shall be approved by the Dean upon recommendation of the Faculty Practice Plan Committee and the Division Directors.

PROVISIONS FOR FACULTY SALARY SUPPLEMENTAL COMPENSATION UNDER THE COLLEGE OF PHARMACY FACULTY PRACTICE PLAN

ARTICLE I. OBJECTIVES

The specific objectives of salary supplementation under the College of Pharmacy Faculty Practice Plan are the following:

1. To use professional practice by faculty members as a vehicle for education and training of pharmacy students and graduate students.

2. To enhance practice opportunities to strengthen the primary emphasis on the teaching and research programs of the College of Pharmacy.

3. To increase faculty incentive to participate in income producing activities that are beneficial to the missions of the College of Pharmacy, the U.K. Chandler Medical Center, the University of Kentucky, and the Commonwealth of Kentucky.

4. To increase faculty compensation over and beyond that available through state support to the College of Pharmacy in an effort to remain competitive with other nationally ranked pharmacy programs and to continue to retain quality faculty who may otherwise be attracted to the private industry or other institutions.

ARTICLE II. BASIS

Salary supplementation under the Plan is based on a direct relationship to the participant's contribution to the Plan. Participants will receive not less than 70% of the amount they contribute to the Plan. The remaining 30% of the participant's contribution will be provided to the College to operate the Plan and to enhance the Division and College Programs.

ARTICLE III. APPLICABLE PROVISIONS

A. Supplemental compensation (salary, fringe benefits, etc.) will be estimated for the ensuing fiscal year during the annual operating budget process; the amount budgeted will be included as a separate nonrecurring, supplemental budget item. This supplemental budget will be submitted to the Faculty Practice Plan FUND Board and Board of Trustees for approval as part of the annual operating budget. The appropriation of funds for expenditures will be equal in amount to additional income to the University provided by a grant by the Board of Directors of THE FUND to the University specifically for the purpose of financing the supplementary operating

budget. Such a grant will be in addition to that made by THE FUND in support of salaries provided in the basic operating budget of the College of Pharmacy.

B. The amount of the grant to the University by THE FUND for the purpose of supplemental compensation or increases to individual discretionary accounts will be calculated quarterly and will be the amount by which payments received in the College of Pharmacy Faculty Practice Plan Account since the prior quarterly date are in excess of the sum of (1) prorata requirements for coverage of THE FUND grant in support of salaries provided in the basic operating budget; and (2) requirements for coverage of other expenditures which have been budgeted or are reserved in the College of Pharmacy Faculty Practice Plan Account pursuant to recommendations by the Faculty Practice Plan Committee of the College. Disbursements for the first quarter of a fiscal year will be based on the prorata revenues collected from July 1 - September 30th. Disbursements for the second quarter of a fiscal year will be based on prorata revenues collected from October 1 - December 31st. Disbursements for the third quarter of a fiscal year will be based on prorata revenues collected from January 1 - March 31st. Disbursements for the fourth quarter of a fiscal year will be based on prorata revenues collected from April 1 - June 30th.

C. If the actual amounts generated and required for the supplementary expenses are greater than the approved annual supplementary operating budget, a revised budget should be prepared and submitted in accordance with University budgetary procedures before the established budgetary authority is reached.

D. In preparation of the supplementary operating budget, the Dean of the College of Pharmacy will allocate not less than 70 percent of the total amount of THE FUND grant for supplemental compensation among College faculty who participate in the Plan. In order to receive supplemental compensation, faculty participating in the Plan must receive approval from their Division Director. This approval is contingent upon satisfactory performance of the individual in their regular DOE responsibilities as a College faculty member.

E. The budget for the remaining 30% of the amount of the grant for the supplemental operating budget will be prepared by the Dean of the College of Pharmacy with funds available being devoted to (1) covering the operating costs of the Plan; (2) enhancement of College programs; and (3) enhancement of Division programs.

F. Data on the factors to be utilized in determining division allocations will be submitted by the Dean of the College of Pharmacy for review by the Faculty Practice Plan Committee prior to preparation of the supplementary operating budget. Upon recommendation of the Committee, adjustments in the factors used may be made by the Dean if deemed necessary to avoid inequities

due to limitations of available data. Computations of the amount of allocations for individual divisions will be provided to the directors of the divisions.

G. Following adoption of the provisions herein, recommendations may be made from time to time by the Faculty Practice Plan Committee through the Dean to the Chancellor for modifications deemed to be appropriate and desirable.

See AR II-4.0-2

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	DATE EFFECTIVE: 10/1/85	SUPERSEDES REGULATION DATED:

PROCEDURES RELATING TO ETHICAL STANDARDS IN THE CONDUCT OF RESEARCH IN THE LEXINGTON CAMPUS AND MEDICAL CENTER SECTORS

An underlying principle of all research is the quest for truth. The credibility of such research must be above reproach if the public trust is to be maintained. Any compromise of the ethical standards required for conducting academic research cannot be condoned. While breaches in such standards are rare, these must be dealt with promptly and fairly by all parties in order to preserve the integrity of the research community.

"Misconduct", as used herein, is defined as: (1) fraudulent or improper practice in conducting research or reporting the results of research, including intentional falsification or fabrication of data, plagiarism, or intentional misrepresentation of data collection and analysis; (2) material failure to comply with federal or University requirements affecting specific aspects of the conduct of research, e.g., the protection of human subjects and the welfare of laboratory animals; or (3) serious misappropriation of research funds, including but not limited to diversion of such funds to personal or non-University use. The term "serious misappropriation" as used herein is not contemplated to include minor deviations within budget categories.

A. Allegations of misconduct should be reported immediately in writing to the dean of the college in which the incident occurred and in which the accused is employed. All such allegations shall be signed. The confidentiality of those who in good faith report apparent misconduct will be protected to the extent possible.

B. After consultation with the appropriate chancellor, the dean shall conduct a preliminary inquiry (which shall include informal consultation with the accused) into the circumstances of the allegations and determine whether there are sufficient grounds to indicate that these have validity. The dean shall attempt to complete this initial inquiry within 30 days.

C. If the dean finds sufficient evidence to suggest that the allegations may be true, and after consultation with the Vice Chancellor for Research and the Dean of the Graduate School and also the appropriate chancellor, the dean shall appoint an appropriate investigative body to conduct a formal examination and evaluation of all relevant facts to determine whether misconduct has taken place. The appointment of this investigative body shall be left to the discretion of the dean, subject to the approval of the Vice Chancellor for Research and Dean of the Graduate School.

D. At the time the investigative body is appointed, the dean shall inform in writing the individual(s) about whom allegations have been made and any involved collaborators that an investigation is to be conducted and shall present to them a statement of the allegations. This statement shall include information on the nature of the allegations and the focus of the investigation and shall inform those being investigated of the opportunity to defend their conduct and provide comments and other relevant information to the investigative body. The same individuals shall be informed of their right to be represented by an attorney in preparing and/or giving their response in this and all subsequent phases of the investigation.

E. The dean shall inform the University's Legal Counsel and the chairman of the department of each individual under investigation and of any other department in which the event may have occurred that an investigation is under way. The dean also shall inform the agency sponsoring the research if such action is required by the agency.

F. The investigative body shall conduct a formal examination and evaluation of all relevant facts to determine if the allegations of misconduct are valid. The investigative body shall use advice of the Legal Counsel on procedures and other matters pertaining to the investigation. The investigative body may call witnesses, examine research data (both published and unpublished), and seek expert counsel both inside and outside the University to aid in the scientific audit.

The investigative body shall attempt to complete its investigation within 120 days. All parties involved in the investigation shall strive to maintain confidentiality of information.

Interim administrative actions, as appropriate to the allegations, may be taken prior to the completion of the investigation if such actions are necessary to protect the welfare of human or animal subjects of research or to prevent the inappropriate use of funds.

G. Having completed its investigation, the investigative body shall submit its findings and recommendations in writing to the dean.

H. If the investigative body's findings fail to confirm an instance of misconduct, all participants in the investigation, the appropriate chancellor, and the Vice Chancellor for Research and Dean of the Graduate School shall be so informed in writing by the dean.

If the investigative body has reason to believe that unfounded charges may have been brought with malicious or dishonest intent, the investigative body should recommend consideration of appropriate administrative action.

I. If the investigative body finds that the allegations are substantiated and that misconduct has occurred, the following actions shall be taken by the dean after consultation with the Vice Chancellor for Research and Dean of the Graduate School and also the appropriate chancellor:

1. The agency sponsoring the research shall be informed of the findings of the investigation;

2. Publishers and editors of journals shall be informed if manuscripts emanating from fraudulent research have been submitted or published; and

3. Appropriate administrative action consistent with the University of Kentucky Governing Regulations and Administrative Regulations should be taken against those faculty and postdoctoral scholars directly involved in the misconduct. If staff personnel are involved, sanctions shall be consistent with the policies set forth in the Staff Personnel Policy and Procedure Manual. If graduate students are involved, sanctions shall be consistent with the policies set forth in the University of Kentucky Governing Regulations and Administrative Regulations, Rules of the University Senate, and/or Students Rights and Responsibilities. Part I. Code of Student Conduct, as determined applicable. If undergraduate students are involved, sanctions shall be consistent with the policies set forth in the Staff Personnel Policy and Procedure Manual, Rules of the University Senate, and/or Student Rights and Responsibilities. Part I. Code of Student Conduct, as determined applicable.

BOARD OF STUDENT MEDIA

I. Responsibility for Student Media

Jurisdiction over campuswide student media shall be vested in a Board of Student Media reporting directly to the Vice Chancellor for Student Affairs. By jurisdiction is meant the responsibility for the financial management, the editorial policies, and the general operation of student media. A campuswide student medium is defined as a medium which meets all of the following three criteria: (a) any full-time student is eligible to participate in its production, (b) it is produced for a campuswide audience, and (c) it is supported by University funds. (Presently the only such campuswide media are the Kentuckian and WRFL-FM.

II. Composition of the Board of Student Media

The Board of Student Media shall consist of nine voting members.

A. Three student members of the Board shall be appointed by the Chancellor for the Lexington Campus according to the following process: The President of the Student Government Association will submit nominations to the Vice Chancellor for Student Affairs. The Chancellor for the Lexington Campus, in consultation with the Vice Chancellor, will make final appointment of the members. Student members of the Board will serve for one year, subject to reappointment.

B. Two faculty members of the Board shall be appointed by the Chancellor from a panel recommended by the Senate Council. One of the faculty members should, if possible, be a member of the faculty of the School of Journalism. Terms will be for two years, except for initial staggered terms to provide for continuity of membership.

C. One member-at-large of the Board shall be appointed by the Chancellor. The term will be for two years. The member may be appointed from the faculty, administration, alumni, professional journalists, or public-at-large.

D. Following initial appointment to the Board, member vacancies occurring prior to completion of terms shall be filled through appointments by the Chancellor for the Lexington Campus, following the same procedures as for initial appointments of such members. In case of excessive absences at Board meetings, members will be dropped from the Board by the Chancellor on recommendation of Board membership.

E. The Student Media Adviser, the editor of the Kentuckian and the general manager of WRFL-FM shall serve as ex officio voting members of the Board.

F. The Board shall have a chairperson to be appointed by the Chancellor for the Lexington Campus, with a term in office of one year, subject to reappointment. The Board membership shall elect a secretary, with a term in office of one year, subject to reelection.

G. The quorum for transaction of business shall be six voting members.

III. The Role of the Board of Student Media

A. Consistent with the general philosophy of providing a free and responsible press on the University of Kentucky campus and consistent with Section 2.5 (Right to a Free Student Press) of the Code of Student Conduct, the Board of Student Media shall be responsible for the development and promulgation of a statement of policy for the guidance of the editorial staffs of media under the Board's jurisdiction. This statement will deal with operational, editorial, and financial policies of student media.

B. The Board of Student Media shall appoint the editors of the Kentuckian, the general manager and program director of WRFL, and the managers of other media under its jurisdiction.

C. The Board of Student Media shall be available for immediate consultation with the student managers and/or adviser; its role shall be one of policy interpretation and not one of censorship.

D. The Board of Student Media shall advise and consult with the Student Media Adviser and student media managers regarding financial management of the media under the Board's jurisdiction. The Board shall approve budget proposals to be made to the Chancellor for the Lexington Campus.

E. If, after thorough investigation which shall include affording the editor/general manager/program director an opportunity to present personal views, the Board should conclude that a student manager has violated the Board's policies or has otherwise failed to perform appropriate duties as editor/general manager/program director, the Board is authorized to take one or more of the following actions in reference to the student's status as student manager: counsel, warning, reprimand, suspension for a specified period of time, dismissal.

RESIDENCE HALL ADMINISTRATIVE BOARD AND PROCEDURES FOR THE DETERMINATION OF ISSUES ARISING OUT OF CONTRACTUAL ARRANGEMENTS RELATING TO STUDENT HOUSING

Students residing in housing provided by the University have entered into contracts with the institution for the provision of room and/or meals. These contracts provide for termination, under certain conditions, by the University. In some cases a question arises as to whether a student has, in fact, done some act which constitutes a breach of that student's contract with the University. The following procedures have been developed to establish a systematic and equitable means for the internal adjudication of University-student contractual disputes prior to formal court determination.

I. Residence Hall Administrative Board

The Residence Hall Administrative Board has been created for the purpose of conducting hearings and making recommendations regarding questions arising under the Residence Halls Rental Agreement of the University of Kentucky.

A. Jurisdiction

The Board shall have jurisdiction in all cases wherein a controversy has arisen as to whether a student residing in University Residence Halls has in fact breached the contractual obligations contained in the Residence Halls Rental Agreement and/or in cases where a student claims the existence of substantial mitigating circumstances in connection with a breach of the agreement which would otherwise result in termination of that student's occupancy of a room in the residence halls.

B. Composition

The Board shall be composed of three persons who are full-time employees of the University appointed by the Chancellor for the Lexington Campus. No person who has made a prior determination regarding the case to be heard shall sit as a member of the Board.

II. Procedures

A. Hearings

1. All hearings by the Board shall be in closed session, except that a student who appears before the Board may, at that student's request, be accompanied by an advisor.

2. If a student is alleged to have breached the Rental Agreement, the student shall be informed of the manner in which this

was done and shall have the opportunity to present evidence to show that the contract was not, in fact, breached.

3. In addition, if the Board determines that a student has violated the terms of the Rental Agreement, the student shall be permitted to present evidence of mitigating circumstances relating to said violation.

B. Evidence

1. The Board shall not be bound by formal rules of evidence as these are applied in the courts.

2. The chairperson of the Board shall rule on any questions which may arise regarding the materiality or relevance of evidence sought to be presented by any person.

III. Disposition

A. If a majority of the Board finds that the student has not committed an act constituting a breach of the Rental Agreement, no further action shall be taken regarding the termination of said contract on account of the violation or violations alleged.

B. If a majority of the Board finds from a preponderance of the evidence that a student has, in fact, committed an act or acts constituting a breach of the Rental Agreement, the Board shall recommend to the Vice Chancellor for Administration for the Lexington Campus that the Rental Agreement with the student be revoked unless the Board specifically finds substantial mitigating circumstances.

C. If a majority of the Board finds substantial mitigating circumstances in connection with a breach of the Rental Agreement, the Board shall make such other recommendations as it deems necessary and desirable to the appropriate University officials.

RULES AND ADDITIONAL CRITERIA FOR REGISTRATION OF STUDENT ORGANIZATIONS

In conformity with Article III of the Code of Student Conduct: Rules, Procedures, Rights and Responsibilities Governing Non-Academic Relationships, the following rules and criteria for registration of student organizations are established and published:

A. Copies of all local and/or national constitutions and/or by-laws governing the organization must be submitted along with the completed application form.

B. The organization shall not discriminate against any person due to race, color, sex, or religious affiliation or belief, except when the express and legitimate purposes of the organization require limitation as to sex or religious affiliation or belief.

C. The organization must adopt a name which is neither the same as nor deceptively similar to the name of an existing registered student organization, the University, or any division or department of the University.

D. The organization must be non-profit in nature. It may not use its position as a registered organization to solicit or advertise for commercial purposes.

E. The purposes of the organization must not be inconsistent with the purposes of the University as defined in "A Statement of University Purpose and Mission" approved by the Board of Trustees on June 18, 1991. An excerpt from that statement follows:

> As the Commonwealth's only comprehensive land-grant University with a state-wide mission, the University of Kentucky exists to ensure the citizens of the Commonwealth and, by extension, the nation and the world the finest opportunities for education and the greatest benefits of knowledge.
>
> The University creates, preserves, and disseminates knowledge. It seeks to provide an optimal environment for teaching, learning, and research. The University aspires to develop a community of scholars that promotes cultural understanding, ethical behavior, civic virtue, and international citizenship. All efforts of the University are intended to address the needs of society and, by so doing, improve the human condition.
>
> In fulfilling its mission through its University and Community College Systems, the University of Kentucky has three interrelated functions: instruction, research, and public service. These activities enable the University to achieve its goals of:

* Responding to the educational needs of individuals from the Commonwealth of Kentucky, in addition to those from the nation and the world, by offering excellent programs in undergraduate, graduate, and professional education.

* Advancing the frontiers of knowledge by conducting programs of basic and applied research which seek solutions to human, resource, and environmental problems and further the human good.

* Improving the well being of citizens of the Commonwealth of Kentucky, as well as all humanity, through application of the knowledge, abilities, and skills of members of the University community.

* Providing the Commonwealth of Kentucky with a comprehensive university recognized nationally for its quality of teaching, research, service and graduates and internationally for specific areas of strength.

F. Although this section is not a comprehensive definition of the function and activities of members of an organization, the following functions and activities must be reserved to members:

1. Holding any office in the organization;

2. Presiding, officiating, voting, making, or seconding motions at any meeting of the organization. Guests may attend and, as a member of the audience, speak at meetings of the organization when the program and procedures permit; and

3. Acting as a public spokesperson for the organization.

G. The elected officers of the organization shall be students.

H. Only members of the student body, faculty, and/or staff of the University of Kentucky may serve at stations or distribute materials on the campus on behalf of the organization.

I. An affirmative statement shall be signed by students, faculty, and/or staff seeking registration for the organization and certifying that the organization is in compliance with, and will continue to comply with, Article III of the Code of Student Conduct, with the "Rules and Additional Criteria for Registration of Student Organizations" (AR II-8.3-1), and with the "Regulations Governing the Use of University Facilities by Registered Student Organizations" (AR II-8.3-2).

REGULATIONS GOVERNING THE USE OF UNIVERSITY FACILITIES BY REGISTERED STUDENT ORGANIZATIONS

In conformity with Article III of the Code of Student Conduct: Rules, Procedures, Rights and Responsibilities Governing Non-Academic Relationships, the following regulations regarding the use of University facilities by registered student organizations are established and published.

A. Use of University Facilities

1. Designated University facilities may be reserved for use by registered student organizations during periods of instruction for meetings and other non-commercial events related to the purposes of the organizations.

2. In instances where non-University persons have been invited to speak or perform, where outdoor facilities are being requested, or where the capacity of the facility being requested is in excess of 100 persons, the reservations shall be made on forms provided for that purpose. The form will show the organization's name, the name of the individual seeking the reservation, the general nature of the event, its date and time, the facility requested, the names of non-University persons invited to speak or perform, any special arrangements needed, and information required by the University officials responsible for the facility requested. (A list of University facilities and the persons responsible for these facilities may be found in AR II-8.3-4. Specific procedures and regulations regarding the facilities may be obtained from the person responsible for reserving the facility.)

3. Reservations submitted under the provisions of Section A.2 above shall be made at least 48 hours in advance to permit proper scheduling and preparation for the event, except in unusual circumstances as determined by the Vice Chancellor for Student Affairs for the Lexington Campus.

4. Reservations will be granted in order of application. Considerations of format, room size, and equitable distribution of special facilities may require adjustments.

5. University facilities may be reserved for use by a registered student organization only through officers designated on the application for registration or a member specifically authorized on the application.

6. A registered student organization, its officers, and any individual applying to reserve facilities on behalf of the organization are responsible for the condition of the facilities. The facilities must be used in a manner which is in compliance with Article III of the Code of Student Conduct, "Regulations Governing the Use of University Facilities by Registered Student Organizations" (AR II-8.3-2), "Policy of the University of Kentucky Governing Speakers from Off Campus" (AR II-1.0-2), and any other policies or regulations governing the particular facilities used.

7. Facilities reserved for use by a registered student organization may not be used by any other organization during the period of the reservation.

B. Open Discussion Area

The area west of the Alumni Gymnasium between Limestone Street and the Alumni Gymnasium is designated an open discussion area. In this area, any registered student organization may for a period not to exceed two hours conduct an open discussion or other program without complying with the reservation format stated above. None of the provisions of Sections A.2, A.3, and A.4 shall apply to the use of this open discussion area.

1. The registered student organization signed up for this area will be responsible for seeing that discussions and/or programs held there do not violate the Code of Student Conduct.

2. A registered student organization wishing to use the open discussion area must sign up for the area at least one-half hour prior to the time it wishes to use the area. If the request is for a time when the Student Center is closed, special arrangements must be made through the Office of the Director of the Student Center. All requests for the use of the open discussion area and the amplification equipment are to be made through the Office of the Director of the Student Center.

3. A registered student organization may sign up for the open discussion area for a second period not to exceed two hours if no other request for the use of the area has been received 30 minutes prior to the expiration of the original time period.

4. Discussions and/or programs must begin within 15 minutes after the assigned starting time. Failure to do so will forfeit the use of the area if another registered student organization wishes to use the area at that time. The provisions of Section B.2 regarding deadline for the signing up does not apply under this section.

5. The volume and direction of sound amplification equipment used in the open discussion area will be adjusted by the staff of the Student Center to reach no further than the audience present.

6. No registered student organization may sign up for the open discussion area more than 48 hours prior to the time it wishes to use the area.

C. Fund Raising on the Campus by Registered Student Organizations

Registered student organizations are permitted to use University facilities for fund raising when the specific use of the funds is non-commercial in purpose and when regulations governing the facilities requested allow for the charging of admission or other collection of money.

D. Posters, Handbills, and Notices

1. Non-commercial announcements may be posted on behalf of registered student organizations. Under no circumstances are announcements to be posted on any painted surface, in any classroom, or on any tree or shrub. Announcements shall indicate the name of the registered student organization on whose behalf the announcement is posted and the date posted. It shall be the responsibility of the registered student organization to remove all such announcements within three days following the program, event, or election to which the announcements are related.

2. No poster, handbill, or any other form of announcement may be posted in such a manner as to cause damage. No announcement may be written or painted upon any building, sidewalk, or other natural feature of the campus.

3. Members of the student body, faculty, and/or staff of the University may distribute on behalf of registered student organizations free-of-charge non-commercial announcements, statements, or materials at any reasonable outdoor area on the campus. Such distribution shall be consistent with the orderly conduct of University affairs, the maintenance of University property, and the free flow of traffic and persons. Efforts must be made to avoid litter. Distribution by means of accosting individuals or by hawking or shouting is prohibited. Announcements or statements shall indicate the name of the registered student organization on whose behalf the distribution is made.

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	AR II-8.3-3	1
	DATE EFFECTIVE: 3/19/92	SUPERSEDES REGULATION DATED: 1/3/85

REGULATIONS GOVERNING THE USE OF MEMORIAL HALL AND ADJACENT AMPHITHEATER

A. The Office of the Dean of Students, through delegation by the Chancellor for the Lexington Campus, shall be responsible for approval of applications for use of Memorial Hall and the adjacent amphitheater.

B. Applications for use of Memorial Hall and the amphitheater will be considered in order of receipt. These two facilities shall not be approved for use for simultaneously occurring events except when the activities are obviously non-interfering with each other.

C. University units and groups, including registered student organizations, may use Memorial Hall provided their needs cannot be satisfied adequately in another facility. However, each event must be significantly related to the purposes or curricula of the University and, if a student affair, have the approval of the faculty advisor and the Dean of Students. For events involving no admission fee, there will be no charge other than the cost of setting up special facilities. When an admission charge for an event is involved, a contract between the sponsoring group and the University shall be negotiated in advance.

D. No unit or organization of the University shall have any priority with respect to the use of Memorial Hall except that scheduled academic activities including the use of the pipe organ normally will be given preference between 8:00 a.m. and 5:00 p.m. Requests for regular academic scheduling should be received at least 90 days before the start of a regular academic session.

E. Non-University groups or agencies may apply for the use of Memorial Hall when the program to be presented is of an educational, cultural, or charitable nature, or relates to other purposes approved by the Dean of Students and the President. In all cases, however, the use of Memorial Hall shall be in compliance with PART XII.E of the University of Kentucky Governing Regulations.

F. When Memorial Hall is used by a non-University group, a contract between the group and the University will be negotiated in advance stating the charge for use and setting forth the responsibilities of the group and of the University. Charges for use shall conform to a schedule established by the Vice President for Administration.

G. The best interests of the University may make it necessary occasionally to give priority to or cancel one event in favor of another. When such a cancellation becomes necessary, the unit or group holding the reservation shall be given notice as far in advance as possible.

H. Any unit or organization using Memorial Hall shall take proper care of the building and its equipment and shall be financially responsible for any damage thereto during use resulting from abuse or neglect.

I. Memorial Hall is dedicated to the memory of Kentuckians who died in World War I, and no program that is out of keeping with the memorial spirit shall be held in the building.

J. Applications for use of Memorial Hall or the amphitheater shall be made in writing in advance on forms which are available in the Office of the Director, Student Center.

UNIVERSITY OF KENTUCKY ADMINISTRATIVE REGULATIONS	IDENTIFICATION AR II-8.3-4	PAGE 1
	DATE EFFECTIVE 1/3/85	SUPERSEDES REGULATION DATED AR II-8.3-4 7/1/83

REGULATIONS GOVERNING TIME, PLACE, AND MANNER OF MEETINGS, DEMONSTRATIONS, AND OTHER ASSEMBLIES

The University of Kentucky recognizes and confirms the right of all members of the University community to free expression, assembly, and advocacy. In order to facilitate the effective use and enjoyment of the facilities of the campus at Lexington for the exercise of such rights and in order to minimize conflict between the form of their exercise and the rights of others in the effective use of University facilities, the following regulations are herewith established.

A. Planned or spontaneous demonstrations, meetings, or assemblies may be conducted in those appropriate areas of the campus which are regularly available to the public, provided such demonstrations, meetings, or other assemblies:

1. Are conducted in a lawful and orderly manner;

2. Do not prohibit vehicular or pedestrian traffic;

3. Do not interfere with classes, other scheduled meetings, events, and ceremonies or with other educational processes of the University; and

4. Are conducted only with specific authorization when held in (a) University buildings, (b) University stadia or amphitheaters, (c) residential areas of the campus, or (d) other areas available by reservation only.

B. Reservation of appropriate University grounds, areas, facilities, or other University property for the purpose of conducting a demonstration, meeting, or other assembly will be granted, subject to the restrictions contained in Section A, to the following described University organizations, groups, and individuals:

1. Registered student organizations, in accordance with the "Regulations Governing the Use of University Facilities by Registered Student Organizations", on file and available at the Dean of Students Office;

2. Members of the University faculty and staff, for extracurricular events related to their University duties; and

3. Official alumni groups and similar University-related organizations, and colleges, schools, departments, and other units of the University, for events directly related to their purposes and in keeping with the University's role as an educational institution.

The individual responsible for reserving a particular facility or area, or that individual's designee, must be present when the facility or area is being utilized pursuant to the reservation.

C. The following designations and accompanying regulations pertain to the use of specific categories of University facilities and areas for the purpose of conducting any demonstration, meeting, or assembly. All areas must be utilized in a lawful and orderly manner, and are subject to those restrictions contained in Section A.

1. Designated Unrestricted Areas. No reservation is required for utilization of the designated unrestricted areas listed below. However, in unusual circumstances, reservation of a designated unrestricted area may be granted by the Vice Chancellor for Student Affairs for the Lexington Campus at the Vice Chancellor's discretion.

a. Free Speech Area. The Free Speech Area is located west of the Student Center and Alumni Gymnasium and bounded by those two buildings, Administration Drive, Limestone Street, and Euclid Avenue.

The Free Speech Area is available 24 hours per day when the University is officially in session and shall be made available to organizations and groups as defined above, as well as to individual members of the University community. Sound amplification will be provided upon request during established operating hours of the Student Center, subject to 30 minutes prior notice necessary for proper hook-up and adjustment. The volume and direction of sound amplification equipment is under the supervision of the Director of the Student Center.

b. Student Center Patio. The Student Center Patio is available during the established operating hours of the Student Center and when not previously scheduled by the Student Activities Board. Sound amplification will be provided upon request, subject to 30 minutes prior notice necessary for proper hook-up and adjustment. The volume and direction of sound amplification equipment is under the supervision of the Director of the Student Center.

2. Restricted Areas. The following restricted areas may be utilized on a reservation-only basis:

a. Indoor facilities;

b. Intramural fields and other recreational areas;

c. Stadia and amphitheaters;

d. Parking lots;

e. Residential areas of the campus; and

f. Administration lawn.

A list of available University facilities and the offices responsible for reserving such facilities is appended hereto. Necessary forms for completion and specific procedures and regulations regarding the use of such facilities may differ from building to building or area to area; appropriate forms may be obtained from the person designated as responsible for reserving the specific facility or area listed.

3. Prohibited Areas. No unauthorized demonstration, meeting, or other assembly shall take place within or upon the following prohibited areas:

a. Chandler Medical Center and its adjacent grounds, sidewalks, and parking areas;

b. Maxwell Place and its adjacent grounds, sidewalks, and parking areas; and

c. All streets and driveways utilized for vehicular traffic.

D. Use or continued use of the above areas and facilities, as well as other areas and facilities not designated above, for demonstrations, meetings, or other assemblies and gatherings shall be subject to the "rule of reason" -- i.e., subject to the judgment that the manner of use of the area is what could be expected of a reasonably prudent person. Thus, the use or continued use of any such areas may be denied if, for example, the activity blocks doorways, causes noise which interferes with classroom, office, or other University activity, or presents an imminent threat of physical violence or destruction of property.

The responsibility for making such a determination and decision rests with the Dean of Students or the Dean's designated representative. If the Dean or the Dean's designated representative believes that an area or facility is being improperly used or believes the users of the area are acting imprudently, the Dean shall:

1. Warn the offending group or individuals that continued misuse will not be permitted;

2. Recommend alternative locations or means of expression;

3. Instruct the offending individuals or the assembled group to vacate the area;

4. Cite individuals or groups for violation of University regulations;

5. Request assistance of law enforcement officials; or

6. Any combination of D.1, D.2, D.3, D.4, and D.5.

Failure to comply with the directions of the Dean of Students or the Dean's designated representative may result in charges of violation of the Code of Student Conduct, or of other University regulations in the case of

non-student members of the University community, being placed by the Dean against offending parties. Those failing to comply also are reminded that they may be found in violation of the law if so determined by a law enforcement official on the scene.

E. Where numbers in excess of 20 are involved, authorized organizations, individuals, or groups as provided under Section B may engage in parades and marches upon University property, provided a designated representative of the sponsoring organization, individuals, or group meets with the Dean of Students and the Director of Public Safety, or their authorized representatives, at least one hour prior to the commencement of the parade or march. This meeting shall be for the purpose of agreeing upon an appropriate route which will not interfere with, impede, or otherwise disrupt the normal functions and processes of the University, or otherwise interfere with the rights of others in their effective use of University facilities and property.

F. Other than that being utilized for University-authorized and scheduled academic activities or other University-sponsored activities and with the further exception of those provisions for use of sound amplification equipment in designated areas specified in Section C, the use of amplified sound equipment except bullhorns in any area of the University campus is prohibited unless a specific, written exception has been granted by the Dean of Students Office.

APPENDIX

UNIVERSITY FACILITIES AND RESPONSIBILITY FOR RESERVATION THEREOF

FACILITY	RESPONSIBLE OFFICE
Agricultural Science Auditorium	Management Operations Office
Alumni Gymnasium	Director, Campus Recreation
Amphitheatre	Director, Student Center
Buell Armory	ROTC Office
Carnahan House Conference Center	Conferences and Institutes Office
Center for the Arts Concert Hall Reception Room Recital Hall	Office of the Director
Chemistry-Physics Building Auditorium	Office of University Registrar
Classrooms	Office of University Registrar
College of Business and Economics Building Auditorium	Office of University Registrar
College of Law Courtroom	Dean, College of Law
Complex Commons	Assistant Director of Programming for the Office of Residence Life
Guignol Theatre	Department of Theatre
Laboratory Theatre	Department of Theatre
Medical Center Auditorium	Office of Communications
Memorial Hall and Amphitheatre	Director, Student Center
Open Areas	Director, Student Center
Parking Lots and Parking Structures	Director, Student Center

Patterson Office Tower- 1st Floor Conference Rooms	Office of University Registrar
Patterson Office Tower 18th Floor	Vice President for Administration President's Office
Seaton Building	Director, Campus Recreation
Soccer Field	Director, Campus Recreation
Student Center	Director, Student Center
Taylor Education Building Auditorium	Associate Dean of Education

UNIVERSITY OF KENTUCKY ALUMNI ASSOCIATION FACILITIES

Alumni House	Director, Alumni Association

UNIVERSITY OF KENTUCKY ATHLETIC ASSOCIATION FACILITIES

Commonwealth Stadium Memorial Coliseum Shively Sports Center	Director, Administrative Services

Patterson Office Tower 18th Floor	Vice Chancellor for Administration Lexington Campus 110 Administration Building 257-6344
Seaton Building	Director, Campus Recreation 135 Seaton Building 257-2898
Soccer Field	Director, Campus Recreation 135 Seaton Building 257-2898
Student Center	Director, Student Center 209 Student Center 257-5781
Taylor Education Building Auditorium	Office of the University Registrar 8 Administration Annex 257-4201 or 257-1695

UNIVERSITY OF KENTUCKY ALUMNI ASSOCIATION FACILITIES

Alumni House	Director, Alumni Association 400 Rose Street 257-7162

UNIVERSITY OF KENTUCKY ATHLETIC ASSOCIATION FACILITIES

Commonwealth Stadium Memorial Coliseum Shively Sports Center	Director, Athletics Association 6 Memorial Coliseum 257-2881

Part III
Administrative Committees

PART III

UNIVERSITY OF KENTUCKY
ADMINISTRATIVE COMMITTEES AND COUNCILS

I. Administrative Councils and Committees

A. Councils of Senate
- Senate Council
- Graduate Council
- Undergraduate Council
- Academic Council for the Medical Center

B. Senate Advisory Committees
- Senate Advisory Privilege and Tenure Committee
- Senate Advisory Hearing Committee on Privilege and Tenure
- Senate Advisory Faculty Code Committee
- Senate Advisory Prior Service Committee

C. Academic Area Advisory Committees
- Academic Area Advisory Committee for the Biological Sciences
- Medical Center Clinical Sciences Area Advisory Committee
- Academic Area Advisory Committee for Extension Title Series
- Humanities and Arts Area Advisory Committee
- Academic Area Advisory Committee for the Physical and Engineering Sciences
- Academic Area Advisory Committee for the Social Sciences
- Librarians Academic Area Advisory Committee

D. Committees of the Graduate School
- Graduate Council Committee on Fellowships and Traineeships
- Committee on Honorary Degrees

II. Administrative Standing Committees

A. Administrative Standing Committees
- Commencement Committee
- University Computing Advisory Committee
- Distance Learning Committee
- Advisory Committee for the Donovan Trust
- Employee Benefits Committee
- Equal Opportunity Panel
- Non-Resident Fee Committee for Lexington Campus, Medical Center and Research and Graduate Studies

Administrative Standing Committees (continued)
- Student Advisory Committee on the University of Kentucky Housing and Dining System
- Committee on Human Safety and Environmental Health
- Institution Animal Care and Use Committee
- Medical Institutional Review Board
- Non-Medical Institutional Review Board
- Committee on International Students
- Intellectual Property Committee
- University Research Advisory Committee
- Parking and Transportation Committee
- Committee on Financial Aid
  - The Sullivan Awards
- Traffic Violations Appeal Committee
- The University of Kentucky Press Committee
- The University Press of Kentucky Editorial Board (UK Representatives)
- University Committee on Press, Radio and Television (joint with Athletics Association)
- Continuing Education Council
- Conflict of Interest Committee

B. Administrative Advisory Committees
- Committee on Research and Policy of the Kentucky Water Resources Research Institute
- Advisory Council to the Sanders-Brown Center on Aging
- Committee on Naming University Buildings
- Radioactive Drug Research Committee
- Administrative Advisory Committee of the Tobacco and Health Research Institute
- Technical Advisory Committee of Tobacco and Health Research Institute

C. Special Administrative Committees Relating to Students
- University Appeals Board
- Heidelberg Scholarship Committee
- Residence Hall Administrative Board
- Student Code Committee
- Student Health Advisory Council
- Board of Student Media

AR III—1.0

UNIVERSITY APPEALS BOARD

The University Appeals Board shall have appellate jurisdiction over decisions of the University Judicial Board and over decisions of faculty members on matters of University academic offenses.

The composition, appointment of members, jurisdiction, authority, procedures, and other matters relating to the University Appeals Board are detailed in Parts 1.61 through 1.67 of Student Rights and Responsibilities - Part I - Code of Student Conduct and in Section VI, Parts 6.1 through 6.2.4, of the Rules of the University Senate.

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	AR III-1.0-2	1
	DATE EFFECTIVE: 7/1/83	SUPERSEDES REGULATION DATED: 8/16/76

STUDENT CODE COMMITTEE

Responsibility for proposing revisions to the Code of Student Conduct is delegated by the Board of Trustees, through Article VII (Amendment) of Student Rights and Responsibilities -Part I - Code of Student Conduct, to a committee consisting of students, faculty, and administrators. The exact composition, chairperson, and procedures of the committee are determined by the President of the University.

The Student Code Committee shall accept and review recommendations from students, faculty, and administrators regarding revisions of the Code of Student Conduct. The Committee shall prepare proposed revisions and forward these to the President for presentation to the Board of Trustees for its consideration.

Nothing included above, however, shall be construed as a limitation upon the President to propose changes without reference to the Committee.

UNIVERSITY OF KENTUCKY ADMINISTRATIVE REGULATIONS	IDENTIFICATION	PAGE
	AR III-1.0-3	1
	DATE EFFECTIVE: 7/1/83	SUPERSEDES REGULATION DATED: 8/16/76

PRIOR SERVICE ADVISORY COMMITTEE

The Prior Service Advisory Committee provides the Chancellor for the Lexington Campus and/or the Chancellor for the Medical Center with a systematic and broad base of advisement on any request that all or part of a period of prior service at another institution be waived or eliminated from consideration in determining the probationary period of a non-tenured faculty member in the University System of the University of Kentucky. The membership of this Committee shall consist of no fewer than seven members, preferably at least one from each area associated with an Academic Area Advisory Committee, appointed to staggered two-year terms by the President from a list of candidates provided by the Senate Council. The list shall include at least twice as many names as there are vacancies. Members of the Committee, the chairperson of which shall be designated by the President, shall be current or former members of Academic Area Advisory Committees or other faculty members who are broadly knowledgeable about the University and its regulations.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-1.0-4	PAGE 1
	DATE EFFECTIVE 1/14/98	SUPERSEDES REGULATION DATED 6/5/89 3/19/92

ADVISORY COUNCIL TO THE SANDERS-BROWN CENTER ON AGING

The Advisory Council to the Sanders-Brown Center on Aging shall advise the Vice President for Research and Graduate Studies on the Center's program and its administration. Under applicable circumstances, the Advisory Council also recommends to the Vice President for Research and Graduate Studies on the appointment of the Director to serve as the Center's chief administrative officer.

The Chancellor for the Lexington Campus, the Chancellor for the Medical Center, the Vice President for Research and Graduate Studies, and the Vice Chancellor for Clinical Professional Services for the Medical Center and Dean of the College of Medicine shall serve as permanent members of the Advisory Council to the Sanders-Brown Center on Aging. Additionally, representatives from colleges and University areas which are or may be involved significantly with gerontology (such as the College of Arts and Sciences, College of Human Environmental Sciences and College of Social Work) shall be appointed by the President of the University of Kentucky to serve as members of the Advisory Council for staggered three-year terms. The Vice President for Research and Graduate Studies shall serve as chairperson of the Advisory Council.

The Advisory Council to the Sanders-Brown Center on Aging shall hold regular quarterly meetings. Special meetings of the Council may be called by the chairperson or upon written request of at least three members of the Council. Notice of each meeting shall be given by the Council's chairperson.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-1.0-5	PAGE 1
	DATE EFFECTIVE 1/14/98	SUPERSEDES REGULATION DATED 8/1/92 3/5/97

UNIVERSITY DISTANCE LEARNING COMMITTEE

The responsibility of the University Distance Learning Committee is to advise the President and staff of the President on issues relating to compressed video. The Committee is charged with the responsibility for making a decision on requests to utilize compressed videos for individual credit courses and new degree programs for extended-campus delivery, together with their proposed schedule.

Administrative coordination of interactive video access is handled by representatives of Media Design and Production, Extended-Campus Programs and the Medical Center Coordinator.

An Advisory Panel of users and potential users of the system will meet at least once annually with the standing committee to provide advice on issues that emerge or that are potential concerns.

The Committee shall be composed of persons representing the two Chancellors and Vice President for Research and Graduate Studies, a faculty member outside Lexington who is associated with one of the distance learning sites and a faculty member in Lexington who is involved in distance learning. Ex-officio members of the Committee shall include the Vice President for Information Systems, the Director of Extension, and Special Assistant to the President for Academic Affairs. Members of the Advisory Panel shall include three Deans, the Director of the Center on Rural Health, and a member of the Continuing Education Council.

The Committee members and Advisory Panel members are appointed by the President.

ADVISORY COMMITTEE ON WOMEN'S INTERCOLLEGIATE ATHLETICS

The Advisory Committee on Women's Intercollegiate Athletics is appointed by the President. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body of the University of Kentucky. The chairperson and ex officio members of the Committee shall be designated by the President. Committee members other than those with student or ex officio status normally shall have staggered three-year appointments.

The specific responsibilities of the Advisory Committee on Women's Intercollegiate Athletics are to:

1. Serve in an advisory capacity to the Director of Athletics;

2. Serve in an advisory capacity to the President on matters which the President refers to the Committee;

3. Submit an annual report to the President and the Director of Athletics; and

4. Conduct studies necessary to carry out the Committee's functions of advising the President and the Director of Athletics and preparing its annual report. Specific areas in which the Committee should advise and report are:

   a. Allocation of resources for women's sports programs, including budget, facilities, and equipment;

   b. Program priorities within women's intercollegiate sports programs, including assessment of student interest;

   c. Policies and priorities for external fund-raising;

   d. Representation and membership in athletic conferences for women's intercollegiate programs; and

   e. Other matters directly related to the growth and support of women's intercollegiate sports programs.

In addition, the President or the Director of Athletics may, from time to time, request the Committee's consideration of special problems and proposals.

The Committee is responsible for reports in addition to the Committee's annual report as requested by the President or the Director of Athletics.

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COMMITTEE ON NAMING UNIVERSITY BUILDINGS

The Committee on Naming University Buildings shall provide advice in matters related to naming University buildings. Committee membership shall be comprised of individuals from the faculty and staff who normally shall have staggered three-year appointments. The Committee is appointed by the President of the University, who also designates the chairperson and ex officio members of the Committee.

The specific charge to the Committee on Naming University Buildings is to solicit, receive, and consider proposed names for University buildings, in accordance with the guidelines and procedures outlined in AR II-1.1-6, and to forward specific recommendations regarding names for University buildings to the appropriate chancellor who subsequently shall recommend to the President.

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COMMENCEMENT COMMITTEE

The Commencement Committee shall be advisory in all matters related to the University's commencement exercises. The Committee's responsibilities shall include participation in the planning and execution of the commencement ceremony and periodic review of the ceremony and related events. The Committee is appointed by the President and reports to the Vice President for Administration or other administrator designated by the President. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the President. Committee members other than those with ex officio or student status normally shall have staggered three-year appointments.

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NON-RESIDENT FEE COMMITTEE FOR THE LEXINGTON CAMPUS, AND MEDICAL CENTER, OF THE UNIVERSITY OF KENTUCKY

The Non-Resident Fee Committee for the Lexington Campus or Medical Center of the University of Kentucky shall consider changes in residency status based on guidelines for classification of students for fee assessment purposes at state-supported institutions of higher education, as adopted by the Council on Higher Education, July 1, 1987.

Application for change of residency classification by a student enrolled in a program of the Lexington Campus or Medical Center at the University of Kentucky shall be made in writing to the University Registrar for initial consideration. The decision of the University Registrar, if adverse to the applicant, may be appealed to the Non-Resident Fee Committee for its decision. The applicant shall be notified in writing as to the Committee's decision on the applicant's appeal. If the applicant considers the decision by the Committee to be unsatisfactory, the applicant may request that a copy of the applicant's file be submitted by the University Registrar to the Executive Director of the Council on Higher Education for referral to the Council's Committee on Residency Review for its recommendation to the University.

The Chancellor for the Lexington Campus and the Chancellor for the Medical Center have been authorized to make final decisions regarding the residency status of students in their respective academic sectors, provided the students' cases have been reviewed and recommended on by the Council's Committee on Residency Review.

The Non-Resident Fee Committee is appointed by the President of the University of Kentucky and reports to the Vice President for Fiscal Affairs. The Committee shall be comprised of six faculty and/or staff members and two students. The chairperson shall be designated by the President. The faculty and/or staff members normally shall have staggered three-year appointments; the student members shall have one-year appointments.

The Non-Resident Fee Committee shall have authority to adopt by-laws, establish procedural rules, and schedule meetings. A quorum shall consist of five members and a majority of the quorum shall be necessary for Committee action.

The University Registrar shall provide professional and secretarial support for the Non-Resident Fee Committee, including but not limited to recording and preserving the minutes of Committee meetings, processing applications on appeal, and presenting the applications at Committee meetings.

The Office of Legal Counsel shall advise the Non-Resident Fee Committee on legal matters, including but not limited to interpretation of Council guidelines, procedural questions, and applicable laws, cases, and regulations, and shall have a representative in attendance at Committee meetings in an advisory capacity.

The Non-Resident Fee Committee shall submit an annual report on its activities to the Vice President for Fiscal Affairs.

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COMMITTEE ON ENVIRONMENTAL HEALTH AND SAFETY

The Committee on Environmental Health and Safety exercises advisory and other stated responsibilities for the Biological, Chemical, Environmental, Fire, Accident, Industrial Hygiene, Occupational Health, and Radiation Safety programs of the University of Kentucky. The roles of the Committee and its various subcommittees relate to fire, accident, and other general safety matters and to the acquisition, safe use and disposition of radioactive and hazardous materials. The Committee functions within the context of established external regulations, University policies, and recognized standards for the safe conduct of operations.

The Committee and its various subcommittees are appointed by the President of the University of Kentucky, and the Committee reports to the Vice President for Fiscal Affairs with an advisory relationship to the Director of Environmental Health and Safety. The Committee and subcommittees shall be composed of appointed and ex officio members to include faculty, staff, student, and external representation, and the chairperson of each shall be designated by the President. The appointed members normally shall have staggered three-year terms.

The Committee shall function with subcommittees as necessary to satisfy regulatory and program needs.

The Committee is charged with the responsibility to:

1. Recommend to the Vice President for Fiscal Affairs, on an annual basis, on the establishment and charges for subcommittees of the Committee.

2. Recommend policies and procedures for the Biological, Chemical, Environmental, Fire, Accident, Industrial Hygiene, Occupational Health, and Radiation Safety programs that will provide for the safety and health of people and that will comply with regulatory requirements.

3. Recommend educational programs which will prepare members of the University community to comply with environmental and safety policies, procedures, and regulations.

4. Serve as the Institutional Biosafety Committee for recombinant DNA and infectious agents; carry out the Committee functions required under NIH regulations for recombinant DNA to include: policy and procedure recommendations; compliance reviews;

individual research project approval; and the certification that facilities, procedures, and practices and the training and expertise of the personnel involved have been reviewed and approved; and serve as an advisory committee on the use of infectious agents to include: policy and procedure recommendations and individual research project approval.

5. Serve as the Radiation Safety Committee to review and oversee the use of radioactive material and exercise responsibilities required by regulations including the review and approval of authorized users and methods of use of radioactive materials, radiation program changes prior to submittal for licensure; and the establishment and monitoring of the program to maintain occupational doses.

6. Serve as the Chemical Safety Committee to review and recommend chemical safety policies and procedures and to review annually the University's Model Chemical Hygiene Plan as required by OSHA regulation.

7. Serve as the General Safety Committee to review and recommend policies and procedures for all areas of environment, health and safety not covered by the Institutional Biosafety, Radiation Safety and Chemical Safety committees. The committee's areas of responsibility include, but are not limited to, fire and life safety, code compliance, OSHA and EPA regulatory compliance, University emergency procedures, and the general health and safety of employees and students.

8. Review as required by policies or regulations, but at least on an annual basis, reports on the amount and type of radioactive and hazardous materials acquired, used and disposed of by the University.

9. Review, on a timely basis and specifically as required by policies or regulations, reports of any incidents or violation of policies or procedures where radioactive or hazardous materials are involved.

10. Review, as required by policies or regulations but at least on an annual basis, reports of accidents and injuries (including worker's compensation) or other safety problems.

11. Recommend on the training, experience and medical requirements, with consideration of regulatory requirements, for personnel who work with, or in the vicinity of, radioactive and hazardous materials; and conduct at least an annual review of compliance with such requirements.

The Committee shall be responsible for an annual report and, on request, special reports to the Director of Environmental Health and Safety or Vice President for Fiscal Affairs.

EQUAL OPPORTUNITY PANEL

The Equal Opportunity Panel shall provide advice on all University-wide matters of equal opportunity. The Panel is appointed by the President of the University of Kentucky and reports to the Vice President for Fiscal Affairs. Panel membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the President. The Panel members other than those with student or ex officio status normally shall have staggered three-year appointments. Students may be reappointed to the Panel.

The specific responsibilities of the Equal Opportunity Panel are to:

1. Review and assess affirmative action plans that insure equal opportunity throughout the University;

2. Facilitate the development and implementation of affirmative action programs in all University affairs; and

3. Design general ways that can assist University administrators and supervisors in exercising their responsibilities for the performance of functions to assure equal opportunity. These officers have operational responsibilities for the achievement of the University's goals for equal opportunity in academic, auxiliary, supporting, and other aspects of institutional operation.

The Equal Opportunity Panel shall meet at regular intervals during the academic year or at the call of the chairperson. The Panel shall be responsible for an annual report and, on request, special reports to the Vice President for Fiscal Affairs.

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THE SULLIVAN AWARDS COMMITTEE

The Sullivan Awards Committee is responsible for selecting and recommending to the President recipients of the Algernon Sydney Sullivan Awards.

The membership of the Committee will be constituted from members of the faculty who normally will be appointed for staggered three-year terms. One representative of the Office of Development and one representative of the Office of Alumni Affairs will be ex officio members of the Committee. A person designated by the President shall serve as chairperson.

In carrying out its responsibilities the Committee shall report directly to the Office of the Vice President for University Relations and will consult as necessary with the Office of the Dean of Students, the Office of the University Registrar, the appropriate deans of the colleges in determining the eligibility of student graduates, the Chancellor for the Community College System regarding nominations from the faculties of community colleges, and with others as appropriate for the non-student award. The Committee will follow stipulations of eligibility, qualifications, and the making of awards established in the memorandum of agreement with the New York Southern Society as follows:

> "The Award may be made to three persons each year but not more than three, that is to say, to not more than one man and one woman of the graduating class of the Institution for that year, and one other person who is not a student of the Institution, who need not be a graduate of any College or University, but who shall have some interest in, association with or relation to said Institution, official or otherwise, of a nature to make this form of recognition by said Institution obviously appropriate and insure his or her proper appreciation of the same."
>
> "In the selection of the recipients nothing shall be considered except the possession of such characteristics of heart, mind, and conduct as evince a spirit of love for and helpfulness to other men and women. If in any year the Faculty shall be of the opinion that no member of the graduating class has displayed the required qualities so conspicuously as to merit the Award, no Award shall be made to students for that year, for it is intended and desired that the Award shall be a real distinction to be conferred only upon those who conspicuously deserve it, not merely in comparison with their fellow students, but by the possession, judged by an absolute standard, of the qualities before mentioned. The same basis in judgment shall control in the cases of other persons who are not students of the Institution."

> "The Institution shall keep a record of the awards made, the names of the recipients, the dates of Awards, and the grounds on which they are in each instance made, and shall annually give to the Society a copy of the record of that year."

In the exercise of its responsibilities the Committee will establish a calendar for its work, undertake necessary announcements and solicitation of nominations from the University faculty and deans, presidents and advisers of all student organizations and dormitories, and, for the non-student award only, faculties of the community colleges through their directors. The Committee will establish practices of screening guaranteeing the protection of individual records. It will maintain a record of those receiving the awards and will submit appropriate materials to the University Archives on a regular basis.

It will be the specific responsibility of the chairperson to oversee the selection process, to secure the medallions and certificates, to have these engraved, and to submit these in advance along with recommended citations to the Office of the Vice President for University Relations. The chairperson may be asked to prepare reports required by the New York Southern Society, to undertake regular appraisal of the processes of selection, and to perform such other duties as may be necessary to the purpose of the Committee.

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UNIVERSITY COMMITTEE ON PRESS, RADIO, AND TELEVISION

The University Committee on Press, Radio, and Television serves both the University of Kentucky and the University of Kentucky Athletics Association. The Committee, which is appointed by the President of the University, shall be comprised of members from the faculty, staff, and administration. The chairperson and ex officio members shall be designated by the President. Members other than those with ex officio status normally shall have staggered three-year appointments.

The Committee provides advice and counsel to the Director of Athletics and the University of Kentucky Athletics Association Board of Directors in matters dealing with contracting broadcast and/or publishing rights for University of Kentucky athletic events. On these matters, the Committee works with University Purchasing to develop bid invitations, evaluates bids, and makes recommendations with regard to acceptance or rejection of bids.

The Committee further provides advice and counsel on media-related matters of the University of Kentucky brought to it by the Vice President for University Relations. In this area, the Committee reports to the Vice President for University Relations and is responsible for an annual report and, on request, special reports to the Vice President for University Relations.

WAR1:26

PARKING AND TRANSPORTATION COMMITTEE

The Parking and Transportation Committee shall act in an advisory capacity in matters related to campus parking and traffic control. The Committee is appointed by the President of the University of Kentucky and reports to the Vice President for University Relations. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the President. The Committee members other than those with student or ex officio status normally shall have staggered three-year appointments.

The Parking and Transportation Committee is charged with the responsibility of:

A. Formulating and recommending new policies and procedures on parking and traffic control;

B. Reviewing and recommending, where appropriate, changes in existing parking and traffic regulations;

C. Reviewing and recommending, where appropriate, standard procedures for dealing with violators of University parking regulations; and

D. Recommending long-range plans for parking and control for the University.

The Committee is responsible for an annual report and, on request, special reports to the Vice President for University Relations.

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PARKING VIOLATION APPEALS COMMITTEE

The Parking Violation Appeals Committee shall consider appeals of parking citations issued for violation of University parking regulations. The Committee is appointed by the President of the University of Kentucky and reports to the Vice President for University Relations or an administrator designated by the Vice President. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the President. The Committee members other than those with student and ex officio status normally shall have staggered three-year appointments.

The specific charges to the Parking Violations Appeals Committee for faculty, staff, students, and visitors are to:

A. Review at regularly scheduled intervals all written and oral appeals of parking citations submitted by faculty, staff, or students of the University or visitors to the University;

B. Sustain or deny such appeals through interpretation of the parking rules and regulations as set forth in the Motor Vehicle, Traffic and Parking Regulations as established by the Board of Trustees of the University, and give notification of the action taken to each appellant; and

C. Recommend to the Parking and Traffic Control Committee, when appropriate, changes in the current parking and traffic regulations based on experience and knowledge gained through the functions of the Appeals Committee.

The Committee is responsible for an annual report and, on request, special reports to the Vice President for University Relations.

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EMPLOYEE BENEFITS COMMITTEE

The Employee Benefits Committee shall serve as an advisory committee in matters relating to the University's employee benefit programs. Included in the programs are retirement, group and individual insurances, and related benefits that are provided for employees by virtue of their University employment. The Committee is appointed by the President of the University of Kentucky and reports to the President through the Vice President for Fiscal Affairs. Committee membership shall be comprised of individuals from the faculty, staff, and administration. The chairperson and ex officio members shall be designated by the President. The Committee members other than those with ex officio status normally shall have staggered three-year appointments. One of the faculty members on the Committee shall be designated to serve as liaison between the Committee and the University Senate Council.

The Committee may, in carrying out this responsibility, act upon its own initiative and/or at the direction of the President or the Vice President for Fiscal Affairs and forward recommendations that revise, modify, add to, or delete from the existing employee benefit programs.

The Committee is responsible for an annual report and, on request, special reports to the Vice President for Fiscal Affairs.

UNIVERSITY COMPUTING ADVISORY COMMITTEE

The University Computing Advisory Committee (UCAC) is appointed by the President and advises the Vice President for Information Systems on computing and information systems needs for the University. The University Computing Advisory Committee serves as a forum for the exchange of information regarding University-wide computing and data communication needs and interests. The Committee offers advice and recommendations to the Vice President for Information Systems relative to broad, University-wide computing policies, procedures, and directions. In addition, at the request of the President or the President's designee, the Committee may be asked to consider specific computing-related problems and/or proposals. The UCAC will be organized into three standing subcommittees to specifically address the areas of research, instruction, and administrative computing. The entire committee, for which the Vice President for Information Systems shall serve as chairperson (ex officio), shall meet at least once each academic semester. The Associate Vice President for Computing and the Director of Communications each shall serve as ex-officio members of all three committees.

Membership on the UCAC should broadly reflect the diverse nature of the University, with appropriate representation from faculty, staff, and students as well as the major academic and administrative divisions of the University.

Research Computing Subcommittee

(7) Faculty
(1) Director, Center for Computational Sciences (ex officio)
(2) Vice Chancellors for Research and Graduate Studies (ex officio)
(1) Graduate student (to be nominated by the Dean of the Graduate School)
(1) Director, Academic Computing Services (ex officio)

Instruction Computing Subcommittee

(7) Faculty
(1) Dean of Undergraduate Studies, Lexington Campus (ex officio)
(1) Vice Chancellor for Academic Affairs, Medical Center (ex officio)
(1) Vice Chancellor for Academic Affairs, Community College System (ex officio)
(1) Undergraduate student (to be nominated by the Student Government Association)
(1) Director, Academic Computing Services (ex officio)

Administrative Computing Subcommittee

(3) Representatives, Financial Systems
(3) Representatives, Human Resources Systems
(3) Representatives, Student Systems
(2) Representatives, Physical Facilities
(3) Representatives, Chancellor sectors (one from each sector)
(1) Director, Information Resource Management (ex officio)

The chairperson for each subcommittee shall be designated by the President. Appointment terms shall be staggered and normally for three years, except that the appointments of students shall be for one year and those of the ex officio members are continuous. Reappointments are permitted.

UNIVERSITY RESEARCH ADVISORY COMMITTEE

The University Research Advisory Committee shall advise the Chancellors for the Lexington Campus and the Medical Center and the Vice President for Research and Graduate Studies on matters pertaining to research and research development. Generally, the Committee shall review and advise regarding the following:

1. Institutional research policies, objectives, priorities, and planning;
2. Resource allocation pertaining to research;
3. Research activity related to graduate education;
4. Enhancement of research capacity focusing on the promotion of excellence in research and the generation of funds to support it; and
5. Stimulation of research collaborations and relationships with industry.

The Committee shall be appointed by the President upon recommendations of the Chancellors for the Lexington Campus and the Medical Center and the Vice President for Research and Graduate Studies. The Vice President for Research and Graduate Studies shall serve as the Committee Chairperson. The Chancellors for the Lexington Campus and the Medical Center and the Dean of the Graduate School shall serve as ex officio members.

The Committee shall have two working subcommittees. One subcommittee shall include: the Associate Deans for Research in colleges of the Lexington Campus sector; at least seven individuals representing the research faculty in the Lexington Campus sector and the institutes, centers, and graduate programs within Research and Graduate Studies, all of whom have significant experience and current involvement in research; and a Vice Chancellor for Research and Graduate Studies who shall serve as the chairperson. Membership of the other subcommittee shall include: the Associate Deans for Research in the Colleges of Dentistry, Medicine, Nursing, and Pharmacy; at least seven individuals representing the research faculty in the Medical Center sector and the institutes, centers, and graduate programs within Research and Graduate Studies, all of whom have significant experience and current involvement in research; and a Vice Chancellor for Research and Graduate Studies who shall serve as the chairperson. Faculty members normally shall have staggered three-year appointments.

The Committee shall be responsible for an annual report and, upon request, for special reports to the Chancellors for the Lexington Campus and the Medical Center and the Vice President for Research and Graduate Studies.

WAR1:42

ADMINISTRATIVE ADVISORY COMMITTEE of THE TOBACCO AND HEALTH RESEARCH INSTITUTE

The objectives of the Tobacco and Health Research Institute are to conduct, coordinate, and provide overall administration for the interdisciplinary research in the area of tobacco and its relationship to health. This research is supported through a special Kentucky Tobacco Research Tax.

The Administrative Advisory Committee of the Tobacco and Health Research Institute shall provide advice and make such recommendations as are necessary to formulate administrative judgments on the effectiveness of the operations of, and the research programs undertaken by, the interdisciplinary Institute. The Committee is appointed by the President of the University of Kentucky and reports to the Vice President for Research and Graduate Studies. Committee membership shall be representative broadly of the administrators whose colleges and departments currently, or in the future are expected to, participate in the research programs of the Institute. The Committee is a standing committee. The chairperson and ex officio members are designated by the President.

The specific charge to the Committee is to formulate recommendations and provide advice on the following:

(1) Range of activities undertaken by the Institute;

(2) Priorities for, extension of, or contraction of the Institute's research programs;

(3) Interaction of the Institute's on-campus and off-campus activities, and effectiveness thereof; and

(4) Criteria and procedures for periodic assessment of the overall effectiveness of the Institute's operations and programs.

In addition, the Vice President for Research and Graduate Studies may, from time-to-time, request the Committee's consideration of special problems and proposals. The Committee is responsible for reports as requested by the Vice President for Research and Graduate Studies.

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TECHNICAL ADVISORY COMMITTEE OF THE TOBACCO AND HEALTH RESEARCH INSTITUTE

The objectives of the Tobacco and Health Research Institute are to conduct, coordinate, and provide overall administration for the interdisciplinary research in the area of tobacco and its relationship to health. This research is supported through a special Kentucky Tobacco Research Tax, other dedicated funding, and various grants and contracts. Revenue from the first is to be used in scientific research to "prove or disprove charges against tobacco products and to preserve and strengthen the tobacco industry and tobacco program in the Commonwealth." To be funded, a proposal for funds from such dedicated sources first must have scientific approval by the appropriate Technical Advisory Committee (peer review). Research proposals based on the Kentucky Tobacco Research Tax fund then must be approved by a group of Technical Consultants to the Kentucky Tobacco Research Board and finally, as required by law, formally approved by the Kentucky Tobacco Research Board, whose members are appointed by the Governor of the Commonwealth.

The Technical Advisory Committee of the Tobacco and Health Research Institute shall advise the Director of the Tobacco and Health Research Institute on matters of technical policy and serve as a review board for the consideration of research proposals. The Committee shall be comprised of several technically qualified University faculty members appointed, after consultation with the Chancellor for the Lexington Campus and the Chancellor for the Medical Center, by the Vice President for Research and Graduate Studies normally to serve staggered three-year terms. The chairperson and ex officio members of the Committee shall be designated by the Vice President for Research and Graduate Studies.

The Committee shall meet at the request of either the Committee chairperson or the Director of the Tobacco and Health Research Institute.

The specific charge to the Technical Advisory Committee of the Tobacco and Health Research Institute is to (a) advise the Director of the Tobacco and Health Research Institute on formats for project proposals and criteria for acceptance of research proposals, and (b) review research project proposals in accordance with internally developed procedures and make recommendations regarding the funding of proposed projects. Committee members are expected to represent investigators in their respective program areas and generally reflect the investigators' views in Committee deliberations.

The Committee is responsible for an annual report and, on request, special reports to the Vice President for Research and Graduate Studies through the Director of the Tobacco and Health Research Institute.

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INTELLECTUAL PROPERTIES COMMITTEE

The Intellectual Properties Committee (IPC) shall advise and make determination on matters related to the implementation of the Administrative Regulation (AR II-1.1-3) entitled "Intellectual Properties Policy and Procedures," which has been approved by the Board of Trustees. This standing committee is appointed by and reports to the Vice President for Research and Graduate Studies. Committee membership shall be comprised of members of the faculty and staff chosen to provide broad technical expertise across various disciplines. The Director of Intellectual Properties Development shall be an ex officio voting member of the Committee. Additional members may be chosen on an ad hoc basis by the Committee's Chairperson if further expertise is needed in the consideration of a particular intellectual property matter. The Chairperson and any additional ex officio members shall be designated by the Vice President for Research and Graduate Studies. Committee members other than those with ex officio status shall be appointed initially to approximately equally distributed terms of one, two, and three years; thereafter, members will be appointed for a term of three years.

The IPC shall be responsible for the following:

1. Determining the legal interests of the University and its staff, faculty, and students in any intellectual property matter, except traditional scholarly works as defined in Section V.A of AR II-1.1-3, in accord with the Intellectual Properties Policy and Procedures as approved by the Board of Trustees, and making related recommendations to the President of the University through the Vice President for Research and Graduate Studies;

2. Advising the Executive Director of UKRF and the Vice President for Research and Graduate Studies about the identification of various intellectual properties and the implementation of the University's broad policy covering all aspects of such properties; and

3. Advising the President, through the Vice President for Research and Graduate Studies, in the general aspects of the application of the intellectual properties policy and procedures statement on a University-wide basis and with respect to the needs for revision in this statement.

The Committee shall be responsible for an annual report and, on request, special reports to the Chancellor for the Lexington Campus and the Chancellor for the Medical Center through the Vice President for Research and Graduate Studies.

WAR1:34

INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE

Preamble

The University of Kentucky recognizes the importance of the use of animals in its research and teaching programs. Animals are vital both for understanding basic biological processes and in developing diagnostic, therapeutic, and preventive approaches for human and animal diseases. It is the policy of the University that all animals used in teaching and research must be provided humane care and treatment.

I. Institutional Animal Care and Use Committee Responsibilities

The Institutional Animal Care and Use Committee (IACUC) is concerned with the procurement, housing, humane and appropriate care, use, and proper disposition of animals involved in the teaching and research activities of all units within the University. The IACUC reports to the Vice President for Research and Graduate Studies who serves as the President's representative charged with the responsibility for oversight of the University's animal care and use policy (AR II-4.0-3). Both regular and non-voting ex officio members of the IACUC are appointed by the President.

In the discharge of its responsibilities, the IACUC shall carry out all of those duties specifically assigned to it in governmental regulations and policies.

In addition to the above-noted mandated duties, which are perceived as minimum standards, the IACUC shall review all aspects of the University's animal program including short-term and long-term goals and the University's regulations and procedures pertaining to animal care and use. Appropriate recommendations shall be made to the Vice President for Research and Graduate Studies.

II. Committee Structure/Composition

The Institutional Animal Care and Use Committee (IACUC) shall be comprised of an Executive Committee and three Subcommittees (Lexington Campus, Medical Center, and College of Agriculture). Not more than three persons from the same department shall be a member of the committee. All regular and non-voting ex officio members of the IACUC are appointed by the President.

The IACUC shall be composed of a minimum of five members. These shall include, but not be limited to, the chairperson, the University Veterinarian, the Director of the Division of Laboratory Animal Resources, a member whose primary concerns are in a non-scientific area, and an individual who is not affiliated with the University of Kentucky other than as a member of the IACUC and who is not a member of the immediate family of a person affiliated with the University. At least one of the committee members shall be a Doctor of Veterinary Medicine with training and experience in laboratory

science and medicine, and one shall be a practicing scientist experienced in research involving animals.

III. Executive Committee and Subcommittees

A. Executive Committee

The Executive Committee monitors and reviews all ongoing activities for continuing compliance with all applicable requirements concerning humane care, use, and treatment of animals at the University of Kentucky and advises and/or assists the IACUC relative to accomplishing IACUC responsibilities.

B. Subcommittees

The three subcommittees function to help the IACUC meet its responsibilities to comply with all requirements of proper animal care and use in their respective areas.

The subcommittees conduct protocol reviews, assist investigators to incorporate modifications required for protocol approval and recommend full IACUC review and action when cases cannot be resolved at the subcommittee level. The subcommittees also are responsible for conducting inspections of facilities and reviews of programs in their respective areas.

In addition to its responsibilities held in common with the other subcommittees, the College of Agriculture subcommittee oversees the use of all agricultural animals used in research and teaching. The use of agricultural animals shall be in compliance with the Guide for the Care and Use of Agricultural Animals in Agricultural Research and Teaching. The Dean of the College of Agriculture is the principal administrator responsible for all animals used in the College's program.

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UNIVERSITY OF KENTUCKY INSTITUTIONAL REVIEW BOARDS

The designated University of Kentucky Institutional Review Boards (IRBs) have institutional responsibility for:

1. Assurance of protection of human subjects involved in research or related activities;

2. Assurance that the University fulfills its contractual and federally mandated obligations relative to the protection of human subjects; and

3. Maintenance of policies and procedures for protection of human subjects which are, at a minimum, in accord with applicable regulations of funding and regulatory agencies.

The IRBs have the authority to review, approve, disapprove, or require changes in research or related activities involving human subjects.

The Boards are appointed annually by the President after consultation with various administrators. The membership composition of each of the Boards is kept consistent with federal regulations. Chairpersons, ex officio members, and community members of each of the Boards are designated by the President. Board members with other than ex officio status normally shall have staggered three-year appointments. Each of the Boards reports to the President through the Vice President for Research and Graduate Studies. The Vice President for Research and Graduate Studies serves as the designated institutional official on the Department of Health and Human Services Multiple Project Assurance. The Research Subjects Office is responsible for managing individual protocol reviews; assisting in policy development, agency liaison, federal record keeping and reporting; handling allegations of noncompliance, and assisting the institution in responding to new federal initiatives affecting the ethical conduct of research.

Any undertaking in which a University faculty member, staff member, or student investigates and/or collects data on human subjects for research or related activities may be construed as "involving human subjects". It is the responsibility of each investigator to seek review by the appropriate Board of any proposed study involving human subjects prior to initiation of the project. Also, it is the responsibility of each investigator to ensure that research is implemented and records maintained in accord with University of Kentucky IRB policies and procedures.

The specific responsibilities of the designated University of Kentucky Institutional Review Boards are to:

1. Review all research (or related activity) projects involving human subjects, originating from their respective units;

2. Recommend appropriate action on these projects within the guidelines set forth by the applicable federal granting and regulatory agencies and University of Kentucky IRB policy;

3. Review all proposed changes in previously approved research studies and recommend appropriate action on these changes within the guidelines set forth by the applicable federal granting and regulatory agencies and University of Kentucky IRB policy;

4. Conduct continuing review of previously approved research projects at intervals appropriate to the degree of risk, but not less than once per year;

5. Handle reports of unanticipated problems and allegations of noncompliance concerning protection of human subjects regulations and, in cases where corrective action is needed, issue appropriate sanctions including but not limited to requesting minor changes, determining data collected cannot be used for publication, disqualifying investigators from conducting research involving human subjects at the University, and recommending to University administration that further administrative action be taken;

6. Advise appropriate University officials of current federal regulations or proposed changes in federal regulations pertaining to the protection of human subjects, and advise on University policy development and regulation changes which will best insure the rights and welfare of human research subjects: and

7. Recommend to the President on membership composition of the respective Boards through the Vice President for Research and Graduate Studies.

8. When participating in a cooperative project with another entity, enter into a joint review arrangement, rely upon the review of another qualified IRB, or make similar arrangements in accord with guidelines set forth by the applicable federal granting and regulatory agencies and University of Kentucky IRB policy.

Meetings of the Boards may be regularly scheduled or held upon call of the respective chairpersons. Copies of the University's approved "Multiple Project Assurance of Compliance with Department of Health and Human Services Regulations for Protection of Human Research Subjects" and other educational materials are available in the Research Subjects Office.

COMMITTEE ON RESEARCH AND POLICY OF THE KENTUCKY WATER RESOURCES RESEARCH INSTITUTE

The primary role of the Kentucky Water Resources Research Institute (Water Resources Institute) is to coordinate university research in the broad area of water resources throughout the Commonwealth of Kentucky. The Institute administers the Title I Annual Allotment Program, makes recommendations on proposals submitted for the Title I Matching Grants Program, and provides a liaison between Kentucky water resources officials and University faculty.

The Administrative Advisory Committee of the Kentucky Water Resources Institute is appointed by the Vice President for Research and Graduate Studies of the University of Kentucky to formulate recommendations and give advice to the Director of the Kentucky Water Resources Institute. The membership of the Administrative Advisory Committee shall be comprised as follows:

Seven faculty representatives from the University of Kentucky;

Two faculty representatives from the University of Louisville;

One faculty representative each from up to four other participating state-supported universities;

The Associate Vice President for Research and Graduate Studies (ex officio);

The Director of the Water Resources Research Institute (ex officio); and

The Director of the Kentucky Geological Survey (ex officio), who provides a liaison between the University Advisory Council and the State Advisory Council, the latter Council consisting of the leading water resources officials throughout the Commonwealth of Kentucky.

The chairperson of the Committee shall be designated by the Vice President for Research and Graduate Studies. Committee members other than those with ex officio status normally shall have staggered three-year appointments.

The specific charge of this Administrative Advisory Committee is to:

A. Formulate recommendations and provide advice to the Director on proposals submitted to the Institute in competition for the Title I Annual Allotment Program. Proposal evaluation is based on scientific and technical merit of the proposed research, the competence of the faculty investigators, and relevancy of the research to Kentucky and regional water resource problems;

B. Make recommendations to the Director on the "Kentucky Water Resources Institute Plan," submitted to the Institute by leading water

resources officials throughout the Commonwealth. The "Plan" is circulated to all university faculty throughout Kentucky to identify to them the most significant water resources problems of Kentucky and the region;

C. Advise the Director on methods for improving the liaison between university faculty and Kentucky water resources officials, in an effort to direct faculty research to vital Kentucky water resources problems; and

D. Provide advice to the Director on Institute policies and procedures.

The Committee shall be responsible for an annual report and, on request, special reports to the Vice President for Research and Graduate Studies through the Associate Vice President for Research and Graduate Studies.

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CONFLICT OF INTEREST COMMITTEE

The charge and membership for the Conflict of Interest Committee is provided in AR II-4.0-4.

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BOARD OF DIRECTORS OF THE INSTITUTE FOR MINING AND MINERALS RESEARCH

The Institute for Mining and Minerals Research (IMMR) is a multidisciplinary organized research unit designed to address research, education, and service functions related to the mining and mineral resources area. Because the mining and mineral resources area covers a very broad range of disciplinary fields, a major aspect of the Institute's activity is the identification of significant topics for consideration and the coordination of the appropriate University of Kentucky faculty and research staff.

To assist the University in this unique activity, a Board of Directors of IMMR has been charged as follows:

1. To re-examine the mission and goals for IMMR periodically and, as appropriate, recommend changes in these;

2. To define the research and service objectives of IMMR; and

3. To recommend strategies and operational procedures for the achievement of the goals and objectives of IMMR.

Matters which should be addressed by the Board of Directors of IMMR include the identification of research and service areas from the broad range of mining and mineral resources, including technical and policy topics which are appropriate for university-type programs and, importantly, which can be addressed by University of Kentucky faculty and research staff. Assistance in the implementation of procedures to expedite and facilitate interaction with the private sector is essential. In addition, from time to time, the President of the University or the Vice President for Research and Graduate Studies may request the Board's consideration of special problems and/or proposals.

The Board of Directors of IMMR is appointed by the President of the University of Kentucky and reports to the Vice President for Research and Graduate Studies. The Board shall be comprised of individuals from industry, state government, and the University of Kentucky administration and faculty appointed for staggered three-year terms. The Associate Vice President for Research and Graduate Studies, through whom IMMR reports, shall serve as an ex officio member of the Board. The chairperson of the Board shall be designated by the President.

The Board of Directors of IMMR is responsible for reports as requested by the President of the University or the Vice President for Research and Graduate Studies.

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STUDENT HEALTH ADVISORY COMMITTEE

The charge, function, membership, appointment procedure, and requirements for meetings and reports of the Student Health Advisory Committee are as follows:

I. Charge and Functions

The Student Health Advisory Committee (SHAC) shall:

A. Represent students as consumers of health care;

B. Voice student opinion on health needs, health services, and policies and procedures affecting student health;

C. Provide liaison in such matters between the students and the University;

D. Assist the University Health Service in informing students about health services and programs available to them, both on and off campus;

E. Obtain student opinion concerning health needs, health care, and health care financing;

F. Forward student suggestions and problems to the appropriate offices and work with these offices toward satisfactory solutions;

G. Work toward the development of such new programs as it deems necessary or advisable;

H. Monitor and evaluate the health fee program and the student group insurance plan and be a source of recommendations for change in either program; and

I. Assist in the recruitment, interviewing, and selection of key administrative and professional personnel in the University Health Service ("key administrative and professional personnel" shall be defined in a written mutual agreement between SHAC and the Director of the University Health Service).

II. Composition

SHAC shall be composed of voting student members and nonvoting ex officio members. Students of any school or department of the University shall be eligible for membership. Criteria for membership shall be promulgated by SHAC. Recruiting shall stress the need for a broad base of students to represent the entire spectrum of the student community. The President of the Student Government

Association shall nominate for membership in SHAC two students, who shall provide liaison between SHAC and the Student Government Association. All SHAC student members shall be appointed by the President of the University upon written recommendation of SHAC. The officers shall be a chairperson, an assistant chairperson, and a secretary-treasurer who shall be elected by SHAC at its March meeting.

In addition to the student membership, the President of the University shall appoint ex officio , nonvoting members of SHAC. These shall include the Director and the Administrator of the University Health Service, the Chancellor for the Medical Center or the Chancellor's representative, and the Vice Chancellor for Student Affairs for the Lexington Campus.

III. Meetings

The student members of the Committee shall meet at least monthly during the school year and at least once per semester with the ex officio members of the Committee. SHAC shall invite the President of the University to install the new SHAC officers. The agenda of regular meetings shall be distributed in advance to the members. The agenda also shall be publicized on campus, to encourage students to attend meetings and to present suggestions or complaints. Any interested person in the University community may attend regularly scheduled SHAC meetings.

IV. Reporting

SHAC shall report regularly to the President through the Office of the Chancellor for the Medical Center. Copies of such reports, as well as copies of the minutes, shall be submitted to all regular and ex officio members of SHAC.

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THE UNIVERSITY OF KENTUCKY PRESS COMMITTEE

Each of the participating institutions of the University Press of Kentucky maintains a Press Committee consisting of several faculty members appointed by that institution's administration. The chief function of these committees is to recommend for or against publication of those manuscripts either written or submitted by faculty members of their respective institutions.

The University of Kentucky Press Committeee is an advisory body to oversee the scholarly publishing activities of the University of Kentucky and to recommend for publication those scholarly works which the Committee approves. The Press Committee is appointed by the President of the University of Kentucky and reports to the Chancellor for the Lexington Campus or the President. Committee membership shall be comprised of individuals from the faculty who normally shall have staggered three-year appointments. The chairperson and ex officio members shall be designated by the President.

The specific responsibilities of the University of Kentucky Press Committee are to:

A. Review manuscripts submitted to the University of Kentucky Press by members of the University of Kentucky and to recommend for or against publication. No manuscripts originating in the University of Kentucky may be accepted for publication by the University of Kentucky Editorial Board without the favorable recommendation of the Press Committee;

B. Review all proposals for scholarly journals, scholarly monograph series, and other scholarly publishing projects originating in the University of Kentucky, whether or not such proposals involve the University Press of Kentucky directly, and to advise the Chancellor for the Lexington Campus and the President upon an appropriate course of action;

C. Review periodically the scholarly publishing activities of the University of Kentucky and of the policies governing these, and to submit to the President recommendations for the improvement, revision, or discontinuance of any such activity or policy.

The University of Kentucky Press Committee shall be responsible for an annual report and, on request, special reports to the Chancellor for the Lexington Campus.

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THE UNIVERSITY PRESS OF KENTUCKY EDITORIAL BOARD

The University Press of Kentucky is the book publishing facility for thirteen colleges and universities within the Commonwealth of Kentucky: Bellarmine College, Berea College, Centre College of Kentucky, Eastern Kentucky University, Georgetown College, Kentucky State University, Morehead State University, Murray State University, Northern Kentucky State University, Transylvania University, the University of Kentucky, the University of Louisville, and Western Kentucky University. The Filson Club and the Kentucky Historical Society are associate members of the consortium, which also encompasses the University of Kentucky's fourteen community colleges. Organized in 1969 as the successor to the University of Kentucky Press, which was established in 1943, the University Press of Kentucky functions in much the same way as any other publishing house, although unlike commercial publishers it operates on a nonprofit basis and the emphasis is upon scholarly books.

The editorial, production, and sales offices of the Press are located on the campus of the University of Kentucky at Lexington; however, the editorial policy and the publishing program of the Press are periodically reviewed by a statewide Editorial Board consisting of representatives from each of the member institutions. It is one of the largest cooperative scholarly publishing establishments in the United States.

The statewide Editorial Board of the Press consists of one representative from the Press Committee of each participating institution with three additional members from the University of Kentucky Press Committee and one other member chosen from the laity of Kentucky to represent the Commonwealth at large. The chairperson of the University of Kentucky Press Committee is chairperson, ex officio, of the Editorial Board. The Director of the Press serves as the permanent nonvoting secretary of the Editorial Board. Appointments to the Editorial Board normally will be for three years; members may be reappointed by their respective institutions.

The Editorial Board will meet no less than four times during each year; alternate board members may be appointed by the Press Committee to attend these meetings and participate in the deliberations of the Board in the unavoidable absence of the regular members.

The duties of the Editorial Board are several: it reviews the policies and procedures of the Press and makes appropriate policy recommendations to the President of the University of Kentucky through the secretary, gives its considered attention to the publishing programs of the Press, and votes on all manuscripts recommended to it for publication by the Director of the Press; no work of any kind can be accepted for publication by the University Press of Kentucky without first having been approved by the Editorial Board.

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HEIDELBERG SCHOLARSHIP COMMITTEE

The Heidelberg Scholarship Committee is concerned with the University's participation in the reciprocal scholarship program with the University of Heidelberg and makes recommendations through the Vice Chancellor for Student Affairs for the Lexington Campus to the Chancellor for the Lexington Campus regarding the best-qualified University of Kentucky candidate for the scholarship. In addition, the Committee or its chairperson shall assist, as needed, in clarifying the status of the University of Heidelberg's scholarship recipient to University of Kentucky admissions officers.

The Committee is appointed, after consultation with the Chancellor for the Medical Center, by the Chancellor for the Lexington Campus of the University of Kentucky and reports to the Chancellor for the Lexington Campus through the Vice Chancellor for Student Affairs for the Lexington Campus. Committee membership shall be comprised of faculty, staff, and administrators and shall have staggered three-year appointments. The chairperson shall be designated by the Chancellor for the Lexington Campus.

In carrying out its responsiblity, the Committee each year shall publicize the scholarship, advise and screen candidates, forward the Committee's recommendation to the Chancellor for the Lexington Campus, and aid the recipient of the scholarship in preparing for study abroad. Screening of candidates and selection of the recipient of the Heidelberg Scholarship shall be on the basis of the following criteria: academic excellence; maturity, open-mindedness and adaptability; readiness to learn from studying abroad; and ability to communicate in German.

The Committee is responsible for an annual report and, on request, special reports to the Chancellor for the Lexington Campus through the Vice Chancellor for Student Affairs for the Lexington Campus.

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ADVISORY COMMITTEE FOR THE DONOVAN TRUST

The Advisory Committee for the Donovan Trust is appointed by the President of the University of Kentucky to make recommendations to the President, through the Vice President for Administration, regarding the use of investment income from the Herman Lee and Nell Stuart Donovan Memorial Endowment. The membership of the Committee may be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the President. The Committee members other than those with student or ex officio status normally shall have staggered three-year appointments.

The Advisory Committee each year shall solicit, receive, and consider proposals related to the use of investment income from the Donovan trust fund and forward to the President, through the Vice Chancellor for Administration for the Lexington Campus, specific recommendations regarding the use of income generated by the trust fund principal in the preceding fiscal years. Recommendations regarding the use of investment income shall be in accordance with the following trust provisions contained in the will of Herman Lee Donovan: (a) that investment income be used for the promotion and creation of an atmosphere and environment of culture, refinement, and gentility to encourage the growth of students into gentle men and women whose education may reflect the influence of such an atmosphere and environment; (b) that investment income be used to enrich educational opportunities by providing increased stimulus to students to cultivate and develop into men and women with an appreciation of the qualities of beauty and loveliness; and (c) that no part of the investment income be spent for ordinary recurring expenses of operation and maintenance. Dr. Donovan's will contains the request that the investment income be spent for what are so frequently thought of as institutional luxuries such as beautiful books, musical programs, beautiful pictures or paintings, flowers or shrubs, or any other acquisitions or productions that the President may consider appropriate for promoting appreciation of the lovely and beautiful in the environment in which students live and study.

The Committee is responsibile for an annual report and, on request, special reports to the Vice President for Administration.

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UNIVERSITY CAMPUS SAFETY COMMITTEE

The University Campus Safety Committee shall be concerned with matters related to safety within the University of Kentucky. The Committee is appointed, after consultation with the chancellors and vice presidents, by the Vice President for Fiscal Affairs and reports to the Associate Vice President for Administration. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the Vice President for Fiscal Affairs. Committee members other than those with student or ex officio status normally shall have staggered three-year appointments.

The Committee is charged with the responsibility of:

A. Reviewing accident experience and allied safety problems of the University and submitting suggestions to correct hazardous conditions; and

B. Recommending new policies and/or changes in existing policies necessary to reduce or eliminate injuries and occupational illnesses of faculty, staff, and students.

The Committee shall meet at the call of the chairperson, but not less than once each year. The Committee shall be responsible for an annual report and, on request, special reports to the Associate Vice President for Administration.

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STUDENT ADVISORY COMMITTEE ON THE UNIVERSITY OF KENTUCKY HOUSING AND DINING SYSTEM

The role, composition, appointment procedures, and requirements for meetings and reports of the Student Advisory Committee on the University of Kentucky Housing and Dining System are as follows:

I. Role

The Student Advisory Committee on the University of Kentucky Housing and Dining System shall advise the Vice Chancellor for Administration for the Lexington Campus on matters relating to the University of Kentucky Housing and Dining System. The Committee shall provide input and advice on topics such as menu and price changes, student contract rate adjustments, facilities management, and other aspects of the Housing and Dining System.

II. Composition and Appointment Procedures

The Committee shall be composed of voting student members and nonvoting ex officio administrative staff members.

There shall be eight student members: four nominated by the President of the Student Government Association and four nominated by the Dean of Students. All appointments of student members shall be made by the Chancellor for the Lexington Campus for a period of one year, subject to reappointment. A chairperson and a secretary shall be elected by the Committee at its first meeting after September 1 each year.

The Chancellor for the Lexington Campus also shall appoint ex officio administrative staff members including the following: Director of Auxiliary Services, Director of Housing, and Director of Food Services.

III. Meetings

The Committee shall meet at least once per semester and, upon request of the Vice Chancellor for Administration for the Lexington Campus, hold special meetings. The agenda of regular meetings shall be distributed in advance to the members of the Committee. The agenda also shall be publicized on campus to encourage students to attend meetings and to present suggestions or complaints. Any interested person in the University Community may attend regular or special meetings of the Committee.

IV. Reporting

The Committee shall report regularly to the Chancellor for the Lexington Campus through the Vice Chancellor for Administration for the Lexington Campus. Copies of such reports, as well as copies of minutes of meetings, shall be submitted to all student and ex officio members of the Committee.

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BOARD OF STUDENT MEDIA

The charge for the Board of Student Media is provided in AR II-8.0-1.

2218A

COMMITTEE ON INTERNATIONAL STUDENTS

The Committee on International Students is appointed by the Chancellor for the Lexington Campus of the University of Kentucky to advise and, at the Chancellor's request, assist the Director of the International Student Office in efforts to integrate foreign students into the campus and larger community. The Committee also shall consider any special problems and proposals relative to international students which are referred to it by the Vice Chancellor for Student Affairs for the Lexington Campus who is administratively responsible for the International Student Office and nonacademic student affairs.

The Committee reports to the Vice Chancellor for Student Affairs for the Lexington Campus. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the Chancellor for the Lexington Campus. The Committee members other than those with student or ex officio status normally shall have staggered three-year appointments.

In carrying out its responsibilities, the Committee shall consult with and make recommendations to all units of the University which are involved in the problems of foreign students such as admissions offices, the Housing Office, and the academic units. The Committee, in accordance with criteria and guidelines proposed by the Committee and approved by both the Vice Chancellor for Student Affairs for the Lexington Campus and the Chancellor for the Lexington Campus, also shall recommend to the Director of the International Student Office on recipients of University scholarships for international students.

Other concerns or matters on which the Committee may advise or make recommendations shall include, but not necessarily be limited to, the following:

A. The establishment of the organizational responsibility and operations of the International Student Office;

B. The number, preparation, and origin of foreign students at the University, and related admissions policies and procedures;

C. The general welfare of foreign students and their integration into the University and larger community;

D. The assistantships, loans, and non-scholarship awards for foreign students; and

E. The systematic involvement of foreign students in communicating knowledge regarding their countries and cultures to other students, faculty, and the community.

The Committee is responsible for an annual report and, on request, special reports to the Vice Chancellor for Student Affairs for the Lexington Campus.

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COMMITTEE ON STUDENT FINANCIAL AID

The Committee on Student Financial Aid shall serve as an advisory and policy-recommending body in matters relating to student financial aid. In addition, the Committee is charged with the specific responsibility of making recommendations to the Director of Student Financial Aid on the approval of athletic grants-in-aid and on all dismissals of student athletes from grants-in-aid. Although the Committee may offer specific advice to the Director of Student Financial Aid and other administrative officers, it is generally accountable to the Vice Chancellor for Student Affairs for the Lexington Campus.

The Committee is appointed by the President of the University of Kentucky and reports to the Vice Chancellor for Student Affairs for the Lexington Campus. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the President. The committee members other than those with student or ex officio status normally shall have staggered three-year appointments.

The Committee is responsibile for an annual report and, on request, special reports to the Vice Chancellor for Student Affairs for the Lexington Campus.

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EQUAL OPPORTUNITY PANEL

The Equal Opportunity Panel shall provide advice on all University-wide matters of equal opportunity. The Panel is appointed by the President of the University of Kentucky and reports to the Vice President for Administration. Panel membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chairperson and ex officio members shall be designated by the President. The Panel members other than those with student or ex officio status normally shall have staggered three-year appointments.

The specific responsibilities of the Equal Opportunity Panel are to:

1. Review and assess affirmative action plans that insure equal opportunity throughout the University;

2. Facilitate the development and implementation of affirmative action programs in all University affairs; and

3. Design general ways that can assist University administrators and supervisors in exercising their responsibilities for the performance of functions to assure equal opportunity. These officers have operational responsibilities for the achievement of the University's goals for equal opportunity in academic, auxiliary, supporting, and other aspects of institutional operation.

The Equal Opportunity Panel shall meet at regular intervals during the academic year or at the call of the chairperson. The Panel shall be responsible for an annual report and, on request, special reports to the Vice President for Administration.

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UNIVERSITY OF KENTUCKY DEVELOPMENT

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UNIVERSITY OF KENTUCKY DEVELOPMENT

I. Organization

A. Vice President for University Relations

The Vice President for University Relations is responsible for the oversight, planning, and coordination of development plans and programs for the University and for the coordination of development plans developed by the chancellors for their sectors.

B. Associate Vice President for Development

The Associate Vice President for Development reports to the Vice President for University Relations, assists in the planning and coordination of development, and through the Office of Development, provides development services to the sectors.

C. Chancellors

The chancellors are responsible for the establishment of sector development plans and for the coordination and implementation of development efforts within their sectors. Each chancellor shall designate a person to serve as director of development for the sector.

D. Directors of Development

The sector development directors will:

1. develop, in cooperation with the University Office of Development, a sector development plan; and

2. serve as a liaison between the sector and the University Office of Development.

II. Development Goals

A. Development shall provide opportunities and assistance to those individuals, corporations, and foundations who wish to make financial contributions to the University.

B. Development will identify, cultivate, and present proposals and opportunities to potential donors and will receive donors' gifts for the University.

C. Development services provided to the sectors include coordination of sector development plans, coordination of major donor solicitations, information systems, gift receiving, prospect research, planned giving program, UK fellows program, coordination of annual giving program, and corporation/foundation relations.

III. Development Policies

A. Planning

A development plan for the University shall be formulated annually by the Vice President for University Relations, with input from the chancellors, and recommended to the President for approval.

B. Coordination

The Associate Vice President for Development shall coordinate the execution of development plans University-wide.

C. University of Kentucky Development Council

The University of Kentucky Development Council serves in an advisory capacity to the President and, through the President, to the Board of Trustees for all private fund development for the University. Policies relating to the Development Council are set forth in this AR.

D. Major Donor Gift Solicitation

The Associate Vice President for Development is responsible for the University's major gift solicitation program. Sector directors are responsible for major gift programs in their sectors. The "Policy Governing Major Gift Solicitations" is included as an appendix to this AR.

E. Receipt of Gifts

Policies and procedures for soliciting, receiving, recording, and acknowledging gifts are set forth in this AR.

F. Acceptance by Board of Trustees

All private gifts, gifts-in-kind, and pledges that total $100,000 or more must be accepted by the Board of Trustees according to AR II-1.2-1. The "Policy for Submitting Development-Related Action Items to Board of Trustees" is included as an appendix to this AR.

APPENDIX I

POLICY GOVERNING MAJOR GIFT SOLICITATIONS

This policy formalizes the process by which major gift prospects are identified and solicited.

A. A major gift is a contribution or commitment that totals $25,000 or more.

B. A major gift prospect is an individual, organization, corporation, or private foundation that has the capacity to make a major gift and that may reasonably be expected to have an interest in making such a gift to the University.

C. The Associate Vice President for Development is responsible for the major gift solicitation program. Sector directors are responsible for the major gift programs in their sectors.

D. The Associate Vice President for Development will coordinate a list of certain individuals, organizations, corporations, and foundations that are deemed to have such a special relationship to the University that they are not to be solicited without the President's approval.

E. All colleges, units and programs are to submit the names of their major gift prospects to their sector directors of development.

1. These names will be forwarded to the Prospect Research Office in the University Office of Development to be entered as major gift prospects on the computer database that contains official University records for alumni and development. Known as RADAR, this database includes detailed information on all alumni, non-alumni friends, organizations, corporations, private foundations, and trusts that have made gifts, received proposals, or are considered prospects.

2. All colleges, units and programs involved in gift solicitation will establish communications/access to RADAR and enter on RADAR all contacts with major gift prospects.

3. RADAR will show those individuals, organizations, corporations, and foundations that are considered major gift prospects by more than one college, unit or program.

F. When a major gift prospect is listed by more than one entity, a solicitation must be deferred until the parties involved decide if there is to be only one solicitation or if more than one gift option is to be presented to the prospect.

1. The chancellor is responsible for ensuring that a decision on solicitation is reached when the duplicate interests are all in one sector.

2. When the duplicate interests cross sectors, the respective sector directors of development are responsible for reaching a decision on solicitation. If a decision cannot be reached by the sector directors of development, the Associate Vice President for Development will make the decision.

APPENDIX II

POLICY FOR SUBMITTING DEVELOPMENT-RELATED
ACTION ITEMS TO BOARD OF TRUSTEES

All private gifts, gifts-in-kind, and pledges that total $100,000 or more must be accepted by the Board of Trustees according to AR II-1.2-1. Establishment of academic positions supported by private funds must be approved by the Board of Trustees.

A. The Vice President for University Relations is responsible for submitting to the President's Office, for recommendation to the Board of Trustees, all action items regarding gifts, gifts-in-kind, pledges, and private funding of academic positions.

B. The Office of Development will generate weekly a list of gifts, gifts-in-kind, and pledges that it has processed and that require Board action.

1. A Board action item will be prepared by the Associate Vice President for Development and forwarded through the sector director of development to the appropriate chancellor or vice president for approval.

2. Upon approval, the chancellor or vice president will forward it to the Vice President for University Relations.

C. Board action items regarding pledges or combinations of gifts and pledges that have not been processed by the Office of Development and items regarding private funding of academic positions may originate at a college, unit, program or sector development office.

1. The sector development director is responsible for submitting these items to the chancellor or vice president for approval.

2. Upon approval, the action item will be sent to the Associate Vice President for Development, who will forward it to the Vice President for University Relations.

POLICIES AND PROCEDURES FOR SOLICITING, RECEIVING, RECORDING, AND ACKNOWLEDGING GIFTS AT THE UNIVERSITY OF KENTUCKY

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POLICIES AND PROCEDURES FOR SOLICITING, RECEIVING, RECORDING, AND ACKNOWLEDGING GIFTS AT THE UNIVERSITY OF KENTUCKY

In order to provide excellence of program which goes beyond the absolute necessities of higher education, funds must be obtained from unrestricted gifts, endowments, and gifts for specific purposes. These gifts which assist in providing the excellence desired will come from the University's alumni and other friends as well as from associations, corporations, and foundations.

To assure the University of having a continuing, active gift seeking effort, an Office of Development was established in 1965. Sensing the need for, and the value of, the involvement of persons of high caliber whose advice would serve the private gift seeking effort of the University, the Board of Trustees subsequently on April 5, 1966, established the University of Kentucky Development Council which serves in an advisory capacity to the President and, through the President, to the Board of Trustees for all private fund development for the entire University. This Council is comprised of not more than 300 members.

The University of Kentucky Development Council is headed by a Board of Directors consisting of up to 30 members. The Chairperson of the Board of Trustees, the President of the University, the Vice President for University Relations, and the Associate Vice President for Development shall serve as ex officio members of the Council's Board of Directors. The elected members of the Board of Directors shall include at least fourteen alumni and at least two members of the Board of Trustees.

The Office of Development staff seeks to perform its assignment of the development of private funds in cooperation with the Board of Trustees, the President, the chancellors of the academic sectors, the vice presidents, and the Development Council. To the extent its personnel and budgetary resources will allow, the Office of Development will assist the academic areas and their organizational units in obtaining gifts from private sources within the policies and gift priorities established by the University's Board of Trustees.

In a further effort to expand the University's private gift programs and to assure good relations with the donors of all gifts to the University, a Gift Receiving Office exists within the Office of Development. The Gift Receiving Office receives, processes, and acknowledges all gifts from private sources.

I. Office of Development Objectives

A. To encourage increased voluntary support of the University of Kentucky.

B. To process all gifts received by the University in a quick, accurate, and personal manner.

C. To establish and maintain a central source of information relative to all gifts received by the University.

II. Definition of Gifts

A. Restricted Gifts

Restricted gifts are funds available for financing current operations, but which are limited by donors and other external agencies to specific expenditure purposes, programs, or organizational units. Restricted funds shall be utilized in compliance with regulations, restrictions, or limitations imposed by donors providing such funds. Funds received in support of specific contract/grant activities which benefit the sponsor directly are not considered gifts to the University.

Restricted Gifts include:

1. gifts for specific program objectives; and

2. gifts designated for discretionary use by a specific organizational unit.

B. Unrestricted Gifts

Unrestricted gifts are funds available for financing current operations, but which are not limited by donors to specific expenditure purposes, programs, or organizational units.

III. Gift Seeking and Receiving Policies

A. The Board of Trustees has established a goal of attaining excellence through soliciting gifts for the University of Kentucky to include the following: gifts which are unrestricted as to use for developing excellence in the University with special reference to (a) attracting and retaining quality faculty with focus on gifts and research, program enhancements and endowment, buildings, and equipment, and (b) attracting outstanding students through gift support for scholarship, fellowship, loan, honors, and other related programs.

B. All faculty and staff are encouraged to identify and cultivate gift prospects. All efforts by University faculty and staff to solicit gifts are required by University policy to be channeled through the Office of Development.

The Associate Vice President for Development will coordinate efforts to solicit major gifts with the appropriate chancellor or vice president, or with the President.

C. A member of the faculty or staff shall not form, or assist in forming, any entity, corporate or otherwise, for the purpose of soliciting or receiving any gift, without prior written approval. A member of the faculty or staff shall not establish any account in a banking institution into which such funds are, or may be, deposited.

D. The Office of Development staff will be responsible for coordinating the following gift-related activities:

1. Capital fund campaigns;

2. Deferred giving bequests and trusts;

3. Long-term development of individual or family relationships;

4. Personal contacts with industry for gifts (non-contract/grant);

5. Annual giving programs; and

6. Administrative clearances, transmittal, and follow-up with private foundations or corporations for gifts (non-contract/grant).

E. The Office of Development coordinates a gift for research with the Office of Sponsored Program Development (OSPD), the Office of Sponsored Project Administration (OSPA), and other appropriate offices when the gift requires: (1) use of human subjects; (2) use of animals; (3) use of radioactive or hazardous materials; (4) allocation of University space; or (5) preparation of a detailed budget to be submitted to the donor. The Office of Development also provides a quarterly report to (OSPA) on the total amount of gifts received for research.

F. Every gift of funds received by a University office or by a faculty or staff member shall be forwarded immediately via Campus Mail, U. S. Mail, or, when cash is involved, personally delivered to the Office of Development. This policy covers any gift for deposit to the University of Kentucky, University of Kentucky Research Foundation, Fund for Advancement of Education and Research in the Medical Center, University of Kentucky Athletics Association, University of Kentucky Business Partnership Foundation, University of Kentucky Center on Aging Foundation, University of Kentucky Mining Engineering Foundation, University of Kentucky Humanities Foundation, University of Kentucky Equine Research Foundation, or Tobacco and Health Research Foundation. It does not include grants/contracts relating to sponsored projects at the University.

All gifts for deposit to the University of Kentucky should be made payable to the University of Kentucky.

Whenever a gift in kind, such as a book, an art object, a vehicle, or land is contributed, the Office of Development is to be notified of the gift and its value by letter immediately.

G. The Board of Trustees has authorized the President to accept pledges and gifts in cash or kind up to the amount or value of $100,000; further, the President is authorized to accept gifts in excess of $100,000 where the President deems acceptance a matter of urgency, provided that all such pledges, and gifts, after acceptance, are reported regularly to the Board of Trustees.

The Office of Development prepares and mails official receipts and appropriate letters of appreciation for all gifts on behalf of the President and the Board of Trustees.

H. The Office of Development will deposit to an appropriate University account in the Office of Controller and Treasurer each gift of funds received in keeping with the donor's designation and normally as instructed by the person in charge of the University activity for which the gift is intended.

I. Requests by donors for information as to the balances remaining in funds they have established at the University should be forwarded to the Office of Development for an appropriate reply.

IV. Procedures for Receiving, Depositing, Acknowledging, and Reporting Gifts

A. If the gift is received in a campus office or by a University representative, the office or representative shall forward the actual check and a copy of the donor's letter stating the purpose and restrictions of the gift, if any, immediately (same day received) to the Office of Development.

The campus office or University representative shall furnish the name and number of the account to which the gift is to be deposited, the name and address of the donor, and the name and address of the person to receive an acknowledgment if different from the donor. Any additional information that will assist the Office of Development in preparing the University's letter of appreciation also should be furnished. If the gift is to be deposited into a new account, an Account Information Sheet which details the account name, the name of the proposed responsible person, and a description of the gift's purpose should be forwarded to the Office of Development. The Gift Receiving Office will obtain an account number from the Office of Controller and Treasurer, deposit the gift, and inform the department of the new account number. (Documentation must accompany the Account Information Sheet, i.e., letter from the donor defining the purpose of the account.)

1. Whenever the gift is in the amount of $100 or more, a letter of appreciation from the chairperson, director, dean, president of a community college, chancellor, or vice president should be sent to the donor. A copy of this correspondence should be sent to the Office of Development.

2. If the gift is in the form of securities, the Office of Development will need to know the date the donor relinquished control of the asset. Therefore, the donor's gift envelope and a copy of all the donor's correspondence should be forwarded with the securities.

B. If a gift intended for a special purpose arrives in the Office of Development, that office will obtain from the unit for which the gift is intended the appropriate account name and number, deposit the gift, and prepare a receipt and a letter of appreciation.

C. Upon receipt of the gift and accompanying materials, the Office of Development will:

1. Complete the University's official receipt;

2. Prepare cash transmittal forms and deposit all gifts received by the University to the designated University account in the Office of Controller and Treasurer within twenty-four hours or the next working day after being received by the Office of Development. Deposits will not be made to any restricted account without the donor's letter or pledge card. All cash transmittals depositing gifts to restricted discretionary fund accounts and new donations to any restricted account must be supported with a copy of the donor's letter setting forth all restrictions except for annual giving fund or Fellows' gifts.

3. Write an appropriate letter of acceptance and appreciation;

4. Enter the gift and all relevant information on a permanent, confidential donor's gift record;

5. Mail the receipt and letter of thanks to the donor;

6. Send a copy of the receipt and a monthly report to the chief administrative officer of the University unit involved for every designated gift received; and

7. Prepare an annual report listing the names of donors of all gifts to the University. The amount of the individual's gift will not be shown in this annual report.

All gifts for research (not a sponsored project or of a contractual nature) processed by the Office of Sponsored Projects Administration will be receipted and recorded by the Office of Development as described above. (An example would be when a gift for research requires a budget and must be processed through Research Accounting.)

Although a University office handles a gift according to the procedures detailed herein, and the Office of Development subsequently accepts and deposits the gift to an income account, the University office involved must follow established policy of the Board of Trustees before expending the funds. The University office must present a request for an expenditure authorization to the Office of Planning and Budget and Effectiveness for the approval of the Board of Trustees in order that expenditures can be processed against the gift fund.

D. The Office of Development is responsible for:

1. Determining if the funds received are gifts rather than payments for goods or services;

2. Determining that the gifts are placed in the correct fund accounts, especially in cases involving restricted discretionary accounts; and

3. Maintaining the documentation for all gifts received which includes letters, annual giving cards, copies of checks, etc., from the donors.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.2-3	PAGE 1
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POLICIES GOVERNING PRIVATE FUNDING OF ACADEMIC POSITIONS

The following policies shall govern the establishment of permanent endowment or other private funding for academic positions:

A. Prior approval by the Board of Trustees is required for the establishment and announcement of an endowment or other private funding and for an appointment made to an academic position supported by private gifts.

B. Negotiations or commitments implying the establishment of an academic position supported by private gifts will not be undertaken by any faculty member or officer of the University until a proposal for these has been approved by the appropriate chancellor or vice president.

C. Solicitation of private funds for academic positions will not be made without prior approval of the Associate Vice President for Development and the appropriate dean, president of a community college, chancellor, or vice president.

D. All solicitation of gifts for support of academic positions and the handling of these gifts will be done in accordance with the Policies and Procedures for Soliciting, Receiving, Recording, and Acknowledging Gifts as set forth in the Administrative Regulations (AR II-1.2-1).

E. Three categories of privately-funded academic positions will be established: chair, professorship, and lectureship.

1. A chair will be established with a minimum gift of $1,000,000 or the equivalent in annual contributions arranged according to agreements recommended by the President and approved by the Board of Trustees. The University may provide from University funds such supplemental amounts as are necessary to set the salary of the holder of the chair at a level commensurate with the individual's record, experience, and position in the faculty. Income from the gift will be used for both salary and other professional support of the holder of the chair, including assistance for research.

2. A professorship will be established with a minimum gift of $100,000 or the equivalent in annual contributions arranged according to agreements recommended by the President and approved by the Board of Trustees. Income from the gift will be used chiefly to

supplement the salary of the holder of the professorship but will be available for other professional support, including assistance for research.

This policy in no way alters or prohibits the establishment of University Alumni Professorships on a continuing appointment basis, College Alumni Professorships on an annual appointment basis, or other such professorships associated with educational units, under terms approved by the President of the University.

3. A lectureship will be established with a contribution in the range of $10,000 to $100,000. The lectureship will be considered a temporary appointment, usually given to a visiting scholar during temporary residence at the University. Other emoluments may be provided for the visiting scholar through regular budgetary procedures, but no visiting scholar will be remunerated from two or more lectureship endowments or gift accounts.

F. Subject to the approval of the President and the Board of Trustees, positions supported with private funds will be established in the academic area of the donor's choice and will bear the donor's name or a name of the donor's selection.

G. Appointments to all academic positions funded fully or in part from private gifts will be made in accordance with the provisions concerning academic employment as set forth in the Governing Regulations and the Administrative Regulations of the University.

UNIVERSITY OF KENTUCKY ALUMNI AFFAIRS

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II. Alumni Affairs Goals. 1

III. Alumni Affairs Policies 2

UNIVERSITY OF KENTUCKY ALUMNI AFFAIRS

I. Organization

A. Vice President for University Relations

The Vice President for University Relations is responsible for the oversight, planning and coordination of alumni affairs programs for the University and for the coordination of alumni affairs programs in the sectors.

B. Director of Alumni Affairs

The Director of Alumni Affairs reports to the Vice President for University Relations, assists in the planning and coordination of alumni affairs, and through the Office of Alumni Affairs, provides alumni services to the sectors and administers the programs and activities of the University of Kentucky Alumni Association.

C. Chancellors

The chancellors are responsible for the development, coordination, and implementation of alumni affairs programs within their sectors. Each chancellor shall designate a person to coordinate alumni affairs for the sector.

D. Alumni Affairs Coordinators

The alumni affairs sector coordinator will:

1. serve as an alumni affairs liaison between the sector and the University Office of Alumni Affairs; and

2. serve as a member of the University Alumni Affairs Council.

II. Alumni Affairs Goals

A. Alumni affairs shall provide programs and opportunities which develop a bond between the University and its alumni.

B. Alumni affairs shall sponsor programs to inform alumni about the University, provide fellowship among alumni, and cultivate the interest and support of alumni for the University and its colleges.

C. Alumni affairs services provided to the sectors include maintaining alumni records, administering membership dues, assisting with alumni publications, coordinating and assisting with college alumni activities and events.

III. Alumni Affairs Policies

A. College Alumni Associations

College alumni associations (or those of departments or units of the University) shall be affiliated with the University of Kentucky Alumni Association.

B. Coordination

The Director of Alumni Affairs shall coordinate the activities of college alumni associations and the University of Kentucky Alumni Association.

C. Alumni Affairs Council

There shall be an Alumni Affairs Council made up of the alumni affairs coordinator in each sector and chaired by the Director of Alumni Affairs.

D. Alumni Records

The Office of Alumni Affairs is responsible for maintaining alumni records. Alumni information shall be exchanged among the sectors, colleges, and the Office of Alumni Affairs.

WAR1:172

UNIVERSITY OF KENTUCKY PUBLIC RELATIONS

I. Organization. 1

II. Public Relations Goals. 2

III. Public Relations Policies 2-3

UNIVERSITY OF KENTUCKY PUBLIC RELATIONS

I. Organization

A. Vice President for University Relations

The Vice President for University Relations is responsible for the oversight, planning and coordination of public relations programs for the University and for the coordination of public relations plans developed by the chancellors for their sectors.

B. University Director of Public Relations

The University Director of Public Relations reports to the Vice President for University Relations, assists in the planning and coordination of public relations, and through the Office of Public Relations, provides public relations services to the sectors.

C. Chancellors

The chancellors are responsible for the establishment of sector public relations plans and for the coordination and implementation of the public relations efforts within their sectors. Each chancellor shall designate a person to serve as public relations coordinator for the sector.

D. Public Relations Coordinators

The public relations sector coordinator will:

1. develop, in cooperation with the University Office of Public Relations, a sector public relations plan;

2. serve as public relations liaison between the sector and the University Office of Public Relations; and

3. serve as a member of the University Public Relations Council.

E. Other Public Relations Offices

Other offices for public relations and/or public information shall not be established without approval of the President and shall coordinate their activities with the University Office of Public Relations. A representative of each of these offices shall be a member of the University Public Relations Council.

II. Public Relations Goals

A. Public relations shall be a coordinated, pro-active effort to keep the public informed about the University, and to reflect in a professional manner the University's image of excellence.

B. Public relations programming shall recognize the statewide mission of the University and target its delivery of information accordingly.

C. Public relations services provided to the sectors include internal communication, external communication, media relations, public relations counseling, crisis management, and the writing, editing, and design of University publications.

III. Public Relations Policies

A. Planning

A public relations plan for the University shall be developed annually by the Vice President for University Relations, with input from the chancellors and the Public Relations Council, and recommended to the President for approval.

B. Coordination

The University Director of Public Relations shall coordinate the execution of public relations plans University-wide.

C. University Public Relations Council

The University Public Relations Council shall assist in the development annually of a public relations plan for the University and meet regularly to coordinate the implementation of public relations plans.

Membership in the Council shall be, but not limited to, the following:

1. University Director of Public Relations (chair)

2. Public relations sector coordinators

3. Representatives of other public relations/public information offices approved by the President.

D. Dissemination of Information

All media releases shall be approved by the University Director of Public Relations unless there has been a delegation of this responsibility.

E. Publications

The University Office of Public Relations shall develop policies and a standardized format and design for University publications which shall be adhered to in the preparation of all University publications. All University publications must be approved by the Office of Public Relations unless there has been a delegation of this responsibility.

UNIVERSITY OF KENTUCKY GOVERNMENT RELATIONS

I. Organization. 1

II. Government Relations Goals. 1

III. Government Relations Policies 1-2

UNIVERSITY OF KENTUCKY GOVERNMENT RELATIONS

I. Organization

A. President and Central Administration

The government relations program of the University, including all official relationships with federal, state and local government agencies and entities, is managed through the President and Central Administration.

B. Vice President for University Relations

The Vice President for University Relations provides staff support to the President in the area of government relations and is responsible for coordinating government relations efforts University-wide and for recommending University policies and guidelines to the President.

C. Chancellors

The chancellors are responsible for the coordination of government relations efforts within their sectors and for assuring that University policies and guidelines are followed.

D. Other

Particular aspects of the government relations program may be delegated to various officers within the University. Implementation of each delegation is subject to University policies and guidelines.

II. Government Relations Goals

A. Government relations shall promote understanding and support among government agencies and entities for the instruction, research and service programs of the University.

B. Government relations shall support government agencies and entities by bringing the resources of the University to bear, where appropriate, in support of the needs of government.

III. Government Relations Policies

A. The mission of the University of Kentucky is both broad and complex, and the resources contained therein are extensive. Individuals at all levels of the institution will from time to time be called on to provide

assistance, information or testimony to government agencies and entities. It is expected that these requests, and the disposition thereof, will be addressed within the policies and guidelines of the University and the concerned college, division or sector.

B. In the event that individuals representing the University testify in regard to, or advocate, legislation, regulation or programs, the Office of the Vice President for University Relations shall be notified, in advance, through the appropriate chancellor or vice president. The Office will provide logistical support, background assessments and other assistance, if such is requested.

C. In the event that individuals testify about, or advocate, legislation, regulation or programs in their roles as private citizens or as expert witnesses, it is expected that they will be mindful of their responsibilities clearly to identify themselves as not speaking for the University and to dissociate their opinions and positions from official University policy or position. It is desirable that the Office of the Vice President for University Relations be notified of any such testimony, in advance, through the appropriate chancellor or vice president.

UNIVERSITY OF KENTUCKY POLICY ON DEADLY WEAPONS
(Approved by the Board of Trustees)

I. PURPOSE

The Kentucky General Assembly has explicitly recognized the authority of the University to regulate the possession of deadly weapons on any property owned or controlled by the University, including the right to prohibit possession of such weapons by any person or entity using or enjoying University property or premises. This policy applies to all property and premises owned or controlled by the University, including off-campus facilities used for athletic or other events controlled, sponsored, or managed by the University.

II. PROHIBITION

A. Except as provided in Subsection III of this policy, deadly weapons are not permitted on any property owned or controlled by the University, including but not limited to the following -- classrooms, laboratories, residence halls, hospitals and clinics, office buildings, performance halls, museums, athletics and recreation facilities, farms and forests, parking lots and structures, and all outdoor areas of the campus of any unit of the University. This prohibition is applicable to persons who possess and persons who do not possess lawfully issued licenses (or permits) to carry deadly weapons.

B. Students who possess deadly weapons in violation of this prohibition are guilty of violations of the Code of Student Conduct and are subject to disciplinary action under that Code, including expulsion from the University. Employees (faculty or staff) who possess deadly weapons in violation of this prohibition are guilty of misconduct and subject to disciplinary action under Governing and Administrative Regulations, including termination of employment. Others who possess deadly weapons in violation of this prohibition will be directed to remove their weapons or themselves from the University's property or premises, with all appropriate legal actions (including arrest) being taken upon failure to comply.

C. For purposes of this policy, "deadly weapon" means (1) any weapons from which a shot, readily capable of producing death or other serious physical injury, may be discharged, (2) any knife other than an ordinary pocket knife or hunting knife, (3) billy, nightstick, or club, (4) blackjack or slapjack, (5) nunchaku karate sticks, (6) shuriken or

death star, or (7) artificial knuckles made from metal, plastic, or other similar hard material.

III. EXCEPTIONS

The following actions or activities do not violate this policy:

A. Possession of deadly weapons by peace officers acting in the course of official duties.

B. Possession of deadly weapons as a part of legitimate academic or work-related activities (e.g., historical preservation, law enforcement training, ROTC activities, 4-H marksmanship training, etc.).

C. Possession of deadly weapons by persons holding valid permits issued by the Kentucky Department of Fish and Wildlife Resources for use of the Robinson Forest Wildlife Management Area.

D. Possession of deadly weapons by a person authorized to have such possession by the President or his/her designee, but only if such person fully complies with any and all restrictions imposed upon such possession by the President or his/her designee.

AR II—1.3

POLICY ON PAYMENT OF UNIVERSITY OF KENTUCKY EMPLOYEES

A. Payment of Regular Salary to Faculty Employees

Faculty employees on a twelve-month assignment basis in a fiscal year, and all other faculty employees in their second year of employment and each year thereafter, except their last year when retirement occurs prior to the end of the fiscal year, will be paid in twelve equal installments in the fiscal year.

Faculty employees on an assignment basis other than twelve months will be paid in their first year of employment as follows:

Eleven-Month Assignment Basis

New faculty employees on assignment for the period of August 1 through June 30 will be paid in eleven equal installments commencing with August.

New faculty employees will be paid in twelve equal installments if their month not on assignment during a fiscal year is other than July.

Ten-Month Assignment Basis

New faculty employees on a ten-month assignment basis in a fiscal year will be paid their regular salary in eleven equal installments commencing with August.

Nine-Month (or Academic Year) Assignment Basis

New faculty employees on a nine-month (or academic year) assignment basis in the fiscal year will be paid their regular salary in eleven monthly installments, commencing in August.

Exceptions to this payment basis may be approved by the Controller and Treasurer of the University of Kentucky upon recommendation of the appropriate chancellor or vice president.

Should a faculty employee on a nine-month, ten-month, or eleven-month assignment basis terminate employment prior to the completion of the assignment period, payment of earned salary or reimbursement for an overpayment will be calculated according to Section A, B, or C of AR II-1.3-2, as appropriate. Where termination of employment occurs through retirement, payment of the balance of earned salary or reimbursement for an overpayment will be made in the last month of the assignment period.

B. Payment of Regular Salary to Non-Faculty Employees

Administrative, professional, other staff, and student personnel that qualify for exemption from both the minimum wage and the overtime provisions of the Fair Labor Standards Act will be paid their regular salary on a monthly basis, July through June. Exceptions to this payment basis may be approved by the Controller and Treasurer of the University of Kentucky.

Classified, other staff, and student personnel who are subject to the minimum wage and/or the overtime provisions of the Fair Labor Standards Act will be paid biweekly on an hourly rate basis. Time records are required to be maintained in the various departments and offices for these employees and reported on the biweekly Time Report in accordance with applicable University policy.

Questions concerning the minimum wage and overtime provisions of the Fair Labor Standards Act arising in the Community College System, Lexington Campus, Medical Center, or in the Central Administration sectors should be directed to the Personnel Division serving that organizational sector.

C. Payment of Supplemental Compensation to Employees

Any supplemental compensation due University employees will be paid in accordance with applicable University policy and procedures governing such payments.

These payments will be scheduled by the Controller's Division Payroll Department.

PRORATION OF SALARY AND VACATION LEAVE FOR FACULTY MEMBERS WHOSE EMPLOYMENT TERMINATES PRIOR TO THE END OF AN ASSIGNMENT PERIOD

A. Faculty Member Employed on a Nine-Month (or Academic Year) Assignment Basis

The assignment period for a faculty member in this category is August 16 through May 15. One-ninth of annual salary is considered to be earned for each full month of service during this assignment period. A faculty member whose employment terminates prior to May 15 shall have earned one-ninth of annual salary for each full month of completed service. If termination of employment occurs at a time other than month-end, the salary for that month shall be prorated on a basis of calendar days. If earned salary is less than the amount which has been paid to the faculty member at the time of termination of employment, the faculty member shall be required to reimburse the University for the difference.

B. Faculty Member Employed on a Ten-Month Assignment Basis

The assignment period for a faculty member in this category is normally August 1 through May 31; however, with prior consultation with the affected faculty member and approval by the appropriate chancellor or vice president, the two months when the faculty member is not on regular assignment during the fiscal year may be other than June and July. One-tenth of annual salary is considered to be earned for each full month of service during the assignment period. A faculty member whose employment terminates prior to the end of the assignment period shall have earned one-tenth of annual salary for each full month of completed service. If termination of employment occurs at a time other than month-end, the faculty member's salary for that month shall be prorated on the basis of calendar days. Taking into account also Section E concerning vacation leave, if earned salary is less than the amount which has been paid to the faculty member at the time of termination of employment, the faculty member shall be required to reimburse the University for the difference.

C. Faculty Member Employed on an Eleven-Month Assignment Basis

The assignment period for a faculty member in this category is normally August 1 through June 30; however, with prior consultation with the affected faculty member and approval by the appropriate chancellor or vice president, the month when the faculty member is not on regular assignment during a fiscal year may be other than July. One-eleventh of annual salary is considered to be earned for each full month of service during an assignment period. A faculty member whose employment terminates prior to the end of an assignment period shall have earned one-eleventh of annual salary for each full month of completed service. If termination of employment occurs at a time other than month-end, the faculty member's salary for that month shall be prorated on the basis of calendar days. Taking into account also Section E concerning vacation leave, if earned salary is less than the amount which has been paid to the faculty member at the time of termination of employment, the faculty member shall be required to reimburse the University for the difference.

D. Faculty Member Employed on a Twelve-Month Assignment Basis

The assignment period for a faculty member in this category is July 1 through June 30. One-twelfth of annual salary is considered to be earned for each full month of service during this assignment period. A faculty member whose employment terminates prior to June 30 shall have earned one-twelfth of annual salary for each full month of completed service. If termination of employment occurs at a time other than month-end, the faculty member's salary for that month shall be prorated on the basis of calendar days (refer also to Section E concerning vacation leave).

E. Vacation Leave

A faculty member employed full-time on a ten-month, eleven-month, or twelve-month assignment basis is entitled to 22 working days of vacation leave with pay per assignment period. Vacation leave normally cannot be accumulated from one assignment period to another, except that a faculty member on a twelve-month assignment basis may take vacation leave either during the assignment period in which the vacation leave is earned or during the subsequent assignment period. Under unusual circumstances, provided it is in the best interest of the University and has advance approval by the appropriate chancellor or vice president, a faculty member on a ten-month or an eleven-month assignment basis also may take unused vacation leave during the assignment period following that in which the vacation leave was earned. A faculty member on a nine-month assignment basis has no entitlement to vacation leave.

Vacation days earned per month during an assignment period and the terminal vacation pay per day of unused vacation leave shall be calculated as follows:

Type of Assignment Period	Vacation Days Earned Per Month During an Assignment Period*	Terminal Vacation Pay Per Day of Unused Vacation Leave in an Assignment Period (APS = Assignment Period Salary)
Ten-Month	2.200	APS/217
Eleven-Month	2.000	APS/238
Twelve-Month	1.833	APS/260

* Vacation allowance earned for a period of less than one month shall be prorated on the basis of calendar days for that month.

Faculty members shall be paid for earned but unused vacation leave, up to a maximum of 22 days, at the time of termination of employment. In reverse manner, faculty members shall be required to reimburse the University for paid vacation leave used in excess of the amount earned at the time of termination of employment.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.4-1	PAGE i
	DATE EFFECTIVE 6/11/96	SUPERSEDES REGULATION DATED 7/1/83 10/1/84 9/18/93 9/23/94

PHYSICAL FACILITIES AND MAJOR EQUIPMENT PLANNING AND MANAGEMENT

Purpose 1

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PHYSICAL FACILITIES AND MAJOR EQUIPMENT PLANNING AND MANAGEMENT

The purpose of this Administrative Regulation is to set forth policies, procedures, and related responsibilities for the planning and management of the physical facility and equipment needs of the University of Kentucky. This regulation recognizes the need, and specifically provides, for:

I. General Responsibilities
II. Planning Processes
  A. Campus Physical Development Plans
  B. Space Requirement Plans
  C. Facilities Plans and Major Equipment Plans
III. Management Policies
  A. Capital Construction Policies and Procedures
  B. Real Property Acquisition, Disposition, and Related Policies and Procedures
  C. Allocation of University Space
  D. Debt Service Procedures
IV. Assignment of Specific Responsibilities

I. General Responsibilities

The President is responsible for directing the overall planning and management of the physical facilities of the University of Kentucky. This responsibility entails preserving and enhancing a quality physical environment which provides efficient, functional, and pleasant surroundings for fulfilling University missions and objectives. It includes providing for effective land use, thoughtful and sensitive integration of buildings and open space, adequate utility and service networks, and safe and accessible vehicular and pedestrian systems.

The President delegates authority for accomplishing portions of the University's facilities planning and management function as outlined herein. Central Administration, through the Vice President for Fiscal Affairs and the Vice President for Management and Budget, shall be responsible for the oversight and coordination of the planning and management of the function. The chancellors and vice presidents shall be responsible for developing plans for their areas of responsibility and for the day-to-day management of assigned facilities and campus areas.

II. Planning Processes

Planning shall be focused in University campus physical development plans, space requirements plans, facilities plans, and major equipment plans as described in the following paragraphs.

A. Campus Physical Development Plans

Campus physical development plans provide a context in which space requirements plans and facilities plans are developed. Physical development plans define a system, consistent with the University's mission and strategic plans, for land acquisition and utilization, buildings/site densities, parking, vehicular and pedestrian circulation, campus services, building materials, utilities, and landscaping and signage.

Physical development plans shall be prepared for the Campus in Lexington and for the individual community college campuses. These plans shall be prepared at the direction of the Vice President for Fiscal Affairs with the advice of the chancellors and vice presidents.

Physical development plans shall be reviewed and amended as necessary prior to the preparation of six-year capital improvement plans, biennial capital budget requests, and major equipment plans, but may be amended more frequently as needed. Campus physical development plans shall be submitted to the President for approval through the Vice President for Fiscal Affairs.

B. Space Requirement Plans

The Vice President for Fiscal Affairs shall have developed, maintained, and distributed current space data, space standards, formatting requirements, guidelines, and schedules for the development and submission of space requirements plans. Each sector and vice presidential area shall prepare biennially, as part of the six-year planning process a space requirements plan, within the context of information and guidelines provided by the Vice President for Fiscal Affairs. Space requirements plans shall analyze the current use of space, project space requirements for planned academic and support programs, compare existing space utilization to projected space needs, and serve as a basis for sector and vice presidential facilities plans.

C. Facilities Plans and Major Equipment Plans

1. Facility Plans. Facilities planning is an integral part of the University's comprehensive planning process and is dependent upon, and interacts with, academic and financial planning. The primary purpose of facilities planning is to identify logically and systematically the physical resources required to support current and future University goals, objectives, and programs. Facilities planning is an integral part of University strategic planning and includes six-year capital improvement plans, biennial capital budget requests, and annual capital budgets.

Each sector and vice presidential area shall develop as part of strategic planning, facilities plans which include: (1) status reports on the facilities plans prepared for the current biennium and (2) prioritized facilities plans, to include land acquisitions and dispositions, proposed for each of the forthcoming two biennia. For a detailed description of the development

and submission process for facilities plans, see Attachment A: Planning, Review, and Approval Process for Capital Projects.

2. Major Movable Equipment Plans. Requirements for individual items of movable equipment equal to or exceeding $50,000 in cost ($100,000 beginning with 1994-96 plans) shall be submitted by each sector and vice presidential area for inclusion in the University's strategic plan, six-year capital improvement plans, biennial capital budget requests, and annual capital budgets.

3. Prioritization of Capital Projects and Major Movable Equipment Items. The chancellors and vice presidents shall prepare and submit to the President prioritized lists of capital projects and major movable equipment items included in their respective six-year capital improvement plans and biennial capital budget requests. These lists should clearly identify the source of funds for each project and item of equipment. The President shall establish a consolidated facilities and equipment priority list for the University as a whole. The Vice President for Management and Budget shall coordinate the development and submission of the prioritized list to the President.

III. Management Policies

A. Capital Construction Policies and Procedures

Individual capital projects which involve the construction, demolition, renovation, or repair of University facilities, regardless of source of funds or whether done by campus or non-campus personnel, shall be accomplished in accordance with Attachment B: Design and Construction of Capital Projects. As stated therein, the Board of Trustees shall approve all projects estimated to cost $200,000 or more. The Finance Committee of the Board and the Board of Trustees shall be kept informed of all changes to projects on a quarterly basis. The Vice President for Fiscal Affairs shall be responsible for the administration and oversight of capital construction at the University of Kentucky. Projects less than $100,000 may be delegated to the chancellor/vice president by submitting a Delegation Request Proposal to the Vice President for Fiscal Affairs. The guidelines for such delegation are set forth in Attachment B: Design and Construction of Capital Projects.

B. Real Property Acquisition, Disposition, and Related Policies and Procedures

The Vice President for Fiscal Affairs shall have the administrative responsibility for all land acquisitions and dispositions including contractual agreements. Land acquisitions and dispositions shall be managed in the context of approved campus physical development plans.

Any parcel of property which is included in a campus physical development plan and which does not exceed $100,000 may be acquired by the University in accordance with established internal procedures without further State approval; see Attachment C: Agreement

between the Finance and Administration Cabinet and the University of Kentucky. Any parcel of property not included in a campus physical development plan or which exceeds $100,000 in purchase price, must be submitted to the Secretary of Finance and Administration for approval in accordance with established internal procedures before acquisition; see Attachment C. The Board of Trustees shall, subject to the procedures set forth in paragraph 2.0 of Attachment C, sell or otherwise dispose of real property of the University which it has determined is unneeded, has become unsuitable for public use, or for which some other use consistent with the public interest would be more suitable. Other facets of real property management addressed in Attachment C include granting of easements, leasing of real property, reporting and inventory of real property, and post-audit of real property transactions.

C. Allocation of University Space

The President is responsible for the general allocation of space as a resource at the University of Kentucky. Specific space allocations shall be made to the chancellors and vice presidents for their program needs. New facilities shall be under the general management of the chancellor or vice president to whom they are allocated at the time of acquisition. Space in the University System which is vacated in whole or in part for the occupation of a newly constructed or acquired space shall revert to the Office of the President and must be specifically reallocated.

University space may be rented in accordance with established procedures only after it has been determined that there is no use for such space for current or future programs. Agencies and organizations allied with the University shall be given consideration in the allocation of available space. The rent charged for available space, except in cases approved by the Office of the President, shall be sufficient to cover all costs involved.

The chancellors and vice presidents shall periodically submit to the Office of the President, pursuant to established schedules and formats, reports on all space occupied by and assigned to their respective areas. In addition, the chancellors and vice presidents shall determine that adequate space is available to accommodate research contracts and grant proposals before such proposals are submitted to sponsoring agencies. These responsibilities are described in Attachment D: Allocation and General Management of University Space.

D. Debt Service Procedures

The scheduling of projects which are funded through the issuance of bonds, or other type debt instruments, shall be consistent with the debt service authority approved by the Kentucky General Assembly regarding total debt authority and annual debt service amounts.

IV. Assignment of Specific Responsibilities for Planning and Management

A. Chancellors and Vice Presidents

The chancellors and vice presidents shall be responsible for the planning, management, administration, operation, maintenance, and repair of the facilities assigned to their respective areas within the context of University-wide plans and policies. These responsibilities shall include:

1. Assess and report to the Office of the President annually space assignments, room uses, and related information;

2. Assess and report annually to the Office of the President the condition of facilities;

3. Prepare and submit to the Office of the President six-year capital improvement plans and biennial capital budget requests; and

4. Prepare and submit to the Office of the President annual budgets that review current year capital programs and set forth capital project and equipment plans for the forthcoming year.

B. Vice President for Fiscal Affairs.

The Vice President for Fiscal Affairs shall be responsible for the development, maintenance, and implementation of comprehensive University-wide long-range and short term plans and policies for land acquisition and utilization, program space requirements, vehicular and pedestrian circulation, support services, and aesthetics. The Vice President for Fiscal Affairs shall be assisted in carrying out these responsibilities by others as set forth in Attachment E: Vice President for Fiscal Affairs - Specific Responsibilities.

C. The Vice President for Management and Budget

The Vice President for Management and Budget shall be responsible for the preparation and submission to the Board of Trustees and external agencies of annual capital budgets, biennial capital requests and land acquisition plans, and six year capital improvement plans, in coordinating the University-wide prioritization of capital projects and major equipment items included in these plans, in contributing to the understanding and justification of these plans, and in facilitating the execution of the University's annual capital budgets.

ATTACHMENT A

PLANNING, REVIEW, AND APPROVAL PROCESS FOR CAPITAL PROJECTS

I. Statutory Definitions

A. Capital Projects - KRS 7A.010

Capital projects are defined in Kentucky Revised Statutes (KRS) 7A.010 as:

1. Any undertaking which is to be financed or funded through an appropriation by the General Assembly of general fund, road fund, bond fund, trust and agency fund, or federal fund moneys, where the expenditure is a capital expenditure pursuant to statute or under standards prescribed by the Legislative Research Commission under the authority of KRS Chapter 48; or

2. Any undertaking which is to be financed by a capital expenditure for use by the state government or one of its departments or agencies, as defined in KRS 12.010 or enumerated in KRS 12.020, including projects related to the construction or maintenance of roads, and including projects of institutions of higher education as defined in KRS 164A.550(2); or

3. Any capital construction item, or any combination of capital construction items necessary to make a building or utility installation complete, estimated to cost two hundred thousand dollars ($200,000) or more, or any item of movable equipment, estimated to cost fifty thousand dollars ($50,000) or more ($100,000 beginning with 1994-96 plans), regardless of the source of funds; or

4. Any lease or rental of real property or of an item of movable equipment where the estimated costs of purchasing the real property is two hundred thousand dollars ($200,000) or more, or the estimated cost of purchasing the equipment is fifty thousand dollars ($50,000) or more ($100,000 beginning with 1994-96 plans).

B. Capital Projects - KRS 45.750

Capital projects are defined in KRS 45.750 as any capital construction item, or any combination of capital construction items necessary to make a building or utility installation complete, estimated to cost two hundred thousand dollars ($200,000) or more, a "major item of movable equipment," estimated to cost fifty thousand dollars ($50,000) or more ($100,000 beginning with 1994-96 Plan), and equipment projects which constitute a computer or telecommunications system, as defined in a regulation promulgated by the Kentucky Information Systems Commission, estimated to cost two hundred thousand dollars ($200,000) or more, regardless of the source of funds. Capital projects include:

1. The construction, reconstruction, acquisition, and structural maintenance of buildings;

2. The installation of utility services, including roads and sewers;

3. The acquisition of land;

4. The purchase and installation initially of equipment, facilities, and furnishings of a permanent nature for buildings;

5. The acquisition of any building to be occupied by any subdivision of state government as defined in KRS 12.010 or enumerated in KRS 12.020, and any institution of higher education;

6. The purchase and installation initially of movable equipment, furnishings, and appurtenances necessary to make a building operable; and

7. Major items of movable equipment, to include aircraft, estimated to cost fifty thousand dollars ($50,000) ($100,000 beginning with 1994-96 Plan) or more.

C. Purchase of Equipment - KRS 49.750

Purchase of equipment is defined in KRS 49.750 to include, but not be limited to, equipment purchased or otherwise acquired, or equipment to be purchased or otherwise to be acquired, under a lease or lease-purchase contract or agreement or an arrangement equivalent to a lease or lease-purchase contract or agreement.

II. Review and Approval of Capital Plans and Requests

A. Capital Planning Advisory Board

KRS 7A.120 sets forth the following concerning a six year state capital improvement plan:

1. Every two (2) years, the Capital Planning Advisory Board, hereafter referred to as "board" shall prepare a state capital improvement plan containing its proposals for state spending for capital projects.

2. Copies of the plan shall be submitted to the Governor, the Chief Justice, and the Legislative Research Commission no later than November 1 of each odd-numbered year. The plan shall provide:

a. A detailed list of all capital projects of the state which the board recommends be undertaken or continued by any state agency during the six (6) fiscal year period commencing with the upcoming biennial budget, together with information as to the effect of these capital projects on future operating expenses of the Commonwealth, and with recommendations as to the priority of these capital projects and the means of funding them.

b. The forecast of the board as to the requirements for capital projects of state agencies during the six (6) fiscal year period and for those additional periods, if any, necessary or desirable for adequate presentation of particular capital projects, and a schedule for the planning and implementation or construction for these additional periods;

c. A schedule for the next biennial budget of recommended appropriations of bond funds from issues of bonds previously authorized;

d. A review of capital projects which have recently been implemented or completed or are in process of implementation or completion;

e. Recommendations as to the maintenance of physical properties and equipment of state agencies; and

f. Any other information that the board deems relevant to the foregoing matters.

3. Each state agency shall no later than April 15 of each odd-numbered year provide the board with information described in subsection (2) of this section in the form that shall be prescribed by the board.

B. Council on Higher Education

KRS 164.020(5) requires the Council on Higher Education (CHE) to review and approve all capital construction projects approved for submission to the CHE by the Board of Trustees, the cost of which exceeds two hundred thousand dollars ($200,000), prior to the institutions submission of such projects to the Finance and Administration Cabinet. Council authority under KRS 164.020(5) does not extend to minor capital construction projects (costing less than $200,000), lump sum pools of funds for minor projects, or equipment requests to be funded from other than state general fund appropriation. Council approval of projects constitutes final Council approval.

C. Board of Trustees of the University of Kentucky

Projects requiring approval by the Board of Trustees include all those of a scope of $200,000 or more.

D. President of the University of Kentucky

Projects requiring approval by the President include all of those with a scope of $200,000 or more plus those projects of a scope under $200,000 which:

1. Are not in agreement with established University facilities and renovation priorities;

2. Affect governing policies such as changing the original intent of a building;

3. Are not in agreement with the physical development plan(s); and/or

4. Require a significant effort on the part of the Office of Procurement and Construction;

5. Are submitted for interim approvals;

6. Affect/influence the aesthetics of a campus, change a physical element of a campus, or change the function of a physical element of a campus.

E. Interim Projects

1. Major capital projects (financial scope of $200,000 or more and equipment items having a financial scope of $50,000 [$100,000 beginning with 1994-96 Plan] or more) may be authorized by the Capital Projects and Bond Oversight Committee even though not specifically included in the biennial budget report and appropriation act or acts enacted for the current biennium subject to the following:

a. Medical, Scientific, and Research Equipment (Excluding Computer Equipment and Aircraft) [KRS 45.760 (12)]

The University must report the purchase of such equipment, the cost of which is $50,000 ($100,000 beginning with 1994-96 Plan) or more, to the Capital Projects and Bond Oversight Committee within 30 days after making the purchase, KRS 45.760 (12)(c).

b. Capital Projects Which Will Be Funded 50% or More from Federal or Private Funds [KRS 45.760 (14)]

The University must obtain the approval of the Capital Projects and Bond Oversight Committee prior to undertaking such projects, KRS 45.800. The Council on Higher Education must be informed about such projects at least 45 days prior to the Council

meeting at which approval is sought before proceeding to the Capital Projects and Bond Oversight Committee.

c. Scope Increases to Authorized Projects of Not More Than 15% [KRS 45.770 (2)]

The University must obtain the approval of the Capital Projects and Bond Oversight Committee prior to undertaking such projects, KRS 45.770 (2). The Council on Higher Education must be informed about such projects before the Capital Projects and Bond Oversight Committee acts on them.

d. Scope Increases to Authorized Projects of More Than 15% Due to Unforeseen Decisions by a Federal or State Court or Regulatory Agency [KRS 45.770 (3)]

The University must obtain the approval of the Capital Projects and Bond Oversight Committee prior to undertaking such projects, KRS 45.770 (3). The Council on Higher Education must be informed about such projects before the Capital Projects and Bond Oversight Committee acts on them.

e. Emergency Projects as Defined in KRS 45.750

The University must report the purchase of such projects to the Capital Projects and Bond Oversight Committee within 30 days after making the purchase, KRS 45.780 (2). The Council on Higher Education must be informed about such projects at such time as the emergency arises.

2. Review process for interim projects. The review process for interim projects shall include the following:

a. Chancellor/Vice President shall prepare refined program statements, cost estimates, and justifications for requested projects.

b. Projects requests shall be submitted to the Director of Procurement and Construction for programmatic review in the context of the University strategic plan.

c. Projects approved by the President shall be submitted to the Capital Project Management Division for implementation.

III. Capital Planning Process

Pursuant to published legal requirements of the Commonwealth of Kentucky and in keeping with the efficient and effective management of the University's resources, the University, in concert

with the chancellor/vice presidential areas produces six year capital plans, biennial capital requests, and annual capital budgets.

The Office of the Vice President for Planning and Budget coordinates the development of these plans, requests, and budgets which are distributed to specified state agencies and University units on an annual or biennial basis as set forth in Attachment F: Schedule: Capital Planning - Annually/Even Years/Odd Years.

A. Council On Higher Education

1. Six-Year Capital Improvement Plan

The University submits to the Council on Higher Education by January 15th of each odd numbered year, separately for the University System, the Hospital, and the Community College System, a Six-Year Capital Plan which reflects capital needs projections based on agency policy issues and programmatic needs. The composition of the Capital Improvement Plans shall consist of (1) status of capital projects for the current biennium, including real property leases and equipment and (2) planned capital projects, including real property leases and equipment, for the forthcoming two biennia. The Council on Higher Education must submit its six-year capital improvements plan for the higher education system to the State Capital Planning Advisory Board by April 15th of each odd numbered year. A Capital Plan Overview is included in each university Six-Year Capital Plan that consists of a narrative on the condition of facilities, a general facility needs assessment, and agency planning priorities. The purpose of the Overview statement is to show the relationship of the University's needs and intended direction for it's programs or services. The statement should highlight any plans for the creation of new programs or the elimination or change of existing programs or functions that could affect capital needs.

All items of equipment with an estimated cost of $100,000 or more, and systems estimated to cost $200,000 or more, must be identified except for computing and telecommunications equipment items and systems. All computing and telecommunications equipment items and systems must be reported to the Kentucky Information Systems Commission (KISC) in Information Resources Plans (IRP's), in accordance with KRS 61.950.

The University must report all planned new leases and expansions of existing leases proposed for the biennia. Estimates of the cost per square foot of the new space to be leased should be based on projected costs for the type of space in the specific geographic location, and any likely major leasehold improvements.

2. Biennial Capital Budget Request Process

The University submits to the Council staff by July 1 of odd-numbered years a prioritized capital budget request for capital projects for the forthcoming biennium. The

request shall be submitted in accordance with guidelines, formats, and schedules published by the Council staff. This information shall be updated at appropriate points in the capital projects' request, program, design, bid, and construction processes. The Council staff transmits a list and summary description of all capital construction projects approved by the Council and recommended for inclusion in the Executive Branch Budget recommendations to the General Assembly.

3. Council Staff Review

The Council staff will review each project for congruence with the University's statutory mission, the Commonwealth's higher education strategic plan, the University's strategic plan, the University's campus master plans, the University's six-year plan, the University's most recent space utilization study, the University's financial plan, the University's bonding capacity, and other factors. The University should be prepared to answer questions of the following kind concerning its capital budget request:

a. Will this project have an impact on the accreditation of a program?

b. If the project is associated with a new degree program, has the program been approved by the Council?

c. Can the requested space be provided more effectively by alternative methods?

4. Final Council Approval of Capital Projects

Inclusion of capital projects in the Council's submission to the Governor's Office for Policy and Management represents the Council's final project approval as required by KRS 164.020 (5); however, projects recommended by the Council but not approved by the General Assembly, require Council re approval in subsequent biennia should the University wish to resubmit them.

B. University of Kentucky.

1. Capital Project Planning

Capital Project Planning is an on-going process with a major update every two years ending with the enactment of the State Executive Budget Bill. These phases are described in the following paragraphs of this section.

a. Concept and Preliminary Program Statement Phase

The purpose of the Concept and Preliminary Program Statement Phase is to identify, describe, and prioritize major capital projects which reflect the priorities and emphases set forth in the University's strategic plans. The Concept and Preliminary Program Statement Phase is typically initiated during the summer of even numbered calendar years and entails the preparation of the following needs assessment:

Need Assessment - Users (See Note #1 below) briefly indicate the class (new construction, maintenance, renovation, etc.) and purpose (life safety, environmental health, handicapped access, protection of investment, program expansion, new program, etc.), justify, roughly estimate the cost, and state the source of funding of essential major capital projects in terms of programs that will be housed in the projects, their consistency with priorities and emphases set forth in the University's strategic plans, and their suitability (see Note #2 below). Need Assessments are prepared at the direction of and reviewed by the respective Chancellors and Vice Presidents who shall select projects for consideration and prioritization in University capital planning processes.

The assigned Capital Project Management Division project manager will work with users to develop Preliminary Program Statements and improved estimates of costs for those projects selected for priority consideration by the respective chancellors and vice presidents. Users prepare Preliminary Program Statements by amplifying and strengthening the Need Assessments of projects selected as priorities by the respective chancellors and vice presidents. In so doing, users in broad terms identify and quantify programs which will be housed in the facilities; students, faculty, staff, and public that will be served by the facilities; functions (instruction, research, etc.) that will be carried out in the facilities; and types of rooms (classrooms, class labs, etc.) that will be provided by the facilities. The Preliminary Program Statements should be brief in length, should include analyses of possible alternatives, should describe the manner in which the project contributes to the strategic plans and priorities, and should explain why the proposed projects are the best way to meet University needs. In addition, the Preliminary Program Statements should include improved estimates of the costs initially submitted to the respective chancellors and vice presidents, as well as the sources of funding. Preliminary Program Statements are prepared at the direction of and reviewed by the respective chancellors and vice presidents who shall submit selected projects together with their Preliminary Program Statements in priority order to the Office of the President where they will be assessed in terms of established criteria. (See Note 2 below)

Note #1: The term "user" throughout this paper refers to those individuals designated by their respective Chancellors and Vice Presidents to have the responsibility for defining the programmatic requirements for specific capital projects.

Note #2: The Vice President for Fiscal Affairs shall prepare and distribute, for use in the development of user need assessments, studies, analyses, and guidelines concerning the suitability of capital projects in terms of the availability, utilization, and condition of existing

facilities and space. Such information will facilitate users' ability to respond to questions of the following kind:

- Is the University currently fully using the types of space being requested?

- Does the University have deficiencies, either in quality or quantity, in the types of space being requested?

- Is there a special program need for the space requested that goes beyond general University availability?

b. Refined Program Statement and Cost Estimate Phase

The assigned project manager will work with the respective users in developing Refined Program Statements, cost estimates, any special architectural requirements and a project schedule. The sector makes program adjustments based upon the President's review of the Preliminary Program information and submits the revised program to the capital project manager who will coordinate with the respective physical plant divisions to determine operational and maintenance requirements and expenses. The project manager should notify the sector representative of the project manager's availability to provide technical support in developing the Refined Program Statement and Final Cost Estimate. Refined Program Statements are prepared at the direction of and reviewed by the respective chancellors and vice presidents who shall submit selected projects together with their Refined Program Statements in priority order to the Office of the President.

2. Central Administration Capital Project Planning Responsibilities

a. Vice President for Fiscal Affairs

The Assistant to the President of Fiscal Affairs is responsible for administering the Concept and Preliminary Program Statement Phase, and is supported by the Director of Procurement and Construction and the Capital Projects Management Division. The Director of Procurement and Construction works in collaboration with the chancellorial/vice presidential areas to develop appropriate capital project need assessments and programs during the Concept and Preliminary Program Statement Phase. The Director of Procurement and Construction through the assigned Project Manager works in collaboration with the chancellorial/vice presidential areas to manage the project through Planning and Implementation phases.

b. Vice President for Management and Budget

The Vice President for Management and Budget is responsible for coordinating the development of priority lists and the Six Year Capital Plan and the capital portions of the Biennial Budget Request and annual Operating Budget. The Vice President shall have the support of the Director of Procurement and Construction who shall work in collaboration with the chancellor/vice president in developing priority submissions of capital projects for consideration by the President.

As set forth in Attachment A, the Vice President shall organize and facilitate the preparation and submission to the Board of Trustees and external agencies of annual capital budgets, biennial capital requests and land acquisition plans, and six year capital improvement plans, contribute to the understanding and justification of these plans, and facilitate the execution of the University's annual capital budgets;

The Vice President shall work to ensure that the foregoing plans reflect established programs needs, require a judicious portion of the University's budget and duly prioritize University capital needs.

ATTACHMENT B

DESIGN AND CONSTRUCTION OF CAPITAL PROJECTS

General Policy and Implementation of Projects

I. It shall be the policy of the Board of Trustees of the University of Kentucky to:

A. Approve all capital projects undertaken by the University of Kentucky with specific prior approval for all projects estimated to cost $200,000 or more;

B. Accomplish all capital construction under House Bill 622 in strict accordance with all existing state and federal ordinances, statutes, and regulations applicable to same, and with particular reference to the State Model Procurement Code;

C. Accomplish all capital construction as economically and efficiently as possible;

D. Comply with Council of Higher Education procedures;

E. Fix responsibility for capital construction at the University of Kentucky with the President as set forth in Finance Committee Resolution 4, adopted by the Board of Trustees on June 22, 1982.

II. Implementation Phase

The implementation phase for all projects requiring approval by the General Assembly begins with the receipt of the approved Executive Budget and consists of the following all of which are administered by the Office of Procurement and Construction.

A. Development of Detailed Program Statement and Architectural Space Program

After the Refined Program Statement has been approved by the President, the project manager from the Capital Project Management Division shall meet with representatives of the user groups to begin the development of the Detailed Program Statement and Architectural Space Program for the Capital Project. The Architectural Space Program will be the guideline for the design and construction of the building. The Architectural Space Program, developed in preliminary and final form, is a detailed document consisting of the following items: introduction, project description, administrative information, summary of spaces/space priorities, project budget, project schedule, general design guidelines, specific design guidelines, space requirements listed on individual room data sheets, and an Appendix which shall include information relating to the project such as Campus Plans, surveys, geotechnical reports, University Construction Guidelines, University General Conditions, Special Conditions, and other documents that may pertain to the site, design, or construction of the Capital Project. A project normally shall have

five parts. These will be Schematic Design; Design Development; Contract Documents and Final Estimate; Bidding and Construction Contract Administration.

The Project Schedule included in the Architectural Program establishes milestone dates for all aspects of the project, including the date of advertisement for consultants, consultant selection, the various Phase completion dates, Bid dates, and Construction initiation and completion.

The Project Budget is a budget indicating the costs for the total scope of the project and includes the following: Design Costs, including all fees for consultants and regulatory review agencies and printing, Management Services costs, Construction costs including contingency amounts, Force Account costs for Physical Plant items and Communication items, and an amount for Furnishings and Equipment.

The Architectural Space Program is reviewed by the user group representatives and the Office of the President for compliance with the Detailed Program Statement and current Physical Development Plan, and to assure that the overall project costs are compatible with the approved dollar scope.

B. Selection and Employment of Consultant

Detailed procedures for consultant selection are set forth in Attachment B1: Procedures for Consultant Selection.

C. Project Design and Preparation of Contract Documents

The Architectural Program is given to the consultant. The consultant then reviews the program for compatibility between the approved dollar scope and the space requirements established in the program. After compatibility is established, the consultant prepares schematic drawings and specifications for approval by the University. Upon approval of these documents, the consultant prepares fully detailed construction drawings, technical specifications, and cost estimates for the construction of the facility. These documents are reviewed with the user for compliance with program requirements, and upon approval are transmitted to Capital Construction Procurement for advertisement and bidding.

D. Bidding

The consultant generated plans and specifications and the University standard bid documents are compiled and prepared for bid issue in accordance with Kentucky Revised Statutes. The Capital Construction Procurement Section establishes the bid date, notifies prospective bidders by invitation, issues bid documents, conducts pre-bid meetings, and is the bidder's contact during the bidding process. Bid advertisements are placed in the Lexington Herald Leader, the Louisville Courier Journal and other publications as appropriate, providing

public notice of the issuance of the bid. Sealed bids are submitted to the Procurement Section and the bids received are opened and read at a public bid opening. The Procurement Section conducts a post bid review of the apparent low bidders bid to assure compliance with all requirements of the invitation to bid. The consultant provides a recommendation to the University for an award of contract. Following receipt of this recommendation, the Procurement Section prepares contract, bond and insurance compliance affidavit documents for the contractor's signature. Certificates of insurance are received and verified for compliance with bid requirements. The documents are forwarded to the University legal counsel for review for compliance with the law and to the University Vice President for Fiscal Affairs for review and signature. The Vice President for Fiscal Affairs shall forward the approved documents to the Director of Procurement and Construction who shall issue a work order.

E. Construction

The construction phase begins with the issuance of the Work Order followed by a pre-construction meeting prior to the contractor commencing work on site and includes the following:

1. Contract Administration

Administration of the construction contract, between the construction contractor and the University, is the responsibility of the project manager. The contract administration generally begins at the Bid Opening with a review of the Form of Proposal submitted by the low bidder, and continues through the construction period, ending at the year end, post-occupancy inspection.

Administration of the contract includes the following: analyzing the cost breakdown of the contracted work known as the Schedule of Values, review of all submittals, review of activity schedules, periodic review of the work in place, review of progress payment requests, the Substantial Completion Inspection, project close-out, and the Final Inspection.

Progress meetings are held on a regularly scheduled basis throughout the course of the construction. The project manager, a representative from the user group, the architectural or engineering consultant, the general contractor, and sub-contractors from the appropriate phases of the work meet to discuss the project status, the schedule, and other issues relative to the construction process.

Contingent and unforeseen matters may require changes to the construction. Construction contract change orders are reviewed by the project manager. The contractor shall submit and itemized detail breakdown of the costs of the proposed change, through the consultant, to the Project Manager, who will review the proposed change for accuracy, assurance that the pricing is appropriate for the work being proposed, and that the change meets the University's criteria for allowable changes to the contract. All change orders

require the approval of the Director of Procurement and Construction and the Vice President for Fiscal Affairs. Change orders involving programmatic revisions shall additionally be reviewed and approved by a sector, or user representative.

2. Progress Payments

Periodic progress payment requests for work in place and stored materials, are made by the contractor, and reviewed by the consultant and the project manager. These payment requests are reviewed for accuracy and assurance that the work for which the payment is being requested is in compliance with the construction documents, and that all stored materials are to be incorporated into the contracted work.

At the appropriate time, the contractor requests that an inspection for substantial completion be held. In making that request, the contractor certifies that the building, or work, is substantially complete, that is, complete to the point that the building, or work, can be used for the function for which it is intended. Any items deemed not in compliance with the contract are corrected by the contractor, usually within thirty days. At that time, a Final Inspection is held to insure total compliance with the contract document. After acceptance of the work, final payment is made to the contractor.

3. Year End Review

The construction documents shall call for a one year warranty on all components of the work. During the period of one year following the acceptance of the building, after the Final Inspection, all warranty items and issues are resolved as they occur. At the end of the one year warranty period, a "year end," post-occupancy inspection is made to insure that all warranty items have been resolved, and to identify any additional deficiencies, or defects in the work, that may exist, so that they may be corrected by the contractor. Upon completion of any remedial work, the construction contract administration phase is completed and the contractor receives final payment.

III. Delegation of Projects <$100,000

A. Projects less than $100,000 may be delegated to the chancellor/vice president by submitting a Delegation Request Proposal to the Vice President for Fiscal Affairs. Following are guidelines for the request for delegation and management of projects less than $100,000:

1. Who (specify individual and position) will be responsible for management of such projects? Please describe their experience and qualifications relative to the management of capital projects.

2. What resources are available to support the management of these projects?

3. Do you wish a delegation for projects up to $100,000 or do you wish to set a lower figure on the delegation?

4. How will the project budgets be managed?

The following general guidelines will be applicable to all projects managed under the delegation:

1. All projects must be managed within the University plan and budget for capital projects;

2. All projects must be carried out in accordance with physical development guidelines established by the University Architect.

3. Status reports required by the Board of Trustees and Legislature must be maintained and forwarded to Procurement and Construction on a timely basis:

4. Total project scope cannot exceed $100,000 under the delegation and must include all costs of the project;

5. Where external consultants are to be employed for a project, the unit must be responsible for managing the consultant. Selection will be managed in accordance with established University procedures under the direction of the Capital Construction Procurement Office; and

6. For those units electing the delegation and which have the capability of performing the actual work with their physical plant personnel, there are four options;

a. Design by external consultant:

1. Construction performed by own forces; or

2. Construction bid through Capital Construction Procurement;

b. Design by own staff:

1. Construction performed with own forces; or

2. Construction bid through Capital Construction Procurement.

ATTACHMENT B.1

Consultant Selection Process

1. The University shall assemble a detailed file of all architects, engineers, and related consultants (hereafter termed "consultants") who have indicated they wish to work for the University. Form 254 utilized by the U.S. General Services Administration shall be used to collect information about each firm. The University reserves the right to collect additional information that it may require on forms it may devise. All forms and files shall be reviewed and updated annually. The central file of qualified consultants shall be maintained by the University of Kentucky Procurement and Construction Division.

2. The University shall advertise all projects for which it seeks consultants in appropriate newspapers and journals as required by law. This ad contains the approved dollar scope, a brief description of the project, and allows for an appropriate response period from interested consultants. Consultants wishing to respond to specific advertisements must have Form 254 referenced in section 1. above updated annually and on file with the University of Kentucky Procurement and Construction Division. The consultants' responses shall be submitted in writing to the University of Kentucky Procurement and Construction Division. The University selects the most competent Kentucky resident consultants whenever possible. Should expertise be required that is not available from Kentucky consultants, the appropriate media will be utilized to recruit interested firms from outside the state.

3. A special committee of University personnel shall select all consultants.

4. For all projects with a scope of up to $200,000 (consultant fees are estimated to cost less than $17,000), the following apply:

a. For all projects for physical development plans, the committees shall consist of:

Community College System

(1) University Architect, Chair;
(2) Chancellor;
(3) President of the respective college for which the plan is to be formulated.

University System

(1) University Architect, Chair;
(2) Chancellor or Vice President for which the plan is to be formulated;

(3) Physical Plant Director.

b. For all other projects of this scope the committee shall be comprised of:

(1) the project manager who will act as Chair;

(2) Director of Procurement and Construction (for Central Administration projects); Vice Chancellor for Administration (for Lexington Campus projects); Director of Facilities Planning, Medical Center (for Medical Center projects); Vice Chancellor for Business Affairs (for Community College projects);

(3) Director of Lexington Campus Physical Plant (for Central Administration and Lexington Campus projects); Director of Medical Center Physical Plant (for Medical Center projects); Director of Facilities/Project Management (for Community College projects).

b. The committee shall evaluate all proposals submitted and, based upon weighted evaluation factors established in the request for proposals, select the three (3) most qualified firms and rank them in order of preference. The project manager will then proceed to negotiate with the top-ranked firm until a satisfactory fee arrangement has been reached. If a satisfactory fee arrangement cannot be negotiated with the top-ranked firm the project manager will terminate negotiations and open negotiations with the second-ranked firm. Should these negotiations not succeed, the project manager shall follow the same procedure with the third-ranked firm. If no appropriate fee can be agreed to, the project manager shall inform the committee and a new request for proposals may be issued. The Chair may elect to conduct interviews of the consultants if the project warrants doing so.

c. The Director of Procurement and Construction shall notify all firms that submitted proposals of the selection.

5. For all projects with a scope of $200,000 up to $1,000,000 (consultant fees are estimated to cost $17,000-$100,000), the following procedures apply:

a. The committee shall be comprised of:

(1) Director of Project Management, Chair;

(2) Chancellor or vice president for whom the project is to be constructed;

(3) University Architect

(4) Project Manager

(5) Director of Procurement and Construction (for Central Administration projects); Vice Chancellor for Administration (for Lexington Campus projects); Vice Chancellor for Administration, Medical Center (for Medical Center projects); Vice Chancellor for Business Affairs (for Community College projects);

(6) Director of Lexington Campus Physical Plant (for Central Administration and Lexington Campus projects); Director of Facilities Planning (for Medical Center projects); Director of Facilities/Project Management (for Community College projects);

(7) Dean, community college president or administrator of the major unit for whom the project is to be constructed.

b. The committee shall meet in executive session to evaluate all materials submitted by the consultants;

c. The committee shall select, but not rank, the three (3) most qualified firms, based upon the weighted evaluation factors established in the request for proposals;

d. The Director Procurement and Construction shall send a letter to each firm which responded to the request for proposals, informing the firm of the three finalists and the rest of the procedure that will be followed in the awarding of the contract;

e. The selection committee shall interview, in executive session, each of the three finalists. The finalists shall be interviewed one at a time, and each interview shall be attended only by representatives of the finalist and members of the selections committee. Members of the selection committee shall keep confidential the substance of an interview until the University has awarded a contract;

f. The project manager shall then proceed to negotiate with the top-ranked firm until a satisfactory fee arrangement has been reached. If a satisfactory fee cannot be negotiated with the top-ranked firm the project manager will terminate negotiations and open negotiations with the second-ranked firm. Should these negotiations not succeed, the project manager shall follow the same procedure with the third-ranked firm. If no appropriate fee can be agreed to, the project manager shall inform the committee and a new request for proposals may be issued.

6. For all projects with a scope greater than $1,000,000 (consultant fees are estimated to be more than $50,000), the following procedures apply:

a. The committee shall be comprised of:

(1) Vice President for Fiscal Affairs, Chair;

(2) Chancellor or vice president for whom the project is to be constructed;

(3) Director of Procurement and Construction;

(4) Director of Project Management;

(5) University Architect;

(6) Project Manager;

(7) Director of Lexington Campus Physical Plant (for Central Administration and Lexington Campus projects); Director of Facilities Planning (for Medical Center projects); Director of Facilities/Project Management (for Community College Projects);

(8) Dean, community college president or administrator of the major unit for whom the project is to be constructed.

b. The committee shall meet in executive session to evaluate all materials submitted by the consultants;

c. The committee shall select, but not rank, the three (3) most qualified firms, based upon the weighted evaluation factors established in the request for proposals;

d. The Director of Procurement and Construction shall send a letter to each firm which responded to the request for proposals, informing the firm of the three finalists and the rest of the procedure that will be followed in the awarding of the contract;

e. The selection committee shall interview the three finalists, preferably on the same day. The finalists shall be interviewed one at a time, and each interview shall be attended only by representatives of the finalist and members of the selection committee. Members of the selection committee shall keep confidential the substance of an interview until the University has awarded a contract;

f. The selection committee shall meet in executive session to rank the three finalists based upon the weighted evaluations factors established in the request for proposals;

g. The Director of Procurement and Construction shall send a letter to each finalist, informing them of their ranking and the rest of the procedure that will be followed in the awarding of the contract;

h. The project manager will then proceed to negotiate with the top-ranked firm until a satisfactory fee arrangement has been reached. If a satisfactory fee cannot be negotiated with the top-ranked firm the project manager will terminate negotiations and open negotiations with the second-ranked firm. Should these negotiations not succeed, the project manager shall follow the same procedure with the third-ranked firm. If no appropriate fee can be agreed to, the project manager shall inform the committee and a new request for proposals may be issued.

7. In the process of selecting a consultant for a particular project, it shall be the responsibility of the consultant who is making a proposal to put together a personally selected design team which shall include geotechnical, mechanical and electrical engineers, and other consultants as appropriate. The rating of proposals by the selection committee shall be based in part on the strength of consultants who form the design team.

8. A project normally shall have five parts. These will be Schematic Design; Design Development; Contract Documents and Final Estimate; Bidding and Construction Contract Administration.

9. Once contract documents for a project are completed and the project is ready for bidding, the project shall be turned over to the University of Kentucky Capital Construction Procurement Department which shall advertise the project for bid in accordance with the State Model Procurement Code.

10. All bids shall be evaluated by the private consultant and the project manager who shall individually make recommendations in writing to the Manager of Capital Construction Procurement.

11. The Manager of Capital Construction Procurement shall review all bids as well as the recommendations referenced in section B.10 above and shall make a formal recommendation to the Vice President for Fiscal Affairs who shall sign and award a contract to the successful bidder. As a general rule, contracts will be awarded to the responsible bidder submitting the lowest bid and complying with all conditions of the bidding document, provided the bid is reasonable. The University reserves the right to reject all bids. All contract documents shall be reviewed and approved by the Legal Counsel of the University before the Vice President shall sign same.

12. All appeals from the award of contracts shall be submitted to the University's Purchasing Review Committee comprised of the University of Kentucky Legal

Counsel, Vice President for Administration and the Director of Procurement and Construction. The Committee's decision on all appeals shall be final.

13. The contract consultant for any given project may be required to hire and direct a resident inspector who shall supervise the work of the construction contractor when appropriate. The Capital Project Management Division may also utilize the services of on site representatives who shall represent the interests of the university in the construction phase of a project.

14. During the construction phase of a project, the project manager may recommend change orders. Change orders involving programmatic changes require the recommendation of the chancellor or vice president. The Vice President for Fiscal Affairs is authorized to approve all change orders and shall notify the respective chancellor or vice president of all approved change orders on a regular basis. Additionally, the Vice President shall report these to the Finance Committee and the Board of Trustees on a quarterly basis. Change orders in total shall not exceed the amount of funds available in the individual project account.

15. Payments to architects, engineers, other consultants and contractors shall be made by the Controller and Treasurer upon certification that such design or construction work as supported by attached invoices has actually been accomplished.

16. All contracts, change orders, and final (total) payments to consultants or contractors shall be reported to the Board of Trustees through the Finance Committee on a quarterly basis. Significant changes in the financial scope of a project previously approved by the Board of Trustees shall be resubmitted to the Board for authorization of the change.

17. Responsibility for the day-to-day administration and oversight of capital construction at the University of Kentucky is assigned by the President to the Vice President for Fiscal Affairs.

ATTACHMENT C

AGREEMENT BETWEEN THE FINANCE AND ADMINISTRATION CABINET AND THE UNIVERSITY OF KENTUCKY REFERENCE KRS 164.550-630 (HOUSE BILL 622)

Real Property Administration

The several responsibilities of the Finance and Administration Cabinet and the University of Kentucky concerning real property administration in the Commonwealth are set for in KRS 164.550-630 (House Bill 622) and subsequently detailed in a Memorandum of Understanding and related correspondence between the Finance and Administration Cabinet, the University of Kentucky, and the Council on Higher Education staff. In this material the Finance and Administration Cabinet, the University of Kentucky, and the Council on Higher Education staff agree to the following general policies and procedures regarding real property administration:

1.0 Acquisition - The governing board of the University, upon the approval of the Secretary of the Finance and Administration Cabinet, may purchase or otherwise acquire all real property determined to be needed for the University's use.

1.1 In purchasing land and/or buildings, including acquisition of easements for the use and benefit of the Commonwealth, the following procedures will be observed:

1.1.a. The University shall provide information to the Secretary of the Finance and Administration Cabinet in regard to the Master Plan for the main campus for real property acquisition, for approval. Any parcel of property which does not exceed $100,000 in price may be acquired without further approval. The University will notify the Commissioner of the Department for Facilities Management when it commences the acquisition process. The letter of notification shall include a copy of the appraisal report.

1.1.b. For any parcel of property not included in an approved Master Plan or for which the price exceeds $100,000, the University board shall submit prior notice of its intent to the Secretary of Finance and Administration. Upon approval of the acquisition proposal by the Secretary of Finance and Administration, the University will proceed to acquire the specified property and implement relocation assistance as appropriate.

1.1.c. The University will initiate the appraisal procedure to include selection of a qualified appraiser(s). Properties that will exceed $100,000 in price shall have two appraisals.

1.1.d. The amount paid for the property shall not exceed the appraised value as determined by a qualified appraiser(s).

2.0 Disposition - The governing board of the University shall sell or otherwise dispose of real property of the University which it has determined is not needed, has become unsuitable for public use, or for which some other use consistent with the public interest would be more suitable.

2.1 The following procedures will be observed in the sale of state-owned land and or buildings.

2.1.a. The University will advise the Finance and Administration Cabinet of the availability of any surplus real property prior to disposal.

2.1.b. The Finance and Administration Cabinet will advise appropriate state and/or local agencies of this availability.

2.1.c. If any state or local government agency is interested in the surplus property, the Finance and Administration Cabinet will act as intermediary for transfer of the specified property at the appraised or agreed upon price of the real property.

2.1.d. If no state or local governmental agency is interested in the surplus property, the University will proceed with appraisal(s) which will be submitted to the Finance and Administration Cabinet for review. Properties that exceed $100,000 in value will have two appraisals.

2.1.e. Unless the board deems it in the best interest of the University to proceed otherwise, all such real property shall be sold either by invitation of sealed bids or by public auction. The selling price of any interest in real property shall not be less than the amount determined by the Finance and Administration Cabinet.

2.1.f. After determination of the minimum selling price by the Finance and Administration Cabinet, the University will advise the Cabinet on what method the University intends to use in the disposition of the surplus real property and proceed accordingly.

2.2 Easements - The University will adopt procedures commensurate with those used by the Finance and Administration Cabinet in granting easements over state real property.

2.3 Demolition of Buildings - The University will adopt procedures commensurate with the Finance and Administration Cabinet when processing building demolition's.

2.4 Lease of state-owned land and/or buildings - The governing board of each University may decide that it is not in the University's best interest to sell a surplus real

property holding. If it is determined, by following the steps in 2.1.a-c above, that no state or local agencies are interested in leasing this surplus property, the University will adopt procedures commensurate with those used by the Finance and Administration Cabinet for leasing state property.

3.0 Lease of Real Property - The University may acquire real property through lease or sub-lease whenever in the judgment of the governing board it shall be necessary. The governing board shall be bound by KRS 56.800-820 regarding the leasing of property for state use. It is not the intent of this provision that the University seek the approval of the Finance and Administration Cabinet for such action.

4.0 Reporting and Inventory - The University will provide the essential information needed by the Finance and Administration Cabinet for real property inventory purposes.

4.1 Originals of the following shall be submitted: deeds, easements, survey plats, and title reports, from transactions transferring any interest in real property to or from the Commonwealth.

4.2 Copies of the following shall be submitted: leases or any other instruments of conveyance transferring any interest in real property.

4.3 The Finance and Administration Cabinet shall forward appropriate documents to the Secretary of State as required by law.

5.0 Post-Audit of Transactions - The Secretary of the Finance and Administration Cabinet may authorize post-audit review of any transaction covered by this Memorandum of Agreement.

Note 1. The Finance and Administration Cabinet requires that the election to operate under the capital construction provisions of KRS 164A.550-630 (House Bill 622) be an all or nothing decision, that is, such election requires a University to perform all capital construction related activities, including advertising, bidding, contracting, relocation assistance, leasing, real property disposal, real property acquisition (subject to approval by the Cabinet), etc.

Note 2. The Finance and Administration Cabinet retains the authority to approve acquisition of real property subject to the following:

a. A university electing to operate under KRS 164A-550-630 (House Bill 622) may acquire real property included in approved master plans and costing not more than $100,000 without Cabinet or Council Approval.

b. A university electing to operate under KRS 164A-550-630 (House Bill 622) may not acquire real property costing more than $100,000 without Cabinet approval. The Cabinet has agreed that the Council on Higher Education will have input regarding the acquisition of real property costing more than $100,000.

Note 3. Legislative approval obviate any other approval for real property acquisition.

Note 4. Universities electing to operate under KRS 164A-550-630 (House Bill 622) are solely responsible for the disposition of property.

ATTACHMENT D

POLICIES AND PROCEDURES
REGARDING
ALLOCATION AND GENERAL MANAGEMENT OF UNIVERSITY SPACE

I. Policy Guidelines

A. Allocation of Space Responsibilities

The President of the University of Kentucky is responsible for space allocation within the institution. Specific space allocations shall be made by the President to the chancellor or vice president subject to the conditions set forth in this policy. The Director of Procurement and Construction is responsible for conducting periodic reviews of space allocations within the University in collaboration with designated chancellorial and vice presidential representatives and making recommendations to the Vice President for Fiscal Affairs and President concerning the allocation of University space.

B. General Management of Space Responsibilities

The chancellors of the Lexington Campus and Medical Center sectors are responsible for the general management of their respective portions of the campus in Lexington with the exception of Lexington Community College. The Chancellor of the Community College System is responsible for the general management of space on the campuses of the Community College System, including the Lexington Community College on the Lexington campus. The Vice Presidents for Research and Graduate Studies, Information Systems, Public Information, Management and Budget, and Vice President for Fiscal Affairs are responsible for working with the respective sector physical plant divisions concerning the normal maintenance, renewal and replacement maintenance, and deferred maintenance of their space. In addition they are responsible for submitting as priority projects their needs for alteration and renovation maintenance and plant adaptive maintenance. The several components of general management are listed and defined in sub-paragraphs 1 through 5 below.

1. Normal Maintenance

Systematic day-to-day budgeting for items which control facility deterioration, including housekeeping, routine inspections, and minor repairs, which reduce service interruptions, and which have a useful life of less than a year.

2. Renewal and Replacement Maintenance

Systematic budgeting for known future cyclic repair and replacement of facilities that extend their life expectancy and retain their usable condition. These expenditures

keep facilities in reliable condition, are above normal maintenance, and are for items having a life cycle of more than one year.

3. Alteration and Renovation Maintenance

Systematic budgeting for changes to facilities stemming from new program demands, new technology, and projected cost savings.

4. Plant Adaptive Maintenance

Systematic budgeting for required changes to facilities due to changing "standards", for example, meeting air quality requirements, rehabilitation of animal quarters, handicapped access, code revisions, asbestos removal, etc.

5. Deferred Maintenance

Maintenance that has not been budgeted in the past because of being assigned lower priority than other items and that may or may not result in greater future costs. Also called "catch-up maintenance".

C. Space Inventory

The University's official space inventory data file shall be maintained by the Controller and Treasurer. Space inventory data collection shall be the responsibility of the Controller and Treasurer.

D. Renewal and Replacement, Alteration and Renovation, and Plant Adaptive Projects

The Division of Procurement and Construction and Physical Plant divisions of the sectors, unless otherwise directed, shall undertake projects associated with physical plant renewal and replacement, alteration and renovation, and adaptive. Prior review should be conducted as follows for the indicated types of projects:

1. University Architect

a. Projects that change the means of egress from a building;

b. Projects that change the structure of a facility;

c. Projects that change the aesthetics of a campus.

d. Projects that alter the life safety/environmental health/handicapped access systems within a facility.

2. Director of Procurement and Construction

a. Projects that change the function of a space or building.

E. Allocation of Newly Constructed or Acquired Facilities

Newly constructed or acquired facilities shall come under the general management of the chancellor or vice president at the time of allocation.

F. Vacation or Occupation of Space

Space on the Campus in Lexington which is vacated in whole or in part for occupation of newly constructed or acquired space shall revert to the Office of the President at the time vacated. The allocation of the vacated space will be determined by the President upon review of University-wide needs and priorities.

G. Rental of University Property

University property shall be rented only after it has been determined that the property cannot be used for academic or associated support programs. Agencies and organizations allied with the University shall be given consideration in the allocation of available on-campus space or available real property. The rent charged for such space shall be sufficient to cover all costs involved.

H. Leasing of Off-Campus Space

Chancellors and vice presidents may submit requests for the leasing of off-campus space to the President as required. If approved, such space will be acquired through the Office of the Vice President for Fiscal Affairs in accordance with established policies and procedures. Leasing of real property required for use by the University shall be in accordance with KRS 56.800-823.

II. Procedural Guidelines

A. Space Allocations or Reallocations

1. Space Reallocations

The Office of Space Inventory of the Controller's Division shall be informed of all space allocations or reallocations;

2. Space for Contract and Grant Proposals

The chancellors and vice presidents shall determine that adequate space is available to accommodate research, contract, and grant proposals before such proposals are submitted to sponsoring agencies;

B. Requests for Renewal and Replacement, Alteration and Renovation, and Adaptive of Space.

1. Evaluation of Requests for the Renewal and Replacement, Alteration and Renovation, or Adaptive of Space;

All requests for the renewal and replacement, alteration and renovation, or adaptive of space shall be evaluated in terms of University Six Year Capital Plans and Biennial Budget Requests.

2. Processing of Requests for the Renewal and Replacement, Alteration and Renovation, or Adaptive of Space;

All requests for the renewal and replacement, alteration and renovation, or adaptive of space renovation, before consideration by the Division of Procurement and Construction or the respective physical plant unit, shall receive the following approvals: (a) the dean, community college president, or administrative officer in the case of support units and (b) the chancellor or vice president of the respective area.

3. Cost Estimates for the Renewal and Replacement, Alteration and Renovation, or Adaptive of Space;

The Director of the Division of Procurement and Construction or the respective physical plant unit, shall prepare all final cost estimates for the renewal and replacement, alteration and renovation, or adaptive of space.

C. Scheduling of Space

1. Scheduling of Instructional Space

The Chancellor for the Lexington Campus is responsible for scheduling instructional space allocated to the Lexington Campus; the Chancellor for the Medical Center is responsible for scheduling instructional space allocated to the Medical Center; and the Chancellor

for the Community College System is responsible for scheduling instructional space allocated to the community colleges, including the Lexington Community College on the Lexington Campus.

2. Scheduling of Space for Conferences, Meetings, Concerts, and Other Activities

Scheduling of structures and/or facilities for the purpose of conferences, meetings, concerts, and other activities is the responsibility of the respective chancellors or vice presidents. The chancellors and vice presidents shall determine the point of contact for scheduling available space and make such information available within their respective sectors and to the other chancellors and vice presidents.

D. Leasing of Space

KRS 56.800 directs that the Board of Trustees of the University of Kentucky shall be responsible for the lease of all real property rental required for use by the University and that no lease of real property shall be binding against the Commonwealth unless made and entered into in accordance with the following:

1. Procedure when leasing space - KRS 56.803.
2. Lease of space in building owned by governmental unit or required because of emergency - KRS 56.805
3. Terms of lease - Calculation of rent - KRS 56.806
4. Statement of owners of property - KRS 56.809
5. Amendment or modification of lease - KRS 56.813
6. Employee disclosure of information prior to advertisement - KRS 56.814
7. Advertisement of built-to-suit leases - KRS 56.816
8. Terms of built-to-suit leases - KRS 56.818
9. Change in ownership of leased premises - KRS 56.819
10. Construction on state owned land under built-to-suit leases -KRS 820
11. Reports on leases and lease modifications - KRS 56.823

ATTACHMENT E

Vice President for Fiscal Affairs - Specific Responsibilities:

1. Director of Procurement and Construction. The Director of Procurement and Construction shall:

a. Evaluate policies, procedures, and organizational relationships that pertain to facilities planning and management, and recommend changes which improve the allocation and reallocation of University buildings and space; which regularize the renovation, repair replacement, and maintenance of facilities; which establish incentives for improved space planning, management, and utilization; which comply with external directives; which encourage internal cooperation in the use of equipment; and which coordinate the acquisition and location of major equipment;

b. Participate in the collection, classification, storage, verification, computerization, analysis, and reporting of data regarding the availability, utilization, condition, suitability, and sufficiency of University buildings, space, and equipment with particular attention to classrooms and class labs, non-class labs, faculty offices, and staff offices;

c. Contribute to the development, improvement, and use of computer data bases and applications which support the facilities' planning process; which store regularly used descriptive data regarding buildings, rooms, and equipment; which provide routine analyses of the utilization and quality of these capital items; and which increase the accuracy of, access to, and use of such information throughout the University; and

d. Coordinate the development, adoption, implementation, and periodic update of University System space allocation and reallocation plans which provide a "strategic reference" for the development of University System capital improvement programs;

e. Work to ensure that the foregoing plans provide adequate capital infrastructure and provide facilities which attract and retain students, faculty and staff;

f. Collect from internal and external sources, and have available for ready reference, various plans, maps, reports, analyses, studies, etc., regarding facilities planning and management.

g. Participate in the planning, review and approval process for capital projects as outlined in Attachment A;

h. Coordinate the allocation of University resources on capital projects;

i. Work to expedite the completion of capital projects;

j. Assure that capital projects are accomplished in compliance with the State Model Procurement Code and University policies and procedures;

k. Work to develop information bases on capital projects to support future activities;

l. Coordinate the reporting of information of active capital projects to the Board of Trustees and provide input to the reporting of information to the Council on Higher Education and Commonwealth.

2. University Architect. The University Architect shall:

a. Coordinate the development of physical development plans for the University System campus in Lexington and for each of the community colleges;

b. Conduct periodic reviews and updates of the physical development plans;

c. Prepare detailed plans and priorities for the implementation of the landscape, pedestrian and vehicular components of the physical development plan;

d. Develop detailed guidelines for the implementation of components of the physical development plan;

e. Review capital improvement projects for conformance with the physical development plan.

3. Controller and Treasurer. The Controller and Treasurer shall:

a. Maintain an inventory of physical facilities and real property;

b. Verify annually the University's data file on space assignments, room uses, and related information;

c. Provide the Office of Procurement and Construction with space information required for space allocation and utilization analysis and reporting;

d. Provide information concerning estimates of annual debt service requirements and for issuing revenue bonds or notes;

e. Provide the chancellors and vice presidents, the Office of Management and Budget, and Office of Procurement and Construction monthly Plant Fund status reports;

f. Provide, in conjunction with the Business Office of Procurement and Construction, the Capital Construction and Equipment Purchase Oversight Committee of the Legislative Research Commission with quarterly status reports on the progress of capital projects which received line item authorization in either of the 2 (two) preceding sessions of the Kentucky General Assembly in accordance with KRS 45.793.

ATTACHMENT F

SCHEDULE: CAPITAL PLANNING - ANNUALLY/EVEN YEARS/ODD YEARS

Annually:

February	Capital budget instructions/forms distributed to sector/vice presidential areas by Office for Planning and Budget
March	Capital budgets (Current Year) updates submitted to the Office for Planning and Budget by the sector/vice presidential areas
April	Capital budgets submitted by sector/vice presidential areas to the Office for Planning and Budget
June	Capital budgets submitted to Board of Trustees

Even Years:

August	Planning meeting of responsible staff personnel in reference to the Six Year Capital Improvement Plans
August	Instructions/forms/Needs Assessment information - Six Year Capital Improvement Plan is distributed to sector/vice presidential areas by the Office for Planning and Budget
August	Needs Assessment submitted to Procurement and Construction by sector/vice presidential areas for each Six Year Capital Improvement Plan; capital project requested status report submitted by sector/vice presidential areas to the Office for Planning and Budget on capital projects/items of equipment authorized for current Six Year Capital Improvement Plan
September	Six Year Capital Improvement Plan (Needs Assessment) review by the President
October	Six year Capital Improvement Plan instructions/forms distributed by the Capital Planning Advisory Board
October	Preliminary Program Statement submitted to Procurement and Construction by sector/vice presidential areas for each Six Year Capital Improvement Plan capital project requested
October	Information Resource Plan instructions distributed by Kentucky Information Systems Commission
October	Six Year Capital Improvement Plan (Preliminary Program Statement) review by the President
November	Refined Program Statement and Final Cost Estimate submitted to Procurement and Construction by sector/vice presidential areas for each capital project requested for Six Year Capital Improvement Plan
December	Six Year Capital Improvement Plan (Refined Program Statement and Final Cost Estimate) review by the President
December	Six Year Capital Improvement Plan completed i. e. assembled, reviewed, and

approved by the President

Odd Years:

January	Six year Strategic Plan Submitted to the Board of Trustees
January	Six Year Capital Improvement Plan submitted to the Board of Trustees
January	Six Year Capital Improvement Plan submitted to the Council on Higher Education
February	Six Year Information Resource Plan is due to Kentucky Information Systems Commission
April	Six Year Capital Improvement Plan is submitted to the Capital Planning Advisory Board
May	Biennial Capital Budget Request instructions/forms distributed by the Council on Higher Education
May	Biennial Capital Budget Request instructions/forms distributed to sector/vice presidential areas by the Office for Planning and Budget
June	Biennial Capital Budget Request submitted to the Office for Planning and Budget by the sector/vice presidential areas
July	Biennial Capital Budget Requests submitted to the Council on Higher Education
September	Six Year Capital Improvement Plan adopted by the Capital Planning Advisory Board
September	Six Year Computer/Communications recommendations submitted by Kentucky Information Systems Commission
October	Biennial Capital Budget requests submitted to Board of Trustees
November	Biennial Capital Budget requests reviewed by the Council on Higher Education, Governor's Office for Policy and Management, and the Legislative Research Commission
November	Biennial Capital Budget requests forms revised by the university and sent to the Council on Higher Education
November	Biennial Capital Budget requests submitted by the Council on Higher Education to the Governor's Office for Policy and Management and the Legislative Research Commission.

BUDGETARY POLICIES AND PROCEDURES

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BUDGETARY POLICIES AND PROCEDURES

I. Budgetary Policies

A. Budgetary Authority

All budgetary matters follow the general organizational structure of the University with the Board of Trustees having the ultimate and exclusive authority for the approval of all budgets. All funds within the general fund, hospital fund, auxiliary fund, and restricted fund groups are subject to this policy and may be expended only for the approved programs and objectives of the respective fund groups. No revenue shall be expended except upon the establishment of an expenditure authorization approved by the Board of Trustees. The exception to this policy is the authorization of expenditures from accounts created as a result of a contract or grant agreement between the University and an outside agency. The Board of Trustees has delegated the authority to approve such agreements and authorize expenditures to the President (Minutes of the Meeting of the Board of Trustees of the University of Kentucky, August 24, 1979, PR 7). The President must report to the Board of Trustees at its next regular meeting following the authorization of such expenditures.

B. Organizational Responsibilities

1. The Vice President for Management and Budget is responsible for the development and implementation of University-wide budget policies and procedures, for the development and submission of the University's budget requests and Strategic Plan, and for the evaluation of the effectiveness of budget implementation and achievement of program objectives. The Vice President for Management and Budget coordinates the submission and justification of the annual operating budget to the Board of Trustees and of the Biennial Budget Request and Strategic Plan to the Board of Trustees, the Council on Higher Education, and the executive and legislative branches of state government.

2. The responsibility rests with the respective chancellors/vice presidents for the management of their funds, (including contingencies); however, budget authority may be delegated to the deans, directors and community college presidents. Although a chancellor/vice president may delegate authority for specific fund management, the ultimate responsibility remains that of the chancellor/vice president.

3. The chancellors/vice presidents are responsible for the following in their respective areas:

   a. To develop and recommend plans for the effective use of resources available to them;

   b. To manage the programs within allocated resources including the management of contract and grant overruns and cost-sharing (less than full cost recovery);

c. To operate within approved budget allocations;

d. To allocate funds consistent with approved plans;

e. To ensure that expenditures are consistent with established objectives;

f. To realize estimated revenue or to adjust expenditures in order not to exceed revenue available;

g. To maintain the integrity of revenue and expenditures by fund group (including provisions to ensure that revenue generated by activities in a given fund group is deposited to that same fund group);

h. To ensure that nonrecurring funds in addition to those approved in the budget process are not used for recurring purposes without approval of the President; and

i. To ensure conformity with state and University rules and regulations applicable to the expenditure of funds generally and for purchasing and payment of funds specifically.

C. General Budget and Policy Statement

1. The University shall distribute resources in a manner that supports the achievement of objectives and priorities established during the planning process.

2. The budget is used to establish policies, allocate resources, foster accountability, and translate plans into action. These plans include, but are not limited to, the Strategic Plan, the Information Resources Plan, and the Capital Plan.

3. Recurring expenditures are to be supported by recurring revenue; therefore, all continuing costs such as maintenance of facilities and equipment and purchase of library books and equipment should be included in the operating budget on a recurring basis. Nonrecurring plans which are approved must have recurring costs identified and adequate recurring financial support ensured. Exceptions to this policy must be reported to, and approved by, the President and must include a plan to bring exceptions into compliance with this policy.

D. Biennial Budget Requests

1. Biennial budget requests will be based on the objectives of the programs for which units are responsible, must set forth the means to be employed in pursuing those objectives, and must describe criteria to be applied in evaluating progress toward objectives. The biennial budget requests will contain alternatives for various levels of operations (i.e., continuation, improvement, expansion, and new).

2. Biennial budget requests will be related to specific program objectives, with a dollar value assigned to the achievement of such specific program objectives. The basic budgetary policy places emphasis on programs and the justification for the support of those programs, rather than on an incremental resource allocation. Programs proposed for consideration during the annual operating budget process will be consistent with priorities included in the biennial budget request, and the respective chancellors/vice presidents will provide explanation and justification for any deviation from those priorities.

E. Budget Allocations and Uses

1. Funds will be allocated based upon specific objectives agreed upon for a given fiscal year. Funds will be allocated to chancellors/vice presidents in a lump sum without regard to the specific expenditure categories (personal services, current expenses, and capital). However, policies formulated from time to time and provisions herein may affect the use of funds within the total allocation.

2. Annual budgetary allocations shall be based on program and resource agreements reached with respect to the biennial budget requests, but will be influenced by changes in the University's request as submitted and effected by the Council on Higher Education, executive branch of state government, and state legislature. Although assumptions and priorities may change as a result of Cabinet discussions of the operating budget, actual allocations will relate to specific alternatives set forth in original agreements. The chancellors/vice presidents have discretion in the allocation of funds in accordance with the policies set forth in this document.

3. A contingency fund will be budgeted annually by the President.

4. Capital budgets will be submitted as part of the annual operating budget process using expenditure categories identified in the definitions section of this document.

5. Following the submission of capital plans, including a priority listing, and approval by the President, funds shall be moved to the plant fund for approved projects by Fund Transfer Requests signed and transmitted by the respective chancellors/vice presidents. Transfer authority rests with the chancellor/vice president if funds are provided by sources available to that area, and with the President if funds are provided from central sources. Appropriate supporting material should be referenced in or accompany the Fund Transfer Request.

6. Physical facilities projects of over $200,000 in scope, and others funded by central sources, shall not be reduced or increased without the President's approval.

   a. Chancellors/vice presidents shall be responsible for covering overdrafts, regardless of the initial funding source.

   b. Balances remaining after plant fund accounts are closed shall be lapsed to the respective chancellor/vice president clearing accounts or to the central clearing account, depending upon the original funding source.

   c. The chancellors/vice presidents shall have the option of reallocating balances to other approved projects or equipment items, or transferring the balances back to the renovation reserve for redistribution within the plant fund. If the balances are to be used for physical facilities projects or equipment which have not been approved by the President, the chancellor/vice president will submit a proposed revision to their fund balance plan.

7. Balances remaining from physical plant job projects under $100,000 that were originally funded from restricted accounts shall be lapsed to the appropriate sources.

8. The assignment of funds into expenditure accounts and categories of expenditure is the responsibility of each chancellor/vice presidential area. After approval by the President, the breakdown by account and expenditure category is the basis for the University's operating budget which must be submitted to the Board of Trustees for approval. Individual salaries will be determined according to guidelines approved by the President. Each chancellor/vice president is responsible for submission of necessary documents to implement the July 1 payroll for each year according to procedures set forth by the Controller and Treasurer. Each chancellor/vice president is responsible for ensuring that the annual salary authorizations submitted to the Payroll Department are the same as those specifically approved for each individual within the salary guidelines established by the President.

9. Expenditures charged to a particular account must be for the accomplishment of those objectives of the program named in that account. Expenditures will not be reduced by utilization of revenue or for any other reason except correction of an error or in the case of a refund which occurs during the fiscal year in which the expenditure occurred. Expenditure of funds from nonrecurring sources must be limited to nonrecurring purposes unless prior approval by the President has been received. Expenditure of funds within a given fiscal year must be for services rendered during that fiscal year.

F. Revenue Generation

Funds allocated in the annual operating budget to each chancellor/vice president will be based on estimates of revenue by source including recharges (recharges represent expenditures of one unit in support of activities of another unit, assuming both units are included in the University operating budget.) These revenue levels will be established after detailed analysis by the President's staff and are included in approved chancellor/vice president revenue budgets. Any changes during the year in the planned revenue amounts will require submission of a revised plan of expenditures to the President which sets forth the actions proposed to deal with the revenue changes.

G. Budget Changes

Any change in the established priorities or any requested reallocation of funds which involves an alteration in priorities must be approved in the same manner as those originally established. Any request involving additional dollars, the redistribution of funds, or the establishment of additional expenditure authority must include a statement of the program implication. Requests submitted by a chancellor/vice president should be in the context of the change or modification which would occur in the total operations of that unit.

Budgetary changes fall into one of the following two categories:

1. Fund Transfer - The redistribution of funds made available to a chancellor/vice president requires a fund transfer (form shown in Appendix A). Authority for processing said transfers will reside with the respective chancellors/vice presidents. The Office of Institutional Planning, Budgeting and Effectiveness will receive a copy of each budget transfer.

2. Budget Revisions - A request for increased (or decreased) expenditure authority based on increased (decreased) revenue and/or increased (decreased) support from other units of the University (recharges) requires a budget revision. Requests which involve budgeting of increases (decreases) in revenue are evaluated in view of program needs and the changes in circumstances since the original budgeting of revenue. The vehicle for such actions is the Budget Revision Request (form shown in Appendix B).

H. Budget Savings

1. Salary savings, either actual or potential, are those funds which have accrued, or will accrue, in a given budgeted position as a result of:

   a. A position being vacant for a period of time;

   b. A portion of the salary of an incumbent being transferred to another fund source; or

c. A position being filled at less than the budgeted salary amount.

2. Current expense savings are those which result from underexpenditure in a particular expense category.

3. Chancellors/vice presidents are responsible for the management of budget savings within their respective areas. Savings which are nonrecurring in nature should be used only for nonrecurring purposes. Savings must be used in a manner consistent with established plans and program objectives.

I. Fund Balances

The responsibility for projecting and managing fund balances generated within a chancellor/vice presidential area rests with the respective chancellor or vice president. After approval of the University's audited financial report, a determination is made by the Office of Institutional Planning, Budgeting and Effectiveness of the balances attributable to overrealization of revenue and underexpenditures within a chancellor/vice presidential area during the year reported. Variances from budgeted amounts require the submission of proposed revisions to plans.

J. Budget Evaluation

Budget evaluation is the assessment of the achievement of established goals and objectives for which funds have been made available. Budget evaluation will be conducted by the Office of Institutional Planning, Budgeting and Effectiveness in concert with the chancellor/vice presidential areas in terms of the following:

1. Effective implementation of approved plans; and

2. Accomplishment of the agreed-upon program objectives, activity indicators, and outcome indicators; and adherence to the University budget policies.

II. Procedures

A. Revenue Estimates

As part of the annual budget cycle, revenue and recharge estimates will be projected for all revenue producing units. These revenue estimates must be realistic and reviewed carefully. Information is required regarding amounts and types of support from other units within the University (recharges).

B. Budget Calendar

The budget calendar for a complete cycle reflects the earliest possible dates for internal decisions, recognizing the external actions of such agencies as the Council on Higher Education and the executive and

legislative branches of state government. The budget cycle covers a two-year period during which the biennial budget request and two annual operating budgets are developed, approved, implemented, and evaluated.

C. Budget Calls

The call for budget requests within the University originates in the Office of the President and is directed to the chancellors and vice presidents. Budget requests will be of two types:

1. Biennial budget requests are prepared in the winter and spring of each odd-numbered year and are the basis for the integrated budget request which the University of Kentucky submits to the Council on Higher Education and the executive and legislative branches of state government. The call for each biennial budget request is incorporated into the University's planning cycle; and

2. Operating budget requests are prepared each year and serve as the basis for preparation of the internal operating budget. These requests are prepared in the context of the approved biennial budget request. The call is issued at a time which takes into consideration the convenience of all units involved; however, it is based on actions of the Council on Higher Education and the executive and legislative branches of state government.

D. Budget Transfer

The procedures for processing a budget transfer are as follows:

1. The form will be prepared with all pertinent information as illustrated in Appendix A;

2. The form will bear the recommendations of the appropriate dean, director, or community college president and the chancellor/vice president or chancellor's/vice president's designee. For transfers between chancellor or vice presidential areas, the signature authority should reside with the chancellor/vice president requesting a reduction of expenditure authority;

3. The form will be forwarded from the chancellor/vice president to the Office of the Controller and Treasurer for implementation if funds are available; and

4. The form will be returned to the chancellor/vice president from the Office of the Controller and Treasurer and to the initiating unit from the chancellor/vice president, bearing an approval or a notification of the insufficiency of funds.

E. Budget Revision

The procedures for processing a budget revision are as follows:

1. The form will be prepared with all pertinent information as illustrated in Appendix B;

2. The form should bear the recommendations of the dean, director or community college president and the chancellor/vice president or the chancellor/vice president's designee;

3. The form should be forwarded to the Office of Institutional Planning, Budgeting and Effectiveness for action by the President;

4. Notification will be sent to the initiating unit of action taken on the request; and, if favorable, the date on which the Board of Trustees will be asked to consider the revision also will be indicated;

5. The revision, if approved, will be included in the budget revision recommendations to be submitted to and acted upon by the Board of Trustees; and

6. If approved, the form will be forwarded to the Office of the Controller and Treasurer for implementation, and notification of action by the Board of Trustees will be sent to the appropriate chancellor/vice president.

F. Budget Implementation

The Office of Institutional Planning, Budgeting and Effectiveness will be responsible for the implementation of the annual operating budget, as approved by the Board of Trustees, into the University's accounting system.

G. Capital Outlay and Equipment Procedures

The University's annual operating budget process shall include the development and submission of an annual capital budget for capital allocations. This budget shall be prepared within guidelines established by the Vice President for Management and Budget.

III. Definitions

A. Fund Groups

The budget policies of the University and the annual operating budget of the University cover the major fund groups set forth below:

1. General Fund - Expenditures are supported by revenue from state appropriations, student fees, sales and services, fund balances, and those gifts and grants, endowment incomes, investment incomes, and federal and county appropriations that are not restricted as to purpose by a person or an agency external to the University.

2. Hospital Fund - Expenditures are supported by income from hospital operations and state appropriations.

3. Auxiliary Funds - Expenditures are supported by income from the respective components of auxiliary operations, including the housing and dining system.

4. Restricted Funds - Expenditures are supported by income restricted for a specific purpose by a person or an agency external to the University.

5. Affiliated Corporation Funds - Expenditures associated with a corporate entity which is not a public agency and which is organized pursuant to the provisions of KRS Chapter 273 over which an institution exercises effective control, by means of appointments to its board of directors, and which could not exist or effectively operate in the absence of substantial assistance from an institution.

B. Capital Budgets

1. Physical Facilities

a. Capital construction and major renovation projects are those projects with a scope of $200,000 or more which (1) have approval in the current biennium by the legislature for state appropriations, debt service, or agency funding; or (2) are of an emergency nature or (3) are funded from private or federal sources. These projects require prior approval by the Board of Trustees, Council on Higher Education, and the legislature.

b. Other renovation projects are those projects with a scope of less than $200,000 and are included in the capital budget as pooled projects within defined categories.

2. Equipment

a. Major equipment items are those with a scope of $100,000 (as of July 1994) or more which have legislative approval in the current biennium or are funded from private or federal sources.

b. Other equipment items are those with a scope of less than $100,000 which are included in the capital budget as pooled equipment items within defined categories.

Appendix A

BUDGET TRANSFER REQUEST

Accounting Use Only
BT- 1751
☐ BTR ☐ BTN
DATE _____

PREPARATION DATE _____

EFFECTIVE DATE _____

INSTRUCTIONS FOR PREPARATION

1. COMPLETE ALL INFORMATION REQUESTED.
2. MUST BE APPROVED AT DEAN OR DIRECTOR AND CHANCELLOR LEVEL.
3. KEEP GOLDENROD COPY. FORWARD ALL OTHER COPIES TO CHANCELLOR'S OFFICE.

UNIT INFORMATION

	FROM	TO
SECTOR		
COLLEGE/DIVISION		
DEPARTMENT		

ACCOUNT INFORMATION

Amount

From Account Number
Fund _____
Corp _____
PCS Code _____

To Account Number
Fund _____
Corp _____
PCS Code _____

Amount	From Account Number: Account	Object	Position	User Code	To Account Number: Account	Object	Position	User Code
$ _____								
_____								
_____								
_____								
_____								
_____								
_____								
_____								

RECURRING ☐ NONRECURRING ☐

EXPLANATION

REASON FOR REQUESTED TRANSFER: _____

SIGNATURES

Dean/Director

Chancellor

Appendix B

BUDGET REVISION REQUEST

Accounting Use Only
BRR 0642
☐ BRR ☐ BRN

To: Planning and Budget Office _____ (Date)

From: _____

The requested expenditure adjustment(s) shown below are based on revised income estimates for:

_____ Department Number _____
Account Title

REVENUE

Account No.	Revenue Subcode	User Code	Current	Revised	Amount of Change
_____	_____	_____	$_____	$_____	$_____
_____	_____	_____	$_____	$_____	$_____

EXPENDITURE

Account Number _____

Object Code	Position No.	User Code	Current	Revised	Amount of Change
_____	_____	_____	$_____	$_____	$_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

_____ Dean/Director

_____ Vice President/ Chancellor

Explanation (Programmatic impact of expenditure change; basis for revenue estimate)

_____

_____

_____

_____ **For Planning and Budget Office Use Only** _____

To: _____

The above request will be submitted to the Board of Trustees at their meeting on

_____

_____
Planning & Budget Director

To Controller:

The above request was approved by the Board of Trustees on _____ and is transmitted to you for implementation.

_____
Planning & Budget Director

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UNIVERSITY COMPUTING POLICIES AND PROCEDURES

I. Purpose and Intent

Computing service is a University utility having two purposes: to serve the instructional, research, and public service functions of the institution and to provide suitable information within the University for assistance in operational management, decision-making, and reporting.

The accomplishment of these general purposes can take many forms in a time in which technological advances are making computing resources available at relatively lower costs to a much larger population than ever before. The University wishes to take advantage of these advances in a responsible way and is committed to an orderly evolution of its computing capability in support of both academic and administrative functions. At present, the main instrument for effecting these purposes is a large-scale central computing facility. This fact, in conjunction with several underlying principles concerning the planned computing strategy for the University, has certain implications for short- and long-term computing policies. The underlying principles are as follows:

All computing done at the University will be for official University purposes only. Generally, such computing will be in support of the academic and administrative functions of the University but may in certain circumstances include other functions as determined by the President.

Academic computing in direct application to the University functions of instruction, research, and public service is the primary purpose of computing at the University. Administrative computing in indirect support of these functions, while necessary and important, must be secondary. The implication inherent in this principle is that, wherever academic and administrative computing coexist in a computing environment, academic computing will be given first consideration, except in extreme circumstances as determined by the President.

Disbursed or distributed computing, which has the effect of puting computing power in educational and administrative units with legitimate needs for it, will be encouraged within the constraints of economic sense and other superseding University policy.

The various University sectors should play a strong role in determining the quality and quantity of computing services in support of their major missions and functions. Each University sector should be permitted to make economic decisions involving computing and other services.

The University must take advantage of all sources of support to enhance the resource base that may be applied to

computing. Research grants and contracts should recover the full costs of computing to support the work of individual projects.

The determination of priorities among acquisitions and projects in both academic and administrative areas must be the prerogative of the President.

These policies and procedures will be reviewed periodically in relation to currently appropriate conditions in funding, technology, and availability of other resources and to special needs which may have developed since the policies and procedures were initially adopted.

II. Policy Statements

A. Academic Computing Policies

1. Instructional Computing

The University should have a significant capability for interactive and batch instructional computing with a wide variety of computer languages and processors in an environment which is easy for students to use. Such capacity may include the use of the central computer facility, additional hardware of varying capability in remote or central locations, and the use of microcomputers. The ultimate aim is to have sufficient capability to provide all undergraduate students and any interested graduate and professional students with an opportunity for instruction in and access to interactive or other appropriate computing, and to have significant state-of-the-art hardware and software for those students whose disciplines require it.

Funding for this hardware may be augmented in some situations from general institutional funds, but in most cases the funding will be provided by the academic units as the result of economic tradeoffs.

In the case of academic systems to be located in the Computing Center, physical space, operations, systems programming, and maintenance will be provided by the Computing Center. The cost of providing the service will be charged to the using academic units.

2. Research Computing

The goal in research computing is to have sufficient capacity to support existing and future computing needs of researchers in most disciplines. External sources of funding must be used to the fullest extent possible in expanding the computing resources needed. Without such funding, the University will not be able to expand significantly in research computing.

Each new grant and contract must be reviewed to determine whether computing services will be required. If so, the full cost of such computing must be included in the grant proposal as required in University of Kentucky Administrative Regulation AR II-1.0-3. The percentage of research computing costs funded from grants and contracts will be expected to increase.

3. Public Service Computing

Computing capability for the public service function of the University should be sufficient in capacity to support existing and future needs, but most of the funding must be from external sources if the capability is to expand.

Externally funded public service projects such as the Agricultural Extension programs and others will be expected to obtain additional funding for computing in the future.

4. Computing Center Support for Academic Computing

Informed observers of technological development expect expanded use of computing over the next few years in many disciplines, fields, professions, and activities. As use of computing for instruction, research, and public service grows in the University, there will be an increasing need to assist faculty and students in developing new computer applications.

The needs for computing services in instruction, research, and public service will vary within and among academic sectors and units. The determination of particular services in any given time period will depend heavily upon the priorities in programs which the sectors and units establish for themselves.

When program priorities and emphases change, changes in particular computing services will also be indicated, and various development efforts will be necessary. The Computing Center is committed to providing the following services:

Training seminars and workshops for users and prospective users in research, instruction, and service.

Aid in integrating computer-based materials into the curricula and in using computing in instructional processes.

Maintenance and development of generalized programs and libraries of programs.

Consulting services to faculty and staff.

Computing as an instructional tool in the Community College System.

Liaison programs involving student assistants and educational and administrative units.

Development of additional documentation aids.

Development emphases, such as these, can best be effected through cooperative efforts involving interested departments, individuals, and the Computing Center.

Development efforts recognize that needs for computing in instruction, research, and public service vary among units of the institution and from time to time depending upon program emphases of the units. The needs also vary between instruction and research.

5. Non-Central Academic Computing Facilities

Educational and administrative units which have their own computing equipment of whatever size or capacity must ensure that the equipment is used only to the extent and for purposes contemplated by prior authorization at the time of acquisition and that adequate consulting and tutorial support is available for student users (if any).

B. Administrative Computing Policies

1. General Policy Statement

Because of the fundamental priority of the academic over the administrative, only highest priority interactive, on-line administrative systems as determined by the President will be developed or procured for use on the general purpose central computing hardware. When possible, administrative systems will continue to be batch processing systems, allowing administrative processing to be done at night and on weekends when the central computer is normally lightly loaded. However, if justified, small, dedicated hardware systems using interactive computing may be procured for administrative uses in accordance with the provisions of the section entitled "Non-Central Systems Request Procedure."

2. General Policy on Distributed Processing

The procurement and operation of distributed processing equipment is generally encouraged for those educational or administrative units which have made, as an economic choice, the decision that separate data processing facilities would be beneficial to their functions. Aside from the stipulations set forth in the section entitled "Non-Central Systems Request Procedure," the only restrictions placed on the development of software systems for those installations concern the use of the institutional data bases listed under the heading "Major Administrative (Class A and B) Systems." Any application which would make use of any part or all of one of these data bases must be first approved by the Vice President for Administration after recommendation by the Associate Vice President for Information Systems Planning and Policy and Director of the University Computing Center (hereinafter identified as the Associate Vice President-Director).

3. System and Project Classification

Proposed new or expanded administrative computing systems and projects will be categorized into one of three classes:

> Class A systems are decision support systems whose primary purpose is to provide information for University-wide decision-making. A Class A project is any programming effort or acquisition in support or development of a Class A system.

The cost of these projects will be funded from a central budget established for this purpose.

Class B systems are those that supply significant information for University-wide decision making and also support significant institutional operating systems. All programming efforts and acquisitions in support of Class B systems are not necessarily Class B projects. Class B projects are those which materially enhance or protect from degradation the parts of the Class B system that contain or aid in the generation or maintenance of decision-making information. Projects to enhance local operation of a Class B system are not Class B projects. The cost of development and operation of a Class B system will be funded from a central budget established for that purpose. Costs for modifications or enhancements in support of University-wide decision-making will also be centrally funded, but costs related to the development, modification, or operation of subsystems or additions to the basic system which support purely local functions will be funded by the unit involved.

Programming efforts or acquisitions required to meet federal, state, and certain other external reporting requirements will also be considered Class B projects.

Class A and B systems, their descriptions, and the organizations responsible for each are shown in Appendix B: "Major Administrative (Class A and B) Systems."

Class C systems are those which are developed for the primary benefit of the unit involved and which contain very little or no University-wide decision-making information. A Class C project is any programming effort or acquisition in support or development of a Class C system or of an operational function of a Class B system. Costs related to a Class C project will be funded by the unit involved.

4. Special Provisions Concerning Class C Projects

Class C projects are of two types: those which have University-wide information and those which do not, as determined by the Associate Vice President-Director. In cases where there is a central information interest, University system development standards must be followed; otherwise, these standards do not apply.

As noted above, the funding of Class C projects is the complete responsibility of the unit involved. Except for the restrictions concerning management information, general standards for system development, and cases where equipment acquisition is involved, the unit will have much flexibility in the design and operation of the system (see section entitled "Non-Central Systems Request Procedure"). Class C projects, however, cannot be open-ended. Class C projects, like all projects, must have a clearly defined plan and schedule for implementation. The unit may choose to staff the project entirely within its own organization, or it may choose to fund a

position in the Computing Center. Some very minor Class C projects involving programming time only may be done by the Computing Center on a pay-as-you-go basis. See the section entitled "Computing Center Support for Administrative Systems" for a further discussion of Computing Center involvement in Class C projects.

5. Administrative Computing Priorities

The establishment and monitoring of administrative computing priorities is a process related to the classification of projects as A, B, or C and as major or minor, but is not controlled by that process. That is, a Class B major project does not necessarily have priority over a Class C minor project. The assignment of priorities is dependent upon many factors, including available resources, external agency requirements, operational efficiency, and others. Since these conditions change, there is no intrinsic hierarchy rule governing priorities.

The responsibility for establishing priorities within any sector of the University rests with the sector chancellor. The responsibility for preparing recommendations for the Vice President for Administration on institution-wide priorities for administrative data processing is charged to the Associate Vice President-Director who will develop the recommendations in collaboration with the chancellors (and other officers, where appropriate).

6. Major Administrative Systems and Data Bases

a. Residence of Data Bases and Use of Subsets

All Class A and B data bases will reside permanently in the central Computing Center. Updates to these bases will be made only by the organizations named in Appendix B, except as delegated by those organizations and with the approval of the Associate Vice President-Director.

Users at non-central computing facilities may use copies of portions (subsets) of those bases applicable to their own organization for approved applications to their own organizational needs. Requests for copy and use of such data base subsets must be proposed in writing to the head of the organization named in Appendix B. Approval by that person and the Associate Vice President-Director will be required before implementation.

b. Design of and Changes to Major Administrative Systems

Because most administrative computing systems require interrelationships with other systems to provide adequate data for management, policy, and decision-making purposes, coordination and, in some cases, integration of major institutional data bases are necessary. To coordinate and maintain such data bases and to ensure the protection and security of data, the Associate Vice President-Director has the responsibility for overall design, integration, and monitoring of all data processing activity concerning these bases. Since modifications to existing programs and systems affect the interrelationships among systems, All requests for changes, deletions, and additions to existing administrative systems must be proposed in writing to the Associate Vice President-Director and must be approved by that administrator before adoption.

7. Programming Languages and Standards

COBOL and Mark IV are the only data processing languages presently approved for administrative data processing applications. All administrative systems, whether developed in-house or acquired from an outside vendor, will be written in either of these languages. The Computing Center has published COBOL programming standards which must be adhered to by in-house programmers and outside vendors alike. Other programming languages may be added in the future.

8. Computing Center Support for Administrative Systems

The Computing Center will provide support for all administrative systems approved, purchased, or developed under the procedures detailed in the section entitled "Administrative Computing Policies and Procedures." The nature of that support is dependent upon the classification of the system and the location and control of the computing equipment on which the system runs. The types of support are explained in the following sections.

a. Programming Support

(1) Class A and B Projects and Systems

The Computing Center will provide complete developmental and maintenance programming support for Class A and B systems and projects. This support will be fully funded by central institutional accounts.

(2) Class C Projects and Systems

The Computing Center will provide programming support to approved Class C systems and projects in a variety of ways.

A Class C system user may choose to fund, on a temporary or permanent basis, positions in the Computing Center. The minimum period for such a position is one year, but a user may permanently fund a position or positions by a recurring transfer from user organization budgets. Personnel in such positions report administratively to Computing Center management, are housed in Computing Center space, and are subject to all Computing Center rules and regulations including those pertaining to programming and documentation standards. They may work only on approved Class C projects, except in the following cases:

In emergency situations, they may be assigned to an emergency project, as determined by and at the discretion of the Vice President for Administration.

On agreement of all parties concerned, they may be assigned to Class A or B projects.

These positions are periodically reviewed by the Associate Vice President-Director in relation to University priorities. The University reserves the right to assign any programming position to the greatest benefit of the institution, as determined by the Vice President for Administration.

Another way in which the Computing Center will support Class C projects is on a pay-as-you-go, charge-back basis if staff is available. Such projects would be programmed by regular staff programmers/analysts whose time, as well as computer time, would be charged back to the Class C user organization.

b. Data Coordination and Scheduling

The Computing Center Data Coordination section will set up and run all adequately documented production jobs from approved administrative systems. User organizations are responsible for supplying run schedules, update transactions (if any), and parameter information. The cost of running Class A and B systems will be funded from University-wide accounts. Class C running costs will be funded from user organization budgets.

c. Systems Developed Outside Institutional Policies

University units which use their own resources to develop or purchase administrative data processing systems outside the policies and procedures set forth in this document must accept complete responsibility for operating and maintaining those systems. Such systems will not normally be supported by the Computing Center as University systems. This means that data processing personnel employed by the units for development, operation, or maintenance of such systems will have no special privileges in the use of University files or systems personnel. Computing Center programmers will not normally be used to modify or operate these systems. The Computing Center Data Coordination section will not normally schedule or run these systems.

C. Word Processing Policy

The acquisition of word processing and office automation equipment for those educational and administrative units with justified needs will be encouraged. Any equipment purchased primarily for the purpose of word processing should be capable of electronic communication to the University's central computing facility. Such a capability is necessary so that the University can build a base for future communication needs. Electronic mail, electronic filing, and fuller remote use of the University's computing facilities are the eventual aim of this policy.

D. General Policies

1. Non-Central Computing Facilities

An increasing number of educational and administrative units have been obtaining computing equipment for special purposes in accordance with the policies stated in this document. The only general rules for these non-central facilities are that the equipment be properly maintained and that all applicable construction, environmental, fire, and other physical plant regulations have been addressed before installation.

2. Relationship to Central Computing Facility

In those cases in which the non-central computing equipment is physically connectable to the central computing facility through communication links, all costs of maintaining the communication link are the responsibility of the unit owning the non-central equipment. Computing Center standards must be maintained on all communication links.

3. Service Priorities

Three major priority classes of service are provided by the central computing facility: Regular, Deferred, and Slack-time. Regular priority is for that work which has a definite requirement for fast turnaround. Deferred priority is assigned to that work which can be held temporarily in abeyance until regular work has been completed. Slack-time priority is assigned to that work which may be held in abeyance until regular and deferred jobs have been completed. A user can select the appropriate priority for the running of a job.

Deferred computing has lower charges and slower turnaround times. The purpose of the deferred and slack-time priorities is to gain a better balance in scheduling and thus improve efficiency of operation. More time can be made available to users, and more users may be able to utilize computing services.

An upper limit exists to the amount of work that can be processed in a work day or in any twenty-four hour period. Thus, establishing orderly priorities of the work totality, even when the volume is below saturation level, is desirable. Subsequently, then, when a saturation volume is reached, those persons in charge of determining what will and what will not be processed will have a functioning method for analysis and evaluation of both existing and new projects.

The chancellor of an academic sector is charged with the responsibility for accomplishing priority assignments within that sector.

E. Computing Outside the University

1. Participation in Networks

More and more information and data processing networks are appearing, some regional and some national in scope. These may serve fields, disciplines, topics, major areas, and various combinations of units. The University will undoubtedly find participation in some of these networks advantageous, and units are encouraged to use such services when appropriate and when the needs of the University are best met.

The same procedures cover the acquisition of these services as apply to the procurement of other data processing services or equipment.

2. Inter-Institutional Cooperation

By having a strong computing facility and the accompanying resources for project and program development, the University is in a position to serve certain state-wide and inter-institutional needs for computing in higher education when called upon to do so. The intention of the University is to work cooperatively with agencies and institutions in planning such services and to provide these whenever possible.

F. Use of University Facilities by External Agencies

Except for University of Kentucky students, faculty, and staff, the use of University of Kentucky computing facilities is generally limited to federal, state, county, and municipal agencies of government, non-profit research organizations, and other educational institutions. In special cases, when other facilities are not readily available and when the service does not interfere with University work, or when high potential educational or research value to the University of Kentucky exists, an organization not included in the above may be eligible to purchase computing services from the University. Such requests should be made in writing and addressed to the Associate Vice President-Director.

III. Procedures

A. Academic Computing Procedures

1. Requests for Academic Computing Equipment

Requests for computing equipment for instructional, research, or public service purposes should be in the form of proposals. Such a proposal must contain a statement of academic need and, if the equipment is for instructional use, the proposal must state the numbers and classifications of students affected.

2. Review of Academic Computing Acquisition Requests

While the primary responsibility for the decision to acquire a system rests with the units affected, such decisions should be coordinated through the Associate Vice President-Director as part of the Associate Vice President-Director's University-wide planning function. The Associate Vice President-Director should be involved at an early stage of planning so that the acquisition can be reviewed in relation to overall institutional goals and the following criteria be considered in a timely manner:

The acquisition must be economically defensible. That is, a cost-benefit analysis must be made and evidence given to show that the cost of the system will be offset by at least equal educational benefits. It must also contain an analysis of alternative methods of achieving the same ends, such as use of the central computer or use of purchased services.

The effect of data communications between the proposed system and the central computing facility must be assessed. The assessment will be made in terms of the impact of the proposed

system on the resources of the central computing facility. The decision whether or not to acquire the communication software and hardware should be based on the results of that assessment.

The justification for installation of the proposed equipment must be made in accordance with the requirements of state agencies given the power of review of such requests and the requirements of KRS 45.76017. (Currently systems are reviewed for procurement by both the Council on Higher Education and the Secretary of Finance of the Commonwealth of Kentucky.)

3. Purchasing Requirements

Refer to the section entitled "Acquisition of Equipment, Software, and Services."

B. Administrative Computing Procedures

1. Project Request Procedures

As institutional units perceive the need for new or expanded administrative computing systems, they should prepare requests and forward them through the appropriate local organization and their chancellor to the Associate Vice President-Director. The Associate Vice President-Director will classify the project as an A, B, or C project.

If the project is an A or B project, the Associate Vice President-Director will analyze the proposal with respect to the following criteria:

General reasonableness of objectives;

Estimated cost of the project;

Extent of problems the requested project would help solve;

Conformity of request to overall institutional goals;

Conformity of request to institutional and governmental regulations;

Position of request within University priority structure;

Availability of financial and personnel resources; and

Advantages of requested system over system to be replaced (if any).

If the request is acceptable according to these criteria, the Associate Vice President-Director will reach agreement with the chancellor on priority and general schedule. A further classification will be made as to whether the project is major or minor in terms of resources required for

implementation. It will then be scheduled for implementation. The request will then be processed in accordance with the operational procedures given in the sections entitled "Major Projects" and "Minor Projects."

If the project is found to be a Class C project, the Associate Vice President-Director will specify the University-wide management information needed from the project, if any, and, in cases in which there is such information provided by the project, give overall standards to be followed during implementation.

2. Major Projects

Major projects are those which are estimated by the Associate Vice President-Director to require greater than three months elapsed development time or to cost more than $5,000 counting all resource usage including software acquisition, computer time, programmer time, and the time of other systems personnel.

a. General System Proposal

The Associate Vice President-Director will prepare a general system proposal which will include the following:

A functional specification of a system designed to meet the user's requirements, which specifies objectives of that system, expected growth of the system, and limits to that growth;

A plan for implementation of the system, which will include hardware requirements (if applicable) and a timetable;

A cost estimate for system implementation, including the costs of design, conversion, hardware, software, programming, operating, and maintenance; and

A comparison of costs of the proposed system with the costs of the current operating method and alternative systems or methods.

b. Study for Make-or-Buy Decision

Often it is unclear at the time of initial approval of a project for implementation whether it would be to the best advantage to the University to develop the software in house, purchase already developed software, or contract externally for its development. As a general principle, where acceptable commercial software is available to do a given project, procuring it is preferable to developing the software internally. In consultation with the requesting unit and the Computing Center analysts, the Associate Vice President-Director will use the following criteria in determining whether to purchase or develop software for an approved project:

Estimated cost of purchased software versus cost of internal development of software;

Experience, stability, and past performance of commercial vendors' software in comparable institutions;

Time required to install commercial software versus time to develop software in-house in terms of institutional priorities;

Conformance of commercial software to University language requirements, hardware compatibility, and programming standards; and

Cost of modifications needed to adapt commercial software to University environment, i.e., operating system conversion and interfaces with existing systems.

Based on the consideration of these criteria, the Associate Vice President-Director will produce a report recommending a course of action and submit it with the system proposal to the Vice President for Administration, who will notify the appropriate chancellor of the decision.

c. Internal Development Process

If the decision is to implement all or parts of the project internally, the chancellor for the affected sector or the appropriate officer within Central Administration will appoint a project manager who will have the responsibility and authority to coordinate the installation of the system in accordance with the following procedure.

(1) System Analysis and Design

The project manager, with advice from the Computing Center and the Associate Vice President-Director, will create a detailed, task-oriented plan for project implementation, conversion, and parallel operations (if needed) with an appropriate timetable. This timetable will serve as the basis for the Associate Vice President-Director to monitor progress in implementation. In this process these parties will have the following responsibilities under the direction of the project manager:

(a) Tasks for the User

Definition of User Requirements: The user will define in detail the unit's requirements for the system, including data input, desired output, reports, and reporting frequency.

Data Gathering: The user will assemble the data elements and source documents needed for system design.

(b) Tasks for the Computing Center

System Analysis: Based on the approved system proposal and the information obtained as the result of the user tasks, the Computing Center will analyze the data flow of the system, system inputs and outputs, file structure, and needed controls.

System Design: The Computing Center will design a system which will achieve the requirements of the user and the objectives of the system proposal.

System Design Document: The Computing Center will prepare a system design document, a specification for actual implementation and future maintenance of the system. It will include a description of the system, its inputs and outputs, its files, and all other components.

(2) System Review

The Associate Vice President-Director will review the plan prepared by the project manager and consult with user management before giving approval for the project to proceed to the programming stage. The Associate Vice President-Director may also at this time request changes involving the addition of data needed for central administration decision-making and changes in data output format. Subsequent changes to the plan will require the approval of the Associate Vice President-Director. Such approval will be given only in exceptional circumstances. Throughout the project the Associate Vice President-Director will monitor the progress.

(3) Programming

In coordination with the project manager, the Computing Center has the responsibility for definition of program requirements, the actual coding, validation that the programs written meet specifications, and program documentation.

(a) Program Definition

Programmers/analysts will design programs to meet the requirements of the system as designed.

(b) Coding

Programmers/analysts will code the programs in an approved computer language.

(c) Testing

Programmers/analysts will test programs to detect any errors. Two levels of testing will take place.

Program and Production Testing: Programmers/analysts will ensure that programs work in accordance with program specifications. Test data will be created to simulate program conditions. Live production data in a parallel or test mode will be used where possible to simulate actual operational conditions.

Acceptance Testing: Upon satisfactory completion of program and production tests, an acceptance test will be conducted by programmers/analysts using data supplied by the user. Its purpose is to validate not only the programs but also input and output procedures and

system controls. At the successful end of the acceptance test, the project manager will certify in writing to the Associate Vice President-Director that the system meets the specifications of the system proposal.

(4) Documentation

Programmers/analysts will prepare documentation according to Computing Center standards to indicate the purpose and detail operations of each of the programs and instruct the Computing Center Data Coordination section in the sequence and controls to be used in running them. The documentation also provides the programmers/analysts who will be maintaining the system with information about its logic and operating conditions.

(5) Installation

The Computing Center has the responsibility for installation of the new system. Where conversion from a previous system is required, Computing Center programmers/analysts working with user personnel will carry out the actual conversion, making certain that data integrity is maintained. In cases where parallel operation is indicated, Computing Center personnel will operate the new system until system acceptance.

(6) Post-Installation Management Audit

The Associate Vice President-Director will, using the system proposal as a guideline, determine whether the system is accomplishing the objectives for which it was designed by reviewing the operations of the system and any new procedures the users have implemented. In this process the Associate Vice President-Director will determine the effect of the system on machine time, evaluate whether the implementation schedule was met, and prepare a report of the results of the review for the Computing Center and institutional and user management.

d. Purchased Software Implementation Process

The chancellor of the affected sector or the appropriate officer within Central Administration will appoint a project manager who will have responsibility and authority for coordinating the installation of the purchased software. The project manager will work with the vendor's representatives and Computing Center personnel in the installation process.

In some cases the installation of purchased software is part of a major system development project. In those cases the installation of the purchased software will be assumed under that development effort under the procedures detailed in the section entitled "Internal Development Process."

Where the installation is not part of a major development effort, requests for minor incidental programming effort needed in the installation should be directed to the Associate Vice President-Director for approval, priority, and scheduling.

3. Minor Projects

Programming requests and all other systems requests not defined as major projects will be reviewed by the Associate Vice President-Director for acceptability, assignment, and priority.

4. Non-Central Systems Request Procedure

Recent developments in data processing technology have created powerful processors and large capacity data storage in small packages and at relatively low costs. It is the intention of the University to take advantage of those developments in appropriate circumstances.

This section applies only after administrative system proposals have been classified and approved under the provisions of the section entitled "Project Request Procedure." Such approved proposals may have specifically requested hardware or by their nature may have suggested a possible need for additional computing equipment. Approval of an administrative project for implementation does not automatically ensure that suggested hardware will be acquired. The purpose in this section is to set forth the conditions under which such equipment should be procured, the review criteria, and the procedures for procurement.

a. Conditions Under Which Non-Central Systems Will Be Considered

Hardware for non-central computing will be installed when individuals responsible for departmental, division, college, sector, and University-wide administration have determined that there is an economic justification for so doing, and that resources necessary to acquire and maintain the hardware are available for both the initial and long-term obligations of the system. Ordinarily, this means that these systems will be supported from unit budgets.

b. Review Criteria

While the primary responsibility for the decision to acquire a system rests with the units affected, such decisions should be coordinated through the Associate Vice President-Director as part of the Associate Vice President-Director's University-wide planning function. The Associate Vice President-Director should be involved at an early stage of planning so that the acquisition can be considered in relation to overall institutional goals and the following criteria be considered in a timely manner:

> The acquisition must be economically defensible; that is, a cost-benefit analysis must be made and evidence given to show that the cost of the system will be offset by at least equal benefits in terms of savings in personnel costs, increased services, or other applicable measures. It must also contain an analysis of alternative methods of achieving the same ends, such as use of the central computer or use of purchased services.

The system chosen must be capable of data communication in some form with the central computing facility so that information for University-wide decision-making may be taken from it if needed. An assessment will be made of the impact of the proposed system on the resources of the central computing facility. The decision whether or not to acquire the communication capability will be based on the results of that assessment.

The justification for installation of the proposed equipment must be made in accordance with the requirements of state agencies given the power of review of such requests and in accordance with KRS 45.760. (Currently systems are reviewed for procurement by both the Council on Higher Education and the Department of Finance of the Commonwealth of Kentucky.)

c. Procedure for Request of Non-Central Systems

The initiating unit is responsible for proposing the acquisition of any non-central system for administrative data processing either as part of the application proposal or subsequently.

Proposals to install non-central systems must be endorsed by deans, directors, and chancellors responsible for the unit(s) involved. Such proposals must contain the following information:

Institutional unit requesting system;

Name of system and vendor (if known);

Purchase and/or rental costs of the system;

Recurring obligations implied by acquisition of the system;

Statement of the maximum configuration of the system (i.e., a statement of all improvements to the system that may be proposed over the five-year period);

A discussion of the benefits of the system and the needs of the department in light of the costs to be incurred;

A review of alternatives to the proposed system, including such comparisons among competing vendors as may be appropriate; and

A technical description of the proposed system.

A chancellor who approves a proposal for an administrative system will forward the proposal to the Associate Vice President-Director for review. The following criteria will be used in such a review:

The proposed system should meet generally accepted standards of quality in administrative data processing. The vendor should have established a reputation that will ensure reasonable support and maintenance.

The proposed system should be capable of communication with the University's central computing facility if there is a possibility that University-wide administration might need access to data in the system for either management or operational purposes.

The proposed system should have a clearly defined maximum configuration beyond which it will not be expanded except upon review in keeping with these policies and procedures.

The proposed system should be permitted to have an impact upon the University-wide computing resources only to the extent contemplated by conscious decisions made at every level.

The proposed system should be consistent with policies and conventions of state agencies responsible for reviewing data processing proposals.

The Associate Vice President-Director will review all proposals based on the criteria listed above. The Associate Vice President-Director also will evaluate the relative costs and benefits of each system and the extent to which alternative solutions have been explored and make a report of the finding to the officers who have endorsed the system and to the Vice President for Administration.

C. Word Processing Request Procedure

Units with justifiable needs may acquire word processing equipment from any vendor whose equipment has been listed on the University's Approved Word Processing Equipment list. A preferred vendor will be indicated on this list. It will generally be to the benefit of the requestor to choose equipment from the preferred vendor. A preferred vendor is one who has demonstrated models, lines, features, or software especially adapted or useful to University needs and who has entered into special price and service contracts with the University. Information concerning vendors and contracts can be obtained from the Administrator of University Administrative and Management Information Systems, the Associate Vice President-Director, or the Director of Purchasing.

Requests for word processing equipment not included on the Approved Word Processing Equipment list will be handled in the following way. The requestor will be asked to advise the vendor of the equipment of the University's policy concerning communications and minimum word processing features. If the vendor wishes to demonstrate those capabilities, the vendor can do so under the provisions specified in the section entitled "Procedure for Inclusion in Approved Word Processing Equipment List." If the vendor cannot or will not comply with these provisions, the requestor will be advised to select another vendor.

The Approved Word Processing Equipment list will be maintained by the Administrator of University Administrative and Management Information Systems. The list will be frequently updated. The Associate Vice President-Director and the Director of Purchasing will have the most current copy of the list at all times. Inquiries about the list should be directed to them or to the Administrator of University Administrative and Management Information Systems.

1. Software

Word processing software may be leased or purchased for existing or new equipment not acquired primarily for word processing use. Justification for such acquisitions must be made in the same way as for any other software acquisition.

2. Procedure for Inclusion on Approved Word Processing Equipment List

To be included on the Approved Word Processing Equipment list, a vendor's equipment must have demonstrated communications capability to the University's central computers by means of the 3270 protocol. A standard test, administered by University Computing Center personnel and observed by the Administrator of University Administrative and Management Information Systems, will be performed on each model of equipment that the vendor wishes to include on the Approved Word Processing Equipment list. The software or hardware that the vendor uses to demonstrate the capability must be standard issue, not specially developed for the purpose of the test.

In addition, each vendor must demonstrate a minimum standard word processing capability. A document itemizing the provisions of this standard is available on request from the Administrator of University Administrative and Management Information Systems. Each model of equipment on the list, its word processing software, and its 3270 communications hardware and software must be covered under Commonwealth of Kentucky Price Contract or under a special price contract with the University of Kentucky.

While it is not a requirement for inclusion on the Approved Word Processing Equipment list, vendors will be considered more favorably if their equipment also supports some data processing capability using such standard languages as BASIC, FORTRAN, or COBOL.

3. Justification and Routing

Any educational or administrative unit wishing to acquire word processing equipment will submit to its chancellor a proposal containing the following information:

Unit name;

Date of proposal;

Description of need for word processing equipment, including volume of present activity, volume of planned activity, and type of activity (e.g., manuscript typing, power input, power output, etc.);

Configuration of proposed system, including number of terminals, number of printers and location, and special considerations; and

Account number under which equipment will be acquired.

Type of application, volume of activity, and frequency of use are the main criteria. Highest priority will be given to requests from units with a constant high volume of effort in current or planned word processing. Number and location of terminals and printers are also important concerns.

Upon approval and signature by the appropriate sector chancellor, the proposal will be forwarded to the Associate Vice President-Director for final review and evaluation.

D. Acquisition of Equipment, Software, and Services

This section applies to all acquisitions of computing hardware, software, and services not covered specifically by preceding sections. In addition, it covers the approval routing required for such acquisitions and the state-level requirements for certain types of purchases.

1. Prior Authorization and Appropriation of Funds for Certain Equipment Purchases

In accordance with Commonwealth of Kentucky law as set forth in KRS 45.760, all purchases of computing systems with a price of $50,000 or more can be acquired only if a description of the equipment and its approximate price appears in the appropriation bill for the current biennium and in the University of Kentucky biennial budget.

The implication is that large scale computing equipment acquisitions using state funds must be planned well in advance of the acquisition and included in the biennial budget request. Equipment meeting the definition but not appearing in the appropriation bill cannot be acquired during the current biennium.

2. Internal Procedure

a. Equipment

In accordance with the specific provisions indicated in other sections of this document, justifications, proposals, and requisitions for the purchase, rental, lease, or donation of data processing equipment are to be prepared by the intended user unit(s) and forwarded to the appropriate dean or other administrator for consideration and action. If approved by the dean or other administrator, the proposal moves to the appropriate chancellor. The recommendation of the chancellor will be forwarded directly to the Associate Vice President-Director for final review and evaluation.

All applicable procedures at the state level for the procurement of data processing equipment set forth by the Council on Higher Education and the Commonwealth of Kentucky Department of Finance must be followed.

b. Software

Any programs which are to be written by an outside source or which need substantial conversion to run on University equipment are to be considered under the section entitled "Procurement of Computing Services."

The procedure for proposal and approval of pre-coded data processing software is the same as that outlined in the section entitled "Acquisition of Data Processing Equipment."

c. Services

There may be instances in which the University or a University unit finds particular advantage in purchasing computing services from an agency, business, or institution external to the University. In such instances, the intended user(s) can make a request to the department chairman, dean, or other administrator following the established procedures for purchase, lease, rental, or other means of acquiring the service.

The request should give the justifications usually expected, such as the advantage of the service over available or currently used service, the conditions of the purchase, and the source of funding.

d. Routing and Signing of Requests

All requests for acquisition or lease/rental renewal, including advice-of-change notices to existing purchase orders, must be made on a standard requisition and be signed by the requestor, the dean or director, the appropriate chancellor, and the Associate Vice President-Director. The Purchasing Division will not process any request that does not have these signatures.

3. External Procedure

The Purchasing Division will keep current on all state-level purchasing and approval routing requirements and advise requestors of those requirements.

IV. Planning and Reporting of Computing Activities

A. Computing and Computer Use Plan

A plan for computing and use of computers is to be employed for guidance and decision-making purposes in the University. This plan is to cover a minimum of two years, preferably more. The proposed uses of computing in the major functions are to be projected, and the requirements, including support, for priority levels of usage are to be included.

The plan is to be updated and revised at least biennially. In order that the revisions are soundly based, the needs, requests, and justifications for computing services in the performance of basic functions are reviewed by the appropriate chancellor with the proposing units of the University.

In addition, an inventory is maintained of computing and data processing equipment and the general capabilities and utilization of that equipment. Computer-related personnel and expenditures throughout the University are factors which are also included.

In this manner, requests and current usage can be reviewed in terms of capabilities of existing resources and then, when indicated, in terms of needed additional capacity and resources.

The responsibility for the periodic development of this University-wide plan is lodged with the Vice President for Administration.

B. Computing Allocations

Each chancellor should budget whatever funds are deemed necessary for computing activities. All use of the central Computing Center will be billed to the chancellor, the educational or administrative unit, or to grant accounts in accordance with the dictates of the chancellor or the unit.

The primary responsibility for the management of computing and data processing expenditures resides with the individual user and the user's unit. Computing charges incurred by an individual are the responsibility of that unit. Consequently, an over-expenditure of the authorized budgeted funding is an obligation of the unit. Although a unit is expected to treat its computing resources the same as other unit funding, the Computing Center will also provide monthly utilization reports.

C. Annual Report

An annual report on computing facilities, computing systems, and computing and data processing personnel throughout the institution is to be made to the President by the Vice President for Administration. Sector reports will be supplied by the chancellor of each sector to the Vice President for Administration by August of each year. This report should include: information on the type, capability, location, and utilization of computing facilities and computing systems and the number, location, and general assignment of computing and data processing personnel.

The report should outline all new systems and programs developed since the last report, any hardware or staff additions, and any plans for new hardware, software, or staffing. The report should also provide data on the utilization of the equipment during the previous 12-month period, the users of the equipment, and the costs involved.

APPENDIX A

GLOSSARY OF TERMS

The terms defined below appear frequently throughout the text of this document.

Non-central systems

Hardware installed in non-Computing Center sites under the administrative control of the institutional unit concerned, regardless of whether the equipment is functionally attached or capable of communicating with the central computer.

Distributed processing

A data processing environment in which data files important to all users in the environment are kept centrally accessible and may be used in whole or in part by all users, while in separate remote locations specialized functions are performed on appropriate hardware connected to the central location. The maintenance of the integrity of these major files is a central responsibility. Each remote location has a degree of autonomy concerning functions not related to central file maintenance.

Hardware

Also referred to as "data processing equipment," "computing equipment," and "data processing devices," and applies to physical devices used in electronic data processing. It includes processors, memory, magnetic storage devices and media, associated printing devices, communication equipment, terminals, and other input and output devices, such as plotters, card readers, or optical character readers whose use is associated with a data processing system. For the purpose of this policies and procedures statement, no distinction is made among "microcomputers," "minicomputers," "distributed processing equipment," or "data entry equipment" as long as the function of the equipment is for data processing. Desk-top calculators and electronic test equipment are specifically excluded from this policy.

Software

Data processing software includes any pre-coded computer programs or program packages which can be used immediately or with a minimum of conversion on data processing equipment owned, leased, or rented by the University.

Word processing

The production, storage, revision, and printing of text by the use of electronic equipment and media.

Word processing equipment

Any electronic devices, attendant software, and machinery for the input and output of text which may be edited and stored in a computer processor with on- or off-line memory capacity of more than four typewritten pages. This definition includes magnetic card and cassette storage automatic typewriters as well as stand-alone and shared-logic word processing systems. It also includes input devices designed to create magnetic media files for input to printing devices. This definition does not include standard office typewriters, such as the IBM Selectric, nor does it include limited memory typewriters, such as the IBM Electronic Models 50 and 60.

APPENDIX B

MAJOR ADMINISTRATIVE (CLASS A AND B) SYSTEMS

At present, there is no Class A administrative system. The following systems are classed as B systems. A brief description of each is given along with the name of the organization responsible for the operation and maintenance of the system.

Class B Systems

Student Records

The student records data base is a collection of computer files that contains information concerning present, past, and possible future students. At this time, separate files are maintained by two large academic units. The University Registrar keeps student records for the Lexington campus, Ft. Knox, the Northern Kentucky Graduate Center, the Evening Program, and the Off-Campus Program. The Community College System keeps records for the community colleges and their extended programs. Additionally, the Colleges of Medicine and Dentistry keep separate detailed records for their students due to the special nature of scheduling requirements for those colleges.

Personnel (Including Payroll)

The personnel data base is a comprehensive collection of files concerning the employment, compensation, benefits, characteristics, and termination of all University employees. It is maintained by the Controller's Division.

Physical Facilities

The physical facilities data base is comprised of two computer files which contain information about each building and each room owned or controlled by the University. It has detailed information concerning the control, condition, age, value, occupancy, and present use of all usable building space. It is maintained by the Controller's Division.

Financial Records (Including Budget and Equipment Inventory)

The financial records data base is a collection of files which contains information about all income, expenditure, and budgeting records for all University funds. It is maintained by the Controller's Division.

University Programs (Not Yet Implemented)

The University programs data base will be a system containing information about all University academic, research, public service, and support programs.

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BUDGETARY POLICIES AND PROCEDURES

I. Budgetary Policies

A. Budgetary Authority

All budgetary matters follow the general organizational structure of the University with the Board of Trustees having the ultimate and exclusive authority for the approval of all budgets. All funds within the general fund, hospital fund, auxiliary fund, and restricted fund groups are subject to this policy and may be expended only for the approved programs and objectives of the respective fund groups. No revenue shall be expended except upon the establishment of an expenditure authorization approved by the Board of Trustees. The exception to this policy is the authorization of expenditures from accounts created as a result of a contract or grant agreement between the University and an outside agency. The Board of Trustees has delegated the authority to approve such agreements and authorize expenditures to the President (Minutes of the Meeting of the Board of Trustees of the University of Kentucky, August 24, 1979, PR 7). The President must report to the Board of Trustees at its next regular meeting following the authorization of such expenditures.

B. Organizational Responsibilities

1. The Vice President for Management and Budget is responsible for the development and implementation of University-wide budget policies and procedures, for the development and submission of the University's budget requests and Strategic Plan, and for the evaluation of the effectiveness of budget implementation and achievement of program objectives. The Vice President for Management and Budget coordinates the submission and justification of the annual operating budget to the Board of Trustees and of the Biennial Budget Request and Strategic Plan to the Board of Trustees, the Council on Postsecondary Education, and the executive and legislative branches of state government.

2. The responsibility rests with the respective chancellors/vice presidents for the management of their funds, (including contingencies); however, budget authority may be delegated to the deans, directors and president of a community college. Although a chancellor/vice president may delegate authority for specific fund management, the ultimate responsibility remains that of the chancellor/vice president.

3. The chancellors/vice presidents are responsible for the following in their respective areas:

a. To develop and recommend plans for the effective use of resources available to them;

b. To manage the programs within allocated resources including the management of contract and grant overruns and cost-sharing (less than full cost recovery);

c. To operate within approved budget allocations;

d. To allocate funds consistent with approved plans;

e. To ensure that expenditures are consistent with established objectives;

f. To realize estimated revenue or to adjust expenditures in order not to exceed revenue available;

g. To maintain the integrity of revenue and expenditures by fund group (including provisions to ensure that revenue generated by activities in a given fund group is deposited to that same fund group);

h. To ensure that nonrecurring funds in addition to those approved in the budget process are not used for recurring purposes without approval of the President; and

i. To ensure conformity with state and University rules and regulations applicable to the expenditure of funds generally and for purchasing and payment of funds specifically.

C. General Budget and Policy Statement

1. The University shall distribute resources in a manner that supports the achievement of objectives and priorities established during the planning process.

2. The budget is used to establish policies, allocate resources, foster accountability, and translate plans into action. These plans include, but are not limited to, the Strategic Plan, the Information Resources Plan, and the Capital Plan.

3. Recurring expenditures are to be supported by recurring revenue; therefore, all continuing costs such as maintenance of facilities and equipment and purchase of library books and equipment should be included in the operating budget on a recurring basis. Nonrecurring plans which are approved must have recurring costs identified and adequate recurring financial support ensured. Exceptions to this policy must be reported to, and approved by, the President and must include a plan to bring exceptions into compliance with this policy.

D. Biennial Budget Requests

1. Biennial budget requests will be based on the objectives of the programs for which units are responsible, must set forth the means to be employed in pursuing those

objectives, and must describe criteria to be applied in evaluating progress toward objectives. The biennial budget requests will contain alternatives for various levels of operations (i.e., continuation, improvement, expansion, and new).

2. Biennial budget requests will be related to specific program objectives, with a dollar value assigned to the achievement of such specific program objectives. The basic budgetary policy places emphasis on programs and the justification for the support of those programs, rather than on an incremental resource allocation. Programs proposed for consideration during the annual operating budget process will be consistent with priorities included in the biennial budget request, and the respective chancellors/vice presidents will provide explanation and justification for any deviation from those priorities.

E. Budget Allocations and Uses

1. Funds will be allocated based upon specific objectives agreed upon for a given fiscal year. Funds will be allocated to chancellors/vice presidents in a lump sum without regard to the specific expenditure categories (personal services, current expenses, and capital). However, policies formulated from time to time and provisions herein may affect the use of funds within the total allocation.

2. Annual budgetary allocations shall be based on program and resource agreements reached with respect to the biennial budget requests, but will be influenced by changes in the University's request as submitted and effected by the Council on Postsecondary Education, executive branch of state government, and state legislature. Although assumptions and priorities may change as a result of Cabinet discussions of the operating budget, actual allocations will relate to specific alternatives set forth in original agreements. The chancellors/vice presidents have discretion in the allocation of funds in accordance with the policies set forth in this document.

3. A contingency fund will be budgeted annually by the President.

4. Capital budgets will be submitted as part of the annual operating budget process using expenditure categories identified in the definitions section of this document.

5. Following the submission of capital plans, including a priority listing, and approval by the President, funds shall be moved to the plant fund for approved projects by Fund Transfer Requests signed and transmitted by the respective chancellors/vice presidents. Transfer authority rests with the chancellor/vice president if funds are provided by sources available to that area, and with the President if funds are provided from central sources. Appropriate supporting material should be referenced in or accompany the Fund Transfer Request.

6. Physical facilities projects of over $200,000 in scope, and others funded by central sources, shall not be reduced or increased without the President's approval.

a. Chancellors/vice presidents shall be responsible for covering overdrafts, regardless of the initial funding source.

b. Balances remaining after plant fund accounts are closed shall be lapsed to the respective chancellor/vice president clearing accounts or to the central clearing account, depending upon the original funding source.

c. The chancellors/vice presidents shall have the option of reallocating balances to other approved projects or equipment items, or transferring the balances back to the renovation reserve for redistribution within the plant fund. If the balances are to be used for physical facilities projects or equipment which have not been approved by the President, the chancellor/vice president will submit a proposed revision to their fund balance plan.

7. Balances remaining from physical plant job projects under $100,000 that were originally funded from restricted accounts shall be lapsed to the appropriate sources.

8. The assignment of funds into expenditure accounts and categories of expenditure is the responsibility of each chancellor/vice presidential area. After approval by the President, the breakdown by account and expenditure category is the basis for the University's operating budget which must be submitted to the Board of Trustees for approval. Individual salaries will be determined according to guidelines approved by the President. Each chancellor/vice president is responsible for submission of necessary documents to implement the July 1 payroll for each year according to procedures set forth by the Controller and Treasurer. Each chancellor/vice president is responsible for ensuring that the annual salary authorizations submitted to the Payroll Department are the same as those specifically approved for each individual within the salary guidelines established by the President.

9. Expenditures charged to a particular account must be for the accomplishment of those objectives of the program named in that account. Expenditures will not be reduced by utilization of revenue or for any other reason except correction of an error or in the case of a refund which occurs during the fiscal year in which the expenditure occurred. Expenditure of funds from nonrecurring sources must be limited to nonrecurring purposes unless prior approval by the President has been received. Expenditure of funds within a given fiscal year must be for services rendered during that fiscal year.

F. Revenue Generation

Funds allocated in the annual operating budget to each chancellor/vice president will be based on estimates of revenue by source including recharges (recharges represent expenditures of one unit in support of activities of another unit, assuming both units are included in the University operating budget.) These revenue levels will be established after detailed analysis by the President's staff and are included in approved chancellor/vice president revenue

budgets. Any changes during the year in the planned revenue amounts will require submission of a revised plan of expenditures to the President which sets forth the actions proposed to deal with the revenue changes.

G. Budget Changes

Any change in the established priorities or any requested reallocation of funds which involves an alteration in priorities must be approved in the same manner as those originally established. Any request involving additional dollars, the redistribution of funds, or the establishment of additional expenditure authority must include a statement of the program implication. Requests submitted by a chancellor/vice president should be in the context of the change or modification which would occur in the total operations of that unit.

Budgetary changes fall into one of the following two categories:

1. Fund Transfer - The redistribution of funds made available to a chancellor/vice president requires a fund transfer (form shown in Appendix A). Authority for processing said transfers will reside with the respective chancellors/vice presidents. The Office of Institutional Planning, Budgeting and Effectiveness will receive a copy of each budget transfer.

2. Budget Revisions - A request for increased (or decreased) expenditure authority based on increased (decreased) revenue and/or increased (decreased) support from other units of the University (recharges) requires a budget revision. Requests which involve budgeting of increases (decreases) in revenue are evaluated in view of program needs and the changes in circumstances since the original budgeting of revenue. The vehicle for such actions is the Budget Revision Request (form shown in Appendix B).

H. Budget Savings

1. Salary savings, either actual or potential, are those funds which have accrued, or will accrue, in a given budgeted position as a result of:

a. A position being vacant for a period of time;

b. A portion of the salary of an incumbent being transferred to another fund source; or

c. A position being filled at less than the budgeted salary amount.

2. Current expense savings are those which result from underexpenditure in a particular expense category.

3. Chancellors/vice presidents are responsible for the management of budget savings within their respective areas. Savings which are nonrecurring in nature should be used only for nonrecurring purposes. Savings must be used in a manner consistent with established plans and program objectives.

I. Fund Balances

The responsibility for projecting and managing fund balances generated within a chancellor/vice presidential area rests with the respective chancellor or vice president. After approval of the University's audited financial report, a determination is made by the Office of Institutional Planning, Budgeting and Effectiveness of the balances attributable to overrealization of revenue and underexpenditures within a chancellor/vice presidential area during the year reported. Variances from budgeted amounts require the submission of proposed revisions to plans.

J. Budget Evaluation

Budget evaluation is the assessment of the achievement of established goals and objectives for which funds have been made available. Budget evaluation will be conducted by the Office of Institutional Planning, Budgeting and Effectiveness in concert with the chancellor/vice presidential areas in terms of the following:

1. Effective implementation of approved plans; and

2. Accomplishment of the agreed-upon program objectives, activity indicators, and outcome indicators; and adherence to the University budget policies.

II. Procedures

A. Revenue Estimates

As part of the annual budget cycle, revenue and recharge estimates will be projected for all revenue producing units. These revenue estimates must be realistic and reviewed carefully. Information is required regarding amounts and types of support from other units within the University (recharges).

B. Budget Calendar

The budget calendar for a complete cycle reflects the earliest possible dates for internal decisions, recognizing the external actions of such agencies as the Council on Postsecondary Education and the executive and legislative branches of state government. The budget cycle covers a two-year period during which the biennial budget request and two annual operating budgets are developed, approved, implemented, and evaluated.

C. Budget Calls

The call for budget requests within the University originates in the Office of the President and is directed to the chancellors and vice presidents. Budget requests will be of two types:

1. Biennial budget requests are prepared in the winter and spring of each odd-numbered year and are the basis for the integrated budget request which the University of Kentucky submits to the Council on Postsecondary Education and the executive and legislative branches of state government. The call for each biennial budget request is incorporated into the University's planning cycle; and

2. Operating budget requests are prepared each year and serve as the basis for preparation of the internal operating budget. These requests are prepared in the context of the approved biennial budget request. The call is issued at a time which takes into consideration the convenience of all units involved; however, it is based on actions of the Council on Postsecondary Education and the executive and legislative branches of state government.

D. Budget Transfer

The procedures for processing a budget transfer are as follows:

1. The form will be prepared with all pertinent information as illustrated in Appendix A;

2. The form will bear the recommendations of the appropriate dean, director, or president of a community college and the chancellor/vice president or chancellor's/vice president's designee. For transfers between chancellor or vice presidential areas, the signature authority should reside with the chancellor/vice president requesting a reduction of expenditure authority;

3. The form will be forwarded from the chancellor/vice president to the Office of the Controller and Treasurer for implementation if funds are available; and

4. The form will be returned to the chancellor/vice president from the Office of the Controller and Treasurer and to the initiating unit from the chancellor/vice president, bearing an approval or a notification of the insufficiency of funds.

E. Budget Revision

The procedures for processing a budget revision are as follows:

1. The form will be prepared with all pertinent information as illustrated in Appendix B;

2. The form should bear the recommendations of the dean, director, or president of a community college and the chancellor/vice president or the chancellor/vice president's designee;

3. The form should be forwarded to the Office of Institutional Planning, Budgeting and Effectiveness for action by the President;

4. Notification will be sent to the initiating unit of action taken on the request; and, if favorable, the date on which the Board of Trustees will be asked to consider the revision also will be indicated;

5. The revision, if approved, will be included in the budget revision recommendations to be submitted to and acted upon by the Board of Trustees; and

6. If approved, the form will be forwarded to the Office of the Controller and Treasurer for implementation, and notification of action by the Board of Trustees will be sent to the appropriate chancellor/vice president.

F. Budget Implementation

The Office of Institutional Planning, Budgeting and Effectiveness will be responsible for the implementation of the annual operating budget, as approved by the Board of Trustees, into the University's accounting system.

G. Capital Outlay and Equipment Procedures

The University's annual operating budget process shall include the development and submission of an annual capital budget for capital allocations. This budget shall be prepared within guidelines established by the Vice President for Management and Budget.

III. Definitions

A. Fund Groups

The budget policies of the University and the annual operating budget of the University cover the major fund groups set forth below:

1. General Fund - Expenditures are supported by revenue from state appropriations, student fees, sales and services, fund balances, and those gifts and grants,

2. Hospital Fund - Expenditures are supported by income from hospital operations and state appropriations.

3. Auxiliary Funds - Expenditures are supported by income from the respective components of auxiliary operations, including the housing and dining system.

4. Restricted Funds - Expenditures are supported by income restricted for a specific purpose by a person or an agency external to the University.

5. Affiliated Corporation Funds - Expenditures associated with a corporate entity which is not a public agency and which is organized pursuant to the provisions of KRS Chapter 273 over which an institution exercises effective control, by means of appointments to its board of directors, and which could not exist or effectively operate in the absence of substantial assistance from an institution.

B. Capital Budgets

1. Physical Facilities

a. Capital construction and major renovation projects are those projects with a scope of $200,000 or more which (1) have approval in the current biennium by the legislature for state appropriations, debt service, or agency funding; or (2) are of an emergency nature or (3) are funded from private or federal sources. These projects require prior approval by the Board of Trustees, Council on Postsecondary Education, and the legislature.

b. Other renovation projects are those projects with a scope of less than $200,000 and are included in the capital budget as pooled projects within defined categories.

2. Equipment

a. Major equipment items are those with a scope of $100,000 (as of July 1994) or more which have legislative approval in the current biennium or are funded from private or federal sources.

b. Other equipment items are those with a scope of less than $100,000 which are included in the capital budget as pooled equipment items within defined categories.

4. Restricted Funds - Expenditures are supported by income restricted for a specific purpose by a person or an agency external to the University.

B. Capital Budgets

1. Physical Facilities

a. Capital construction and major renovation projects are those projects with a scope of $200,000 or more which (1) have approval in the current biennium by the legislature for state appropriations, debt service, or agency funding; or (2) projects of emergency nature or funded from private or federal sources. These projects require prior approval by the Board of Trustees, Council on Higher Education, and the legislature.

b. Other renovation projects are those with a scope of less than $200,000 but more than $75,000 which are included in the sectors' capital budgets.

2. Equipment

a. Major equipment items are those with a scope of $50,000 or more which have legislative approval in the current biennium or are funded from private or federal sources.

b. Other equipment items are those with a scope of less than $50,000 but more than $10,000 which are included in the sectors' capital budgets.

Appendix A

FUND TRANSFER REQUEST

Accounting Use Only
BCR ☐ BCN ☐
DATE _____

PREPARATION DATE _____

EFFECTIVE DATE _____

INSTRUCTIONS FOR PREPARATION

1. COMPLETE ALL INFORMATION REQUESTED.
2. MUST BE APPROVED AT COLLEGE DEAN/PRESIDENT AND CHANCELLOR LEVELS
3. KEEP GOLDENROD COPY. FORWARD ALL OTHER COPIES TO CHANCELLOR'S OFFICE

UNIT INFORMATION

	FROM	TO
CHANCELLOR		
COLLEGE/DIVISION		
DEPARTMENT		

ACCOUNT INFORMATION

Amount	From Account Number 43/1 – 80/2						To Account Number 43/2 – 80/2					
	FUND	FU	DEPT	PROJECT	OBJ	LINE	FUND	FU	DEPT	PROJECT	OBJ	LINE
$												

RECURRING ☐ NONRECURRING ☐

EXPLANATION

REASON FOR REQUESTED TRANSFER: _____

SIGNATURES

College Dean/President

Chancellor

80-1

Copy to Unit Preparing Request

Appendix B

Accounting Use Only

BRN ☐ BRR ☐

BUDGET REVISION REQUEST

To: Budget Office

_____ (Date)

From: _____

The requested expenditure adjustment(s) shown below are based on revised income estimates for:

_____ Account Title

INCOME

Income Account Number & Major/Minor Code	Current	Revised	Amount-Change
_____	$_____	$_____	$_____

EXPENDITURE

Account Number _____

Object Codes	Current	Revised	Amount Change
_____	$_____	$_____	$_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

_____ College Dean/President

_____ Vice President/ Chancellor

Explanation:

_____

_____

_____

_____

FOR BUDGET OFFICE USE ONLY

To: _____

The above request will be submitted to the Board of Trustees at their meeting on

_____

_____ Budget Director

To Controller:

The above request was approved by the Board of Trustees on _____ and is transmitted to you for implementation.

_____ Budget Director

The "Annualized Amount" blank may be utilized when it is necessary for a recurring transfer which is less in amount than the annual requirement.

However, as a general proposition, a recurring transfer should carry the total annual amount regardless of the date of transfer. The Annualized Amount blank should not be utilized where the Fund Transfer Request is wholly non-recurring.

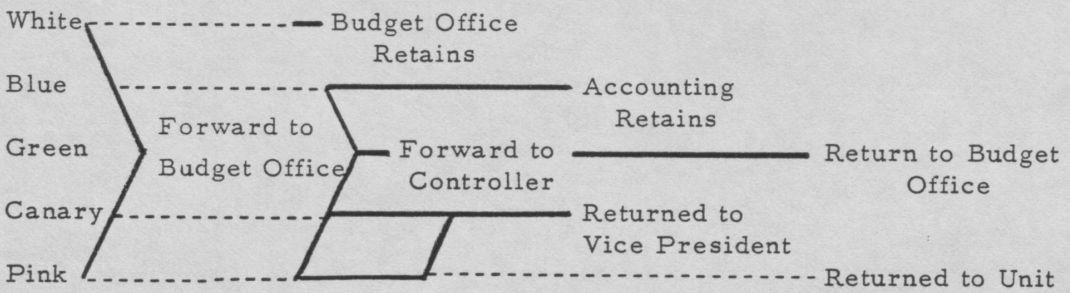
5. Explanation

This section requires the reasons or rationale for the transfer, although it need not be lengthy, it should be complete.

6. Signatures

Authorized signatures must be obtained in order for the Fund Transfer Request to be processed. The first signature block should be signed by the appropriate Dean (in the case of a College) or Director of the division involved. Units will notice that there is no space provided for authorization at an organizational level lower than Dean or Director. After this signature is obtained, the Request should be forwarded to the appropriate Vice President for his approval and signature, and finally forwarded to the Budget Office. The signatures required are ordinarily those of the losing unit or the unit from which funds are being transferred.

The preparing unit should retain the goldenrod copy of the request and forward all other copies through the organizational channels so that all other copies reach the Budget Office.



Goldenrod - Retain at Preparation

Appendix B

A. Form for Budget Revision Request

A copy of this form is shown on the next page.

Accounting Use Only
Nº
BRN ☐ BRR ☐

BUDGET REVISION REQUEST

To: Budget Office _____ (date)

From: _____

The requested expenditure adjustment(s) shown below are based on revised income estimates as follows:

INCOME

Account Income Estimate	current	revised	amount change
_____ (income account number & major/minor code)	$_____	_____	_____
Total Unit Income Estimate	$_____	_____	_____

EXPENDITURE

Account Number _____

object codes	current	revised	amount change
_____	$_____	_____	_____
_____	$_____	_____	_____
_____	$_____	_____	_____
_____	$_____	_____	_____
_____	$_____	_____	_____

_____ Dean/Director _____ Vice President

FOR BUDGET OFFICE USE

To: _____ _____ (date)
From: Budget Office

The above request will be submitted to the Board of Trustees for approval at the meeting on _____

_____ Budget Director

To: Controller _____ (date)
From: Budget Office

The budget revision(s) as set forth above were approved by the Board of Trustees on _____, and are transmitted to you for implementation.

_____ Budget Director

BO-2

B. Instructions for Preparation of Budget Revision Request

1. Date

Enter the date on which the request is prepared.

2. From

Since the request is essentially a memorandum format, enter in this blank the name of the organizational unit at the college/division level preparing the request.

3. Income Section

In the space on the left under the words "Account Income Estimate" enter the specific income account for the dpeartment or unit involved. Include the major and minor codes which identify the source of the income item. (This information may be obtained by calling Billings and Collections or from the Cash Transmittal Letter if the income has already been deposited.)

On the first blank under the word "current" enter the latest authorized income estimate for the account named at the left. Under the word "revised" enter the total proposed new income estimate for the account named at the left. Enter in the last blank under the words "amount change" the difference between the amount shown under the "current" column and the amount shown under the "revised" column.

Information requested on the second line of the income section relates to the total income estimates for the organizational unit involved. Enter the latest authorized income estimates for the parent unit of the specific unit to which the income account belongs. Under the "current" column heading show the latest income estimate; under the "revised" column, the total proposed new income estimate, and under the "amount change" column, enter the amount obtained by subtracting the first column amount from the second column amount.

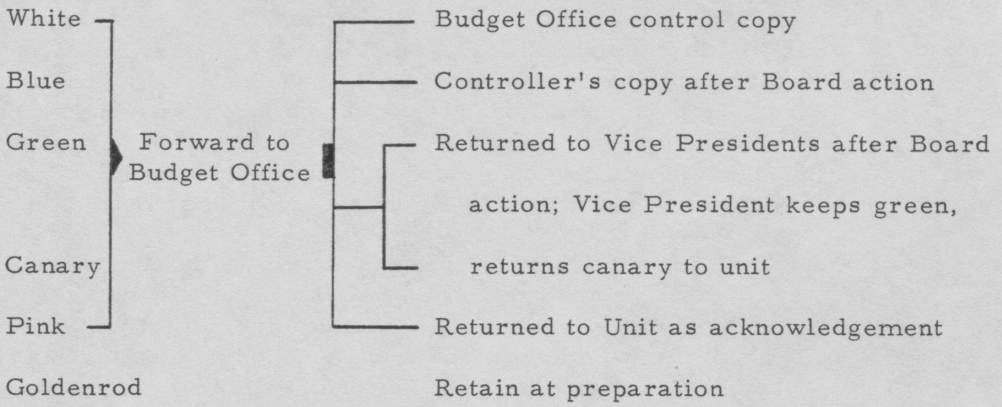
4. Expenditure Section

Enter the expenditure account number, the allocation for which is proposed to be revised. The five spaces below, under columns headed "object codes", "current", "revised", and "amount change" are furnished for the purpose of showing the proposed expenditure revisions by expenditure codes. (e.g. 107, 108...300, 302, 305...etc.) The total of the "amount change" column should be the same as the total of each "amount change" column in the income section above. Signatures required at the end of the expenditure section are the appropriate Dean, in the case of an academic unit, or Director in the case of other units; and the Vice President for that specific area.

Units are not required to furnish information below the shaded line containing the words "for budget office use." If units need additional space for further expenditure breakdowns, the use of another Budget Revision Request form is encouraged.

After all requested information has been supplied and appropriate signatures obtained, retain the last copy (goldenrod) and forward all other copies to the Budget Office. Upon receipt of the form, the Budget Office will fill in the information immediately below the shaded line and if approved for submission to the Board of Trustees will return the pink copy to the initiating unit. After favorable Board action, the canary and green copies will be returned to the appropriate Vice President, who will return the canary copy to the unit to complete its files.

Summary of Distributions of Copies



INSTITUTIONAL EFFECTIVENESS
POLICIES AND ORGANIZATIONAL RESPONSIBILITIES

The purpose of this Administrative Regulation is to set forth policies and organizational responsibilities for the institutional effectiveness program at the University of Kentucky.

I. General Responsibilities

A. The Vice President for Management and Budget is responsible for establishing a central institutional effectiveness function to work in a distributed mode with the chancellor/vice presidential areas. This function is assigned to the Office of Institutional Planning, Budgeting and Effectiveness.

B. Effectiveness and institutional research efforts for sector management and effectiveness needs will remain focused in the chancellor/vice presidential areas.

C. The Special Assistant for Academic Affairs is responsible for the coordination of academic program plans and program approvals across sectors and with external agencies.

D. The Vice President for Information Systems is responsible for the development of major administrative databases and the provision of programming and educational support for the effective use of those databases.

II. Organizational Responsibilities

A. Vice President for Management and Budget - Office of Institutional Planning, Budgeting, and Effectiveness will:

1. coordinate external reporting on students, faculty, finances, and staffing to the Council on Higher Education, other state government offices, and federal agencies as defined by the President. This includes all reports required by the Council on Higher Education reporting guidelines, federal IPEDS reports, EEO reports, SACS reports and other reports as assigned by the President.

2. provide executive decision support information to the President.

3. coordinate University-wide institutional effectiveness needs and efforts through the development of an annual institutional effectiveness plan subject to the review and approval of the President.

4. ensure the timely availability and integrity of data on human resources, finances, students, facilities, and programs to meet information needs for institutional decision-making.

5. work closely with the chancellor/vice presidential areas regarding availability of and access to institutional data for sector management and effectiveness needs.

6. coordinate the annual University response to the legislative accountability bill.

7. provide the President with an annual report on the status of progress of Strategic Plan strategic indicators and of Strategic Plan implementation.

8. evaluate, in concert with chancellor/vice presidential staff, the implementation and achievement of chancellor/vice presidential area goals, objectives, and priorities as established in the chancellor/vice presidential strategic plans.

9. establish the linkage of institutional effectiveness outcomes to the planning and budgeting processes by assessing chancellor/vice presidential plans for responsiveness to program review and effectiveness outcomes for the improvement of educational programs, services, and operations.

10. conduct University-wide institutional effectiveness activities as identified in the annual plan, in concert with chancellor/vice presidential areas.

11. serve as a repository for institutional effectiveness reports.

B. Academic Affairs - Special Assistant to the President will:

1. coordinate academic program plans and program approvals across sectors of the University and with external agencies.

2. review new program proposals on behalf of the President.

3. work with the chancellors and vice presidents or their designees in updating the schedules for Review of Educational Units and related degree programs in keeping with Administrative Regulation II - 1.0.-6.

4. review the executive summary of reports of periodic reviews submitted to the President in keeping with Administrative Regulation II-1.0-6.

5. coordinate the schedule of Reviews of Existing Programs and work with the chancellors and vice presidents or their designees in implementing the procedures delineated by the Council on Higher Education for these reviews.

6. serve as a repository for program reviews after presidential review and response.

7. maintain an updated inventory of degree programs and accredited degree programs.

C. Chancellors/Vice Presidents will:

1. identify and appropriately staff an institutional effectiveness function.

2. conduct institutional research and institutional effectiveness efforts to meet sector management and effectiveness needs.

3. conduct reviews and evaluations of educational and support programs and units.

4. monitor, evaluate, and provide the President with an annual report on the implementation and achievement of chancellor/vice presidential area goals and objectives as established in the chancellor/vice presidential strategic plans and annual plans, to include an assessment of progress toward meeting the strategic indicators.

5. assist the Office of Institutional Planning, Budgeting and Effectiveness in the development of the annual institutional effectiveness plan subject to the review and approval of the President.

6. conduct institutional effectiveness activities as defined in the annual institutional effectiveness plans.

7. work with the Office of Institutional Planning, Budgeting and Effectiveness regarding availability of, access to, and integrity of institutional data for institutional and sector management and effectiveness needs.

8. provide support to the Office of Institutional Planning, Budgeting and Effectiveness in developing the annual University response to the legislative accountability bill.

D. Vice President for Information Systems will:

1. develop major administrative databases as assigned by the President and which support institutional effectiveness needs.

2. develop, in concert with the administrative database custodial officers and institutional effectiveness offices, appropriate access policies, census file creation, and educational assistance for each administrative database.

3. provide appropriate programming support to meet institutional effectiveness needs.

UNIVERSITY OF KENTUCKY RETIREMENT PLAN
(APPROVED BY THE BOARD OF TRUSTEES)

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UNIVERSITY OF KENTUCKY RETIREMENT PLAN
(APPROVED BY THE BOARD OF TRUSTEES)

I. Introduction

The policies governing the University of Kentucky Retirement Plan are set forth in this administrative regulation. The University of Kentucky Board of Trustees has authorized three retirement plan carriers, effective July 1, 1988, to be utilized by University of Kentucky employees: Teachers Insurance and Annuity Association/College Retirement Equities Fund (TIAA/CREF); Fidelity Institutional Services Company (Fidelity Investments); and Twentieth Century Investors, Inc. (Twentieth Century). It is the Board's intention that University employees be given a wide range of investment options during the years in which contributions are being made on the employees' behalf as well as a wide range of withdrawal options at the time of retirement. The term "retirement plan carrier", as used throughout this administrative regulation, includes all three retirement plan carriers that have been authorized by the Board of Trustees.

The policies governing insurance benefits for University retirees are a part of the Staff Personnel Policy and Procedure Administrative Regulations and are found in Numbers 91, 93, and 94. Information on these insurance programs is not included in this Administrative Regulation.

II. Retirement Groups and Plans

A. Group I Personnel and Plan

1. Group I Personnel

Eligibility of personnel for classification in Group I is conditioned upon: (a) regular full-time employment, (b) employment in a faculty position or a position otherwise specifically approved for Group I by the President, and (c) occupation of a position not covered by the United States Civil Service Retirement Plan or the Federal Employees Retirement System.

2. Group I Plan - Participation Requirements

Participation of Group I personnel employed prior to July 1, 1964, is as follows:

a. Voluntary for employees who had attained age 56 prior to July 1, 1964, and for employees who have completed one year of continuous service but have not

attained age 30.

b. Mandatory for employees who had completed one year of continuous service and attained age 30 but not age 56 as of July 1, 1964.

c. Mandatory upon the completion of one year of continuous service and attainment of age 30 for all other such employees.

Participation of Group I personnel employed on or after July 1, 1964, is voluntary upon completion of one year of continuous service for those employees who have not attained age 30 and mandatory upon the completion of one year of continuous service and the attainment of age 30.

An employee who enrolls under the voluntary provisions of this policy shall make an irrevocable, one-time salary reduction agreement when entering the plan; that employee may not withdraw from the University's retirement plan as long as that employee remains eligible for plan participation.

The preliminary service period shall be waived, upon request, for employees with tenure or for employees who own retirement contracts issued by one or more of the authorized retirement plan carriers.

3. Group I Plan - Contributions and Vesting

Notwithstanding any provision to the contrary contained herein, all Group I personnel who have satisfied the age and service requirements for mandatory participation shall be required to contribute on a salary reduction (pre-tax) basis all contributions which are required to be made by the participant according to the applicable contributions schedule contained herein; provided, however, that this provision shall not apply to any participant who prior to December 22, 1986, was making contributions on a salary deduction (after-tax) basis.

Contributions toward retirement benefits for participating Group I personnel shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

By the Participant	By the Institution	Total
5%	10%	15%

Beginning July 1, 1996, the University shall withhold the contribution of the participant from regular salary payments, add its contribution, and remit the combined sum to the retirement plan carrier(s) selected by the participant for the purchase of retirement benefits.

In addition to other applicable limitations stated in the plan, and notwithstanding any other provisions of the University's retirement regulations to the contrary, for plan years beginning on or after January 1, 1996, the annual compensation of each employee taken into account under the plan shall not exceed the Omnibus Budget Reconciliation Act of 1993 (OBRA '93) annual maximum includable compensation limit. The OBRA '93 annual limit is $150,000, as adjusted by the Commissioner of the Internal Revenue Service for increases in the cost of living in accordance with section 401(a)(17)(B) of the Internal Revenue Code. The cost-of-living adjustment in effect for a calendar year applies to any period, beginning in such calendar year over which compensation is determined (determination period); this period may not exceed 12 months. If a determination period consists of fewer than 12 months, the OBRA '93 annual limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

For plan years beginning on or after January 1, 1996, any reference in this plan to the limitation under section 401(a)(17) of the Code shall mean the OBRA '93 annual maximum includable compensation limit stated in this provision. The University of Kentucky Retirement Plan Year is deemed to begin July 1 of a calendar year and end June 30 of the next calendar year.

If compensation for any prior determination period is taken into account in determining an employee's benefits accruing in the current plan year, the compensation for that prior determination period is subject to the OBRA '93 annual limit in effect for that prior determination period. For this purpose, the OBRA '93 annual limit is $150,000 for the first day of the first plan year beginning on or after January 1, 1996.

Notwithstanding the above, employees who became participants in the University's retirement plan before the first day of the plan year beginning on or after January 1, 1996, will not be subject to this annual limit.

a. The participant will direct the portion of the combined retirement contribution that is to be remitted to each carrier, if two or more carriers are selected. The participant also must advise each retirement plan carrier of which investment options have been chosen and, if two or more options are selected with a single carrier, of the part of the retirement contribution that is to be allocated to each option.

b. A participant may change the ratio of allocating funds among retirement plan carriers and/or change options by completing the appropriate paper work. Changes in allocating contributions among the plan options is accomplished by the participant directly with the retirement plan carrier.

In addition to contributions based on basic annual salary, contributions also shall be applied on compensation paid to faculty members for service during an interim between regular assignment periods, provided the faculty members are employed full-time by the University for at least one full month of continuous service in the interim, on a basis other than a fee schedule, without reduction in rate of earned salary per month as described in AR II-1.3-2. An interim between regular assignment periods for a faculty member on a regular nine-month, ten-month, or eleven-month assignment basis is defined in AR II-1.1-7.

Retirement benefits purchased with the combined employee and University contributions shall become the property of individual participants immediately upon purchase. All benefits are for the sole purpose of providing retirement and/or death benefits.

If by applying the above-stated percentages there would be a violation of federal or state laws, as a result of the employer and/or employee contributions, then these percentages shall not be applied to the extent of violating applicable laws. In such cases, the amount of the employer contribution that cannot be forwarded to a retirement plan carrier shall be paid to the employee as a temporary salary increase for the balance of the calendar year.

4. Group I Plan - Termination of Contributions

Contributions on behalf of Group I personnel in the Retirement Plan through December 31, 1987, shall terminate at the end of the fiscal year in which the employee attains age 65 or upon the earliest occurrence of any one or more of the following.

a. Cessation of regular full-time employment

b. Retirement

Beginning January 1, 1988, retirement plan contributions on behalf of Group I personnel shall terminate upon retirement or cessation of regular full-time employment.

B. Group II Personnel and Plan

1. Group II Personnel

Eligibility of personnel for classification in Group II is conditioned upon: (a) regular full-time employment with the University or, upon approval of the Board of Trustees, with an agency for which the University serves as fiscal and payroll agent, (b) employment in a position classified as technical and scientific staff, office and clerical staff, or service and maintenance staff, and (c) occupation of a position not covered by the United States Civil Service Retirement Plan.

2. Group II Plan - Participation Requirements

Participation of Group II personnel employed prior to July 1, 1971, is as follows:

a. Voluntary for employees who had attained age 56 before July 1, 1971, and for employees who have completed one year of continuous service but have not attained age 30.

b. Mandatory for employees who had completed one year of continuous service and attained age 30 but not age 56 as of July 1, 1971.

c. Mandatory upon the completion of one year of continuous service and the attainment of age 30 for all other such employees.

Participation of Group II personnel employed on or after July 1, 1971, is voluntary upon the completion of one year of continuous service for those employees who have not attained age 30 and mandatory upon the completion of one year of continuous service and the attainment of age 30.

An employee who enrolls under the voluntary provisions of this policy shall make an irrevocable, one-time salary reduction agreement when entering the plan; that employee may not withdraw from the University's retirement plan as long as that employee remains eligible for plan participation.

The preliminary service period shall be waived, upon request, for employees who own retirement contracts issued by one or more of the authorized retirement plan carriers.

3. Group II Plan - Contributions and Vesting

Notwithstanding any provision to the contrary contained herein, all Group II personnel who have satisfied the age and service requirements for mandatory

participation shall be required to contribute on a salary reduction (pre-tax) basis all contributions which are required to be made by the participant according to the applicable contributions schedule contained herein; provided, however, that this provision shall not apply to any participant who prior to December 22, 1986, was making contributions on a salary deduction (after-tax) basis.

Contributions to the retirement plan shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

For the Fiscal Year	By the Participant	By the University	Total
1971-72	0.5%	1.0%	1.5%
1972-73	1.2	2.0	3.2
1973-74	1.9	3.0	4.9
1974-75	2.6	4.0	6.6
1975-76	3.3	5.0	8.3
1976-77	4.0	6.0	10.0
1977-78	4.0	6.5	10.5
1978-79	4.0	7.0	11.0
1979-80	4.0	7.5	11.5
1980-6/30/91	4.0	8.0	12.0
1991-93	4.25	8.5	12.75
1993-94	4.5	9.0	13.5
1994-95	4.625	9.25	13.875
1995-96	4.75	9.5	14.25
1996-97	4.875	9.75	14.625

Beginning July 1, 1996, the University shall withhold the contribution of the participant from regular wage payments, add its contribution, and remit the combined sum to the retirement plan carrier(s) selected by the participant for the purchase of retirement benefits.

In addition to other applicable limitations stated in the plan, and notwithstanding any other provisions of the University's retirement regulations to the contrary, for plan years beginning on or after January 1, 1996, the annual compensation of each employee taken into account under the plan shall not exceed the Omnibus Budget Reconciliation Act of 1993 (OBRA '93) annual maximum includable compensation limit. The OBRA '93 annual limit is $150,000, as adjusted by the Commissioner of the Internal Revenue Service for increases in the cost of living in accordance with section 401(a)(17)(B) of the Internal Revenue Code. The cost-

of-living adjustment in effect for a calendar year applies to any period, beginning in such calendar year over which compensation is determined (determination period); this period may not exceed 12 months. If a determination period consists of fewer than 12 months, the OBRA '93 annual limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

For plan years beginning on or after January 1, 1996, any reference in the plan to the limitation under section 401(a)(17) of the Code shall mean the OBRA '93 annual maximum compensation includable limit stated in this provision. The University of Kentucky Retirement Plan Year is deemed to begin July 1 of a calendar year and end June 30 of the next calendar year.

If compensation for any prior determination period is taken into account in determining an employee's benefits accruing in the current plan year, the compensation for that prior determination period is subject to the OBRA '93 annual limit in effect for that prior determination period. For this purpose, the OBRA '93 annual limit is $150,000 for the first day of the first plan year beginning on or after January 1, 1996.

Notwithstanding the above, employees who became participants in the University's retirement plan before the first day of the plan year beginning on or after January 1, 1996, will not be subject to this annual limit.

a. The participant will direct the portion of the combined retirement contribution that is to be remitted to each carrier, if two or more carriers are selected. The participant also must advise each retirement plan carrier of which investment options have been chosen and, if two or more options are selected with a single carrier, of the part of the retirement contribution that is to be allocated to each option.

b. A participant may change the ratio of allocating funds among retirement plan carriers and/or change options by completing the appropriate paper work. Changes in allocating contributions among the plan options is accomplished by the participant directly with the retirement plan carrier.

Each retirement contract issued in accordance with the foregoing is for the sole purpose of providing retirement and/or death benefits.

Retirement benefits purchased by University contributions shall become the property of individual participants as follows:

c. If the participant was employed prior to July 1, 1971: upon the

completion of five years of continuous University service. Only years of continuous service immediately prior to July 1, 1971, are to be included in this computation.

d. If the participant was employed on or after July 1, 1971: upon the completion of five years of continuous participation in this plan or on July 1, 1988, whichever event occurs first.

If by applying the above-stated percentages there would be a violation of federal or state laws, as a result of the employer and/or employee contributions, then these percentages shall not be applied to the extent of violating applicable laws. In such cases, the amount of the employer contribution that cannot be forwarded to a retirement plan carrier shall be paid to the employee as a temporary salary increase for the balance of the calendar year.

4. Group II Plan - Termination of Contributions

Contributions on behalf of Group II personnel in the Retirement Plan through December 31, 1987, shall terminate at the end of the fiscal year in which the employee attains age 65 or upon the earliest occurrence of any one or more of the following:

a. Cessation of regular full-time employment

b. Retirement

Beginning January 1, 1988, retirement plan contributions on behalf of Group II personnel shall terminate upon retirement or cessation of regular full-time employment.

C. Group III Personnel and Plan

1. Group III Personnel

Eligibility of personnel for classification in Group III is conditioned upon: (a) regular full-time employment with the University or, upon approval of the Board of Trustees, with an agency for which the University serves as fiscal and payroll agent, (b) employment in a position classified as administrative staff, managerial specialist staff, or professional staff, (c) occupation of a position not covered by the United States Civil Service Retirement Plan or the Federal Employees Retirement System; and (d) approval by the President or his delegate.

2. Group III Plan - Participation Requirements

Participation of Group III personnel employed prior to July 1, 1972, is as follows:

a. Voluntary for employees who had attained age 56 before July 1, 1972, and for employees who have completed one year of continuous service but have not attained age 30.

b. Mandatory for employees who had completed one year of continuous service and attained age 30 but not age 56 as of July 1, 1972.

c. Mandatory upon the completion of one year of continuous service and attainment of age 30 for all other such employees.

Participation of Group III personnel employed on or after July 1, 1972, is voluntary upon the completion of one year of continuous service for those employees who have not attained age 30 and mandatory upon the completion of one year of continuous service and the attainment of age 30.

An employee who enrolls under the voluntary provisions of this policy shall make an irrevocable, one-time salary reduction agreement when entering the plan; that employee may not withdraw from the University's retirement plan as long as that employee remains eligible for plan participation.

The preliminary service period shall be waived, upon request, for employees who own retirement contracts issued by one or more of the authorized retirement plan carriers.

3. Group III Plan - Contributions and Vesting

Notwithstanding any provision to the contrary contained herein, all Group III personnel who have satisfied the age and service requirements for mandatory participation shall be required to contribute on a salary reduction (pre-tax) basis all contributions which are required to be made by the participant according to the applicable contributions schedule contained herein; provided, however, that this provision shall not apply to any participant who prior to December 22, 1986, was making contributions on a salary deduction (after-tax) basis.

Contributions to the retirement plan shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

For the Fiscal Year	By the Participant	By the University	Total
1972-73	1.0%	2.0%	3.0%
1973-74	2.0	4.0	6.0
1974-75	3.0	6.0	9.0
1975 through 6/30/91	4.0	8.0	12.0
1991-93	4.25	8.5	12.75
1993-94	4.5	9.0	13.5
1994-95	4.625	9.25	13.875
1995-96	4.75	9.5	14.25
1996-1997	4.875	9.75	14.625

Beginning July 1, 1996, the University shall withhold the contribution of the participant from regular salary payments, add its contribution, and remit the combined sum to the retirement plan carrier(s) selected by the participant for the purchase of retirement benefits.

In addition to other applicable limitations stated in the plan, and notwithstanding any other provisions of the University's retirement regulations to the contrary, for plan years beginning on or after January 1, 1996, the annual compensation of each employee taken into account under the plan shall not exceed the Omnibus Budget Reconciliation Act of 1993 (OBRA '93) annual maximum includable compensation limit. The OBRA '93 annual limit is $150,000, as adjusted by the Commissioner of the Internal Revenue Service for increases in the cost of living in accordance with section 401(a)(17)(B) of the Internal Revenue Code. The cost-of-living adjustment in effect for a calendar year applies to any period, beginning in such calendar year over which compensation is determined (determination period); this period may not exceed 12 months. If a determination period consists of fewer than 12 months, the OBRA '93 annual limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

For plan years beginning on or after January 1, 1996, any reference in the plan to the limitation under section 401(a)(17) of the Code shall mean the OBRA '93 annual maximum compensation includable limit stated in this provision. The University of Kentucky Retirement Plan Year is deemed to begin July 1 of a calendar year and end June 30 of the next calendar year.

If compensation for any prior determination period is taken into account in determining an employee's benefits accruing in the current plan year, the compensation for that prior determination period is subject to the OBRA '93 annual limit in effect for that prior

determination period. For this purpose, the OBRA '93 annual limit is $150,000 for the first day of the first plan year beginning on or after January 1, 1996.

Notwithstanding the above, employees who became participants in the University's retirement plan before the first day of the plan year beginning on or after January 1, 1996, will not be subject to this annual limit.

a. The participant will direct the portion of the combined retirement contribution that is to be remitted to each carrier, if two or more carriers are selected. The participant also must advise each retirement plan carrier of which investment options have been chosen and, if two or more options are selected with a single carrier, of the part of the retirement contribution that is to be allocated to each option.

b. A participant may change the ratio of allocating funds among retirement plan carriers and/or change options by completing the appropriate paper work. Changes in allocating contributions among the plan options is accomplished by the participant directly with the retirement plan carrier.

Each retirement contract issued in accordance with the foregoing is for the sole purpose of providing retirement and/or death benefits.

Retirement benefits purchased by University contributions shall become the property of individual participants as follows:

c. If the participant was employed prior to July 1, 1972: upon completion of three years of University service. Only years of continuous service immediately prior to July 1, 1972, are to be included in this computation.

d. If the participant was employed on or after July 1, 1972: upon completion of three years of participation in this plan or on July 1, 1988, whichever event occurs first.

If by applying the above-stated percentages there would be a violation of federal or state laws, as a result of the employer and/or employee contributions, then these percentages shall not be applied to the extent of violating applicable laws. In such cases, the amount of the employer contribution that cannot be forwarded to a retirement plan carrier shall be paid to the employee as a temporary salary increase for the balance of the calendar year.

4. Group III Plan - Termination of Contributions

Contributions on behalf of Group III personnel in the Retirement Plan through December 31, 1987, shall terminate at the end of the fiscal year in which the employee attains age 65 or upon the earliest occurrence of any one or more of the following:

a. Cessation of regular full-time employment

b. Retirement

Beginning January 1, 1988, retirement plan contributions on behalf of Group III personnel shall terminate upon retirement or cessation of regular full-time employment.

D. Group IV Personnel and Plan

1. Group IV Personnel

Eligibility of personnel for classification in Group IV is conditioned upon: (a) regular full-time employment, (b) occupation of a position covered by the United States Civil Service Retirement Plan, and (c) eligibility rights under the United States Civil Service Retirement Plan.

2. Group IV Plan - Participation Requirements

Participation of Group IV personnel employed on or after January 1, 1973, is voluntary upon the completion of one year of continuous service.

An employee who enrolls under the voluntary provisions of this policy shall make an irrevocable, one-time salary reduction agreement when entering the plan; that employee may not withdraw from the University's retirement plan as long as that employee remains eligible for plan participation.

The preliminary service period shall be waived, upon request, for employees with tenure or for employees who own retirement contracts issued by one or more of the authorized retirement plan carriers.

3. Group IV Plan - Contributions and Vesting

Contributions to the retirement plan shall be made in accordance with the

following schedule for the period of January 1, 1973, through June 30, 1987:

Contributions as a Percent of Basic Annual Salary

By the Participant	By the Institution	Total
1%	2%	3%

Beginning July 1, 1987, contributions to the retirement plan shall be increased as follows:

Contributions as a Percent of Basic Annual Salary

By the Participant	By the Institution	Total
4.0%	8.0%	12.0%
4.25%	8.5%	12.75%
4.5%	9.0%	13.5%
4.625%	9.25%	13.875%
4.75%	9.5%	14.25%
4.875%	9.75%	14.625%

Beginning July 1, 1996, the University shall withhold the contribution of the participant from regular salary payments, add its contribution, and remit the combined sum to the retirement plan carrier(s) selected by the participant for the purchase of retirement benefits.

In addition to other applicable limitations stated in the plan, and notwithstanding any other provisions of the University's retirement regulations to the contrary, for plan years beginning on or after January 1, 1996, the annual compensation of each employee taken into account under the plan shall not exceed the Omnibus Budget Reconciliation Act of 1993 (OBRA '93) annual maximum includable compensation limit. The OBRA '93 annual limit is $150,000, as adjusted by the Commissioner of the Internal Revenue Service for increases in the cost of living in accordance with section 401(a)(17)(B) of the Internal Revenue Code. The cost-of-living adjustment in effect for a calendar year applies to any period, beginning in such calendar year over which compensation is determined (determination period); this period may not exceed 12 months. If a determination period consists of fewer than 12 months, the OBRA '93 annual limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

For plan years beginning on or after January 1, 1996, any reference in the plan to the limitation under section 401(a)(17) of the Code shall mean the OBRA '93 annual maximum includable compensation limit stated in this provision. The University of Kentucky Retirement Plan Year is deemed to begin July 1 of a calendar year and end June 30 of the next calendar year.

If compensation for any prior determination period is taken into account in determining an employee's benefits accruing in the current plan year, the compensation for that prior determination period is subject to the OBRA '93 annual limit in effect for that prior determination period. For this purpose, the OBRA '93 annual limit is $150,000 for the first day of the first plan year beginning on or after January 1, 1996.

Notwithstanding the above, employees who became participants in the University's retirement plan before the first day of the plan year beginning on or after January 1, 1996, will not be subject to this annual limit.

a. The participant will direct the portion of the combined retirement contribution that is to be remitted to each carrier, if two or more carriers are selected. The participant also must advise each retirement plan carrier of which investment options have been chosen and, if two or more options are selected with a single carrier, of the part of the retirement contribution that is to be allocated to each option.

b. A participant may change the ratio of allocating funds among retirement plan carriers and/or change options by completing the appropriate paper work. Changes in allocating contributions among the plan options is accomplished by the participant directly with the retirement plan carrier.

Retirement benefits purchased with the combined employee and University contributions shall become the property of individual participants immediately upon purchase. All benefits are for the sole purpose of providing retirement and/or death benefits.

If by applying the above-stated percentages there would be a violation of federal or state laws, as a result of the employer and/or employee contributions, then these percentages shall not be applied to the extent of violating applicable laws. In such cases, the amount of the employer contribution that cannot be forwarded to a retirement plan carrier shall be paid to the employee as a temporary salary increase for the balance of the calendar year.

4. Group IV Plan - Termination of Contributions

Contributions on behalf of Group IV personnel in the Retirement Plan through December 31, 1987, shall terminate at the end of the fiscal year in which the employee

attains age 65 or upon the earliest occurrence of any one or more of the following:

a. Cessation of regular full-time employment

b. Retirement

Beginning January 1, 1988, retirement plan contributions on behalf of Group IV personnel shall terminate upon retirement or cessation of regular full-time employment.

E. Group V Personnel and Plan

1. Group V Personnel

Eligibility of personnel for classification in Group V is conditioned upon: (a) regular full-time employment; (b) occupation in a position covered by the Federal Employees Retirement System (FERS) Act; and (c) participation rights under the FERS retirement plan.

2. Group V Plan - Participation Requirements

Participation of Group V personnel hired on or after January 1, 1973, but no later than March 31, 1987 is voluntary upon completion of one year of continuous service.

An employee who enrolls under the voluntary provisions of this policy shall make an irrevocable, one-time salary reduction agreement when entering the plan; that employee may not withdraw from the University's retirement plan as long as that employee remains eligible for plan participation.

The preliminary service period shall be waived, upon request, for employees with tenure or for employees who own retirement contracts issued by one or more of the authorized retirement plan carriers.

3. Group V Plan - Contributions and Vesting

Contributions to the retirement plan shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

By the Participant	By the Institution	Total
1%	2%	3%

Beginning July 1, 1988, the University shall withhold the contribution of the participant from the regular salary payments, add its contribution, and remit the combined sum to the retirement plan carrier(s) selected by the participant for the purchase of retirement benefits.

In addition to other applicable limitations stated in the plan, and notwithstanding any other provisions of the University's retirement regulations to the contrary, for plan years beginning on or after January 1, 1996, the annual compensation of each employee taken into account under the plan shall not exceed the Omnibus Budget Reconciliation Act of 1993 (OBRA '93) annual maximum includable compensation limit. The OBRA '93 annual limit is $150,000, as adjusted by the Commissioner of the Internal Revenue Service for increases in the cost of living in accordance with section 401(a)(17)(B) of the Internal Revenue Code. The cost of living adjustment in effect for a calendar year applies to any period beginning in such calendar year over which compensation is determined (determination period); this period may not exceed 12 months. If a determination period consists of fewer than 12 months, the OBRA '93 annual limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12.

For plan years beginning on or after January 1, 1996, any reference in the plan to the limitation under section 401(a)(17) of the Code shall mean the OBRA '93 annual maximum includable compensation limit stated in this provision. The University of Kentucky Retirement Plan Year is deemed to begin July of a calendar year and end June 30 of the next calendar year.

If compensation for any prior determination period is taken into account is determining an employee's benefits accruing in the current plan year, the compensation for that prior determination period is subject to the OBRA '93 annual limit in effect for that prior determination period. For this purpose, the OBRA '93 annual limit is $150,000 for the first day of the first plan year beginning on or after January 1, 1996.

Notwithstanding the above, employees who became participants in the University's retirement plan before the first day of the plan year beginning on or after January 1, 1996, will not be subject to this annual limit.

a. The participant will direct the portion of the combined retirement contribution that is to be remitted to each carrier, if two or more carriers are selected. The participant also must advise each retirement plan carrier of which investment options have been chosen and, if two or more options are selected with a single carrier, of the part of the retirement contribution that is to be allocated to each option.

b. A participant may change the ratio of allocating funds among retirement plan carriers and/or change options by completing the appropriate paper work. Changes in allocating contributions among the plan options is accomplished by the participant directly with the retirement plan carrier.

Retirement benefits purchased with the combined employee and University contributions shall become the property of individual participants immediately upon purchase. All benefits are for the sole purpose of providing retirement and/or death benefits.

If by applying the above-stated percentages there would be a violation of federal or state laws, as a result of the employer and/or employee contributions, then these percentages shall not be applied to the extent of violating applicable laws. In such cases, the amount of the employer contribution that cannot be forwarded to a retirement plan carrier shall be paid to the employee as a temporary salary increase for the balance of the calendar year.

4. Group V Plan - Termination of Contributions

Contributions on behalf of Group V personnel in the Retirement Plan through December 31, 1987, shall terminate at the end of the fiscal year in which the employee attains age 65 or upon the earliest occurrence of any one or more of the following:

a. Cessation of regular full-time employment

b. Retirement

Beginning January 1, 1988, retirement plan contributions on behalf of Group V personnel shall terminate upon retirement or cessation of regular full-time employment.

F. President, Vice Presidents, and Chancellors

Annual contributions to the Retirement Plan shall be made on behalf of the President, each Vice President, and each Chancellor in an amount equal to the aggregate of employee and University contributions otherwise provided herein for Group I employees.

Provided, however, that nothing contained herein shall be construed to impair the retirement entitlement of any President or Vice President employed in that capacity as of September 18, 1979. The Chairperson of the Executive Committee of the Board of Trustees, on behalf of the Board, shall execute contracts with the individual officers providing for the age of retirement of the officers and the other details of the arrangement authorized by this Retirement Plan.

III. Retirement Dates

A. Retirement Prior to Age 65

Retirement prior to age 65 generally is considered as early retirement. Early retirement is authorized when the combination of the employee's age and years of regular full-time service (with a minimum of 15 years of continuous service at the time of retirement) equals or exceeds the number 75. Regular part-time service will be counted on a pro rata basis. Employees taking advantage of this early retirement must provide written notification through normal administrative channels to their appropriate chancellor or vice president at least three months in advance of the desired retirement date.

1. An employee who is taking early retirement and who is eligible for benefits as provided in Section IV.B shall be permitted to retire with entitlement to all University benefits except supplemental retirement income if applicable (as calculated under Section IV.B) at the time of retirement. Any supplemental retirement income is subject to the following conditions:

(a) Payment of supplemental retirement income shall not begin until the month in which the early retiree attains age 65;

(b) Service credit for supplemental retirement income shall not accrue after the person retires;

(c) The salary used to determine supplemental retirement income shall be the basic annual salary for the last year of active employment;

(d) An early retiree who elects to proceed under this option shall not receive supplemental retirement benefits which exceed 20% of the basic annual salary received during the last year of active employment plus 1% of such salary for each year of active service to the University.;

(e) The computation of supplemental retirement income will be based on the assumptions in Section IV.B.6, except that the value of the single life annuity option is to be

computed on the basis of the employee's age at the time early retirement commences; and

(f) Supplemental retirement benefits are not payable to survivors in the event the retiree dies prior to the attainment of age 65.

2. An employee who is taking early retirement but is not eligible for benefits as provided for in Section IV.B shall be permitted to retire with entitlement to all other University benefits.

B. Normal Retirement

The normal retirement date for all employees of the University of Kentucky employed on or after July 1, 1964, and those employed prior to that date who attain age 56 after June 30, 1964, is hereby established as the end of the University's fiscal year in which the employee attains age 65 or, upon administrative approval at least three months in advance, during the month in which the employee attains age 65.

C. Mandatory Retirement

1. General

With the exceptions described in Sections III.C.2, III.C.3, and III.C.4, no mandatory retirement date is applicable to employees of the University of Kentucky.

2. Executives

The mandatory retirement date, as an executive, for all employees of the University of Kentucky employed in bona fide executive or high policy making positions for two or more years prior to the attainment of age 65 and who are entitled to an immediate nonforfeitable annual retirement benefit from the University which equals or exceeds the amount per year specified by federal statute is hereby established as the end of the University's fiscal year in which the employee attains age 65.

3. Law Enforcement Officers

The mandatory retirement date for all law enforcement officers of the University of Kentucky shall be at the end of the University's fiscal year in which the employee attains age 70.

D. Disability Retirement

1. Prior to Normal Retirement Date

An employee with an extended period of service to the University may, at the discretion of the President, be permitted to retire prior to age 65, upon the employee's request if same is supported by a statement of a licensed physician certifying that the employee cannot engage in normal employment because of physical or mental disability. The benefit level in such a special case shall be related to the period of service and rate of compensation at retirement, and shall be conditioned upon continuance of the employee's total disability.

2. Subsequent to Normal Retirement Date

An employee who has elected to continue in employment beyond his or her normal retirement date, as established herein, may be required to retire in the event that the said employee's condition of health becomes such that it prevents the discharge of assigned duties and responsibilities.

3. In Conjunction with Long Term Disability Plan

An employee entitled to disability benefits after age 65 under the Long Term Disability Program, who qualifies for retirement and supplemental retirement income pursuant to this plan, will be eligible to retire and activate supplemental retirement income under the following conditions:

a. The amount of annual supplemental retirement income to be provided shall be determined according to the formula provided in Section IV.B.1;

b. University-sponsored disability plan benefits are to be deducted from supplemental retirement income; and

c. Supplemental retirement income will be adjusted at the time disability benefits cease according to the formula provided in Section IV.B.1.

IV. Retirement Benefits

A. Benefits Through Retirement Plan Carriers

Each participant is entitled, at retirement or upon electing participation in the Phased Retirement Program under AR II-1.6-2, to activate any or all retirement benefits that have been acquired under the University of Kentucky Retirement Plan in accordance with procedures

and rules established by the retirement plan carriers. In addition to lump sum or partial lump sum provisions, there will be both annuitized and nonannuitized methods of withdrawal. There may be variances in the retirement withdrawal options among the carriers. All retirement plan carriers do not offer the same withdrawal options.

B. Minimum Annual Retirement Benefit and University Supplemental Retirement Income

1. Group I Personnel

For each Group I employee (see II.A.1) who was age 40 or older prior to July 1, 1964, and who was employed by the University prior to July 1, 1964, and who retires pursuant to the provisions hereof, the University will provide an annual supplemental retirement income during the lifetime of the employee, where necessary, to assure a minimum annual retirement benefit. The minimum annual retirement benefit shall be the following percentage of the basic annual salary at the employee's retirement date (unless the employee is serving outside the country on a University project and, in which case, the salary to be used in the computation shall be the basic annual salary received at the University during the year immediately preceding such foreign service):

a. 20% plus 1% for each year of eligible service to the University

plus

b. For the employee who had attained age 56 prior to July 1, 1964, 1% for each full year by which retirement precedes the end of the fiscal year in which the employee's 70th birthday is attained.

or

For the employee who had attained age 51, but not age 56 prior to July 1, 1964, the following percentage:

Age	Percentage
51	1
52	2
53	3
54	4
55	5

In no event shall the applicable percentage exceed 20% plus 1% for each year of eligible service. Any service credit allowed for years of part-time employment shall be computed on an appropriate fractional basis.

Annual supplemental retirement income, if any, shall be determined according to the following equation or formula:

Fixed Annual Supplemental Retirement Benefit	=	Computed1 Minimum Annual Retirement Benefit	-	Computed2 Annual Retirement Benefit from the Funded Plan Accumulations

1Computed as explained above in this section

2Computed on the basis of assumptions in Section IV.B.6.a.

Under the conditions of this formula, an employee would receive supplemental retirement income only if the computed annual retirement benefit from the funded plan accumulations is less than the computed minimum annual retirement benefits to which the employee is entitled.

2. Group II Personnel

For each Group II employee (See II.B.1) who was employed prior to July 1, 1971, and who had attained age 40 as of that date and has at least 15 years of consecutive service as of the employee's retirement date the University will provide an annual supplemental retirement income during the lifetime of the employee where necessary to assure a minimum annual retirement benefit under the plan equal to 20% of the basic annual salary received by the participant at the retirement date plus 1% of that salary for each year of eligible service at the University. The amount of annual supplemental retirement income to be provided shall be determined according to the formula provided in IV.B.1.

Information regarding computation of the minimum annual retirement benefit and annual supplemental retirement income for the participant employed prior to July 1, 1964, and who has been continuously employed since that date, is provided in Section IV.B.1.

3. Group III Personnel

For each Group III employee (see II.C.1) who was employed prior to

July 1, 1972, and who had attained age 40 as of that date and has at least 15 years of consecutive service at the employee's retirement date the University will provide an annual supplemental retirement income during the lifetime of the employee, where necessary, to assure a minimum annual retirement benefit under the plan equal to 20% of the basic annual salary received by the participant at the retirement date plus 1% of that salary for each year of eligible service at the University. The amount of annual supplemental retirement income to be provided shall be determined according to the formula provided in IV.B.1.

Information regarding computation of the minimum annual retirement benefit and annual supplemental retirement income for the participant employed prior to July 1, 1964, and who had been continuously employed since that date, is provided in Section IV.B.1.

4. Group IV Personnel

For each Group IV employee (see II.D.1) who was employed by the University prior to January 1, 1973, and whose University employment includes periods of eligible service covered in part by the United States Civil Service Retirement Plan and in part by the Group IV Plan and/or by the older University unfunded plan, the University will provide an annual supplemental retirement income during the lifetime of the employee, where necessary, to assure a minimum annual retirement benefit equal to that which would have been received had all eligible service been exclusively under the University's unfunded retirement plan. The amount of supplemental retirement income, if any, to be provided shall be computed using the following equation or formula:

Fixed Annual Supplemental Retirement Income	=	Computed1 Minimum Annual Retirement Benefit	-	Computed2 Annual Benefit from the Funded Plan Accumulations	-	Computed3 Annual Benefit from Civil Service Retirement

1Computed as explained in Section IV.B.1.
2Computed on the basis of assumptions in Section IV.B.6.a.
3Computed on the basis of assumption in Section IV.B.6.b.

Under the conditions of this formula, an employee would receive supplemental retirement income only if the sum of the computed annual benefit from the Civil Service retirement plan plus the computed annual retirement benefit received from the funded plan accumulations is less than the computed minimum annual retirement benefit to which the employee is entitled.

If an employee eligible for Civil Service retirement benefits elects to retire at an age earlier than the normal University retirement age of 65, all retirement benefits will be calculated on the age attained at retirement rather than age 65. Any University supplemental retirement benefit due the employee will be deferred until the employee attains age 65.

The policy described herein applies to retirements which become effective on or after January 1, 1974. Employees whose service is in part with the University of Kentucky and in part with the U.S. Veterans Administration are not covered under the Group IV Plan.

5. Group V Personnel

Employees covered under the Group V plan do not have minimum annual retirement benefit rights.

6. Assumptions in Computation of Supplemental Retirement Income

In determining whether participation in the Civil Service and/or the funded retirement plan(s) has produced the minimum annual retirement benefit described in Sections IV.B.1 through IV.B.4, the following assumptions shall be used:

a. Assumptions Applicable to Calculation of Benefit from the Funded Plan

(1) That all retirement contributions, both from the employee and the University, were invested in a TIAA annuity contract (regardless of the percentages actually allocated to the authorized retirement plan carriers), and

(2) That the retiring employee elected the single life annuity option the value of which is computed on the basis of the employee's age at time of normal retirement (regardless of the option(s) actually elected).

b. Assumption Applicable to Calculation of Benefit from Civil Service

That the retiring employee elected the single life annuity option (regardless of the option(s) actually elected).

7. Periods of Service

As used in this retirement plan, "period of service" means the number of years of full-time employment plus credit allowed for part-time employment plus periods in an approved leave of absence status. Periods of service and eligible service shall be computed to the nearest half year.

The term "eligible service" means the number of years of full-time employment plus credit allowed for part-time employment plus periods in an approved leave of absence status plus periods in an approved disability status occurring prior to the retirement date. Eligible service also includes service that is derived from Staff Personnel Policy and Procedure regulations that govern utilization of temporary disability leave in conjunction with retirement under this Administrative Regulation.

Only years of continuous service immediately preceding retirement shall be counted in computing periods of eligible service, except where a leave of absence approved by the Board of Trustees or its Executive Committee is of record. When an approved leave is for employment other than by the University, and when the absence is in excess of one year, years of absence in excess of one shall not be counted in determining supplemental retirement income, except by specific agreement at the time the leave is taken or in exceptional instances upon recommendation of the President and approval of the Board of Trustees. The period during which an employee receives benefits under the University's Total Disability Program will be included in the total period of service factor used in the computation of benefits under the non-funded retirement program.

An employee who has had a break in continuous service with the University and, except for the required minimum of fifteen years of continuous service at retirement, otherwise qualifies for retirement benefits may count total service at the University in order to establish a minimum annual retirement benefit, provided total service is equal to at least fifteen years. In any event, the last re-employment date must have preceded the establishment of the funded retirement plan for the group of employees, in which the retiring employee is or was eligible to participate.

8. Retirement Age

The retirement age required under each of the various subsections of Section III may be modified by the provisions of Staff Personnel Policy and Procedure regulations that govern utilization of temporary disability leave in conjunction with retirement age.

C. Retirement Benefits Offset(s)

Any University employee who, at the time of retirement, is eligible for payments by the University under provisions of the unfunded retirement plan or under provisions for supplemental retirement income associated with the funded retirement plan, shall have any continuing benefits that are payable after retirement under the Workers' Compensation Laws or Unemployment Compensation Laws deducted from the University benefit payment. It is intended that the employee receive the total amount of the greatest single benefit but in no event receive any combination of benefits that will exceed the greatest single benefit.

Reduction in University benefit rates as a result of Workers' Compensation payments and/or Unemployment Compensation payments will be adjusted in the event that all or any portion of such payments are discontinued.

D. Benefits in Case of Death Before Retirement

In the event of a University employee's death prior to the commencement of retirement benefits, an income or lump-sum benefit will be paid by the retirement plan carrier to the participant's designated beneficiary or beneficiaries according to policy established by the carrier.

V. Survivorship Option

A. Employees eligible for supplemental retirement income pursuant to Section II.F. or IV.B. may elect a spouse survivor option as to such benefits.

B. The election may be filed at any time prior to the month in which the employee attains age 65, or thereafter at any time prior to retirement.

C. If the survivor option is elected supplemental retirement income will be reduced to an amount which is the actuarial equivalent (as determined by TIAA at the time of retirement) of a joint and two-thirds benefit to the surviving spouse payable for life.

D. Election of this option is revocable prior to the beginning of the month in which the employee attains age 65 unless, at an earlier date, benefits have been paid or accrued pursuant to said election. In all other cases the election is irrevocable.

E. Election of this option may not be exercised posthumously.

F. Survivor benefits pursuant to the provisions of this section are not payable, even though an election has been filed prior to retirement, unless the employee has (1) attained normal retirement age or (2) has been granted disability retirement pursuant to Section III.D.1.

VI. Contributions During Leave of Absence With Pay

During the participant's leave of absence with pay (whether full or partial salary), the University will continue contributions toward retirement benefits, as provided for in Section II, at the same percentage rate on the basic salary as was in effect during the participant's last monthly pay period prior to the leave of absence, if the participant elects to continue contributions in a like manner.

VII. Employment Beyond Retirement

Employees who have elected to retire from University service under any of the provisions hereof shall not be eligible for reemployment except to perform duties for which fee schedules have been approved or upon the specific prior action of the Board of Trustees granting approval of the appointment.

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PHASED RETIREMENT POLICY AND PROGRAM
(Approved by the Board of Trustees)

I. PURPOSE

The Phased Retirement Program is designed to provide an opportunity for eligible full-time tenured faculty members to make an orderly transition to retirement through part-time service. It is entirely voluntary and will be implemented by written agreement between faculty members and the University. The Program is ongoing but may be eliminated at any time by the University. The effective date of the Program is July 1, 1996.

II. ELIGIBILITY AND APPROVAL

A. The Phased Retirement Program is available to all full-time tenured faculty members who have completed fifteen (15) years of full-time faculty service at the University of Kentucky and who have reached the date of normal retirement as defined in AR II-1.6-1. Individuals who have already taken regular retirement are not eligible for phased retirement under this Program.

B. A decision to request or not request phased retirement appointments rests entirely with individual faculty members. A request for phased retirement by any faculty member who satisfies the eligibility requirements set out in subsection II-A must be made:

(1) during the period from July 1, 1996 to June 30, 1997 if such eligibility requirements are satisfied before July 1, 1996, or

(2) within one (1) calendar year after satisfying such eligibility requirements if such requirements are satisfied on July 1, 1996 or thereafter.

Phased retirement that is requested and approved must commence at the beginning of the first fiscal year following approval of the request.

C. The Phased Retirement Program does not create an absolute right of faculty members to a phased retirement. Phased retirement appointments must be requested by eligible faculty members but shall be granted only when such appointments are in the best interests of the University.

D. A faculty request for phased retirement shall be submitted to the department/division and college for initial endorsement, shall be reviewed and recommended by the appropriate chancellor, and is subject to final approval by the President. A request for phased retirement shall be submitted at least six (6) months before the date upon which such appointment would become effective, unless a later submission of such a request would be totally acceptable to the affected department and college.

III. TERMS AND CONDITIONS

A. Phased retirement appointments under this Program shall be subject to the following terms and conditions:

1. Phased retirement appointments involve a reduction of employment from full-time to half-time. Such appointments may consist of full-time work for one-half of a regular appointment period (e.g., full-time work for one semester of an academic year appointment) or half-time work for a full regular appointment period (e.g., half-time work in each of the two semesters of an academic year appointment). Teaching, research, and service assignments under such an appointment shall be determined by agreement between the faculty member and a department/division chair, a dean/community college president, or a director of an academic unit and shall be set forth in detail in the written phased retirement agreement.

2. The salary of a faculty member on a phased retirement appointment shall be reduced by fifty percent (50%) from the salary such faculty member would have received but for the election of phased retirement under this program. Faculty members electing phased retirement appointments shall not be eligible for proportional merit salary increases during the period of their phased retirement program. A faculty member on a phased retirement appointment shall be considered for disability benefits on the basis of the salary such faculty member received as a full-time faculty member immediately before electing phased retirement under this program. A faculty member electing the Phased Retirement Program may access their retirement plan funds, without separating from the University, after the effective date initiating their participation in the Phased Retirement Program.

3. Phased retirement under this program shall not exceed three (3) years in duration. Faculty members who request and receive phased retirement appointments shall agree in writing to accept full retirement from the University no later than three (3) years after the

commencement of reduced employment under this program. The agreement to retire at the end of the reduced employment period is irrevocable once executed (except as provided in subsection IV-A and IV-B below).

B. The University's contributions to retirement for faculty on phased retirement appointments, and the faculty members' own contributions as well, shall be based upon their actual (i.e., reduced) salaries during their periods of reduced employment. Faculty members on phased retirement appointments are entitled to fifty percent (50%) of the paid vacation leave to which they would have been entitled had they not elected phased retirement under this Program. In all other respects, such faculty members shall be entitled to the employee benefits normally offered to regular full-time faculty members. Faculty privileges, such as parking and reduced-cost athletic tickets, will be made available to faculty on phased retirement appointments as if they were on full-time regular faculty appointment. Requests for travel expenses and support services for faculty on phased retirement appointments shall be considered and evaluated under normal processes. A faculty member's use and occupancy of office or lab space shall not be adversely affected by electing to accept a phased retirement appointment.

IV. GENERAL PROVISIONS

A. Nothing in this regulation shall preclude eligible faculty members from electing regular retirement from the University at any point in time (even though such faculty members may have executed an agreement requiring retirement at some point in the future). Nothing in this regulation shall preclude a post-retirement appointment of an individual who has elected phased retirement under this Program.

B. Each phased retirement agreement executed under this program shall include a waiver of rights and claims by the faculty member under the Federal Age Discrimination Act. Such waiver shall fully comply with the requirements for knowing and voluntary waivers provided in this Act. After a phased retirement agreement is drafted, it shall be delivered to the faculty member in question together with written statements that the faculty member shall have no less than forty five (45) days within which to consider the agreement and that he or she is advised to consult with an attorney prior to executing the agreement. In addition, each phased retirement agreement shall provide that the agreement shall not become effective and enforceable for a period of ten (10) calendar days following execution of the agreement and that during such period the faculty member may unilaterally revoke the agreement. In the event the faculty member elects to revoke the agreement within such ten (10) day period, the faculty member shall immediately be restored to the full-time employment status as a faculty member which existed prior to execution of the agreement.

C. Faculty members on phased retirement appointments will have the same academic freedoms and responsibilities as other faculty members and will have access to all grievance and appeal procedures available to other members of the faculty.

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INFORMATION SYSTEMS POLICIES AND PROCEDURES

I. General Policies

A. ***Advisory Committees*** In consultation with the chancellors/vice presidents, the Vice President for Information Systems is responsible for recommending to the President individuals to serve on various advisory committees. The Vice President for Information Systems will work closely with these groups to ensure opportunities for the exchange of ideas and a forum for gathering advice and direction regarding the various services and facilities provided by Information Systems departments.

B. ***Information Plans and Reports*** Information Systems will periodically prepare an Information Systems Plan that supports the institutional goals outlined in the University's strategic plan. Information Systems will coordinate the preparation of the University's Information Resources Plan for statewide use, in compliance with KRS 61.940 to 61.953.

C. ***Computing purposes*** All computing done at the University will be for sanctioned University purposes only. Generally, computing will be in support of the academic and administrative functions of the University but may, in certain circumstances, also include other functions as determined by the Vice President for Information Systems.

D. ***Distribution of Resources*** Each University sector should play a strong role in determining the quality and quantity of computing services in support of its major missions and functions. Each University sector is to make economic decisions involving computing and other services to support its sector. The determination of priorities among new acquisitions and projects in both academic and administrative computing areas is the prerogative of the President.

It is the responsibility of the Information Systems area to support all centralized, institutional hardware, software, and systems. Colleges and departments will usually be responsible for operation and maintenance of departmental facilities. However, arrangements whereby departments contract with Computing or Communication Services to provide site management and technical support are encouraged. Such arrangements must be discussed and agreed to by appropriate departmental and Information System representatives and approved by the appropriate chancellor. Academic and administrative units that have their own computing equipment (as opposed to centralized,

University equipment) are responsible for its effective and efficient use as well as for, providing adequate consulting, maintenance, and tutorial support for all users.

II. Computing Services

A. ***Instructional Computing*** The University will provide broad instructional computing services with a wide variety of computer languages, applications, and services in an easy-to-use environment, within the limits of budgetary constraints. Students will have access to appropriate computing facilities, including state-of-the-art hardware, software, and courseware. Funding for instructional facilities must be a shared responsibility between general (institutional) funds and sector funds. In addition, funding to support instructional computing activities is generated through special fees.

B. ***Research Computing*** The University is committed to providing state-of-the-art computing services to support research. This commitment includes providing sufficient computing capacity to support existing and planned computing needs of researchers in most disciplines. Where it is not possible to provide local facilities, researchers will be encouraged and supported in their efforts to utilize national networks to access remote facilities that can provide needed services.

Pursuit of external sources of funding to the fullest extent possible is needed to help support research computing resources. Each external grant and contract must be reviewed to determine if computing services are required. If so, the full cost of such computing must be included in the grant proposal, if permitted by the funding agency, as required in University of Kentucky Administrative Regulation AR II-1.0-3. The actual level of research computing costs funded from grants and contracts will vary due to changing funding opportunities. Nevertheless, University researchers are expected to pursue full funding for all computing costs.

C. ***Public Service Computing*** The University will provide reasonable and legitimate computing capability in support of its public service functions. Computing facilities at the University of Kentucky are established and maintained for the use of students, faculty, and staff. Other use of these computing facilities is generally limited to federal, state, county, and/or municipal agencies of government, non-profit research organizations, and other educational institutions. In special cases, when alternate facilities are not readily available and when the service does not interfere with University work, or when high potential of educational or research value to the University exists, an organization not included in the above may be eligible to purchase computing services from the University. Such requests must be approved in advance by the Vice President for Information Systems, or designee.

D. ***Administrative Computing Systems Priorities*** The responsibility for establishing priorities for University-wide systems and for preparing recommendations for the President on institution-wide priorities for administrative information systems is assigned to the Vice President for Information Systems. The Vice President for Information Systems shall develop these priorities and recommendations in collaboration with the chancellors, vice presidents, other administrative officers, and appropriate advisory groups.

E. ***Administrative Computing Systems Facilities*** All University-wide systems and databases will reside on equipment operated by Information Systems. Information Systems will be responsible for providing the appropriate central hardware and software facilities to support these systems, and to ensure that they are broadly accessible to the University community. Computing Services is responsible for programming and technical consulting resources to maintain and modify University-wide systems.

F. ***University-wide Administrative Systems Coordination*** The major University-wide administrative computing systems and related departmental feeder systems are highly interrelated with each other to provide complete information for management, policy, and decision-making purposes. To coordinate and maintain such databases and to ensure the protection and security of critical institutional data, after consultation with chancellors/vice presidents the Vice President for Information Systems is responsible for overall system design and integration, as well as for monitoring all data processing activity related to these databases and feeder systems.

G. ***Access to and Custodial Responsibilities for University-Wide Administrative Systems*** The essential operational data in University-wide administrative systems are a significant institutional resource and appropriate access should be broadly available to the University community. Responsibility for the content of the data in these systems and for the functional integrity, accuracy, and completeness of the data rests with appropriate "host" departments. Each department with such custodial responsibility for a University-wide system is responsible for establishing a user advisory committee broadly representative of the faculty and/or staff and/or students who regularly utilize those systems. These committees are charged to meet regularly and to advise the custodial officers on end-user requirements and expectations related to each system.

The procurement and operation of distributed data processing systems is encouraged for those educational or administrative units that have made, as an economic and/or operational choice, the decision that such facilities would be most beneficial to their

functions. However, the creation of parallel or "shadow" systems is strongly discouraged. The responsibility for determining security controls and subsequent access

to the data in each major University-wide database must reside with a Chancellor or Vice President. Departmental computing facilities may use copies of portions (subsets) of those University-wide databases necessary to local applications for their organizational needs. Any departmental application that will utilize data from or duplicate a University-wide administrative system must be reviewed with the Director of Information Resource Management, who is responsible for the coordination of all University-wide databases, and have prior approval from the Vice President for Information Systems, or designee, and the appropriate custodial officer.

H. ***Administrative Systems Project Request Procedures*** As institutional units perceive the need for new or expanded University-wide administrative computing systems, they should prepare requests in cooperation with Computing Services staff and forward them through the appropriate local (custodial) organization and their chancellor or vice president to the Vice President for Information Systems. Because modifications to existing programs and systems affect the interrelationships among systems, all requests for changes, deletion, and additions to programs, data elements, data definition, or tables in these University-wide administrative systems must be reviewed by the Director of Information Resource Management, the Administrative Computing Committee and approved by the President on the recommendation of the Vice President for Information Systems. As a general principle, the University will favor the purchase of appropriate commercial software, when it is available to do a given project, rather than developing the software internally.

For each project, the chancellor, vice president, or appropriate officer within the central administration will appoint a project manager who will have the responsibility and authority to coordinate the installation or expansion of a system. The project manager will assume development and operational responsibility for the project, and will become part of the Information Resources management staff within Computing Services. The project manager will be responsible for providing regular reports on project implementation status to the appropriate chancellor(s) or vice president(s), as well as to the Vice President for Information Systems.

III. Procedures for the Acquisition and Purchase of Systems and Services

A. ***Capital Acquisitions*** All capital equipment purchases at the University are governed by expenditure authority as defined in current statutes and in budgetary authority as outlined in the University's current budget. The primary responsibility for a

decision to acquire departmental or college systems rests with the units affected, however, such decisions should be reviewed with the Vice President for Information Systems. For expenditures of less than ten thousand dollars ($10,000.00), sector technology coordinators/directors review departments/divisions requests. They are encouraged to review as needed their purchase requests with the Vice President for Information Systems.

All requests for computing or communications equipment and services in excess of ten thousand dollars ($10,000.00) for instructional, research, or public service purposes must be submitted to the Vice President for Information Systems for review and approval. Proposals must contain a statement of purpose and an explanation of how the equipment will be used and supported. The acquisition will be reviewed in relation to overall institutional goals. The impact, if any, upon the University's communication networks must be identified. Furthermore, the ongoing operational support costs and the source of funding for same for equipment and services must be established prior to acquisition.

In accordance with KRS 45.760 and KRS 45.750, all purchases of equipment with a price of $100,000 or more and systems with a price of $400,000 or more can be acquired only if authorized in the appropriation bill for the current biennium and in the University biennial budget. Therefore, large-scale computing and communications equipment acquisitions must be included in the biennial budget request.

B. ***Communications Acquisitions*** The Communications and Networking Systems group provides the communications systems integrator role for the University. The University seeks to ensure that departments' communications will interoperate with national and international networks by maintaining campus communication standards. Therefore, all units of the University that are planning any communications or networking projects that may impact the University-wide systems must consult the Communications and Networking Systems group in determining voice, data, and video needs and specifications.

C. ***Copier/Printer Acquisition*** Copier Services provides consultation, analysis, and recommendations to University departments for the purchase of office copiers. All copier purchases require the approval of the Vice President for Information Systems, or designee. All requests for acquisition or lease/rental of high volume copier/printer equipment must be submitted for review and approval to the Vice President for Information Systems, or designee. Requests must contain a statement of purpose and an explanation of how the equipment will be used and supported.

D. ***Contracting for Printing and/or Duplicating Services*** In accordance with Chapter 57 of the Kentucky Revised Statutes, the University must adhere to specific purchasing procedures when contracting for printing and/or duplicating from outside vendors. Therefore, the purchase of printing and/or duplicating from outside vendors by University departments is legally prohibited without prior approval of the Vice President for Information Systems, or designee. Regulations for acquisition of such services are detailed in the University's Business Procedure Manual.

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POLICY GOVERNING ACCESS TO AND USE OF
UNIVERSITY OF KENTUCKY COMPUTING RESOURCES

Access to computing resources is granted to an individual by the University of Kentucky solely for the grantee's own use. Every user of the University of Kentucky computing resources has two basic rights regarding computing - privacy and a fair share of resources. It is unethical and a violation of this policy for any person to violate these rights.

All users, in turn, are expected to exercise common sense and decency (due regard for the rights of others) with respect to the public computing resources, thereby reflecting the spirit of community and intellectual inquiry at the University. Access is a right that may be limited or revoked if an individual misuses the right or violates applicable University policies or state or federal laws.

I. Principles Governing Use of Computing Resources

A. User access is granted to an individual and may not be transferred to or shared with another without explicit written authorization by the Vice President for Information Systems, a designee, or the appropriate system administrator.

B. User access to computing resources is contingent upon prudent and responsible use.

C. The user may not use computing resources for any illegal or unauthorized act; in particular, the user may not use computing resources to violate any state or federal laws or any of the regulations specified in the Governing Regulations and Administrative Regulations, the Student Rights and Responsibilities handbook (Code of Student Conduct), the Rules of the University Senate, the Faculty Code, the University System Faculty Handbook, or the Staff Handbook.

D. The user may not use computing resources for any commercial purpose without prior written authorization from the Vice President for Information Systems, a designee, or the appropriate system administrator.

E. Computing resources must be shared among users in an equitable manner. The user may not participate in any behavior that unreasonably interferes with the fair use of computing resources by another.

II. Some Examples of Violations

Violations of these principles or any attempt to violate these principles constitutes misuse. Violations include, but are not limited to:

A. Sharing passwords or acquiring another's password without prior written authorization from University Computing Services or the appropriate system administrator.

B. Unauthorized accessing, using, copying, modifying, or deleting of files, data, userids, access rights, usage records, or disk space allocations.

C. Accessing resources for purposes other than those for which the access was originally issued, including inappropriate use of authority or special privileges.

D. Copying or capturing licensed software for use on a system or by an individual for which the software is not authorized or licensed.

E. Use of computing resources for remote activities that are unauthorized at the remote site.

F. Causing computer failure through an intentional attempt to "crash the system," or through the intentional introduction of a program that is intended to subvert a system, such as a worm, virus, Trojan horse, or one that creates a trap door.

G. Intentional obscuring or forging of the date, time, physical source, logical source, or other header information of a message or transaction.

H. Interception of transmitted information without prior written authorization from University Computing Services or the appropriate system administrator.

I. Failure to protect one's account from unauthorized use (e.g., leaving one's terminal publicly logged on but unattended).

J. Violation of priorities for use of computing resources as established by an individual facility within the UK system.

III. Response to Violations

Violation of this policy will result in action by the appropriate University office or agency. Violations of KRS 434.840 (Kentucky statutes dealing with unlawful access or use of a computer) may be referred to the Commonwealth Attorney or the police for investigation and/or prosecution. Similarly, violations of 18 U.S.C. Sec.1030 (Federal laws dealing with unlawful access or use of a computer) may be referred to the Federal Bureau of Investigation.

IV. University Sanctions

University sanctions are imposed by the appropriate University authority and may include, but are not limited to, limitation or revocation of access rights and/or reimbursement to the University for the computing and personnel charges incurred in detecting and proving the violation of these rules, as well as

from the violation itself. Reimbursement may include compensation for staff work time related to the violation and for archiving information related to the incident. The usual rights and privileges of appeal apply.

V. Investigation and Review of Charges

When the Vice President for Information Systems, a designee, or the appropriate system administrator has reason to believed that a violation may have occurred, he or she may initiate an investigation and/or suspend computing privileges for the individual(s) involved, pending further investigation. If significant University sanctions are imposed, such action, together with an explanation of the causal events, shall be reported by the Vice President or the appropriate system administrator to the Dean of Students' Office, in case of students; or to the appropriate Chancellor's or Vice President's office, for all others.

In cases where a user's computing privileges are limited or revoked, a user should request a review of the action according to procedures established by University Computing Services before appealing through other University channels.

GLOSSARY

Access right: permission to use a UK computing resource according to appropriate limitations, controls, and guidelines.

Commercial purpose: a goal or end involving the buying and/or selling of goods or services for the purpose of making a profit.

Computing resource: any computing/network equipment, facility, or service made available to users by the University of Kentucky.

Data: a representation of facts, concepts, or instructions suitable for communication, interpretation, or processing by human or automatic means.

Disk space allocation: the amount of disk storage space assigned to a particular user by University Computing Services or the appropriate system administrator.

Fair use: use of computing resources in accordance with this policy and with the rules of an individual UK facility; use of computing resources so as not to unreasonably interfere with the use of the same resources by others.

File: a collection of data treated as a unit.

Inappropriate use of authority or special privilege: use of one's access right(s) or position of authority in a manner that violates the rules for use of those privileges as specified by the Vice President for Information Systems, a designee, or the appropriate system administrator.

Password: a string of characters that a user must supply to meet security requirements before gaining access to a particular computing resource.

Prudent and responsible use: use of computing resources in a manner that promotes the efficient use and security of one's own access right(s), the access rights of other users, and UK computing resources.

Remote activity: any computing action or behavior that accesses remote site facilities via a UK computing resource.

Remote site: any computing/network equipment, facility or service not part of, but connected with, UK computing resources via a communications network.

System administrator: any individual authorized by the Vice President for Information Systems, the appropriate Chancellor or Vice President, or a designee to administer a particular computing hardware system and/or its system software.

Transmission: the transfer of a signal, message, or other form of intelligence from one location to another.

Unauthorized act: with the exception of computing actions or behaviors permitted in this policy, any such act performed without the explicit permission of the Vice President for Information Systems, a designee, or the appropriate system administrator.

Usage record: information or data indicating the level of usage of computing resources by a particular user.

User: an individual - whether student, faculty, staff, or individual external to UK - who uses UK computing resources.

Userid: a character string that uniquely identifies a particular user to a UK computing resource.

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POLICIES AND PROCEDURES FOR ESTABLISHING BRANCH LIBRARIES AND EDUCATIONAL UNIT LIBRARY COLLECTIONS IN THE UNIVERSITY OF KENTUCKY UNIVERSITY SYSTEM

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POLICIES AND PROCEDURES FOR ESTABLISHING BRANCH LIBRARIES AND EDUCATIONAL UNIT LIBRARY COLLECTIONS IN THE UNIVERSITY OF KENTUCKY UNIVERSITY SYSTEM

I. Purpose and Intent

Branch libraries are units of the University of Kentucky University System Libraries, physically distinct from the King Library and the Medical Center Library, having two purposes: to provide subject-oriented collections of informational resources for an identified group of primary users and to extend the instructional, research, and public service support functions of the King Library and the Medical Center Library.

The intent in establishing a branch library is to meet a demonstrable need for access to materials and services which are not, or cannot be, provided by King Library or the Medical Center Library and a demonstrated need to have library support in close proximity to the educational unit.

Future developments in the form of published literature, in library techniques, and in the rapid transmission of printed materials through new electronic devices should minimize the necessity for outlying collections of library materials. The University wishes to take advantage of these advances in a responsible way and is committed to an orderly development of the University System Libraries (compressed of the King Library, the Medical Center Library, and their branches). This fact, in conjunction with the underlying principles of sound library development, has implications for branch library and educational unit library collection planning policies. The underlying principles are as follows:

> The primary mission of the University System Libraries is to provide bibliographical, physical, and intellectual access to recorded information, in whatever form, to support the present and anticipate educational, research, and service functions of the University of Kentucky.
>
> Scholarly needs and interdisciplinary approaches to learning are generally best served by access to a wide range of resources, including the literature of a special subject and all subjects of peripheral interest.
>
> Accessibility of all institutional-owned library resources for all users must be a prime consideration. This implies physical access for extended hours and bibliographic access through a centralized union catalog.

Every duplicated title limits funds for other titles to be added to the collection; therefore, duplicating titles invariably diminishes the breadth of the collection. Conversely, pooling of material of overlapping subject fields makes possible expansion of available resources.

Coordination, cooperation, and communication is difficult to achieve in a system with a proliferating number of outlying facilities.

The various academic disciplines should play a strong role in determining the scope and quality of the collections of the University System Libraries and the quantity of services provided in support of the Libraries' major missions and functions.

The University System Libraries are committed to fiscal responsibility in cost-effective utilization of staff and equipment. A high percentage of the personnel and equipment budgets must not be spent in providing for outlying facilities in less than adequate fashion.

Educational unit library collections are small libraries, sometimes called reading rooms or resource centers, supported by University funds but not affiliated with the University System Libraries. Materials in these libraries are defined as those working tools that faculty must consult on a daily or very frequent basis in support of their teaching and research.

II. Policy Statements

A. General Policies

1. Branch Libraries

The University has a policy of not further decentralizing library facilities on the Lexington campus unless special services are needed by a program that the King Library or the Medical Center Library cannot provide or provide as well as a branch library. A decision on establishing a branch library is reached only after a present and long-range study of available resources and user needs.

2. Educational Unit Library Collections Independent of the University System Libraries

If justified, small collections (limited to dictionaries, textbooks, workbooks, handbooks, and other working tools regularly used by faculty) may be procured for educational unit use in accordance with the provisions of Section IV, entitled Procedures for Establishing an Independent Educational Unit Library Collection.

B. Administrative and Organizational Policies

1. Management of Resources

The responsibility for the management of all University System Libraries resources shall rest with the University System Libraries administration. Library services are most efficiently utilized when all library resources are considered part of one system, with consistent policies for collection development, user access, accounting, systems analysis, and the like. Centralized planning and direction facilitate the most effective use of future financial resources allocated for library services.

2. Administrative Structure

Ordinarily, any branch library should be administratively part of the King Library or the Medical Center Library. Branch library personnel should report to the administration of the King Library (directly or through one of its branches) or the Medical Center Library. This relationship should be defined in job descriptions and outlined on organization charts.

Designing, developing, and administering library programs and adequate collections to meet changing user expectations and demands requires continuing professional growth of librarians charged with these responsibilities. The most effective means of assuring this growth is by participation within a central group.

3. Financial Support

Implicit with the creation of a branch library is a commitment to funding its development, ongoing services, and growth while maintaining adequate support levels for library services required by the total University community. Continuing book and personnel budgets are imperative for a branch library, with additional book funds initially provided for necessary with additional book funds initially provided for necessary duplication as well as enrichment of the existing collection.

C. Operational Policies

1. Statement of Purpose

Written statements of purpose, including goals and objectives, are necessary guides for a branch library's operation. These should state the educational unit's goals and the branch library's role within this context. These statements should be determined carefully, described clearly, and updated regularly.

2. Collection Development

Coordination of the branch library's materials selection policy with the University System Libraries' selection policy assures the most effective use of the University's collection development resources by preventing unnecessary duplication of materials and by preventing gaps in subject coverage within the library collections.

3. Technical Processing

In most cases, centralized acquisition and processing of library materials proves to be most economical. All holdings of a library should be listed in the union catalog located at the King Library and at other access points to the University's library collections.

4. Services

Branch libraries are expected to maintain the same standards of service as the University System Libraries with respect to hours of service, assistance to users, and accessibility to and utilization of informational materials by the total University community.

5. Staff

The branch library's staff is a primary link between user needs and the branch library's collections. Competent and adequate staffing is necessary to ensure the proper development and use of the branch library's collection.

6. Physical Quarters

Physical quarters designed to provide specialized branch library needs are essential to a successful branch library operation. Criteria to be met include: space for present and future growth in terms of collection, equipment, and patron use; accessibility to primary users; noise control; temperature and humidity control; collection security; and an interior conducive to study.

D. Review Policy

A formal, structured review and evaluation of each branch library and independent educational unit library collection shall be scheduled every five years. If justified reasons arise, a review at other than the regular period may be initiated by the chief administrative officer of the educational unit, by the appropriate chancellor, or by the Director of Libraries or the Director of the Medical Center Library.

III. Procedures for Establishing a Branch Library

A. Needs Analysis

To determine whether it is in the best interest of the University to establish a branch library, a needs analysis must be made. This analysis accounts for primary clientele requirements as well as those of the entire academic community and includes supporting data concerning the following points.

1. Description of Proposed Branch Library

A description of proposed branch library services shall include:

a. Its primary clientele and their information needs.

b. Geographical location of the proposed branch library in relation to primary clientele and to the total community of users.

c. Collection development, administrative organization, and operation plans including projections of maximum size.

d. User services to be provided, including hours of access and on-site staffing requirements.

e. Access to union catalogs, specialized information systems, and delivery services including interlibrary loan.

f. Space and equipment requirements, including growth projections to meet changing needs.

g. Total development and operating costs, including long-range projections to meet growth needs.

2. Description of Existing Library Services

A description of existing library services shall include:

a. Informational needs of the total University community defining both general and special requirements.

b. Geographical location of present library facilities in relation to user locations.

c. Collection development policies and physical organization of the collection, including cross-disciplinary needs of the academic community and collection growth projections.

d. User services, including hours of access and on-site staffing requirements.

e. Union catalogs, delivery systems, interinstitutional networking participation, and specialized information systems.

f. Space and equipment requirements, including growth projections to meet changing needs.

3. Comparative Analysis of Existing and Proposed Library Services

A comparative analysis of proposed branch library services and existing library services shall be provided using each of the factors identified in points one and two. Note shall be made of the following:

a. Restrictions on user access to collections and services such as geographical location, transportation facilities, delivery service for library materials, hours of service, staffing assistance, and special use privileges for a defined group of clientele.

b. Collection development and arrangement requirements, including the cost of duplicating existing library resources and developing new subject collections.

c. Space and equipment requirements, including the cost of establishing and maintaining new facilities in fiscal terms and in use of existing space presently used in meeting other academic needs.

d. Financial support requirements, including long-range projections to meet growth needs. An educational unit may choose to fund a position or positions and all or part of the book budget by a recurring transfer from user organization budgets to the King Library or the Medical Center Library. Personnel in such positions report administratively to the administration of the King Library or the Medical Center Library. This decision should be reflected in a review of the University's long-range projections for financial support of its library program.

B. Proposal Approval

A proposal to create a branch library must have the approval of the chief administrative officer of the initiating educational unit, the dean of the college, and any other appropriate councils or bodies. The proposal shall be forwarded by the appropriate dean or administrative officer to the Director of Libraries or the Director of the Medical Center Library. The Director shall supply a statement of administrative feasibility with a recommendation to the appropriate chancellor who shall make the final decision.

IV. Procedures for Establishing an Independent Educational Unit Library Collection

A. Documentation of Need

An educational unit proposing to establish an independent educational unit library collection shall prepare a documentation of need for such a collection, including supporting data parallel to that required for the establishment of a branch library.

B. Materials Purchased

Materials purchased for independent educational unit library collections shall be limited to dictionaries, textbooks, workbooks, handbooks, and other working tools used by faculty on a daily or very frequent basis in support of teaching and research.

C. Financial Support Statement

A statement covering financial support is a vital part of a proposal to establish an independent educational unit library collection. University educational units which use their own resources to establish independent educational unit library collections outside the established University System Libraries must accept complete responsibility for operating and maintaining these collections. The University System Libraries normally shall not provide technical services or personnel in support of these collections.

D. Inclusion in Union Catalog

In order to effectively utilize the University's informational resources, records of books purchased for independent educational unit library collections shall be supplied to the University System Libraries for inclusion in the King Library Union Catalog.

E. Proposal Approval

A proposal to create an independent educational unit library collection must have the approval of the chief administrative officer of the initiating educational unit, the dean of the college, and any other appropriate councils or bodies. The proposal shall be forwarded by the appropriate dean or administrative officer to the Director of Libraries or the Director of the Medical Center Library.

The Director shall evaluate the relative costs and benefits of the proposed independent educational unit library collection and the extent to which alternative solutions have been explored. The Director shall forward a report of findings and a recommendation on the proposal to the appropriate chancellor for review in terms of the policies, criteria, and procedures in this Administrative Regulation. The appropriate chancellor

shall make the final decision concerning the creation of an independent educational unit library collection.

V. Procedures for Reviewing and Evaluating Branch Libraries and Independent Educational Unit Library Collections

A. Needs Analysis

To determine whether it is in the best interest of the University to maintain, to improve, or to close a branch library or an independent educational unit library collection, a needs analysis must be made.

1. The Director of Libraries or the Director of the Medical Center Library shall be responsible for conducting the analysis of a branch library.

2. The chief administrative officer of the educational unit shall be responsible for conducting the analysis of the unit's independent library collection.

3. The analysis shall include supporting data parallel to that required for the establishment of a branch library.

B. Review Recommendations Approval

1. Branch Libraries

The Director of Libraries or the Director of the Medical Center Library shall forward review recommendations to the appropriate dean of the college or the chief administrative officer of the educational unit. The dean or chief administrative officer shall supply an advisory statement to the appropriate chancellor or vice president. The chancellor or vice president shall determine whether it is in the best interest of the University to maintain, to improve, or to close a branch library.

2. Independent Educational Unit Library Collections

The dean of the college or the chief administrative officer of the educational unit shall forward review recommendations to the Director of Libraries or the Director of the Medical Center Library. The Director shall supply an advisory statement to the appropriate chancellor or vice president. The chancellor or vice president shall determine whether it is in the best interest of the University to maintain, to improve, or to close an independent educational unit library collection.

AR II—4.0

POLICIES AND PROCEDURES RELATIVE TO POSTDOCTORAL SCHOLARS, POSTDOCTORAL FELLOWS, AND VISITING SCHOLARS

A system to identify and keep an account of postdoctoral scholars, postdoctoral fellows, and visiting scholars pursuing advanced studies, research, and specialized training in the University serves the interests of both the individuals and the University. It defines their status, privileges, and benefits. It enables an assessment of the University's contribution to their training and scholarly activities in terms of faculty time and use of office and laboratory space, equipment, and library facilities. Furthermore, the identification of postdoctoral personnel makes it possible for the University to recognize them by awarding Certificates of Postdoctoral Study. For these reasons, the following policies and procedures have been developed for the appointment of postdoctoral scholars and fellows and for the accommodation of visiting scholars in the University.

I. Jurisdiction

All individuals appointed as a postdoctoral scholar or fellow shall be under the jurisdiction of the Vice President for Research and Graduate Studies. Individuals whose experience and training exceed that of learner or apprentice shall be considered as visiting scholars and are under the jurisdiction of the Chancellor for the Lexington Campus, the Chancellor for the Medical Center, or the Vice President for Research and Graduate Studies, as appropriate.

Certain matters may be delegated by the Vice President for Research and Graduate Studies and the Chancellors to appropriate college deans.

II. Definitions of Postdoctoral Scholar, Postdoctoral Fellow, and Visiting Scholar

A. A postdoctoral scholar is an individual who has an earned doctoral degree and is pursuing an individualized program of advanced training in research, in teaching or other important aspects of academic work, or in any combination of these activities for which the University has assumed a measure of responsibility. Although participation in the program provides advanced training, service is required as a condition of appointment with salary. A postdoctoral scholar has status both as a non-regular academic staff employee and as a postdoctoral student.

B. A postdoctoral fellow is an individual who has an earned doctoral degree and is a recipient of a fellowship or training award. Through such an award, a postdoctoral fellow receives a stipend or living allowance (not considered as salary) from grant funds provided specifically for a particular field of study or training. No service to the University is required as a condition of receiving the stipend, although service may be rendered incidentally as part of the training or fellowship program. A postdoctoral fellow has status as a postdoctoral student but not as an employee.

B. A visiting scholar is an individual who is pursuing an independent program of research at the University, or is participating in an existing research program, ordinarily while on leave from another professional position. Such an individual is excluded from classification as a postdoctoral scholar or fellow by virtue of the individual's advanced training and experience beyond that of an apprentice or learner. A visiting scholar need not have been awarded a doctoral degree, but is comparable in experience to the resident faculty. A visiting scholar has status as temporary academic staff.

III. Eligibility for Appointment as a Postdoctoral Scholar or Postdoctoral Fellow

A. Postdoctoral scholars and fellows include those persons who have been awarded an earned doctoral degree and are pursuing a program of advanced training and research/scholarship which has been approved by a department or research unit, the appropriate dean, and the Vice President for Research and Graduate Studies. The pertinent department or research unit shall have the responsibility for describing and evaluating the academic credentials of the candidate and the substance of the proposed program.

B. Persons who do not qualify for participation in the University's postdoctoral program include:

1. Those who are students or degree candidates in the same department or research unit, unless otherwise approved by the Vice President for Research and Graduate Studies; and

2. Those who previously have served as a postdoctoral scholar or fellow for three years at this University (exclusive of internship or residency training) or for five years total at several institutions in programs of postdoctoral training in the same field as their proposed additional program of training. These individuals are presumed to have advanced beyond the apprentice role appropriate to the postdoctoral scholar or fellow title, but they may be eligible for appointment as visiting scholars or possibly to be considered for appointment in one of the faculty title series.

However, since both domestic and foreign predoctoral programs vary in standards and some prior postdoctoral activities provide more specialized and advanced training than others, variation from this exclusion may be justified by special circumstances. Exceptions to this exclusion may be granted by the Vice President for Research and Graduate Studies upon receipt of a recommendation endorsed by the department chairperson or research unit director and the dean of the appropriate college.

IV. Appointments

A. Postdoctoral Scholar or Postdoctoral Fellow

Appointment as a postdoctoral scholar or postdoctoral fellow requires recommendations by the appropriate department chairperson or research unit director and the dean of the pertinent college and approval of the

individual's Notice of Appointment form by the Dean of the Graduate School and the Vice President for Research and Graduate Studies. Applications on forms provided by the Office of the Vice President for Research and Graduate Studies shall be made at the time of initiation of the individual's program of training and research. A resident faculty member shall be designated to monitor and evaluate the program undertaken. Department chairpersons and directors of research units shall be responsible for seeing that all individuals presently in the status of postdoctoral scholar or fellow and all future appointees, with approval of the appropriate college dean, shall register promptly in the Graduate School. Principal investigators on research projects who extend offers to potential postdoctoral scholars or fellows shall inform the candidates of the regulations and benefits associated with the pertinent type of postdoctoral appointment and alert the candidates to the necessity for formal registration in the Graduate School. The Vice President for Research and Graduate Studies shall be notified of any changes in the duration of the program from dates included on the initial application form for appointment as postdoctoral scholar or fellow. As noted previously, appointment as a postdoctoral scholar or fellow in a given field at the University shall be limited to three years, unless an exclusion endorsed by the appropriate department chairperson or research unit director and college dean is approved by the Vice President for Research and Graduate Studies.

B. Visiting Scholar

At the request of the department or research unit with which the visiting scholar will be chiefly associated and on recommendation of the pertinent dean, the appropriate Chancellor or the Vice President for Research and Graduate Studies may provide the individual with a letter of appointment to a temporary academic staff position as visiting scholar. The designation "visiting" in the position title indicates that the individual has a temporary appointment for a term not to exceed one year, subject to renewal in exceptional cases if approved by the appropriate Chancellor or Vice President for Research and Graduate Studies. An appointment as visiting scholar normally is without salary from the University.

V. Compliance of Work Assignment or Training Activities With Purpose of Grant or Contract

Where a postdoctoral position or a visiting scholar position is funded through a grant or contract from an extramural source, it shall be the responsibility of the nominating department or research unit to ensure that the work assignment or training activities of the postdoctoral scholar or fellow falls within the purpose of the grant or contract.

VI. Benefits

A. Postdoctoral Scholars

Postdoctoral scholars, in view of their classification as both students and salaried academic staff, will be eligible for certain benefits but will not be eligible for participation in the University of Kentucky Retirement Plan. They are responsible for all fees except that for basic life

insurance and health coverage. Fees will be those currently in force and are subject to change as these may be modified from time to time under the provisions of the contracts as negotiated between the University and various insurance companies. Specifically, they are eligible:

1. For an identification card, indicating clearly the recipient's status as a postdoctoral scholar, issued without fee by the Employee Benefits Office to each individual enrolled as a full-time postdoctoral scholar after a copy of a signed Postdoctoral Scholar Notice of Appointment form or other appropriate documentation of eligibility of the individual has been received from the Office of the Vice President for Research and Graduate Studies. This ID card will enable the recipient to have access to library facilities, recreational facilities, and check-cashing services on campus, and to make purchases with a discount at campus bookstores.

2. To enroll in one of the University of Kentucky employee health plans.

3. To use the Student Health Service by paying the semester health fee (although ineligible to use the student group health insurance plan).

4. To pay the Student Activity Fee each semester which will provide for the following: a Student Identification Card, access to tickets for home football and basketball games and to major concerts sponsored by the Student Activities Board, and admission to Lexington Philharmonic concerts. A valid student identification card also permits the use of library facilities, recreational facilities, and check-cashing service on campus.

5. For coverage by University's basic life insurance program.

6. To enroll in the University's optional life insurance program.

7. To purchase group accident insurance.

8. For coverage under the University's Long Term Disability Plan.

9. For coverage by provisions of Kentucky Workers' Compensation Act.

10. For coverage under the University's Blood Donor Program.

11. For an entitlement to ten working days of vacation leave with pay the first year and to fifteen working days of such leave each year of employment thereafter; however, vacation leave cannot be accumulated from one year to another. Vacation leave is earned at the rate of 0.833 day per month during the first year and 1.25 days per month during each year thereafter. In case of resignation or termination of appointment before the end of a year, there will be an entitlement to terminal vacation pay for unused earned vacation leave within the current year or, if days of vacation taken exceed those earned, a requirement of reimbursement to the University for the number of days of vacation leave used in excess of those earned.

12. For temporary disability leave in accordance with Staff Personnel Policy and Procedure Number 82.0.

13. For holiday leave with pay in accordance with Staff Personnel Policy and Procedure Number 83.0 and the President's Official Holiday Announcement.

14. To apply for an A parking permit.

15. To participate in the voluntary tax-shelter plans offered by the University of Kentucky.

16. To apply for membership in the University of Kentucky Faculty Club.

17. To apply for membership in the Spindletop Hall Faculty, Staff, and Alumni Club.

B. Postdoctoral Fellows

Postdoctoral fellows, in view their status as postdoctoral students but not salaried employees, shall be eligible for certain benefits under stated conditions. They shall be responsible for all fees except those for basic life insurance and health coverage. Fees will be those currently in force and are subject to change as these may be modified from time to time under the provisions of the contracts as negotiated between the University and various insurance companies. Specifically, postdoctoral fellows are eligible:

1. For an identification card, indicating clearly the recipient's status as a postdoctoral fellow, issued without fee by the Employee Benefits Office to each individual appointed as a full-time postdoctoral scholar after a copy of a signed Postdoctoral Fellow Notice of Appointment form or other appropriate documentation of eligibility of the individual has been received from the Office of the Vice President for Research and Graduate Studies. This ID card will enable the recipient to have access to library facilities, recreational facilities, and check-cashing services on campus, and to make purchases with a discount at campus bookstores.

2. To enroll in one of the University of Kentucky employee health plans.

3. To use the Student Health Service by paying the semester health fee (although ineligible to use the student group health insurance plan).

4. To pay the Student Activity Fee each semester which will provide for the following: a Student Identification Card, access to tickets for home football and basketball games and to major concerts sponsored by the Student Activities Board, and admission to Lexington Philharmonic concerts. A valid student identification card also permits the use of library facilities, recreational facilities, and check-cashing service on campus.

5. For coverage by the University's basic life insurance program.

6. To enroll in the University's optional life insurance program.

7. For coverage under the University's Blood Donor Program.

8. To apply for an A parking permit.

9. To apply for membership in the University of Kentucky Faculty Club.

C. Visiting Scholars

In view of their status as temporary academic staff, visiting scholars shall be eligible for certain benefits under stated conditions. They shall be responsible for all fees, which shall be those in force and are subject to change from time to time under the provisions of the contracts which are negotiated between the University and various insurance companies. Specifically, they are eligible:

1. For an identification card, indicating clearly the recipient's status as visiting scholar, issued without fee by the Employee Benefits Office to each individual appointed as a research scholar after that Office has received a copy of the letter confirming the appointment of the individual as such by the appropriate Chancellor or the Vice President for Research and Graduate Studies. This ID card will enable the recipient to have access to office and laboratory facilities as assigned, library facilities, and check-cashing services on campus, and to make purchases with a discount at campus bookstores.

2. To apply for an A parking permit.

3. To enroll in one of the University of Kentucky employee health plans.

4. To apply for membership in the University of Kentucky Faculty Club.

5. To apply for membership in the Spindletop Hall Faculty, Staff, and Alumni Club.

VIII. Certificate of Postdoctoral Study

Upon satisfactory completion of a postdoctoral program of study as certified by the sponsoring resident faculty member, each postdoctoral scholar or fellow will be issued a certificate signed by the chairperson of the department or director of the research unit with which the individual was primarily associated and by the Vice President for Research and Graduate Studies or the Vice President's designee. This certificate will indicate the field or fields of postdoctoral study, the name of the resident faculty member, and the period for which the postdoctoral scholar was appointed.

UNIVERSITY OF KENTUCKY

BENEFITS CHART
FOR
POSTDOCTORAL SCHOLARS (PDS), POSTDOCTORAL FELLOWS (PDF), AND VISITING SCHOLARS

ELIGIBILITY FOR	PDS	PDF	VS
Insurance			
Basic Life	Y	Y	N
Optional Life*	Y	Y	N
ADB Insurance*	Y	N**	N**
Health Coverage	Y	Y	Y*
Health Plan Credit	Y	Y	N
Student Health Service*	Y	Y	N
Tax Shelters			
Retirement Plans	N	N	N
Voluntary Plans*	Y	N**	N**
Health Coverage - 125 Plan	Y	N**	N**
Statutory Benefits			
Workers' Compensation	Y	N**	N**
Other Benefits			
Long Term Disability	Y	N	N
Blood Donor Program	Y	Y	N
Leaves			
Vacation	Y	N	N
Temporary Disability Leave	Y	N	N
Holiday Leave	Y	N	N
Other Entitlements			
Faculty Club Membership*	Y	Y	Y
Spindletop Hall Membership*	Y	N	Y
ID Card	Y	Y	Y
Student Activities*	Y	Y	N
Parking Permit*	Y	Y	Y

Y - Yes
N - No

* Indicates that participation in this program area is at individual's expense.

** Assumes that no employee/employer relationship exists. If such does exist, the individual should contact the Employee Benefits Office.

WAR1:76

POLICY ON ETHICAL STANDARDS AND MISCONDUCT IN RESEARCH

Preamble

Any compromise of the ethical standards required for conducting academic research cannot be condoned. Breaches in such standards are rare; these must be dealt with promptly and fairly by all parties in order to preserve the integrity of the research community.

Definition

Research "misconduct", as used herein, is defined as plagiarism; fabrication or intentional falsification of data, research procedures or data analysis; or other deliberate misrepresentation in proposing, conducting, reporting, or reviewing research. It does not include honest error or honest differences in interpretations or judgments of data. In cases of allegations involving activities submitted to or supported by a federal agency, the definition for misconduct specified in the agency's regulations will apply.

Process

A. Concerns about potential misconduct should be communicated immediately to the senior administrator of the area in which the incident(s) occurred, i.e. the dean of the college or school, the Director of University Libraries, the Associate Vice President for Research and Graduate Studies in the case of most research centers and institutes, or the community college president in the case of community colleges. Concerns may also be reported to the Office of the Vice President for Research and Graduate Studies which will refer them to the most appropriate administrator. Allegations of misconduct should be submitted in writing to the appropriate senior administrator so that a systematic inquiry can be undertaken. The confidentiality will be protected to the greatest extent possible for those who in good faith report apparent misconduct.

B. After consultation with the appropriate chancellor/vice president and the Vice President for Research and Graduate Studies, the senior administrator shall conduct a preliminary inquiry into the circumstances of the allegations and determine whether there are sufficient grounds to indicate that they have validity. In conducting the inquiry, the senior administrator shall consult with the accused and provide the accused with the opportunity to respond to the allegations. The senior administrator shall complete this initial inquiry within 30 days, if possible, but no later than 60 calendar days. The senior administrator will prepare a written report summarizing the findings of the inquiry. Documentation of the inquiry must be maintained for three years after completion of the inquiry.

C. If findings from the inquiry by the senior administrator provide sufficient basis for conducting an investigation, the senior administrator will request the appropriate chancellor or vice president to initiate an

investigation as soon as possible but no later than 30 calendar days after the completion of the inquiry. In consultation with the Vice President for Research and Graduate Studies, the appropriate chancellor/vice president shall appoint an investigative body to conduct a formal examination and evaluation of all relevant facts to determine whether misconduct has taken place. The accused will be given the opportunity to propose prospective members and to comment on the membership of the investigative body. The investigative body should include at least three tenured faculty members and a representative of the appropriate chancellor/vice president's office or the Office of Vice President for Research and Graduate Studies. Other members may be appointed to obtain necessary expertise. Precautions against real or apparent conflicts of interest will be taken in appointing the investigative body.

D. At the time the investigative body is appointed, the appropriate chancellor/vice president shall inform in writing the individual(s) about whom allegations have been made and any involved collaborators that an investigation is to be conducted and shall present to them a statement of the allegations. This statement shall include information on the nature of the allegations and the focus of the investigation and shall inform those being investigated of the opportunity to defend their conduct and provide comments and other relevant information to the investigative body. The same individuals shall be informed of their right to be represented by an attorney in preparing and/or giving their response in this and all subsequent phases of the investigation.

E. The appropriate chancellor/vice president shall inform the University's Legal Counsel and the administrative officer of the organizational unit of each individual under investigation and of any other organizational unit in which the event may have occurred that an investigation is under way.

F. If the research is supported by an extramural funding agency, the Vice President for Research and Graduate Studies is responsible for ensuring compliance with the applicable agency's reporting requirements. The appropriate chancellor/vice president shall keep the Vice President for Research and Graduate Studies informed of any developments which must be reported to the agency.

G. The investigative body shall conduct a formal examination and evaluation of all relevant facts to determine if the allegations of misconduct are valid. The investigative body shall use advice of the Legal Counsel on procedures and other matters pertaining to the investigation. The investigative body may call witnesses, examine research data (both published and unpublished), and seek expert counsel both inside and outside the University to aid in the investigation. The investigative body will prepare a summary of each interview conducted, and a copy shall be provided to the interviewed party for comment or revision. The investigative body will keep the appropriate chancellor/vice president apprised of the investigation.

Interim administrative actions, as appropriate to the allegations, may be taken prior to the completion of the investigation if such actions are necessary to protect the welfare of human or animal subjects of research or to prevent the inappropriate use of funds.

H. At the completion of the investigation, the investigative body shall submit its findings and recommendations in writing to the appropriate chancellor/vice president who will provide a copy to the individual(s) being investigated. All those being investigated shall be afforded the opportunity to comment upon the report and have such comments included in the formal record of the investigation. The appropriate chancellor/vice president shall provide the person(s) who raised the allegation with those portions of the report that address their role and opinions in the investigation, and their comments, if any, shall be included in the formal record as well.

The investigative body shall complete its investigation including submission of the final report in the shortest feasible period of time but no later than 120 calendar days. If the investigative body is unable to complete the investigation in 120 days, a request for extension which includes an explanation for the delay must be submitted to and approved by the appropriate chancellor/vice president.

All parties involved in the investigation shall strive to maintain confidentiality of information.

As required, the Vice President for Research and Graduate Studies will inform the agency sponsoring the research of the findings of the investigation.

The appropriate chancellor/vice president shall maintain documentation of the investigation's findings for at least three years after completion of the investigation and, if applicable, of the acceptance final report by the sponsoring agency.

I. If the investigative body's findings fail to confirm an instance of misconduct, all participants in the investigation, the senior administrator, and the Vice President for Research and Graduate Studies shall be so informed in writing by the appropriate chancellor/vice president.

If the investigative body has reason to believe that unfounded charges may have been brought with malicious or dishonest intent, the investigative body should recommend consideration of appropriate administrative action.

J. If the investigative body finds that the allegations are substantiated and that misconduct has occurred, the following actions shall be taken by the appropriate chancellor/vice president after consultation with the Vice President for Research and Graduate Studies and the senior administrator:

1. Publishers and editors of journals shall be informed if manuscripts emanating from fraudulent research have been submitted or published; and,

2. Appropriate administrative action consistent with the University of Kentucky Governing Regulations and Administrative Regulations and staff and student policy manuals should be taken against those faculty, staff, postdoctoral scholars, graduate students, and undergraduate students directly involved in the misconduct.

K. If required by a funding agency, the Vice President for Research and Graduate Studies will submit written assurance that the institution is in compliance with the agency's requirements for handling allegations of misconduct.

WAR1:61

BIOLOGICAL SCIENCES LIBRARY
101 MORGAN BIOLOGICAL SCIENCE BLDG
CAMPUS 0225

INSTITUTIONAL ANIMAL CARE AND USE POLICY

Preamble

The University of Kentucky recognizes the importance of the use of animals in its research and teaching programs. Animals are vital both for understanding basic biological processes and in developing diagnostic, therapeutic, and preventive approaches for human and animal diseases. It is the policy of the University that all animals used in teaching and research must be provided humane care and treatment.

The University is committed to maintaining the highest possible standards for the care and use of animals in research and teaching. The University endorses as its own the United States Government's "Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training." The University, including its investigators, researchers, teachers, students, and staff, accepts responsibility for determining that research and teaching involving the use of animals fulfill these responsibilities.

Applicability of Federal Guidelines and Regulations

It is University policy that all procedures and practices for the procurement, housing, care, and use of animals conform to the Public Health Service Policy on Humane Care and Use of Laboratory Animals, the Guide for the Care and Use of Laboratory Animals, and all regulations issued by the United States Department of Agriculture implementing the Animal Welfare Act (P.L. 89-544) as amended. The policy applies to all animal-related research, teaching, and testing regardless of the funding source.

The University has established procedures, involving an Institutional Animal Care and Use Committee (AR III-4.0-5), to assure responsible review of animal use, facilities, and treatment procedures, as well as animal-related research and teaching practices.

Responsible Units

I. Office of the Vice President for Research and Graduate Studies

The Vice President for Research and Graduate Studies is the institutional official responsible for assuring compliance with the University of Kentucky animal care policy and all governmental regulations. The Institutional Animal Care and Use Committee (IACUC) and both the Director of the Division of Laboratory Animal Resources and the University Veterinarian report to Office of the Vice President for Research and Graduate Studies. This office also is responsible for the development and maintenance of institutional records and submission of reports relating to the University's animal care and use program.

II. Division of Laboratory Animal Resources (DLAR)

This unit is administratively responsible to the Vice President for Research and Graduate Studies. It is responsible for obtaining all laboratory animals and for providing humane care and facilities, plus proper veterinary care and preventive medicine, for laboratory animals required for research and instruction. A variety of other support services is available to assist researchers as well.

III. Office of the University Veterinarian

This office is administratively responsible to the Vice President for Research and Graduate Studies and oversees University-wide compliance with all applicable governmental laws, rules, regulations, and guidelines relating to the use of animals in research and teaching activities. This office serves the University as a resource on issues and questions related to animal care and use and coordinates the educational programs and occupational health programs for faculty, staff, and students involved with animals in their research and instructional activities. The University Veterinarian monitors all animal-related activities at the University and serves to inform, coordinate, and facilitate interaction among the DLAR, the IACUC, faculty, and staff. The University Veterinarian serves as executive secretary of the IACUC.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-4.0-4	PAGE 1
	DATE EFFECTIVE 9/19/95	SUPERSEDES REGULATION DATED

CONFLICT OF INTEREST/FINANCIAL DISCLOSURE POLICY--RESEARCH

(Approved by the Board of Trustees)

I. Statement of General Policy

A. Integrity, objectivity, and absence of self-dealing are essential at all levels and in all aspects of governmental and private activities. The University of Kentucky and its employees are committed to conducting themselves and their activities in accordance with the highest standards of integrity and ethics.

B. The University recognizes that actual or potential conflicts of interest may occur in the normal conduct of research and other activities. Thus, it is essential that the significant potential for conflicts be disclosed and reviewed by the University. After disclosure the University can make an informed judgment about a particular activity and require appropriate oversight, limitations, or prohibitions in accord with this policy.

C. It is the purpose of this regulation: (i) to set forth policies, principles, and procedures to ensure that the financial interests of University of Kentucky employees do not compromise the objectivity with which research is designed, conducted, and reported, as well as the objectivity with which intellectual property is developed; and (ii) to comply with state and federal regulations that are designed to promote objectivity in research activities.

(NOTE: For regulations on consulting activities and conflict of interest, see AR II-1.1-1)

II. Applicability

This policy applies to all faculty, staff, and students involved in research and related activities and to the disclosure and subsequent development of intellectual property.

III. Conflicts of Interest

A. A potential or actual conflict of interest exists when a significant financial interest (as defined herein) of an investigator, a family member of the investigator or an associated

entity, would reasonably appear to be affected by the research activities of the investigator or the development of intellectual property.

B. An investigator may not engage in research activities in which a potential or actual conflict of interest exists in fact or develop intellectual property for which actual or potential conflict exists, unless authorized in writing by the Vice President for Research and Graduate Studies and conducted in full accord with conditions and restrictions imposed by the Vice President.

IV. Disclosure Requirements

No application for funding from an external agency may be submitted to the agency until all investigators have completed required disclosure forms. Disclosure forms must be completed even if no relevant significant financial interest exists.

A. An investigator shall disclose relevant significant financial interests of the investigator and the investigator's family members: (i) at the time of the application for research support (from internal or external sources); and (ii) prior to submission of intellectual property (specifically, copyrights, patents, and trademarks) for registration and/or filing.

For so long as the research is ongoing, disclosures under this provision relating to ongoing research must be updated any time a relevant significant financial interest, not originally disclosed, develops or is acquired. Disclosures under this provision related to intellectual property shall be updated prior to the execution of any contract, license, or other transaction involving the intellectual property. The Vice President may also require an investigator to update a disclosure at any time.

B. Disclosures required by this provision shall be submitted to the dean of the investigator's college or the director of the institute or center where the investigator has a primary appointment. In any instance in which the required disclosure statement(s) are not submitted at the time the application is submitted to the Office of Sponsored Projects Administration, the dean or director shall solicit such statements from the investigator.

C. Disclosures shall be made on standard disclosure forms available from the Office of Sponsored Projects Administration.

V. Review of Disclosure Statements and Management of Conflicts

A. Review of Disclosure Statements.

Disclosure statements shall be promptly reviewed by the dean or director for the purpose of determining if a relevant significant financial interest is disclosed. If the disclosure statement reveals any relevant significant financial interest, a potential or actual conflict exists.

B. No Relevant Significant Financial Interest Disclosed.

If the review reveals no relevant significant financial interest, disclosure statements shall immediately be forwarded to the Office of Sponsored Projects Administration (OSPA), and no further action is required.

C. Significant Financial Interest Disclosed and Management.

A conflict of interest exists and management of a relevant significant financial interest is required if a person could reasonably conclude that the interest could directly and significantly affect the design, conduct, or reporting of the research activity under consideration, or the interest could affect the development of intellectual property.

When a relevant significant financial interest is disclosed, the following actions must be completed prior to expenditure of any funds under the award or prior to the submission of intellectual property for registration:

1. The dean or director shall consult with the investigator and the parties will jointly review the disclosure statement. If a potential or actual conflict of interest is eliminated by agreement of the parties (e.g., through divestiture of interest, severance of relationships, etc.), no further action is required except that the dean or director shall provide a written confirmation of the agreement of the parties to the Vice President for Research and Graduate Studies and forward the disclosure statement to the Office of Sponsored Projects Administration.

2. If elimination of the conflict or potential conflict is not possible, the investigator shall propose a course of action to manage or reduce the conflict. The parties will attempt to make a joint recommendation for the management or reduction of the conflict to the Vice President. If the parties are unable to propose a joint management plan, each individual may submit a proposed management plan. If the parties have submitted a joint plan, the Vice President may either

accept the proposed course of action or refer the matter to the Conflicts of Interest Committee. If the parties have been unable to agree to a joint plan, the matter shall automatically be submitted to the Committee.

3. In such instances, the Committee shall formulate a course of action to be taken in the management, reduction, or elimination of the conflict.

a. The Committee shall provide the investigator an opportunity to meet with the Committee to discuss the situation and possible courses of action. The Committee may request the investigator and/or the dean or director to meet with the Committee or to provide information pertinent to the issue. The Committee may, in its discretion, consult with experts if necessary or advisable.

b. The Committee shall propose appropriate conditions or restrictions to the Vice President for Research and Graduate Studies. The Committee may also conclude that the potential or actual conflict is sufficiently remote or unrelated to the research or intellectual property so that no action, other than the disclosure and annual reporting requirements, is required. In either event, the proposal shall be in writing, and a copy of the proposal will be provided to the investigator. The investigator may also submit written objections or exceptions to the proposal to the Vice President. The investigator's response must be submitted within five business days following delivery of the proposal, unless time requirements of any agency or sponsor require shorter time frames.

c. The Committee has wide discretion to recommend --and the Vice President to impose--conditions or restrictions on investigators in formulating courses of action designed to deal with potential or actual conflicts of interest. Examples of conditions or restrictions that may be employed to manage, reduce, or eliminate such conflicts include: (1) public disclosure of significant financial interests; (2) monitoring of the research by independent reviewers; (3) modification of the research plan; (4) disqualification from participation in all or a portion of the research; (5) divestiture of the significant financial interest; or (6) severance of relationships that create the actual or potential conflict of interest.

4. The Vice President may accept the report and recommendations of the Committee, or return the matter to the Committee with stated concerns or suggestions. The Vice President will render the final decision, and shall notify the

researcher, the dean or director and the Committee of any terms and conditions that will be employed to manage, reduce or eliminate the conflict.

5. Decisions of the Vice President are final, although affected parties may request the Vice President to reconsider the decision.

VI. Enforcement

A. The following acts and failures violate the provisions of this policy: (1) intentionally or recklessly providing incomplete, erroneous, or misleading information on a disclosure form; (2) failing for any reason to make any required disclosure; and (3) failing to provide requested information needed for an appropriate review of potential or actual conflict of interest situations.

B. A violation of this policy is grounds for the discipline of an investigator or other employee. Sanctions that may be imposed for such a violation include but are not limited to any one or more of the following: (1) involuntary termination of employment; (2) nonrenewal of appointment; (3) suspension; (4) letter of admonition; (5) public disaffirmation of the research; (6) notification to regulatory bodies (e.g., U.S. Patent Office, Copyright Office, etc.); (7) notification to actual or potential research funding agencies; and (8) protest to editorial boards. Additionally, the University may decline the sponsored research agreement, or decline to submit or further process any intellectual property.

C. Disciplinary proceedings initiated under this policy will be conducted in accord with the Governing and Administrative Regulations and, where appropriate, the Staff Personnel Policy and Procedure Administrative Regulations.

VII. Miscellaneous

A. Disclosure statements, other documentation used in the review of such statements, and records of institutional action taken pursuant to this policy shall be maintained for a period of three (3) years following completion of the research project that generated the disclosure statements, documentation, and/or institutional actions, for a period of time needed for resolution of government action involving such records, or for a period of time fixed by the Vice President for Research and Graduate Studies, whichever is longer. To the extent permitted by law, such records shall be maintained confidentially.

B. The University will make the information described in the preceding paragraph available, upon request, to external funding agencies, along with requested information as to how a relevant potential or actual conflict of interest was managed, reduced, or

eliminated to protect the objectivity of the research. If a potential or actual conflict of interest is identified after a grant or contract has been awarded, the University will inform the awarding agency of that conflict within sixty (60) days of its discovery (or as otherwise required by law) along with actions taken to manage, reduce, or eliminate the actual or potential conflict of interest.

C. If the University ever determines that it is unable to manage satisfactorily a potential or actual conflict of interest that threatens the objectivity of particular research activity, the University will promptly inform the relevant external funding agencies of that fact.

D. The University will publish this policy so that it is known to University investigators. In making applications for external funding of research activities, investigators will be required to certify that they have read and understand this policy.

VIII. Definitions

The following definitions apply to this policy, unless a different definition is used by an applicable federal agency. In that case, the definition used in the federal agency's regulations will apply.

A. "Investigator" means the principal investigator, a co-principal investigator, and any other person at the University who is responsible for the design, conduct, or reporting of research.

B. "Family member" means spouse or dependent child.

C. "Associated Entity" means any trust, organization, or enterprise over which an investigator or a family member of the investigator, individually or collectively, exercises a controlling interest.

D. "Relevant" significant financial interest means an interest that would reasonably appear to be affected by the research for which funding is sought.

E. "Research" or "research activity" means a systematic investigation designed to develop or contribute to generalizable knowledge. The term encompasses basic and applied research such as bench work, clinical trials and/or other work and product development, and other forms of creative activity. The term includes any such research or creative activity conducted at the University, by University personnel under the auspices of the University, or conducted in situations in which University positions or

titles are utilized in resultant publications/presentations/other forms of intellectual property, irrespective of whether such research is funded by contract, gift, cooperative agreement, and/or general funds of the Commonwealth. The term also includes collaborative work with a manufacturer, a distributor, or a sponsor of the research and includes any tangible or intangible inventions, discoveries, patents, or ideas necessary for development, utilization or processes associated with the activity.

F. "Significant Financial Interest" means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria), equity interests (e.g., stocks, stock options, or other ownership interests), and intellectual property rights (e.g., patents, copyrights, and royalties from such rights). The term does not include any of the following:

1. Salary, royalties, or other remuneration from the University;

2. Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;

3. Income from service on advisory committees or review panels for public or nonprofit entities;

4. Income (e.g., salary, fees, or other continuing payments) in an amount of $10,000 or less per annum from any one business enterprise or entity when aggregated for the investigator and members of the investigator's family; and

5. Financial interests in any one business enterprise or entity if the value of those interests does not exceed $10,000.00 in value as determined through public prices or other reasonable measures of fair market value, and does not represent more than a 5% ownership interest when aggregated for the investigator and members of the investigator's family.

G. "Conflict of Interest Committee" means a committee of at least five members recommended by the Vice President for Research and Graduate Studies and appointed by the President. Membership on the committee shall be limited to deans of colleges, directors of centers or institutes, faculty members, and other persons employed by the University of Kentucky. Appointments to the Committee shall normally be for three (3) year terms.

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POLICIES AND GUIDELINES RELATED TO CENTERS AND INSTITUTES

I. PURPOSE

The purpose of this Administrative Regulation is to set forth policies and guidelines to govern the creation, modification, termination and reporting relationships of centers and institutes that are not graduate centers or mandated centers.

II. ORGANIZATIONAL STRUCTURE (UNIVERSITY SYSTEM)

A. Basic Organization

The basic organization of the educational units of the University System shall be departments, schools, colleges, graduate centers, and multidisciplinary research centers and institutes. The University currently recognizes three types of centers and institutes: graduate centers, mandated centers and institutes, and multidisciplinary centers/institutes that are primarily research in nature. Multidisciplinary centers/institutes may also have a clinical and/or service role.

1. A mandated center or institute performs a function that the Commonwealth or federal government has specifically requested that the University manage.

2. A multidisciplinary research center/institute is an educational unit established for the administration of multidisciplinary programs that are primarily research in nature. -- (Governing Regulation {GR} VII-A.1) The chief administrative officer of a multidisciplinary center/institute is a director. -- (GR VII-A.1)

3. A graduate center is an educational unit of an interdisciplinary or multidisciplinary nature, which is equivalent to a department and is located administratively in The Graduate School. These graduate centers are associated with graduate programs and their attendant courses and research. -- (GR VII-A.1) Its faculty have primary appointments within a college, or in some cases within the graduate center. Graduate center directors shall report to the Dean of The Graduate School, who in turn reports to the chancellor to which the graduate center program is assigned. Academic programs and courses are approved, dropped, suspended, or terminated in accordance with University and Council on Higher Education policies.

B. Types of Centers

Although the University currently recognizes three types of centers and institutes, it may be possible for centers and institutes to perform functions that embrace more than one of these three categories. In those cases, the reporting relationship will be in accordance with the defined function.

1. In cases where a center/institute has a graduate degree program, the center/institute will report as defined for a graduate center.

2. In cases where a center/institute has a mandated function as well as other functions such as multidisciplinary research but excluding a graduate degree program, the center/institute will report as defined for a mandated center.

3. In cases where a multidisciplinary center/institute also has a clinical and/or other service functions, the center/institute will report and be handled as a multidisciplinary center/institute as described in this AR.

III. CREATION OF NEW CENTERS/INSTITUTES

There are many mechanisms that bring faculty together in informal working groups with a research focus. Some of these working groups are in response to national initiatives; some grow out of campus initiatives; and still others result simply from the broad interaction among faculty that characterizes a great, research-oriented university. These working groups often interact for a period of time in which they discuss mutual interests and seek funds that will enable them to test the feasibility of their multidisciplinary interests. As the discussion proceeds and the group decides on a particular focus, it may become desirable to organize the working group formally as a center/institute.

During these formative stages and particularly as working groups respond to funding initiatives, it may be desirable to use the terminology "center" or "institute" as the title for a working group submitting a particular proposal. In these situations, the working group should inform and seek approval for this tentative use of the "center" or "institute" title from appropriate chairs and deans. This tentative use of the center/institute title is designed to give faculty flexibility in the early stages of the development of a center/institute. If funding is secured from internal and/or external sources, the working group is required to begin the formal approval process, described in this AR.

The deans, chancellors, and the Vice President for Research and Graduate Studies have a role to play in the successful development of research programs in general and multidisciplinary activities specifically. The sections that follow provide the overarching principles that guide the development and establishment of a center/institute, provide the mechanism for formally creating a center/institute, define the reporting relationships within and external to the center/institute, and define the procedure for terminating a center/institute.

A. It is appropriate, at all stages of the discussions that may lead to centers/institutes, for faculty to keep their chairs, deans, and other administrators apprised of their activities. Such notification need not be formal but is meant to keep all parties well informed on the progress of any discussion that might directly or indirectly impact faculty time and effort.

B. Multidisciplinary centers/institutes shall be established and administered in a way that maximizes their flexibility to respond to new research priorities and their ability to maintain academic integrity.

IV. APPROVAL PROCEDURES FOR CREATING A CENTER/INSTITUTE

A. When discussions among faculty and/or administrators reach a level where there is agreement to proceed with the creation of a center/institute, the faculty and/or administrators should prepare a proposal that addresses the topics in Section V of this AR.

B. When the proposal has been finalized, the evaluation process described in Section V of this AR should be followed. Depending on the reporting relationships of the center/institute, the evaluation process will require the following approvals.

1. Centers/institutes within a college. Recommended by appropriate chairs, recommended by the dean of the college, and recommended by the chancellor of the sector to the President. If the President supports the recommendation, the President will submit it to the Board of Trustees for action. Chancellors will consult with the Vice President for Research and Graduate Studies as part of the approval process.

2. Centers/institutes among colleges in the same sector. Recommended by appropriate deans, recommended by the chancellor of the sector to the President. If the President supports the recommendation, the President will submit it to the Board of Trustees for action. Chancellors will consult with the Vice President for Research and Graduate Studies as part of the approval process.

3. Centers/institutes among colleges in more than one sector. Recommended by chancellors and recommended by the Vice President for Research and Graduate Studies to the President. If

the President supports the recommendation, the President will submit it to Board of Trustees for action.

V. PROPOSAL PREPARATION AND EVALUATION

A. Proposal Format. A proposal for a new center/institute will contain the following information:

1. Goals and significance of proposed center/institute. The proposal should have a concise summary of what the center/institute hopes to achieve and why this activity is important.

2. Justification for creating a center/institute. The proposal should delineate the advantages of working together under the auspices of a "center/institute" rather than a "working group" or some other title.

3. Faculty leadership. No center/institute will succeed without the committed leadership of the faculty. The proposal should indicate the person who will act as the center/institute's spokesperson. The spokesperson may or may not ultimately become the center/institute's director. (See Section VIII for the appointment process)

4. Reporting relationships. The proposal should indicate the reporting relationships for the new center/institute according to the following guidelines.

a. Centers/institutes within a college. A center/institute involving faculty and resources from two or more departments within the same college may be established within the college. For the purposes of the research component of their activity, faculty involved in the center/institute shall report to a director. The director will report to the dean of the college.

b. Centers/institutes among colleges in the same sector. A center/institute involving faculty and resources from more than one college may be established within the sector. The director will report to a chancellor.

c. Centers/institutes among colleges in more than one sector. A center/institute involving faculty and resources from two or more colleges in different sectors may be established within the University. Faculty involved in such a center/institute shall report to a director typically chosen from one of the colleges. The director will report to the Vice President for Research and Graduate Studies. In cases where a multidisciplinary center/institute has other functions such as clinical services, it may be appropriate for the Vice President for Research and Graduate Studies to delegate management of the center/institute to the chancellor of the sector where the services are provided.

5. Staff and facilities requirements. The proposal should indicate whether additional staff and facilities will be needed, what they are needed for, and what interim measures would be workable if new staff or new facilities are not forthcoming. The proposal should focus on critical needs, not just needs that would be described as helpful.

6. Equipment or instrumentation, if any, that will be needed. The proposal should indicate if a new center/institute will result in the need for equipment that is not satisfied by the equipment currently available on campus.

7. Projected operating costs and proposed source of income. The proposal should provide a proposed three-year operating budget. Expenditure categories should include personnel, benefits, supplies, equipment, travel, and other needs (*e.g.,* consulting, etc.).

8. Potential for generating extramural funds. The proposal should indicate possible sources of support such as specific state and federal agencies as well as private-sector entities.

9. Other proposed benefits of the center/institute. The proposal should summarize other potential benefits of the center/institute (*e.g.,* training of students, service to the Commonwealth).

B. Proposal Evaluation

1. Centers/institutes within a college. A proposal for a center/institute involving faculty and resources from two or more departments within the same college should be circulated to other chairs or division directors within the college. A copy should be sent to the Vice President for Research and Graduate Studies who will circulate the proposal to any other centers and institutes that might have an interest in the proposal. Written comments regarding the proposal should be forwarded to the dean of the college.

2. Centers/institutes among colleges in the same sector. A proposal for a center/institute involving faculty and resources from departments in several colleges in the same sector should be circulated to all deans within that sector and to those appropriate chairs or division directors within the colleges. A copy should be sent to the Vice President for Research and Graduate Studies who will circulate the proposal to any other centers and institutes that might have an interest in the proposal. Written comments regarding the proposal should be forwarded to the chancellor of the appropriate sector.

3. Centers/institutes among colleges in more than one sector. A proposal for a center/institute involving faculty and resources from departments in several colleges in more than

one sector should be circulated to all deans within those sectors and to those appropriate chairs or division directors within the colleges. A copy should be sent to the Vice President for Research and Graduate Studies who will circulate the proposal to any other centers and institutes that might have an interest in the proposal. Written comments regarding the proposal should be forwarded to the Vice President for Research and Graduate Studies.

VI. APPROVAL PROCESS FOR CHANGING A CENTER/INSTITUTE

A. From time to time, it may be necessary and desirable for a center/institute that has already been established to change its focus or expand its membership to include faculty from other colleges and/or sectors.

B. In some cases, these changes may be quite substantive; in others, the changes may be minor.

1. In cases where the director and the faculty associates deem the changes to be major (e.g., a college will withdraw from an intercollege center/institute), the procedures described in Sections III and IV will need to be repeated.

2. In cases where the director and the faculty associates deem the changes to be minor (e.g., a new faculty member from a college not previously associated with the center/institute seeks associate membership in the center/institute), the director should contact the appropriate chair and dean of the new faculty associate and seek their written permission.

3. In cases where it is not clear whether a change is minor or major, the director and faculty associates should meet with the Vice President for Research and Graduate Studies who will provide guidance on this decision.

VII. ROLE AND RESPONSIBILITIES OF A DIRECTOR OF A CENTER/INSTITUTE - See GR VII-6

VIII. APPOINTMENT OF A DIRECTOR, FACULTY ASSOCIATES, AND STAFF OF CENTER/INSTITUTE

A. Director

1. Selection Process. Recommendations on the appointment of the director will be in accordance with GR VIII-3.

a. Centers/institutes within a college. The dean of the college, with the advice of the college's chairs, will select the director for recommendation to the chancellor. The dean is encouraged to seek the advice of the Vice President for Research and Graduate Studies.

b. Centers/institutes among colleges in the same sector. The appropriate chancellor, with the advice of the appropriate deans and any relevant center and institute directors, will select the director for recommendation to the President. The chancellor is encouraged to seek the advice of the Vice President for Research and Graduate Studies.

c. Centers/institutes among colleges in more than one sector. The Vice President for Research and Graduate Studies, with the advice of the appropriate deans, chancellors of the sectors, and any relevant center and institute directors, will select the director for recommendation to the President.

2. Term of Appointment - See GR VIII-4d

3. Qualifications - See GR VII-6

B. Faculty Associates and Staff of a Center/Institute

A center/institute shall consist of a director; faculty members who will be appointed on a faculty associate basis; and non-faculty employees. Each faculty associate will be appointed on the recommendation of the director of the center/institute and the appropriate educational unit administrator. Academic rank shall not be conferred by a multidisciplinary center/institute nor tenure acquired solely through service in such a unit. Faculty associates will report directly to a chair and dean of an academic college; the director will consult with the chair and dean in determining the time and effort that a faculty associate can devote to center/institute activities.

C. Recruitment

Recruitment shall be done in accordance with AR II-1.0-10.

IX. REVIEW OF CENTERS/INSTITUTES

The performance of each educational unit, including any college, community college, school, department, graduate center or interdisciplinary instructional program in the University as well as its chief administrative officer, will be reviewed annually and evaluated periodically -- (AR II-1.0-6). Centers/institutes will be evaluated in the context of the unit or units in which they are housed.

X. TERMINATION OF CENTERS/INSTITUTES

A. Centers/institutes within a college. Decisions as to the status of the centers/institutes within a college will be made in consultation with the director, the faculty associates, and other administrators, depending on the reporting relationship of the center/institute. The director and appropriate administrators should also consult with the Vice President for Research and Graduate Studies. If the unit is no longer viable in its present status, based on a review of the unit and the judgment of and consultation of those identified above, a recommendation to terminate the unit shall be made from the dean, to the chancellor, to the President, and finally to the Board of Trustees who will act on the request to dissolve the center/institute.

B. Centers/institutes among colleges in the same sector. Decisions as to the status of the centers/institutes within several colleges in the same sector will be made in consultation with the director, the faculty associates, and other administrators, depending on the reporting relationship of the center/institute. The director and appropriate administrators should also consult with the Vice President for Research and Graduate Studies. If the unit is no longer viable in its present status, based on a review of the unit and the judgment of and consultation of those identified above, a recommendation to terminate the unit shall be made from the appropriate deans, to the chancellor of the sector, to the President, and finally to the Board of Trustees who will act on the request to dissolve the center/institute.

C. Centers/institutes among colleges in more than one sector. Decisions as to the status of the centers/institutes within colleges in more than one sector will be made in consultation with the director, the faculty associates, and other administrators. If the unit is no longer viable in its present status, based on a review of the unit and the judgment of and consultation of those identified above, a recommendation to terminate the unit shall be made from the appropriate deans, to the chancellors of the sectors, to the Vice President for Research and Graduate Studies, to the President, and finally to the Board of Trustees who will act on the request to dissolve the center/institute.

X. BUDGET POLICIES, SALARY REIMBURSEMENT, AND INCENTIVE AWARDS

The director of the center/institute should consult with the appropriate administrators to determine administrative policy with regard to budgets.

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POLICY STATEMENT ON THE COMMUNITY COLLEGE SYSTEM (APPROVED BY THE BOARD OF TRUSTEES)

Kentucky's public higher education administered by the University of Kentucky will consist of two systems under a President and a Board of Trustees--(1) the University System and (2) the Community College System. The Community College System shall be headed by a Chancellor for the Community College System who shall be directly responsible to the President and shall serve as the chief executive officer concerned primarily with the operation and programs of the Community College System.

The separateness of these two systems is distinguished by their respective roles. The inter-relatedness is distinguished by the shared top administrative authority which coordinates available resources for optimum use without duplication. Each system shall bear primary responsibility and accountability for its administration, policy, personnel, programs, and finances to the President and the Board of Trustees and not to subordinate administrative units of the other, unless specifically directed by the President.

The paternal role of the University of Kentucky in the development of the Community College System has been vital and effective in the genesis of a new educational concept in Kentucky. The present policy is a reflection of the philosophy that the Community College System is, in development, function, and enrollment, a valid component and not an addendum of the University's total effort to serve the higher educational needs of the citizens of Kentucky.

Cooperation rather than authority is deemed necessary to provide the flexibility and responsiveness essential for a viable and evolving comprehensive Community College System under the University umbrella. The relationships between the two systems shall be that of mutual liaison and interchange with common supportive services available to both. The community colleges, as they strive to fulfill their statutory functions, are to be administratively free to meet changing challenges with an internally determined and responsive flexibility.

I. Role of the Community College System

The community colleges have roles aligned both with the task of higher education in the Commonwealth and with the educational and cultural contributions to be made to the citizens of the communities in which they are located. Following are the tasks of the community colleges:

A. To provide two years of lower division programs applicable to a baccalaureate degree. These programs are designed to enable the student to transfer to four-year institutions in the Commonwealth and elsewhere for upper division work.

B. To provide two-year non-baccalaureate programs leading to the granting of associate degrees or appropriate certificates in occupational areas.

C. To provide programs of adult education and service oriented to community interests, both occupational and cultural.

II. Administrative Structure of the University of Kentucky

The University of Kentucky consists of two systems under a President and Board of Trustees. The first of these, the University System, is composed of the University of Kentucky at Lexington and its state-wide research and service elements. The administrative structure in this system is not changed by the organization of the Community College System.

The Community College System consists of the fourteen community colleges now in operation and all other community colleges that may be added to the system in the future. A Chancellor for the Community College System heads the Community College System reporting to the President of the University and the Board of Trustees. Each of the community colleges is headed by a chief administrative officer, reporting to the Chancellor for the Community College System. Each of the community colleges has a nine-member local Advisory Board which provides advice to the chief administrative officer of the community college, the Chancellor for the Community College System, the President, and the Board of Trustees of the University of Kentucky. The counsel of the local Advisory Boards is sought primarily on matters of the two-year occupational programs and local community educational needs. The faculty of each community college is administratively responsible to the chief administrative officer of the respective community college. Community college faculty maintain informal academic liaison with faculty in the parallel subject matter areas at the University of Kentucky at Lexington.

III. Faculty of the Community College System

The responsibilities of the faculty in the Community College System differ somewhat from those in the University System. Teaching and community service functions are paramount in the community colleges. Standards of competence and performance for the functions to be performed are equally as high in the Community College System as in the University System. Faculty at the community colleges are expected to remain up-dated professionally for their teaching and service tasks.

IV. Admission Requirements of the Community College System

Admission to the community colleges and to the University of Kentucky at Lexington is and should be separate. The Community College System has the responsibility to set up and administer its own admission requirements, subject to the approval of the President and the Board of Trustees of the University of Kentucky. Its admission requirements must be such as to allow the flexibility needed to serve the wide range of students in transfer, occupational, and continuing education programs. Courses offered both in the University System and in the Community College System shall carry the same identification and description. Grades, credits, quality points, and academic status from courses taken in the Community College System shall be transferred when the community college student enrolls in the University System. The applicability of any courses offered in the Community College System which are not offered in the University System towards satisfying the requirements for a University degree shall be determined by the dean of the college in which the student enrolls, which is the same basis used to determine the applicability of courses from any other institution. Steps are taken to assure that students enrolling in lower division degree work at the community colleges with declared plans for later transfer to curricula at the University will receive the benefit of information from the University in those areas in planning their lower division work at the community colleges. The community colleges also will see that those students who intend to transfer to another college or university receive the benefit of counsel in planning their lower division work at the community colleges.

V. Facilities at the Community Colleges

The facilities needed for the community colleges are in substantial contrast to those needed by the University at Lexington. Students commute, thus eliminating the need for dormitory facilities. Technical facilities and equipment should be provided at the community colleges commensurate with the requirements for the programs offered in occupational areas, such as nursing or engineering technology. Laboratory facilities at the community colleges are limited to those laboratories necessary for undergraduate teaching. Library facilities also are designed to support the lower division teaching effort.

VI. Students in the Community College System

The community colleges attract students with a wide range of background and abilities. The markedly lower cost to the student and the student's family makes it possible for many more of the Commonwealth's citizens to participate in higher education.

Many students coming to the community colleges have not identified their educational and career goals. Others have financial, academic, and personal problems that need to be resolved. The community colleges are attempting to meet the needs of this heterogeneous student body by giving particular attention to guidance and counseling programs.

Some students enrolling in the community colleges need additional assistance in the basic skills required to be successful in either baccalaureate or occupational programs. The community

colleges are unique in higher education in their acceptance of this role in providing developmental work for those students who need it.

Many high school graduates in the state have needs for education oriented to the development of technical abilities usable in the communities in which they live. The expectation is that these needs can be partially met by enrollment in the occupational, collegiate-based curricula of the community colleges.

A significant portion of the enrollment in the community colleges comes from both part-time and full-time students drawn from the adult population of the communities, satisfying needs and interests in cultural improvement as well as the development of technical capabilities.

The enrollment of substantial numbers of students in the community colleges for lower division programs in baccalaureate degree work is a promising development. Common lower division requirements, offered both in the University System and in the Community College System for a large number of University degree programs, make a broader range of upper division programs of the University of Kentucky open to transfers from lower division programs in the community colleges without loss of credit or time in meeting requirements for a baccalaureate degree.

The students served by the community colleges have wide-ranging needs. These colleges are developing transfer, occupational, and community service programs that are making it possible for their students to meet those needs.

VII. A Policy for Expansion

Frequently the question of adding new locations to the present system of community colleges arises. Future expansion of the present Community College System must be well planned, orderly, and deliberate if the Community College System is to obtain its maximum effectiveness. No expansion should be attempted until provision is made to adequately support existing community colleges and to provide the necessary budgetary support to begin an institution. Any such decision should be rendered only after the Community College System studies the situation in question and has recommended this action. It is now obvious that the improved, and improving, highways make it possible for students to commute greater distances and thus a more systematic plan for expansion will better employ the Commonwealth's financial resources and better serve prospective students.

The development of a master plan for future growth, including detailed criteria, should occur prior to the establishment of any additional community colleges.

Additional community colleges should be established only when:

A. A thorough feasibility study has been made of the community's higher educational needs and the existing capacity it has to meet those needs. A minimum student

enrollment of 350 at the opening of the college and a potential of 500 by the end of a five-year period is a desirable standard. The secondary schools in the area to be served by the proposed institution should have at least 1,000 students graduating annually. The immediate surrounding community must be large enough to provide a strong nucleus of the total enrollment, support for scholarships, and employment for graduates, particularly in the two-year occupational programs.

B. Adequate financial support has been assured. A study of the feasibility of establishing a community college should include an evaluation of the prospects of the basic economy of the area and its future development. Even though the location of a community college may enhance the economic growth of an area, it is necessary that the potential for growth and development must be present. It should be noted, however, that community college education may be most urgently needed in communities that have a declining economy, and this opportunity should not be denied to those who need it most.

C. The community itself demonstrates a desire for the rather unique functions and programs of a comprehensive community college. Contributions and commitments (such as providing land, faculty housing, etc.) that demonstrate support for the college should be considered. The degree of support already provided for other educational and cultural institutions provides significant evidence in this regard since it is an indication of the continuing local interest that is an essential factor in the long-range development and operation of a community college.

D. There is a demonstrated need for higher education. Careful consideration must be given to educational opportunities available at other higher educational institutions (both two-year and four-year) in the area. Relationships with other institutions of higher education represent an important matter for policy consideration.

E. The college is in easy commuting distance for those whom it is intended to serve. Experience indicates that about 25 to 30 miles represents a realistic limit of the primary commuting area for a college. The boundaries of a commuting area are usually defined in terms of a maximum one-way travel time of forty-five minutes.

F. Adequate building(s), parking, and ultimate growth space has been provided. The minimum size for a non-metropolitan site should be usable acreage of not less than 100 to insure adequate potential for growth and ready, safe accessibility to site from existing highways.

Prior to opening a new community college to student enrollment, the "key" staff members (administrators and faculty) should be employed with an adequate period of time to study the educational needs of the people of the area in order to plan an educational program to meet these needs. The chief administrative officer should be on the scene at least a year prior to initial student enrollment.

VIII. Community College Rationale

The University of Kentucky Community College System represents a strong effort to meet public higher educational needs in the Commonwealth. The basic philosophical assumptions upon which such a system rests are:

A. The community college is unsurpassed in effectiveness and economy as a means of extending educational opportunity beyond high school.

B. Perhaps the most sacred tenet of American educational philosophy is that each individual should be provided with the opportunity for an education to the limit of the individual's capacity. The community college is a valuable instrument by which this end can be realized. Many students academically able and anxious to graduate from college cannot afford four years of living away from home while attending college.

C. The community college must be comprehensive in nature--designed for a variety of functions. This includes far more than the freshman-sophomore transfer programs.

D. The community college, in the true sense of the term, must be responsive to the local needs and special conditions.

E. The community college is a functioning part of a coordinated state plan or pattern for higher education.

F. A local Advisory Board for each community college helps reflect the area's needs and opinions.

Large numbers of publicly supported community colleges have been established in the past few years. Kentucky's pattern of development of community colleges has been somewhat unique. In most other states, the community colleges have not been so closely tied to a state university. The development of the University of Kentucky's community colleges has been a slow but rewarding process.

With the changes which have been made legislatively in the University of Kentucky's community colleges and their expansion to meet the needs of the Commonwealth, it appears appropriate to reaffirm and revise a Policy Statement made jointly by the President and the Board of Trustees which spells out the administrative structure which effectively integrates these units into a system and at the same time defines their roles in relation to the remainder of the University.

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	DATE EFFECTIVE 1/14/98	SUPERSEDES REGULATION DATED 10/20/82 4/30/93

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POLICIES AND PROCEDURES ON APPOINTMENT, PROMOTION, GRANTING OF TENURE, AND TERMINATION OF APPOINTMENT APPLICABLE TO FACULTY IN THE UNIVERSITY OF KENTUCKY COMMUNITY COLLEGE SYSTEM

The University of Kentucky Community College System and its program can be no greater than the quality and performance of its faculty. The following procedures and criteria offer minimum standards and requirements that should be exceeded in most, if not all, cases. These have been developed solely for the purpose of improving the comprehensive community college program by continually upgrading the quality and performance of the faculty.

In conducting procedures for appointment, promotion, granting of tenure, and termination of appointment affecting faculty not assigned to a division, the dean for academic affairs shall handle those procedural steps which are assigned to a division chairperson throughout this administrative regulation.

I. Academic Ranks

Academic ranks in the Community College System shall include Instructor in the Community College System, Assistant Professor in the Community College System, Associate Professor in the Community College System, Professor in the Community College System, and other ranks that are equivalent to these recognized ranks. Hereafter in this administrative regulation these ranks for the Community College System are referred to in abbreviated form as Instructor, Assistant Professor, Associate Professor, and Professor.

The academic ranks of assistant professor, associate professor, and professor or their equivalent in the University System also may be used for community college faculty with equivalent criteria. For faculty members in the regular title series, procedures for appointment, promotion, granting of tenure, and termination of appointment as defined for faculty in the University System shall apply.

II. Appointments

All recommendations for appointment to the Community College System faculty must be supported by a file containing a complete vita of the candidate and letters of recommendation from at least three qualified persons outside the Community College System. All recommendations for appointment to the Community College System faculty and staff must originate with the appropriate administrative officer after due consultation with at least the appropriate tenured faculty members where possible. Established criteria shall form the basis for judgment at all steps of the appointment process.

The precise terms and conditions concerning each appointment shall be stated in writing on an official appointment record.

A. Instructors and Assistant Professors

The presidents of the community colleges are delegated authority to make appointments, reappointments, and terminal reappointments to the ranks of instructor and assistant professor without reference to the Community College System Advisory Committee on Appointment, Promotion, and Tenure. These actions are reported by the president to the Chancellor for the Community College System.

B. Associate Professors and Professors

Recommendations for appointment to the ranks of associate professor or professor, with or without tenure, must be forwarded to the Community College System Advisory Committee on Appointment, Promotion, and Tenure through the Chancellor for the Community College System. The Advisory Committee will make its recommendation back to the Chancellor for the Community College System, who will add a recommendation and forward the complete file to the President of the Kentucky Community and Technical College System. The President's recommendation will be given final action by the Board of Regents of the Kentucky Community and Technical College System.

C. Visiting Professors

The designation "visiting" before an academic title indicates that the holder of the title has a limited temporary appointment for an academic year, semester, or summer term. The visiting title used should be appropriate to the appointee's home base position, i.e., visiting professor, visiting associate professor, visiting assistant professor, or visiting instructor. Where professorial rank or title does not appear to be suitable, the title "visiting lecturer" should be used. A visiting appointment may be full-time or part-time, salaried or unsalaried. The appointment is by definition a temporary one and the visitor is not eligible for staff benefits, except that those with salaried full-time appointments are eligible for Blue Cross-Blue Shield coverage. The visiting title does not include eligibility for membership in the Senate of the Community College System. Membership, with or without voting privileges, may be extended to a visiting appointee by the faculties of the community college and the division to which the appointee is assigned.

D. Part-Time Faculty

Occasionally, a person who otherwise would be a voluntary faculty member can give a substantial fraction of time to a college and that college may need and desire the individual's extensive participation in its program. In such cases, the individual may be paid a salary and be classified as a part-time faculty member. Part-time faculty are not eligible for the usual staff benefits nor for membership in the Senate of the Community College System. Membership, with or without voting privileges, may be extended to a part-time faculty member by the faculties of the community college and the division to which the individual is assigned.

E. Emeritus Professors

Upon retirement, tenured faculty members will retain their titles with the designation "emeritus".

Personnel with emeritus status are entitled to the following rights and privileges: to be included in faculty lists in University and Community College System bulletins and, upon request, to be provided mailboxes by their college; to be assigned office and/or laboratory space and furnished supplies for creative work (upon request, and subject to their availability and to the approval of the concerned academic unit); to have faculty library privileges; to be eligible to apply for Research Committee grants and publication subsidies; to receive University identification cards; to attend, without voting privileges, meetings of the Community College Senate; to participate, upon invitation, as a non-voting member of a division or college faculty; to hold membership in the University of Kentucky Federal Credit Union; to use University recreation facilities upon presentation of suitable identification; to purchase athletic tickets with previous priority status; to make purchases at the University Book Store at employee discount rates; to participate in academic processions; to be appointed to represent the University and the Community College System at academic ceremonies at other institutions; to receive notices of University and Community College events; and to take part generally with the faculties in all social and ceremonial functions of the University and the Community College System.

F. Voluntary Faculty

Voluntary faculty members are those who have an official faculty appointment in a college for which no stipend or salary is received and who devote only a part of their time to a program. Usually such faculty members are engaged in private practice or business, but they may hold full-time positions with other institutions and agencies. Voluntary faculty are not eligible for tenure, for usual benefits available to full-time faculty, or for membership in the Senate of the Community College System. Faculty membership, with or without voting privileges, may be extended by an education unit to one of its voluntary faculty.

III. Promotions

The president, after consultation with the division chairperson, is responsible for initiating the promotion process by inviting a faculty member to prepare a vita and appropriate supporting materials. With the assistance of the faculty member and the division chairperson, the president is responsible for gathering documentary materials and submitting the promotion file. The president has the responsibility for insuring that each promotion file is complete and contains the advice of the division chairperson and also the individual written opinions of the tenured faculty members of the appropriate division. Each president shall appoint a college advisory committee to advise the president, as requested, on recommendations to appoint or promote.

A. Promotions from Instructor to Assistant Professor

The president of the college has been delegated authority to approve or disapprove promotions from instructor to assistant professor. An approved action will be communicated through the Chancellor for the Community College System to the President of the Kentucky Community and Technical College System who will report it to the Board of Regents of the Kentucky Community and Technical College System. In case of disapproval of such a promotion, the president of the college will inform the faculty member in writing and also notify the division chairperson.

B. Promotions to Associate Professor or Professor

Proposals for promotion to associate professor or professor initially will follow the process described in the introductory paragraph of Section III. In each case, the president of the college will either approve the proposal and forward an affirmative recommendation to the Chancellor for the Community College System or disapprove and stop the proposal and then inform the faculty member in writing and also notify the division chairperson. If the Chancellor receives the promotion file containing the president's recommendation, the Chancellor will obtain a related recommendation from the Community College System Advisory Committee on Appointment, Promotion, and Tenure and then will either approve the proposal and forward an affirmative recommendation to the President of the Kentucky Community and Technical College System or disapprove and stop the proposal and notify the president of the college. If the President of the Kentucky Community and Technical College System receives the Chancellor's recommendation, the President of the Kentucky Community and Technical College System will either approve the proposal for promotion and make an affirmative recommendation to the Board of Regents for final action or disapprove and stop the proposal and inform the Chancellor who, in turn, will notify the president of the college of such action. In a case where the Board of Regents takes final action, the President of the Kentucky Community and Technical College System and the Chancellor, will inform the president of the college about the Board's action. The president, in turn, will notify the faculty member in writing and also inform the division chairperson.

C. Failure to Support Administrative Action for Promotion

Whenever a recommendation to promote is disapproved by the Chancellor for the Community College System or the President of the Kentucky Community and Technical College System, this fact must be reported back to the president of the college with supporting reasons, and an opportunity provided for a thorough discussion among the concerned parties. The president of the college will initiate the discussion with the faculty member; the division chairperson may be included in such a discussion at the request of the president or the faculty member. Any related appeals through administrative channels and/or the Community College System Senate Advisory Committee on Privilege and Tenure must be initiated in writing by the faculty member within 60 days after being notified in writing by the president of the college of the disapproval of a recommendation to promote.

D. Review Periods

An individual shall not remain as an instructor in the Community College System for more than three years. If after that period promotion to a higher rank cannot be justified, the individual's appointment at the University shall not be renewed. Non-tenured appointments at the assistant professor or associate professor level shall not exceed seven years including previous full-time service at the rank of instructor or higher at other institutions of higher learning, except that no more than three years of previous service may be counted against this seven year probationary period. Reviews shall follow the usual procedures for promotion and must be completed in time for the individual to be notified of the result in accordance with the Governing Regulations (Part X.B.4). Assistant professors must either be promoted at the end of the probationary period or shall not have their appointments renewed.

IV. Tenure in the Community College System

Tenure for faculty of the University of Kentucky Community College System when granted by the Board of Regents in accordance with the Governing Regulations shall be in the Community College System and not at the individual educational unit of the Community College System.

A. Types of Appointment

Full-time appointments shall be of three kinds: (1) non-tenured appointments, (2) tenured appointments, and (3) post-retirement appointments.

B. Appointment Records

The precise terms and conditions covering each appointment shall be stated in writing on an official appointment record. Notice of reappointment shall be in the possession of the appropriate administrative officials and the appointee at least three months before the renewed appointment begins when possible, or at the earliest date feasible in view of budget considerations.

C. Review Periods

Full-time non-tenured appointments may be for one year or for other stated periods, subject to renewal, but the total non-tenured or probationary period shall not exceed seven years, including previous full-time service with the rank of instructor or higher in other institutions of higher learning. A faculty member with more than three years in the academic profession, who is called from another institution and appointed at the rank of associate professor or below, may be required to serve in a probationary status for a period not to exceed four years, even though the individual's total probationary period in the academic profession is extended beyond seven years. However, in any case where a period of prior service of a faculty member involves significantly different institutional objectives or significantly different professional activity, all or part of the period of prior service may be eliminated from consideration in determining the non-tenured period at the University of Kentucky. Except as

provided in Part X.C.7 of the Governing Regulations, time spent on leave of absence shall count as probationary period service unless the Community College System in granting the leave and the individual in accepting it agree to the contrary. Individuals initially appointed at the rank of full professor may be given non-tenured status for a period not to exceed one year.

The applicability of prior service to the probationary period of a faculty member in the University of Kentucky Community College System shall be reviewed initially by the prospective faculty member and the concerned division chairperson and president. This review should occur either before and/or during the interviewing of the applicant and prior to the appointment of the applicant as a faculty member. The following questions shall be examined and serve as guidelines in making and considering requests for waiver or elimination of prior service: (1) Did the institution of prior service have similar expectations regarding formal criteria for promotion as those which prevail for the University of Kentucky Community College System? (2) Were the measurable achievements of the faculty member at the institution of prior service such that these would be counted as part of the achievements to be evaluated by the University of Kentucky Community College System in consideration for promotion and tenure? (3) Did the faculty member utilize the same knowledge and skills and have the same career goals at the institution of prior service which the faculty member will be applying at the University of Kentucky Community College System? and (4) Does employment in the University of Kentucky Community College System involve a change of career and, therefore, a change in the expectations which should be placed upon measurable achievements within a particular period of time? In any case of prior service involving significantly different institutional objectives or significantly different professional activity, a request that all or part of the prior service be eliminated from consideration in determining the probationary period at the University of Kentucky may be initiated by the prospective faculty member, the division chairperson, or the president. After seeking the advice of the College Advisory Committee on Appointment, Promotion, and Tenure, the president shall forward the request with the president's recommendation to the Chancellor for the Community College System who shall approve or disapprove the request.

Following appropriate review periods not exceeding in duration those described above, all persons of associate professor or higher rank shall be given tenure or shall not have their appointments renewed; all persons of assistant professor rank shall be promoted to associate professor with tenure or shall not have their appointments renewed. Established appointment, promotion, and review procedures shall be followed in making these decisions.

A tenured associate professor concerning whom a recommendation for promotion has not been forthcoming for six years must be considered for promotion, and a recommendation by the president, either affirmative or negative, shall be made to the Chancellor for the Community College System during the seventh year. If the recommendation of the president is negative, the Chancellor will advise the concerned faculty member of this decision to not recommend promotion and will give the faculty member an opportunity to submit a promotion file to the Community College System Advisory Committee on Appointment, Promotion, and Tenure for evaluation. Within thirty days of notification by the Chancellor, the concerned individual shall

reply in writing to the Chancellor either accepting or declining this opportunity for an evaluation of the individual's file by the Advisory Committee on Appointment, Promotion, and Tenure. In the case of acceptance, the Advisory Committee will review and evaluate the file and recommend to the Chancellor in the usual manner. In case of declination, the provision of another opportunity for consideration of the individual's promotion by the Advisory Committee shall not be mandatory until six more years have passed.

D. Notification of Non-Renewal of Appointment: Non-Tenured

Appointments

Part-time, visiting, or temporary short-term appointments with explicit terminal dates of one academic year or less terminate at the expiration of the term without notice. For those employed year-to-year on a fiscal or academic year basis, notification of non-renewal of appointment at the end of the first year of service shall be given not later than March 1 if the appointment expires at the end of that year or three months in advance if the one-year appointment terminates during the academic year. Notification of non-renewal of appointment at the end of the second year of service shall be given no later than December 15 if the appointment expires at the end of the year or six months in advance if the appointment expires during the year. Notification of non-renewal of appointment after more than two years of service shall be given at least twelve months before expiration of the appointment.

In cases where a division chairperson's advice for reappointment for a specific term is rejected by the president and a terminal reappointment is offered instead, the following procedure will be employed. If the tenured members of the division faculty and the division chairperson reaffirm their advice and so request by majority vote, the Chancellor for the Community College System will refer the matter to the Community College System Advisory Committee for Appointment, Promotion, and Tenure (or an ad hoc advisory committee especially formed for the purpose). The committee in its deliberation will address itself to the potential of the individual as a faculty member in a comprehensive community college and the likelihood of an eventual tenured appointment, and will submit a written recommendation to the Chancellor. After considering the committee's report, the Chancellor will make a recommendation to the President of the Kentucky Community and Technical College System whose decision will be final.

It is University policy not to provide written reasons in cases of non-renewal of appointment. However, in any such case upon the faculty member's request, the president of the college may meet with the faculty member and discuss informally the circumstances surrounding the non-renewal. If the faculty member is not satisfied with this conference, the faculty member may further request a related conference with the Chancellor for the Community College System. Any related appeals through administrative channels and/or the Community College System Senate Advisory Committee on Privilege and Tenure must be initiated in writing by the faculty member within 60 days after being notified in writing by the president about non-renewal of appointment.

E. Termination of Appointment

1. Reasons for Termination

Except in cases of financial emergency, the termination of a tenured appointment or the dismissal of a person prior to the expiration of a non-tenured appointment shall, in accordance with KRS 164.230, be only for reasons of incompetence, neglect of or refusal to perform duties, or for immoral conduct.

In the instance of termination because of a financial emergency, the faculty member may have the issues reviewed by the Advisory Committee on Privilege and Tenure of the Senate of the Community College System with the right of appeal to the President of the Kentucky Community and Technical College System and the Board of Regents of the Kentucky Community and Technical College System. The faculty member shall be given notice as soon as possible and never less than twelve months' notice. The released member's place shall not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

2. Procedures

Dismissal of a faculty member with continuous tenure or of a non-tenured member before the end of a specified term of appointment shall be preceded by discussions between the faculty member and an appropriate administrative officer or officers looking toward a mutual settlement. In the event of failure to arrive at an agreed upon settlement, the Chancellor for the Community College System shall be responsible for the preparation of a reasonably particularized statement of charges which shall be furnished to the faculty member and the Advisory Committee on Privilege and Tenure of the Senate of the Community College System. The committee shall make an informal investigation for the purpose of attempting to effect an adjustment and, in the case of failure, to recommend to the President of the Kentucky Community and Technical College System whether, in its opinion, dismissal proceedings should be undertaken. Its opinion shall not be binding upon the President of the Kentucky Community and Technical College System.

If the President of the Kentucky Community and Technical College System initiates dismissal proceedings, the individual concerned shall have the right to be heard initially by the Hearing Committee (Privilege and Tenure) of the Senate of the Community College System.

The faculty member shall be informed in writing by the President of the Kentucky Community and Technical College System regarding specific charges at least twenty days prior to the hearing. At least seven days prior to the hearing, the faculty member must answer the charges in writing. The faculty member may waive the hearing. If the faculty member waives the hearing but denies the charges or asserts that the charges do not support a finding of

adequate cause, the hearing tribunal shall evaluate all available evidence and rest its recommendation upon the evidence in the record.

The committee, in consultation with the President of the Kentucky Community and Technical College System and the faculty member, will exercise its judgment as to whether the hearing should be public or private. During the proceedings the faculty member will be permitted to have an academic adviser and counsel of personal choice. At the request of either party or the hearing committee, a representative of a responsible educational organization shall be permitted to attend the proceedings as an observer. A full stenographic record of the hearing or hearings will be taken and made available to the parties concerned. The burden of proof that adequate cause exists rests with the institution, and shall be satisfied only by clear and convincing evidence in the record considered as a whole. If the faculty member's competence is in question, the testimony should include that of qualified faculty members from the institution or Community College System and may include that of qualified faculty members from comparable institutions of higher education.

Upon the conclusion of the hearing, the committee shall report to the President of the Kentucky Community and Technical College System that adequate cause for dismissal has or has not been established by the evidence in the record. It may, in addition, recommend that, although adequate cause for dismissal has been established, an academic penalty less than dismissal would be more appropriate, giving supporting reasons for the recommendation. If the President of the Kentucky Community and Technical College System rejects the report, the President shall provide reasons in writing to the committee and to the faculty member and provide an opportunity for response before transmitting the case to the Board of Trustees.

A decision adverse to the faculty member may be made only after an opportunity has been given for an additional hearing before the Board of Trustees as required by KRS 164.230. The Board will either sustain the recommendation of the committee and the President of the Kentucky Community and Technical College System or return the proceedings to the President and the committee with specific objections. The committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The Board of Trustees will make the final decision after a study of the committee's reconsideration.

3. Suspensions

Until the final decision upon termination of an appointment has been reached, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Before suspending a faculty member, pending an ultimate determination of that individual's status through the hearing procedures, the President of the Kentucky Community and Technical College System will consult with the Advisory Committee on Privilege and Tenure of the Senate of the Community College System. Salary will continue during the period of suspension.

F. Academic Freedom of Non-Tenured Faculty

If faculty members on non-tenured appointments or faculty members on post-retirement appointments allege that decisions not to reappoint them were caused by considerations violative of academic freedom, they must present their allegations in writing to the Advisory Committee on Privilege and Tenure of the Senate of the Community College System within 60 days after being notified in writing by the president of the decisions not to reappoint. Allegations so presented shall be given preliminary considerations by the Advisory Committee on Privilege and Tenure, which shall seek to settle the matter by informal methods. The faculty members' statements of allegations shall be accompanied by statements that they agree to the presentation, for the consideration of the committee, of such reasons and evidence as the Community College System may allege in support of its decisions. If the difficulty is unresolved at this stage and if the committee so recommends, the procedures set forth in Section E.2 shall be applied, except that the faculty members making the complaints are responsible for stating the grounds upon which they base their allegations, and the burden of proof shall rest upon them. If prima facie cases are established via these procedures in favor of the faculty members, it becomes incumbent upon the persons who made the decisions not to reappoint to come forward with evidence in support of those decisions.

G. Resignation

Notice of resignation should be given early enough to obviate serious inconvenience to the Community College System. If faculty members desire to terminate existing appointments or to decline renewals in the absence of notices of non-renewal, they shall give written notice of not less than three months if their rank is instructor or assistant professor, and not less than four months if their rank is higher, before the end of their duties during an academic year (exclusive of a summer session) or thirty days after receiving notification of the terms of their appointments for the coming year, whichever date occurs later. However, they may properly request a waiver of this requirement in cases of hardship or in situations where they would otherwise be denied substantial professional advancement.

H. Administrative Personnel

Administrative personnel who hold academic rank are subject to the foregoing regulations in their capacity as faculty members. Where administrators allege that considerations violative of academic freedom significantly contributed to decisions to terminate their appointments to administrative posts or not to reappoint them, they shall be entitled to the same procedures as those for non-tenured faculty who have alleged violation of academic freedom.

I. Opportunities for Hearings

In no case shall a member of the academic staff who is not otherwise protected by the preceding regulations which relate to dismissal proceedings be dismissed (termination before the end of a period of appointment) without having been provided with a statement of reasons and

an opportunity to be heard before the Advisory Committee on Privilege and Tenure of the Senate of the Community College System.

A member of such an academic staff who establishes a prima facie case to the satisfaction of the Advisory Committee on Privilege and Tenure of the Senate of the Community College System that a consideration violative of academic freedom significantly contributed to the member's non-reappointment shall be given a statement of reasons by those responsible for the non-reappointment and an opportunity to be heard by the committee.

J. Change of Assignment

When it is to the best interests of the institution, and if the professional status of an individual is not seriously jeopardized thereby, a change in the duties assigned to an individual may be made without such a change of assignment being regarded as a violation of the individual's privilege or tenure rights.

V. Criteria for Evaluation of Faculty for Appointment and Promotion

A. Areas of Activity

Four areas of activity are important in the evaluation of faculty for appointment and promotion: (1) teaching performance; (2) student guidance-advisory activities; (3) continuing education and community service as related to the program of the college; and (4) professional activities, educational leadership, and service.

Since all appointments and promotions will be made on the basis of merit, a detailed statement on each of these areas will serve as a guide to review committees evaluating the expectations and accomplishments of a faculty member.

1. Teaching Performance

The primary function of a faculty member in a community college is to provide instruction of superior quality. Markedly superior teaching is recognized as a distinct value and must be used as evidence for appointment and promotion of faculty. Objective evidence of the quality of teaching must be obtained and considered. Such evidence should consist of reports by colleagues, evaluation by students, and, if available, evaluation by graduates of the college. Evidence of superior teaching also can be demonstrated by competence in the following:

a. Course objectives should be clearly defined. The relationship to prerequisites and courses which follow should be well conceived, and the relationship of the course to the field of study in general should be articulated.

b. The organization of the course should be in the form of an outline and assignments which reflect a logical and imaginative approach to the subject.

c. The content should be kept up to date and should be consistent with the level at which the course is offered in the curriculum. A faculty member should establish the proper level of instruction in the course. The capacity and background of the students are not irrelevant in this regard, but the objectives of the course and its usefulness in preparing students for more advanced work should not be compromised. The level of instruction should not make undue concessions to the limitations of students but should not be so advanced that by not being comprehended the course fails to fulfill its purpose.

d. The faculty member should be aware of and, where appropriate, use newer educational media in teaching.

e. The faculty member should teach in such a manner that the students work to the level of their abilities, i.e., enrichment of opportunity for students to achieve at significantly different levels.

f. The faculty member should be skillful in evaluating the effectiveness of one's teaching. The faculty member also should have the ability to devise and use valid instruments for evaluation which are pertinent to the learning experiences provided by the course.

g. The faculty member should be effective in presentation and interpretation of subject matter. Effective techniques of instruction vary with individuals but certain standards of performance have general applicability.

(1) The faculty member should be poised and always in command of one's self and one's classroom situation.

(2) The faculty member's presentations should always be organized in a manner conducive to learning and should always reflect thorough preparation.

(3) The faculty member's manner of presentation and substance of presentation should hold the attention and interest of students.

(4) The faculty member should establish with the class a rapport that is conducive to sustained and enthusiastic pursuit of the subject.

(5) The faculty member should gain the respect of students for knowledge of the subject and ability to communicate and stimulate interest in the subject.

(6) The faculty member should establish a reputation as a teacher who is fair and thorough in evaluation and as a person who is interested in the progress of students.

h. The faculty member should carry an appropriate share of the total instructional load of a division in a community college and should contribute to the maintenance of a vigorous tone in the division's instructional program.

(1) There is a quantitative, as well as a qualitative, dimension to instruction. Consideration should be given to a person who teaches a variety of courses, or to the faculty member who can teach effectively a large number of students.

(2) The tone of an instructional program is obviously an intangible property. A poor tone, however, is easy to discern; disinterested students, lack of rapport between the faculty member and students, and casual presentations in class are some of the more apparent characteristics. A most telling indication of "tone" is an atmosphere in which the student feels that the instructor and the student are working together on the problem as contrasted to an atmosphere in which there is a cold war between the two parties. As it is difficult to measure the contribution of each faculty member to a division, each individual must be evaluated, in part, by the general tone which prevails.

(3) The faculty member should have the respect of colleagues as a teacher.

2. Student Guidance-Advising Activities

The community colleges strive to project a student-centered image by emphasizing as one of their functions the comprehensive attempt to meet the needs of students who vary widely in academic potential and academic interest. Academic advising is probably a more important function in the community colleges than in four-year institutions due to the heterogeneity of the student body, the variety and complexity of decisions which the students must make, and the need for developmental programs to prepare students for entering two-year programs.

a. Faculty members in community colleges must be concerned with the opportunities to serve as advisers to students. For effective contributions as a student adviser the faculty member should: (1) demonstrate an interest in counseling or working with students as an adviser; (2) demonstrate the ability to deal effectively with students in a one-to-one relationship; (3) demonstrate a willingness to learn the fundamentals of advisory responsibility; (4) have the knowledge and ability to refer students to other resource persons in finding solutions to specific problems; and (5) develop a rapport with students which causes them to seek counsel and advisement.

b. Faculty members in community colleges have responsibility for extending the teacher-student relationship beyond the classroom in a way that is conducive to the maturing of the intellect and emotions of the student. This responsibility involves more than formal advising.

3. Continuing Education and Community Service as Related to the Program of the College

The community colleges have responsibility for service across the broad spectrum of the community to meet those needs not met by formal degree programs. All faculty members in a community college share this responsibility, and it is recognized that while the specific roles and responsibilities of individual faculty members in this area will vary, continuing education and/or community service will be reflected in the overall responsibility and evaluation of a faculty member's contribution to the college.

Continuing education and community service as extensions of the faculty member's role as a teacher in a community college might include planning or directing such activities as: (1)short non-credit courses, (2) forums and community meetings, (3) concerts and lectures, (4) exhibits, (5) recreational activities, and (6) professional assistance. (See AR II-5.0-3)

4. Professional Activities, Educational Leadership, and Service

The demonstration and evaluation of the professional activities, educational leadership, and service of a faculty member shall be based upon evidence of: professional growth and development in areas of primary assignment; effective participation in activities appropriate to the formation of educational policy and faculty organization; effective performance of administrative duties where applicable; recognition of educational leadership; and appropriate support of and participation in student activities, including sponsorship of student organizations.

B. Balance of Intellectual Attainment

A major consideration in any appointment or promotion which carries tenure must be superior achievement in the various activities discussed in the preceding paragraphs. While the proportion of these activities may vary in terms of the individual's assignments and specialty, it must be recognized that superior intellectual attainment is evidenced by both the quality of the individual's teaching and the quality of the individual's community service, student guidance-advising, and professional activities. Ideally, individuals selected for the tenure ranks should demonstrate superiority in all of the major criteria discussed here, and while special circumstances may cause the weight of emphasis to vary on each, care must be taken to insure that outstanding performance in a single activity does not obliterate the other factors that should be considered in evaluating superior achievement.

C. General Criteria for Ranks

Although it would be impossible to specify the exact criteria for judging an appointment or promotion to any one particular rank, a few general statements are made as guides to review committees.

1. Instructor in the Community College System

The title Instructor in the Community College System designates a person whose services are contracted primarily for teaching, advising, and community service. The individual should have an understanding of and a belief in the purposes of a community college.

In the pre-baccalaureate program, it is expected that the individual shall have at least a master's degree in the subject area in which the individual will teach.

In technical programs where an academic degree is not available, two years of occupational experience, professional preparation in the field, or registration or certification by a recognized agency may be presented in lieu of educational attainment. In technical programs where an academic degree is available, it is expected that the individual shall have at least a bachelor's and preferably a master's degree where appropriate.

2. Assistant Professor in the Community College System

Appointment or promotion to the rank of Assistant Professor in the Community College System will be made when it has been determined by colleagues, the division chairperson, and the president that the individual has a current capability for good teaching, good student relations, and community college service and that the individual has demonstrated a genuine concern in fulfilling the purposes of a community college.

The evaluation of the individual's performance should be determined by the use of current objective evaluative instruments.

3. Associate Professor in the Community College System

The promotion to Associate Professor in the Community College System will be made only after an indication of continuous improvement and contribution as a faculty member. The individual shall have demonstrated definite leadership in assigned areas of activity and in the overall development of the program of the college. The individual also shall have earned recognition for educational leadership.

4. Professor in the Community College System

A promotion to the rank of Professor in the Community College System should be an indication that the individual is an outstanding, mature faculty member who has been recognized for leadership in the college and the System and who has demonstrated excellence in assigned areas of activity, in professional development, and in the total program of the college. It should always be stressed that this rank is a recognition of quality and depth of performance and achievement rather than length of service.

VI. Appointment, Promotion, and Tenure of Librarians

A. Appointments

1. Librarian IV and Librarian III

The presidents of the community colleges are delegated authority to make appointments to the ranks of Librarian IV and Librarian III. These actions are reported by the president to the Chancellor for the Community College System.

2. Librarian II and Librarian I

Recommendations for appointment to the ranks of Librarian II and Librarian I, with or without tenure, must originate with the president of the college and be forwarded to the Community College System Advisory Committee on Appointment, Promotion, and Tenure through the Chancellor for the Community College System. The Advisory Committee will make its recommendations back to the Chancellor who will add a recommendation and forward the file to the President of the Kentucky Community and Technical College System. The President's recommendation will be given final action by the Board of Regents of the Kentucky Community and Technical College System.

B. Promotions

1. Promotion from Librarian IV to Librarian III

The president of the college has been delegated authority to approve or disapprove promotions from Librarian IV to Librarian III. An approved promotion will be communicated through the Chancellor for the Community College System to the President of the Kentucky Community and Technical College System who will report it to the Kentucky Community and Technical College System Board of Regents. In case of disapproval of such a promotion, the president will inform the librarian in writing and also notify the dean for academic affairs.

2. Promotion to Librarian II or Librarian I

Proposals for promotion to Librarian II or Librarian I initially will follow a process parallel to that described in the introductory paragraph of Section III. In each case, the president of the college will either approve the proposal and forward an affirmative recommendation to the Chancellor for the Community College System or disapprove and stop the proposal and then inform the librarian in writing and also notify the dean for academic affairs. If the Chancellor receives the promotion file containing the president's recommendation, the Chancellor will obtain a related recommendation from the Community College System Advisory Committee on Appointment, Promotion, and Tenure and then will either approve the proposal and forward an affirmative recommendation to the President of the Kentucky Community and Technical System or disapprove and stop the proposal and notify the president of the college. If

the President of the Kentucky Community and Technical College System receives the Chancellor's recommendation, the President will either approve the proposal for promotion and make an affirmative recommendation to the Kentucky Community and Technical College System Board of Regents for final action or disapprove and stop the proposal and inform the Chancellor who, in turn, will notify the president of the college of such action. In a case where the Kentucky Community and Technical College System Board of Regents takes final action, the President of the Kentucky Community and Technical College System, through the Chancellor, will inform the president of the college about the Board's action. The president, in turn, will notify the librarian and also inform the dean for academic affairs.

3. Failure to Support Administrative Action for Promotion

Whenever a recommendation to promote is disapproved by either the Chancellor for the Community College System or the President of the Kentucky Community and Technical College System , this fact must be reported back to the president of the college with supporting reasons, and an opportunity provided for a thorough discussion among the concerned parties. The president will initiate the discussion with the faculty member; the division chairperson may be included in such a discussion at the request of the president or the faculty member. Any related appeals through administrative channels and/or the Community College System Senate Advisory Committee on Privilege and Tenure must be initiated in writing by the faculty member within 60 days after being notified in writing by the president of the college of the disapproval of a recommendation to promote.

C. Review Periods

An individual shall not remain at the rank of Librarian IV in the Community College System for more than three years. If after that period promotion to a higher rank cannot be justified, the individual's appointment shall not be renewed. Non-tenured appointments at the Librarian III or Librarian II levels shall not exceed seven years, including previous full-time service at the rank of Librarian IV or higher at other institutions of higher learning, except that no more than three years of previous service may be counted against this seven-year probationary period. Reviews shall follow the usual procedures for recommendation to promote and must be completed in time for the individual to be notified of the result in accordance with the Governing Regulations (Part X.B.4). Individuals at the rank of Librarian II must either be promoted at the end of the probationary period or shall not have their appointments renewed.

D. Tenure

1. Types of Appointment

Full-time librarian appointments shall be of three kinds: (a) non-tenured appointments, (b) tenured appointments, and (c) post-retirement appointments.

2. Review Periods

Full-time non-tenured librarian appointments may be for one year or for other stated periods, subject to renewal, but the total non-tenured or probationary period shall not exceed seven years, including previous full-time service as a professional librarian with the rank of Librarian IV or higher in other institutions of higher learning. An individual with more than three years in the academic profession, who is called from another institution and appointed at the rank of Librarian II or below, may be required to serve in a probationary status for a period not to exceed four years, even though the individual's total probationary period in the academic profession is extended beyond seven years. However, in any case where a period of prior service of a librarian involves significantly different institutional objectives or significantly different professional activity, all or part of the period of prior service may be eliminated from consideration in determining the probationary period at the University of Kentucky. Except as provided in Part X.C.7 of the Governing Regulations, time spent on leave of absence shall count as probationary period service, unless the Community College System in granting the leave and the individual in accepting it, agree to the contrary. Individuals initially appointed at the rank of Librarian I may be given non-tenured status for a period not to exceed one year.

The applicability of prior service to the probationary period of a librarian in the Community College System of the University of Kentucky shall be considered in the same manner as that for a regular faculty member as explained in detail in Section IV.C of this document.

3. Appointment Records

The precise terms and conditions covering each librarian appointment shall be stated in writing on an official appointment record. Notice of reappointment shall be in the possession of the appropriate administrative officials and the appointee at least three months before the renewed appointment begins when possible, or at the earliest date feasible in view of budget considerations.

4. Notification of Non-Renewal of Appointment:
Non-Tenured Appointments

Part-time, visiting, or temporary short-term librarian appointments with explicit terminal dates of one academic year or less terminate at the expiration of the term without notice. For those employed year-to-year on a fiscal or academic year basis, notification of non-renewal of appointment at the end of the first year of service shall be given not later than March 1 if the appointment expires at the end of that year or three months in advance if the one-year appointment terminates during the academic year. Notification of non-renewal of appointment at the end of the second year of service shall be given no later than December 15 if the appointment expires at the end of the year or six months in advance if the appointment expires during the year. Notification of non-renewal of appointment after more than two years of service shall be given at least twelve months before expiration of the appointment.

E. Criteria for Ranks

1. All librarians shall have earned an A.B. or B.S. degree, or its equivalent, and a graduate (fifth year) degree in Library Science. Relevant experience or a master's degree in a field other than Library Science may be substituted for the degree in Library Science.

2. Persons appointed to the rank of Librarian III shall, in addition, have had at least three years of successful experience. Graduate study above the degree in Library Science may be substituted for a part or all of the three years of practical experience.

3. Appointees to the rank of Librarian II or Librarian I shall, in addition, have had not less than five years of successful experience. Additional experience may be required if such training is appropriate to the position. They shall also have demonstrated subject specialization and have exhibited educational leadership appropriate to the position. A master's degree or a doctorate in a subject field may be taken as evidence of subject specialization.

F. Conditions of Employment

1. Appointees to the various ranks of librarians are eligible for sabbatical leave in accordance with stated University sabbatical leave policies, for participation in the University Retirement System on the same basis as faculty members of equivalent rank, and for other appropriate benefits and privileges available to faculty members of equivalent rank.

2. Librarians are eligible for membership in the Senate of the Community College System.

VII. Community College System Advisory Committee on Appointment, Promotion, and Tenure

A. Purpose

The Community College System Advisory Committee on Appointment, Promotion, and Tenure is established for the purpose of providing the President of the Kentucky Community and Technical College System and the Chancellor for the Community College System with a systematic and broad base of advisement from both faculty and administration on matters of appointment, promotion, and tenure.

B. Composition

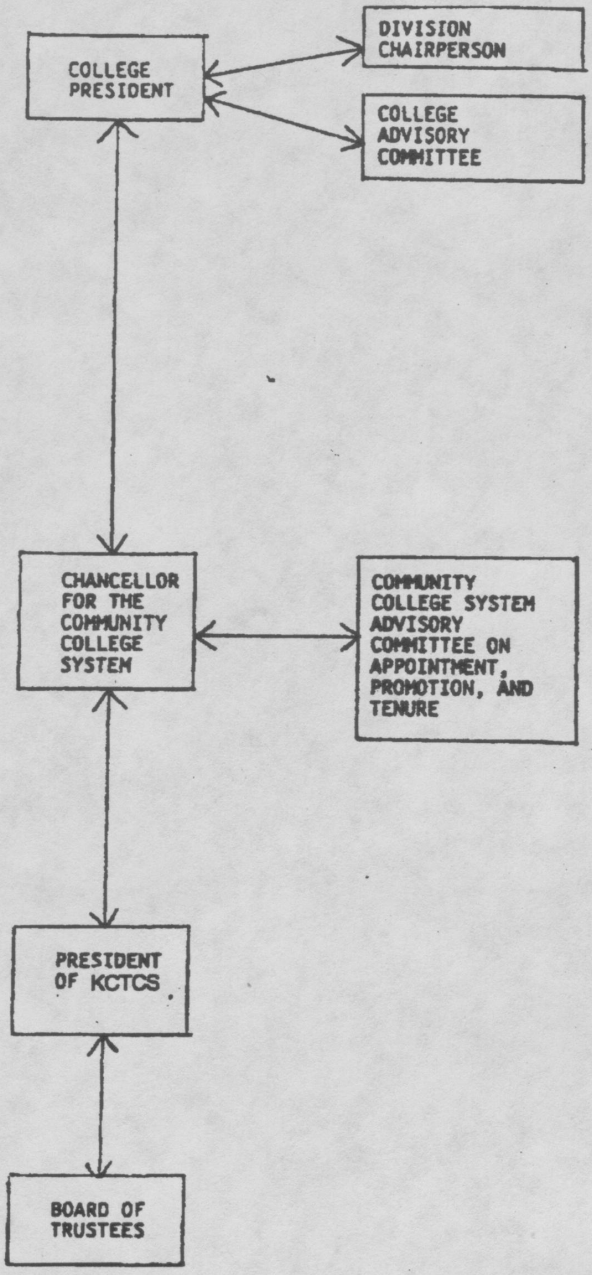
The membership of the Advisory Committee will consist of no fewer than seven members appointed by the President of the Kentucky Community and Technical College System from a list of candidates provided by the Community College Council. The list shall include at

least twice as many names as there are vacancies. Members will have tenure in the Community College System and will serve two-year terms, which will be staggered to insure continuity of membership, the President designating the chairperson of the committee.

C. Selection of Committee Members

The membership of the committee should have as broad a representation as possible. No community college shall be represented by more than one person, and membership on the committee shall be rotated so that over a period of years all community colleges shall be represented. The Advisory Committee may recommend that the Chancellor for the Community College System appoint an ad hoc committee to handle cases requiring additional and expert advice. Ad hoc committees will be discharged as soon as their reports are submitted to the Advisory Committee. The Advisory Committee should acknowledge the advice of the ad hoc committee in preparing its recommendations to the Chancellor for the Community College System.

PROCEDURAL FLOW CHART FOR PROMOTION AND GRANTING OF TENURE IN THE COMMUNITY COLLEGE SYSTEM



The College President:

a. Initiates the proposal.
b. Supervises the gathering of the vita with the required letters and supporting materials.
c. Secures the advice of the Division Chairperson.
d. Secures the advice of the college's Advisory Committee on Appointment, Promotion, and Tenure.
e. Approves or disapproves the proposal at the level of instructor to assistant professor. Notifies the individual.
f. Forwards to the Chancellor recommendations for approval at the levels of assistant professor to associate professor and of associate professor to professor. Notifies the individual if the proposal is disapproved.
g. See footnote (*).

The Chancellor:

a. Reviews proposal for completeness.
b. Secures the advice of the System's Advisory Committee on Appointment, Promotion, and Tenure.
c. Forwards recommendations for approval to the President of the University.
d. Notifies the College President if the proposal is disapproved. The College President shall notify the individual.
e. See footnote (*).

The President of Kentucky Community and Technical College System (KCTCS):

a. Reviews the proposals.
b. Submits recommendations for approval to the Board of Trustees for final action.
c. Notifies the Chancellor if the proposal is disapproved. The Chancellor shall notify the College President who shall notify the individual.

The Board of Regents:

a. Takes final action.
b. President of KCTCS notifies Chancellor of action taken.
c. Chancellor notifies College President of action taken.
d. College President notifies individual of action taken.

* The roles of the College President and the Chancellor in a case of a tenured associate professor concerning whom a recommendation for promotion has not been forwarded for six years is described in detail in the fourth paragraph of Section IV.C of this document.

WAR1:166

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-5.0-3	PAGE 1
	DATE EFFECTIVE 7/1/98	SUPERSEDES REGULATION DATED 2/2/88, 3/19/92

POLICY STATEMENT ON THE ACCOUNTING AND MEASUREMENT OF CONTINUING EDUCATION AND COMMUNITY SERVICE ACTIVITIES IN THE LEXINGTON COMMUNITY COLLEGE

The commitment of the University of Kentucky Community College System which includes the Lexington Community College to continuing education and community service is confirmed by action of the University of Kentucky Board of Trustees and the state legislature. The policy statement adopted by the Board of Trustees in 1964 and revised in 1971 outlines the three functions of the Community College System which include as one function "to provide programs of adult education and service oriented to community interests, both occupational and cultural." In addition, KRS 164.580 requires that each community college shall provide "within a two-year college curriculum, courses in general education, including adult education, not necessarily intended for transfer or technically oriented."

Community college programs and services are closely linked to local community needs. Commitment to public service and community involvement distinguishes the community college from other forms of higher education. In response to this mission the University of Kentucky Community College System defines continuing education and community service as follows:

Continuing Education - Any structured educational activity (not resulting in academic credit) sponsored by the college for the personal and professional development of individuals. In its broadest sense, continuing education encompasses all ages, educational levels, and topics. The college structures specific learning activities which may be targeted to a particular age group, at a defined level and scope of instruction, and taught by a knowledgeable instructor(s). Participants enroll for a specific offering whether short course, workshop, special training program or other structured learning activity.

Community Service - Any public service that contributes to community development and to the quality of life for a community's citizens. Representative activities include professional consultation and leadership, economic development assistance, testing and assessment services, cultural events, and use of campus facilities.

This regulation provides a systematic process for the orderly recognition and reporting of continuing education and community service activities. This policy statement is consistent with the Criteria for Accreditation of the Commission on Colleges of the Southern Association of Colleges and Schools and the Commission on Colleges' publication, The Continuing Education Unit: Criteria and Guidelines.

CONTINUING EDUCATION

I. Measurement of Continuing Education - (CEU's)

The continuing education unit (CEU) serves as the vehicle to measure and report continuing education activities. One CEU represents ten (10) contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction. Individual CEU's require that a permanent transcript of each enrollee's participation be maintained by the Student Affairs Office. Institutional CEU's, although not a matter of a student's permanent record, serve as a means of measuring and reporting learner participation in continuing education.

II. Types of Continuing Education

A. Occupational and Professional Development

These programs award individual CEU's by meeting seven basic criteria. The CEU's shall be assigned to programs in advance and awarded to individual participants who meet the standards which have been predetermined for satisfactory completion. The awarding of CEU's is not a participant's option. If an activity awards CEU's, all participants who successfully complete the activity receive a certificate. An individual transcript of the activity will be generated and maintained by the Student Affairs Office and be available upon request. There will be no co-mingling of academic credit and CEU activities.

1. Occupational and professional development programs awarding individual CEU's shall meet the following criteria:

a. The noncredit activity is planned in response to an identified educational need for a specific target population.

b. There is a clear, concise written statement of objectives or competencies shared with learners prior to and during the activity.

c. There is qualified instructional personnel involved in a systematic and sequential process of fulfilling purposes as stated in learning objectives.

d. The content and instructional methodologies are consistent with outcomes, are sequences, and are structured to provide opportunity for the learner to participate and receive feedback.

e. Satisfactory completion requirements, including awarding partial credit, are established by the course coordinator and others responsible for the program, and are communicated to participants prior to their participation. Completion standards may be based

on a demonstration of learning, predetermined attendance, or a combination of performance and attendance. Only those who meet standards earn CEU's.

f. Any assessment or measurement of an individual's performance is predetermined during planning and is measurable, observable, clearly stated, and focused on the learner's expected level of performance. Results of formal assessments should be entered on the participant's CEU transcript with a copy maintained in the program file.

g. Evaluative procedures are utilized to measure the quality of the administration and operation of the continuing education activity. During the course of planning, a process is established to evaluate major aspects of the continuing education experience, such as, organizational input; the design, content, content level, and operation; and the extent to which intended learning outcomes were achieved.

2. Categories of Occupational and Professional Development:

a. Job specific/related training and education which is designed to improve one's skills.

b. Continuing professional education/development which improves skills and knowledge for one's profession and may even be required for certification or licensure within one's field.

c. Company-specific per-employment and basic skills education which differs from personal development basic skills or employability education in that participants will apply this education in a specific job with a specific company that has participated in planning the educational experience.

d. Classes for small business owners/potential owners.

B. Personal and Community Development activities are educational programs which are organized to provide enrichment to individuals in subjects of social awareness or personal interest, for which institutional CEU's are recorded.

1. Personal and community development educational activities award institutional CEU's and shall meet the following criteria:

a. The activity is a planned educational experience of a continuing education nature for a diversified population (general public).

b. The activity is a planned educational event and is sponsored by the academic or administrative unit of the institution best qualified to affect the quality of the program content and to select and approve the resource personnel utilized.

c. Registration or certification of attendance is required for institutional reporting use.

2. Individuals who participate in such activities shall register but no individual CEU's shall be awarded and no individual transcript of their involvement shall be maintained by the college. The determination of institutional CEU's for these activities shall be made by means of a registration list. A file of program materials used in the activity will be maintained in the Office of Continuing Education and Community Services.

3. Categories of Personal and Community Development:

a. Programs which explore public issues (social, political, health, economic, educational, or environmental).

b. Leisure interest programs which may relate to a hobby, craft, or area of personal or cultural enrichment.

c. Programs designed for an age-specific audience such as youth or senior adults (e.g., Elderhostels).

d. Basic skills programs not undertaken specifically for one's job but for one's personal development. Representative activities might include:

(1) Adult Basic Education (ABE).

(2) General Educational Development (GED) preparation classes/tutorials.

(3) Refresher/Remedial.

(4) Literacy instruction (reading, math, computer, communications).

(5) Employability skills.

COMMUNITY SERVICE

I. Community service activities do not meet the criteria for awarding the individual or institutional CEU, yet require significant staff effort and institutional commitment.

II. Community service activities shall be reported semiannually to the Community College System in the Community Service Report.

III. Representative community service activities include:

A. Testing and Assessment (excludes academic placement testing and advising).

B. Consultations.

C. Cultural events, science exhibits, career fairs, etc.

D. Use of campus facilities by groups external to the college.

E. Speakers' Bureau.

F. Community leadership (in instances where a college employee serves as an official representative of the college).

G. Economic Development Assistance.

ADMINISTRATION OF CONTINUING EDUCATION AND COMMUNITY SERVICES

I. Program Unit: Each community college shall establish an identifiable unit for continuing education activities and shall designate one professional staff member with responsibility for the continuing education and community service programs. This unit must establish a budget for the continuing education and community services activities. The unit administrator shall provide the Office of Student Affairs required information to generate and maintain the transcripts for individuals receiving CEU's.

II. Mission Statement: Each community college should have a written mission statement outlining the functions, structure, processes, and philosophies of the continuing education unit which guide the operation.

III. Relationship to Academic Units: It shall be the responsibility of the unit administrator to work with the division chairpersons and other administrative personnel to develop an annual plan for continuing education and community service activities as related to the program of the college. Each division and administrative unit shall prepare an annual plan for continuing education and community service activities during the spring of each year. This plan may be modified as needed throughout the academic year.

CONTINUING EDUCATION AND COMMUNITY SERVICE RECORDS

I. Transcript Files: Individuals who participate in programs classified under Occupational and Professional Development shall have individual cumulative records of their involvement maintained by the college. To comply with the Criteria for Accreditation, transcripts for programs in which individual CEU's are awarded shall be maintained (housed or maintained by staff) in the Office of Student Affairs of each community college. As with all student records, the institution should have a written policy on the retention and release of permanent CEU transcripts. Likewise, the institution should establish in writing provisions for the permanent maintenance of CEU transcripts in the event of the institution's demise.

II. Program Files:

A. A program file for Occupational and Professional (individual CEU) activities shall be maintained in the Office of Continuing Education and Community Services. These records should contain:

1. Description of the program, including target group, contact hours, subject matter, etc.;

2. Objectives/competencies of activity;

3. Documentation of faculty qualifications (or where this documentation is maintained);

4. A list of the participants, including certification of completion of course requirements;

5. Results of activity evaluation process.

B. A program file for Personal and Community Development (institutional CEU) activities shall be maintained in the Office of Continuing Education and Community Services.

These records shall contain:

1. Description of the program;

2. Documentation of faculty qualification (or where this documentation is maintained);

3. A list of participants;

4. Total contact hours involved.

III. Community Service Files: For community service programs, the Office of Continuing Education and Community Services shall maintain records of these activities. Records should include activity description, list of faculty/staff involved, headcount of participants and total contact hours involved.

CERTIFICATES FOR CONTINUING EDUCATION

Individuals participating in Occupational and Professional Development programs for which individual CEU's are awarded shall be presented a certificate upon satisfactory completion of the program. The title of the program, date(s), contact hours of instruction, and the number of individual CEU's awarded shall be recorded on the certificate. The college may choose to award certificates of participation for those persons enrolled in Personal and Community Development programs; however, the face of these certificates bear no awarding of CEU's.

REPORTS OF CONTINUING EDUCATION AND COMMUNITY SERVICE

A report of all continuing education and community services activities, including individual and institutional CEU's awarded, shall be sent to the Chancellor of the Lexington Campus twice yearly on January 15 and July 15. The format of the report forms shall be provided by the Lexington Campus Chancellor.

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POLICY AND PROCEDURAL GUIDELINES FOR THE MANAGEMENT AND USE OF FACILITIES IN THE UNIVERSITY OF KENTUCKY COMMUNITY COLLEGE SYSTEM

For the purpose of management and use of facilities at the various community colleges comprising the University of Kentucky Community College System, the following policy guidelines are set forth.

This policy covers the facilities of the 14 community colleges located apart from the Lexington Campus and, in addition, those specifically designated for use by the Lexington Community College and the central administrative offices of the Community College System on the Lexington Campus.

I. Definitions

For the purpose of this Policy Statement the following terms are defined:

A. Facilities - Buildings and grounds owned by the Commonwealth of Kentucky and assigned to the various community colleges within the Community College System.

B. Community College Units and Groups - Budgeted units within the Community College System, recognized student organizations, and college affiliated organizations.

C. Non-Community College Groups - Those groups which are neither included in Section I.B nor co-sponsored by a college's community service program. For the purpose of this Administrative Regulation, University of Kentucky units and groups outside the Community College System are included here.

II. Policy Guidelines for the Management of Facilities in the Community College System

A. The responsibility for management and allocation of space within the Community College System will be in the Office of the Chancellor for the Community College System. This responsibility has been delegated by the President pursuant to AR I-1.0-1, Section II.B.3.f.

B. In order to promote operational efficiency and to provide administrative flexibility within the Community College System, the Chancellor, except as noted in Section II.K, hereby delegates this function to the president of each college.

C. The Community College System's facilities shall be used only for educational, cultural, or charitable purposes, or other purposes as determined by the Chancellor for the Community College System or the

president in accordance with the regulations of the Board of Trustees and the Rules of the Senate of the Community College System.

D. Community college facilities shall not be used to further the interests of a political party or be used to advance or inhibit religion as specified in Part XII.D of the University of Kentucky Governing Regulations.

E. Non-community college groups or agencies may apply for the use of community college facilities when the program to be presented is of an educational, cultural, or charitable nature, or relates to other purposes consistent with the role of the community college and is approved by the president. In all cases, however, the use of such facilities shall be in compliance with Part XII.D of the University of Kentucky Governing Regulations.

F. Community college facilities shall be made available to community college units and groups and non-community college groups only after it has been determined that the facility has not been scheduled and is not otherwise expected to be used for academic or community service functions.

G. Non-community college groups which charge a registration or admission fee for the program and those groups which are not co-sponsored by the college as part of the college's community service program, with the exception of cases covered in Sections II.H and II.I, shall be charged a fee for the use of the facility sufficient to cover all costs involved. Auxiliary enterprise operations shall be charged a fee for space occupied.

H. There shall be no charge to the State's universities for the use of community college facilities provided these are used for educational purposes during normal operation times. A fee shall be charged for the use of facilities outside of the normal operational periods established by the college and for other than educational purposes.

I. There shall be no charge to non-community college groups or agencies presenting charitable programs during normal operational periods where the sole sponsors and promoters are Kentucky groups or agencies and the total net proceeds are given to Kentucky charities.

J. When community college facilities are used by a non-community college group, a memorandum of agreement between the group and the community college shall be negotiated in advance stating the conditions and charge for the use of the facility and setting forth the responsibilities of the group and the community college.

K. A memorandum of agreement normally shall not exceed one semester or an equivalent time period. An agreement for a longer period of time must be approved by the Chancellor for the Community College System.

L. Except as noted in Section II.K, the president is hereby delegated the responsibility of entering into a memorandum of agreement with a non-community college group for the use of a community college's facility.

M. The use of a community college's name by a non-community college group in a manner which is inconsistent with the role of the community

colleges as stated in Part I.B of the University of Kentucky Governing Regulations is prohibited without prior approval by the University of Kentucky Board of Trustees.

N. Each community college shall designate one or more unrestricted areas to be available to community college units or groups for the purpose of conducting any lawful demonstration, meeting, or assembly without having to reserve such areas in advance.

O. Solicitations by any community college unit or group, or any non-community college group, for subscriptions, sales of merchandise of any kind whatsoever, publications, or services upon community college property (other than by the regularly authorized stores, eating places, or vending operations of a community college) are prohibited except upon written permission of the president.

III. Procedural Guidelines for the Management and Use of Facilities in the Community College System

A. All requests for the use of facilities by community college units and groups and non-community college groups shall be forwarded to the president or the president's designee at each college.

B. All requests shall be in writing and received by the president or the president's designee at least 48 hours prior to the scheduled event.

C. All applications from community college units and groups and non-community college groups will be considered in order of receipt. Scheduled academic activities and community service functions shall have priority for the use of a community college facility.

D. The best interest of the community college may make it necessary occasionally to cancel an event. When such a cancellation becomes necessary, the unit or group holding the reservation shall be given notice as far in advance as possible.

E. A memorandum of agreement for use of a facility by a non-community college group will be signed by the president of the college entering into the agreement and a representative of the non-community college group using the facility.

F. Charges for the use of facilities by non-community college groups shall be developed individually by each community college and shall be sufficient to cover all costs involved.

G. Any organization or group using a community college facility shall take proper care of the facility and its equipment and shall be financially responsible for any damage thereto during use resulting from abuse or neglect.

H. Funds collected from the non-community college groups for the use of facilities shall be deposited in an appropriate college general fund income account.

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COMMUNITY COLLEGE BOARDS OF STUDENT PUBLICATIONS

I. Responsibility for Student Publications

Jurisdiction over campus-wide student publications of a community college shall be vested in a Board of Student Publications reporting to the president or the president's designee. By jurisdiction is meant the responsibility for the fiscal management, the editorial policies, and the general operation of the student publications. A campus-wide student publication is defined as a publication which meets all of the following three criteria: (a) any enrolled student is eligible to participate in its publication, (b) it is published for a campus-wide audience, and (c) it is supported in whole or in part by University funds.

II. Composition of the Board of Student Publications

Membership on a Community College Board of Student Publications will include, but is not limited to, the advisers and editors of student publications and representatives from the faculty, staff, and student body. One or more members-at-large may be appointed from the alumni, professional journalists, or public-at-large. Members of the Board will be appointed by the president.

III. The Role of the Board of Student Publications

A. Consistent with the general philosophy of providing a free and responsible press on the community college campus and consistent with Section 2.5 (Right to a Free Student Press) of the Community College Code of Student Conduct, the Board of Student Publications shall be responsible for the development and promulgation of a statement of policy for the guidance of the editorial staffs of publications under the Board's jurisdiction. This statement will deal with operational, editorial, and financial policies of student publications and shall be submitted by the president to the Community College System Office for approval.

B. The Board of Student Publications shall be available for immediate consultation with the editor and/or adviser; its role shall be one of policy interpretation and not one of censorship.

C. The Board of Student Publications shall advise and consult with the student publications advisers and editors regarding financial management of the publications under the Board's jurisdiction. The Board shall approve budget proposals to be made to the president.

D. If, after thorough investigation which shall include affording the editor an opportunity to present personal views, the Board should conclude that an editor has violated the Board's policies or has otherwise failed to perform appropriate duties as editor, the Board is authorized to take one or more of the following actions in reference to the student's status as editor: counsel, warn, reprimand, suspend for a specified period of time, or dismiss.

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NON-RESIDENT FEE COMMITTEES FOR INSTITUTIONS IN THE UNIVERSITY OF KENTUCKY COMMUNITY COLLEGE SYSTEM

A Non-Resident Fee Committee shall be established at each community college in the University of Kentucky Community College System in accordance with the Council on Higher Education's "Policy on Classification of Students for Fee Assessment Purposes at State-Supported Institutions of Higher Education," which became effective July 1, 1975. The Non-Resident Fee Committee at each institution in the Community College System shall consider changes in residency status based on guidelines for classification of students for fee assessment purposes which were established by the Council in its 1975 policy statement.

Application for change of residency classification by a student enrolled in a community college shall be made in writing to the institution's admissions officer for initial consideration. The decision of the admissions officer, if adverse to the applicant, may be appealed to the institution's Non-Resident Fee Committee. The applicant shall be notified in writing as to the Committee's decision on the applicant's appeal. If the applicant considers the decision by the Committee to be unsatisfactory, the applicant may request that a copy of the applicant's file be submitted by the institution's admissions officer to the Executive Director of the Council on Higher Education for referral to the Council's Committee on Residency Review for its recommendation to the institution.

The Chancellor for the Community College System has been authorized by the Board of Trustees (May 3, 1983) to make final decisions regarding the residency status of students enrolled in institutions in the University of Kentucky Community College System, provided the students' cases have been reviewed and recommended on by the Council's Committee on Residency Review.

The Non-Resident Fee Committee at each institution in the Community College System shall be appointed by and report to the president of the institution. The Committee shall be comprised of six faculty and/or staff members and two students. The chairperson shall be designated by the president. The faculty and/or staff members normally shall have staggered three-year appointments; the student members shall have one-year appointments.

Each Non-Resident Fee Committee shall have authority to adopt by-laws, establish procedural rules, and schedule meetings. A quorum shall consist of five members and a majority of the quorum shall be necessary for Committee action.

At each institution the admissions officer shall provide professional and secretarial support for the Non-Resident Fee Committee, including but not

limited to recording and preserving the minutes of Committee meetings, processing applications on appeal, and presenting applications at Committee meetings.

The University of Kentucky Office of Legal Counsel shall advise each Non-Resident Fee Committee on legal matters, including but not limited to interpretation of Council guidelines, procedural questions, and applicable laws, cases, and regulations.

The Non-Resident Fee Committee at each institution shall submit an annual report to the president of the community college.