UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.1-4	PAGE 1
	DATE EFFECTIVE 7/1/98	SUPERSEDES REGULATION DATED 10/1/88

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)

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

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 and of state or locally operated secondary area technology centers.

II. Statutory Authority

KRS 164.020(32) provides that the Council on Postsecondary Education shall:

> (32) Develop a statewide policy to promote employee and faculty development in all postsecondary institutions and in state and locally operated secondary area technology centers 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 or a state or locally operated secondary area technology center 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 or a state or locally operated secondary area technology center 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 or area technology center within the human resources system of that institution or area technology center.

5. "Summer term" or "summer session" means the period in the academic calendar between the spring and the fall semester.

6. "Technology Center" means a state operated secondary area technology center as defined in KRS 151B.110 or a locally operated secondary area technology center.

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 be:

   a. recorded consistent with residency requirements; and
   b. recorded in the financial accounting system of the course-offering institution consistent with financial reporting guidelines of the Council.

4. A. student participating in the Faculty and Staff Tuition Waiver Program shall be separately identified in the course offering institution's student database consistent with Council guidelines.

5. The Faculty and Staff Tuition Waiver Program applies to all courses offered for college credit not specifically excluded by this policy.

6. 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.

7. 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 or technology center 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 participating employee.

8. 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.

9. An employee eligible to participate in this program may take courses during normal working hours with written permission of the employing institution.

10. 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.

11. An institution or technology center may offer additional benefits to its own employees or to employees of other postsecondary institutions that exceed the benefits of this policy.

12. Credit hours earned under the state policy are not assignable; however, an employing institution that wishes to allow its employees to assign credit hours to third parties may do so, either by having the employee sign a waiver of the state policy in favor of the institutional policy or by the institution granting credit hours in excess of those provided by the state.

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 or technology center as a regular full-time employee. Certification of employment shall be provided by the employing institution or

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 CentralAdministration 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.

technology center 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.

5. 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

Amended: 2000 General Assembly in Senate Bill 240. Revision policy adopted by the Council on Postsecondary Education, May 22, 2000, Effective, July 1, 2000.

Certification: Gordon K. Davies, President

III. FACULTY AND STAFF TUITION WAIVER PROGRAM STATEWIDE (NON-UK EMPLOYEES)

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	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.

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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.

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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, 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 l, 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 is sufficiently severe or pervasive to interfere 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 often takes place in situations of a power differential between the individuals involved. The University's policy prohibits sexual harassment between members of the University community regardless of their status within the University as student, faculty or staff.

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 activity; or
direct solicitation of sexual activity or other sex-related behavior accompanied by promise of reward or threat of punishment.

Sexual harassment may also arise from sufficiently severe or pervasive unwelcome conduct that has the effect of creating an intimidating, hostile, or offensive educational or working environment. The following types of acts may illustrate sexual harassment in violation of University policy:

unwelcome physical contact such as touching, or physical interference which limits participation in or benefit from work or academic performance;
unwelcome remarks about a person's clothing or body; sexual questions, jokes, anecdotes and stories; display of sexually offensive posters, pictures, words or messages; and
introduction of sexually explicit materials into the classroom or into the workplace without an educational or work-related purpose.

E. Determination of Policy Violation

In determining whether conduct constitutes sexual harassment, University officials will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the incidents occurred. A determination is made from the facts on a case-by-case basis.

F. 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.

G. 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 complaint 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 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 staff in the Equal Opportunity Office to resolve a complaint of sexual harassment.

The staff in the Equal Opportunity Office provides information, advice and assistance for prompt and equitable resolution of informal sexual harassment complaints.

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 Human Resources Policy and Procedure Manual University of Kentucky Staff Human Resources 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

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 Human Resources Policy and Procedure Manual University of Kentucky Staff Human Resources 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.

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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 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.

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.

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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. Delegation

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 re- turn 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)

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 Signature Date (please print)
Type of practice (field of specialization, if any)

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.

B. While Memorial Coliseum is used largelyn 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 Director of Student Activities. 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 theUniversity of Kentucky Governing Regulations.

F. When the Coliseum is used bya 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.

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.

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 **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.2-4	PAGE 1
	DATE EFFECTIVE 8/26/93	SUPERSEDES REGULATION DATED

UNIVERSITY OF KENTUCKY ALUMNI AFFAIRS

I. Organization. 1

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.

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.

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	DATE EFFECTIVE 6/11/96	SUPERSEDES REGULATION DATED

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.2-8	PAGE 1
	DATE EFFECTIVE 12/20/00	SUPERSEDES REGULATION DATED

POLICY ON DISCLOSURE OF CAMPUS SECURITY AND CRIME STATISTICS

The University of Kentucky is required by state and federal law to provide certain information about campus crime to the public. This regulation implements the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 USC 1092(f), 34 CFR Part 668.46 and the Michael Minger Act, KRS 164.948 to 164.9489 and KRS 164.993, 13 KAR 2:100.

Each University of Kentucky employee designated in this regulation is hereby directed to report to the University of Kentucky Police Department in the manner described below all campus crimes, fires, and threats of fires of which he or she becomes aware. Definitions of which crimes are reportable and what is included in the term "campus" are given below. The UK Police Department is charged with making daily crime logs available to the public and with preparing and submitting annual reports pursuant to the Clery and Minger Acts. The Environmental Health and Safety Division is charged with the responsibility of reporting fires, threats of fire, and fire alarms to the State Fire Marshal's Office pursuant to the Minger Act. The Vice President for Administration is charged with the responsibility for overall coordination of campus-wide efforts to comply with the Acts and this Administrative Regulation.

Each Chancellor and Vice President is directed to fully cooperate with the UK Police Department, the Environmental Health and Safety Division and the Vice President for Administration to ensure that employees of his or her sector comply with the requirements of this regulation.

Employees Required to Report Crimes and Fire Related Information

(1) Officers and employees of the UK Police Department, the Medical Center Security Department, and the UK Parking Department;

(2) UK officials who have significant responsibility for student and campus activities, including, but not limited to:

(a) Employees of the Vice Chancellor for Student Affairs:
(b) Employees of Auxiliary Services;
(c) Employees of the colleges who are designated as student affairs officers;
(d) Employees of the Athletics Department including coaches; and

(e) Advisors to registered student organizations.

Note: Pastoral or licensed professional counselors are not required to report when acting as pastoral or professional counselors. A "pastoral counselor" is associated with a religious order or denomination and is recognized by a religious order or denomination as someone who provides confidential counseling. A "professional counselor" is a person whose official responsibilities include providing mental health counseling and who is functioning within the scope of his or her license or certification. Medical professionals are not required to report.

Crimes Which Must be Reported to University Police

Arson
Assault
Burglary
Criminal Damage to Property
Hate Crimes (if there is evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability)
Manslaughter
Menacing
Motor Vehicle Theft
Murder
Reckless Homicide
Robbery
Sex Offenses both forcible and non-forcible
Stalking
Terroristic Threatening
Theft
Wanton Endangerment
Weapons Possession
Arrests for Liquor and Drug Law Violations

These crimes shall be reported immediately to the University Police Department using forms or electronic means designed by the Police. Incidents where students are referred for campus disciplinary action for liquor law violations or drug law violations must also be reported.

Fires, Fire alarms, and Threats of Fire Which Must be Reported to University Police: Every fire, fire alarm, or threat of fire (an expression of an intention to inflict something harmful in the way of destructive burning or explosions) shall immediately be reported to the University Police Department, which in turn shall report the incident to Environmental Health and Safety, which shall report to the State Fire Marshal as required by the Minger Act. University Police shall also report all threats or actual alarms to the

local fire department. The Physical Plant Divisions are directed to coordinate their fire alarm reporting activities with those of the University Police Department.

Definition of Campus For the purposes of this regulation, the University of Kentucky campus is defined as:

All buildings or property owned, leased, controlled, or managed by UK in Fayette County
The Woodford County farm
Robinson Forest
The Quicksand and Princeton Agricultural Experiment Stations
University of Kentucky-operated facilities on the campus of Paducah Community College
Spindletop Hall
The Hilary J. Boone Faculty Club
Rupp Arena when being used for UK functions
All buildings or property owned or controlled by a registered student organization including fraternities and sororities
Any other buildings or property owned or controlled by UK that are used in direct support of, or in relation to, UK's educational purposes which are frequently used by students
All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Cooperation with other Agencies: The UK Police shall make reasonable, good faith efforts to obtain the required statistics from local police agencies and the State Police concerning campus crimes reported to those agencies.

Timely Warning Reports The UK Police Department shall, within 24 hours after an incident is first reported and in a manner which will aid in the prevention of similar crimes, report to the campus community on crimes that are reported pursuant to this policy that are considered to represent a threat to students and employees.

Crime log. The UK Police Department shall maintain and make available to the public in written form and on the World Wide Web a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on the campus which is reported pursuant to this regulation. The log must include the nature, date, time, and general location of each crime; and the disposition of the complaint, if known. The Police Department may withhold information required in the log only if there is clear and convincing evidence that the release of that specific information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. The Police Department must disclose any information withheld once the adverse effect is no longer likely to occur.

Non-Duplication of Reporting: University Police officers involved in any reportable crime or fire-related incident are responsible for reporting the incident. If a Police Officer is known to have been on a crime or fire scene, University officials need not file a duplicate report.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.3-1	PAGE 1
	DATE EFFECTIVE 2/8/99	SUPERSEDES REGULATION DATED 3/19/92, 6/11/92

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.

D. Method of Payment

All new employees hired in a regular status on or after July 1, 1999, shall be paid through direct deposit. Documentation of payment will be provided to each employee.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.3-2	PAGE 1
	DATE EFFECTIVE 11/11/88	SUPERSEDES REGULATION DATED 1/2/86

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 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 that 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	Vacation Days Earned Per Month During an	Terminal Vacation Pay Per Day of Unused Vacation Leave in and Assignment Period

Period Salary)	Assignment Period*	(APS = Assignment Period
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.

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POLICY FOR DISPOSITION OF PERSONAL PROPERTY
Approved by Board of Trustees

A. General

Surplus property of the University of Kentucky and its affiliated corporations may be sold or otherwise disposed of in accordance with the Kentucky Revised Statutes (KRS 164A.575). The relevant sections of the law are stated below:

"The governing board shall have power to salvage, to exchange, and to condemn supplies, equipment, and real property." [KRS 164A.575(5)]

"The governing board shall sell or otherwise dispose of all real or personal property of the institution which is not needed or has become unsuitable for public use, or would be more suitable consistent with the public interest for some other use, as determined by the board. The determination of the board shall be set forth in an order and shall be reached only after review of a written request by the institution desiring to dispose of the property. Such request shall describe the property and state the reasons why the institution believes disposal should be effected. All instruments required by law to be recorded which convey any interest in any such real property so disposed of shall be executed and signed by the appropriate officer of the board. Unless the board deems it in the best interest of the institution to proceed otherwise, all such real or personal property shall be sold either by invitation of sealed bids or by public auction; provided, however, that the selling price of any interest in real property shall not be less than the appraised value thereof as determined by the Finance and Administration Cabinet or the Transportation Cabinet for such requirements of that department." [KRS 164A.575(7)]

It is the purpose of this document to set forth the policies and procedures of the University of Kentucky necessary to conform to the requirements of this law for the disposition of all property and to provide guidance to all units within the University and its affiliated corporations for the transfer or other disposition of any such personal property.

Express approval of the Board of Trustees is required for each property disposition except in those specific cases where the property is acquired with federal or private gifts or grants and where: (1) the University is required to transfer the property by the terms of a sponsor's regulations or conditions, or (2) the grant is contracted or otherwise transferred to another organization under circumstances where the granting agency expects that the personal property will be transferred with the grant.

B. Personal Property Disposition

1. Definition

Personal property is defined as all items of moveable or fixed equipment and supplies owned by the University of Kentucky and its affiliated corporations (excluding livestock, see part 2.b of this section).

2. Procedures

The following procedures will establish the generally accepted procedures for the disposal, conveyance, or transfer of personal property. In an organization as complex as the University of Kentucky, it is difficult to describe all possible cases. Exceptions to these procedures will be granted only at the discretion of the Board of Trustees upon the recommendation of the President and consistent with KRS 164A.575. For purposes of disposition, personal property, regardless of how acquired by the University of Kentucky and its affiliated corporations, will be classified as: [a] recyclable materials; [b] livestock; [c] unsuitable for public use (for example, hazardous property, equipment that cannot be repaired); [d] trade-ins; [e] property more suitable for some other use consistent with the public interest; or [f] not needed (as a result, for example, of program redirection or termination, replacement by new equipment, duplication as a result of a gift of other equipment).

a. Sale of Recyclable Materials

The sale of recyclable materials (i.e., scrap paper, metal, X-ray film, and precious metals) shall be authorized by an order of the Board of Trustees approving in advance an annual plan for expected sales. The Office of the Controller and Treasurer is responsible for the establishment of competitively bid vendor contracts for the disposal of recyclable materials. These contracts are established annually through the Purchasing Division.

b. Livestock Disposition

The Dean of the College of Agriculture is responsible for the administration of sales or other disposition of all livestock with the approval of the Controller and Treasurer. Disposition of livestock shall be authorized by an order of the Board of Trustees approving an advance annual plan for livestock sales. Approval of an advance annual plan is necessary due to price fluctuations and problems of anticipating exact dates livestock will be sold. Livestock will be sold by one of the following methods:

1) Disposition by Public Auction or Sealed Bid

Unless it is in the best interest of the University of Kentucky to proceed otherwise, livestock shall be sold by invitation of sealed bids or by public auction (i.e. local livestock auctions).

2) Disposition of Superior Breeding Animals by Private Treaty

In order to improve the Commonwealth's livestock economy, superior animals (cattle, horses, swine, and sheep) may be sold by private treaty by complying with the following guidelines. An estimated number of superior animals by species, sex, age, etc., will be advertised by a responsible faculty member through the Cooperative Extension Service, Kentucky Agri-news or a major newspaper at least one month before sale. Minimum sale prices will be established by the College of Agriculture. Sale of animals will be to the highest bidder at or above the established sale price. In cases of tie bids, a random draw will determine the successful bidder.

3) Special Cases

Any animal disposals which do not fall within the methods contained in sections 1 and 2 above will be handled on a case by case basis. Written justification for the sale and exception to the ordinary methods must be approved by the Department Chair, Dean of the College of Agriculture, Vice Chancellor for Administration of the Lexington Campus, and the Controller and Treasurer, and accompany the Personal Property Sale Request Form.

c. Property Unsuitable for Public Use

1) Items of personal property that would endanger the public through continued use (i.e., radioactively contaminated machines, biologically hazardous equipment, equipment that would be harmful even if repaired, etc.) can be declared unsuitable for public use and are to be reported in writing to the Surplus Property/Waste Management Department, Office of the Controller and Treasurer.

2) Unless the Board of Trustees deems it in the best interest of the University of Kentucky to proceed otherwise, all items of personal property unsuitable for public use shall be disposed of by the Controller and Treasurer in a manner in accord with laws governing the disposal of such items. Any hazardous material (e.g., asbestos, chemicals, etc.) must first be reported to the Director, Office of Environmental Health and Safety. This office, with assistance of Surplus Property/Waste Management Department, will dispose of such hazardous material in accord with appropriate state and federal regulations and with the cost of disposal born by the appropriate administrative unit.

d. Property Trade-Ins

1) Items of personal property that will be replaced by new equipment as part of a trade-in agreement with a vendor will be reported in writing to the Surplus Property/Waste Management Department, Office of the Controller and Treasurer. The Surplus Property/Waste Management Department, in consultation with the appropriate chair or dean and the Director, Purchasing Division, will approve each request based upon the best interest of the University. The University must obtain at least market value for property items disposed of as part of a trade-in agreement. It is the responsibility of the department to provide a copy of the purchase order to Surplus Property/Waste Management Department, Office of the Controller and Treasurer.

2) The Plant Assets Inventory Section of General Accounting will review each request for accounting purposes.

e. More suitable for Some Other Use Consistent with the Public Interest.

Consistent with the best interest of the University of Kentucky and the general public as determined by the Board of Trustees, personal property may be sold by negotiation for a monetary consideration or conveyed without monetary consideration to other Commonwealth of Kentucky agencies, local governmental units in Kentucky (e.g., city, county, public schools, civil defense units); other educational institutions, and non-profit, charitable, civic, or community organizations. Preference will be given, where appropriate, to those public agencies or institutions within the Commonwealth of Kentucky. Organizational units within the University may recommend the sale or conveyance of personal property to one of the groups listed above.

f. Property Acquired with Gifts or Grants

If the University is <u>required</u> or <u>expected</u> to transfer the property by the terms of a sponsor's regulations or conditions, as set forth in Paragraph A above, no action by the Board of Trustees is required. The Vice President for Research and Graduate Studies shall provide documentation and certification to the Controller and Treasurer that such a condition exists. The transfer is subject to approval of the Controller and Treasurer who shall maintain the official records of such transfers.

g. Other Property That Is Not Needed

1) Items of personal property that are not needed by any organizational unit will be reported in writing to the Surplus Property/Waste Management Department, Office of the Controller and Treasurer.

2) Items of personal property that have been reported in the above fashion are available for transfer to other internal organizational units. Such transfers to internal units do not require action of the Board of Trustees.

3) Unless the Board of Trustees deems it in the best interest of the University of Kentucky to proceed otherwise, all items of personal property not transferred to an internal organizational unit shall be sold either by invitation of sealed bids or by public auction. Sale by negotiation for monetary consideration or conveyance without charge to other state agencies or state supported institutions of higher education within the Commonwealth of Kentucky will require action by the Surplus Property/Waste Management Department.

4) For routine dispositions (e.g., obsolete equipment, surplus office equipment), a plan is submitted to The Board of Trustees on an annual basis setting forth the description of the personal property, reasons for disposition, and the method of disposition. For non-routine dispositions, an order is submitted to The Board of Trustees on an item-by-item basis setting forth the description of the personal property, reasons for disposition, and the method of disposition.

PHYSICAL FACILITIES AND MAJOR EQUIPMENT PLANNING AND MANAGEMENT

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This Administrative Regulation establishes the basis for policies, procedures, and related assignment of responsibilities for the planning and management of the physical facility and equipment needs of the University of Kentucky, as provided for in KRS 164.550.630 (House Bill 622). 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. Facility Plans and Major Equipment Plans
III. Implementation and Management Process
  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 of the University is responsible to the Board of Trustees 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 physical facilities planning and management function as delineated herein. The Vice President for Fiscal Affairs and the Vice President for Administration are delegated specific responsibilities in the oversight and coordination of the University's facilities planning and management functions as delineated in the following sections of this policy. 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, Facility Plans, and Major Equipment Plans.

A. Campus Physical Development Plans provide a context in which space requirement plans and facility plans are established. 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 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 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 facility plans. The Vice President for Fiscal Affairs shall maintain and distribute current space data, space standards, formatting requirements, guidelines, and schedules for the development and submission of space requirement plans. Each sector and vice presidential area shall prepare biennially, as part of the six-year planning process, space requirement plans, within the context of information and guidelines provided by the Vice President for Fiscal Affairs.

C. Facility Plans and Major Equipment Plans

1. Facility Plans are an integral part of University strategic planning and include six-year capital improvement plans, biennial capital budget requests, and annual capital budgets. Facility planning is an essential part of the University's comprehensive planning process and is dependent upon, and interacts with, academic and financial planning. The primary purpose of facility planning is to identify logically and systematically the physical resources required to support current and future University goals, objectives, and programs.

   Each sector and vice presidential area shall develop as part of strategic planning, facility plans which include: (1) status reports on the facility plans prepared for the current biennium and (2) prioritized facility plans, to include land acquisitions and dispositions, proposed for each of the forthcoming two biennia.

2. Major Movable Equipment Plans are required for individual items of movable equipment equal to or exceeding $100,000, and serve a purpose similar to facility plans in the University's long range planning process. Major Movable Equipment Plans shall be submitted by each sector and vice presidential area for inclusion in the University's 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 proposals of capital projects and major movable equipment items for inclusion in their respective six-year capital improvement plans and biennial capital budget requests as appropriate. These proposals should clearly identify the source of funds (including lease-purchase or similar financing arrangements) for each project and item of equipment. The Vice President for Administration shall coordinate the development of consolidated lists of capital projects and major movable equipment items, in draft priority format and submit to the President of the University. The President shall determine final priorities for projects and equipment items on the consolidated lists.

III. Management Policies

A. Capital Construction Policies and Procedures

The Vice President for Fiscal Affairs shall be responsible for the administration and oversight of capital construction at the University of Kentucky. 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 policies and procedures developed and approved by the Vice President for Fiscal Affairs.

All projects estimated to cost $400,000 or more shall be submitted to the Board of Trustees of the University for review and approval as part of the biennial budget request. The Finance Committee of the Board and the Board of Trustees shall be kept informed of all changes to projects on a quarterly basis.

Projects costing less than $100,000 may be delegated to the respective chancellor/vice president

The Vice President for Fiscal Affairs shall develop and distribute the procedures to be followed in capital construction projects to Chancellors and Vice Presidents

B. Real Property Acquisition and Disposition

The Vice President for Fiscal Affairs shall be responsible for the administration and oversight of all land acquisitions and dispositions including contractual agreements such as granting of easements, leasing of real property, reporting and inventory of real property, and post-audit of real property transactions. Land acquisitions and dispositions shall be managed in the context of approved campus physical development plans.

The Board of Trustees of the University may sell or otherwise dispose of real property of the University which it determines to be surplus, unsuitable for public use, or more suitable for some other use consistent with the public interest. Property acquisitions and disposals must be submitted to the Secretary of Finance and Administration for approval.

C. Allocation of University Space

The President is responsible for the allocation of space 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 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 planned 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.

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.

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 annually to the Office of the President space assignments, room uses, condition of facilities, and related information;

2. Prepare and submit to the Office of the President six-year capital improvement plans and biennial capital budget requests; and

3. 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. The 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, capital projects for new construction and renovation, program space requirements, support services, aesthetics, and the management and operation of assigned physical facilities on a University-wide basis.

C. The Vice President for Administration

The Vice President for Administration shall periodically report on the status of University planning to the Board of Trustees and external agencies. These reports shall include annual capital budgets, biennial capital requests, land acquisition plans, and six-year capital improvement plans. The Vice President for Administration shall coordinate 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.

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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 Administration 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 Administration 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/vicepresidents 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 actiontaken 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 Administration.

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 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.

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	DATE EFFECTIVE 1/1/01	SUPERSEDES REGULATION DATED 3/11/93, 2/17/99, 8/2/00

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 Administration 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 which contain institutional administrative data, and the provision of programming and educational support for the effective use of those databases.

II. Organizational Responsibilities

A. Vice President for Administration - Office of Institutional Planning, Budgeting, and Effectiveness will:

1. establish data management guidelines to ensure the timely availability and integrity of data on human resources, finances, students, facilities, and programs to meet information needs for institutional decision-making.

2. coordinate external reporting on students, faculty, finances, and staffing to the Council on Postsecondary Education, other state government offices, and federal agencies as defined by the President. This includes all reports required by the Council on Postsecondary Education reporting guidelines, federal IPEDS reports, EEO reports, SACS reports and other reports as assigned by the President.

3. provide executive decision support information to the President.

4. 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.

5. work closely with the chancellor/vice presidential areas regarding availability of and access to institutional administrative 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 Postsecondary 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 annual and periodic reviews of educational programs and units as specified in AR II-1.0-6, and of administrative and educational support units, as specified here. The annual and periodic reviews of administrative and educational support units will incorporate the basic requirements of institutional effectiveness. Each administrative and educational support unit must:

a. establish a clearly defined purpose which supports the institution's purpose and goals;
b. formulate goals which support the purpose of each unit;
c. develop and implement procedures to evaluate the extent to which these goals are being achieved in each unit; and
d. use the results of the evaluations to improve administrative and educational support services..

The Chancellors/Vice Presidents will establish and update annually a periodic review schedule for the administrative and educational support units in their respective sectors/areas. The Office of Institutional Planning, Budgeting and Effectiveness will maintain and distribute the periodic review schedule along with suggested guidelines and strategies for conducting the review. Periodic reviews will take place every four to six years and will be conducted by a method to be determined by the unit head's supervisor. The periodic review process should include, at a minimum:

a. broad-based involvement of unit employees;
b. an assessment of strengths and weaknesses;
c. a written report with recommendations presented to the unit head's supervisor; and
d. revision to annual and strategic plans as necessary to ensure continuous improvement.

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 administrative 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 to support institutional effectiveness needs, as assigned by the President and in accordance with data management guidelines established by the Vice President for Administration.

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 vduntary 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
1997-98	5.0	10.0	15.0

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
1997-1998	5.0	10.0	15.0

Beginning July 1, 1996, the Universityshall 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%
5.0	10.0	15.0

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 and III.C.3, 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	-	Computed2 Annual Benefit from the Funded Plan	-	Computed3 Annual Benefit from Civil Service

Benefit AccumulationsRetirement

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 retiremenbenefits 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 payment 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

A participant on leave with pay shall make the employee contribution and receive the University contribution based on the amount of the salary that is paid through the University payroll. Contributions to a participant's retirement plan shall be made on the actual salary paid through the University payroll, not to exceed the annual salary.

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.6-2	PAGE 1
	DATE EFFECTIVE 3/4/97	SUPERSEDES REGULATION DATED 4/30/96

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*** The Vice President for 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. ***Use of Information Systems*** All use of Information Systems facilities and services at the University will be for sanctioned University purposes only, consistent with the University's mission and goals as defined in the current University Strategic Plan 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 information technology services used in support of the sector's 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 to support university-wide services is the prerogative of the President.

Information Systems is responsible for supporting 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 Information Systems 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 and the Vice President for Information Systems. 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. Information Systems Services

A. ***Instructional Computing*** The Vice President for Information Systems is responsible for providing general purpose 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. Departments and colleges are responsible for providing specialized facilities and services specific to their areas/disciplines. Students should 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. The Vice President for Information Systems is responsible for budget recommendations and for administering the expenditure of funds generated by the student technology fee.

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 Vice President for Information Systems is responsible for preparing recommendations on University-wide administrative systems for the President consistent with the data needs identified by the Vice President for Administration. The Vice President for Information Systems shall develop these recommendations in collaboration with the chancellors, vice presidents, other administrative officers, and the Committee of Data Stewards (see AR II-1.7-3 and AR III-2.0-1).

E. ***Administrative Computing Systems Facilities*** All systems and databases which store and process official institutional administrative data will reside on equipment operated by Information Systems. The Vice President for Information Systems is 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. Information Systems is responsible for programming and technical consulting resources to maintain and modify these systems.

F. ***University-wide Administrative Systems Coordination*** The University will maintain an official institutional database containing all of its institutional administrative data. The Vice President for Information Systems will implement central systems in accordance with administrative data management guidelines established by the Vice President for Administration (see AR II-1.7-3).

All sector/departmental systems containing peripheral administrative data will be integrated with the institutional database and data architecture. The Vice President for Information Systems will monitor sector systems which integrate with official institutional systems/databases in accordance with administrative data management guidelines established by the Vice President for Administration.

G. ***Access to and Custodial Responsibilities for University-Wide Administrative Systems*** Institutional administrative data in University-wide administrative systems are a significant institutional resource and appropriate access should be broadly available to the University community. The responsibility for determining security controls and subsequent access to the data in the enterprise database system must reside with a Chancellor or Vice President. Primary responsibility for the content and quality of the data in these systems is assigned to individuals within the functional areas. These staff are designated as the Custodians, and serve as members of the Committee of Data Custodians to provide support on various data management issues (see AR III-2.0-1). However responsibility for data quality is a shared responsibility with the Department of Data Administration and any technical staff or users who have the ability to update the data. The Data Custodian(s) assigned to the respective University-wide systems are responsible for establishing user advisory committees 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.

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 Information Systems staff and forward them through the appropriate chancellor or vice president to the Department of Data Administration (see AR I-1.0-1 and AR II-1.7-3). 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 Department of Data Administration. Wherever feasible, the University will purchase appropriate commercial software, when it is available to do a given project, rather than developing the software internally. All requests will be evaluated in terms of the data management standards established by the Vice President for Administration, all recurring and non-recurring costs and benefits identified, and a report containing the results of the evaluation will be presented to the Committee of Data Stewards (see AR III-2.0-1). This Committee will review the information and make a recommendation on the appropriate course of action to the Vice President for Administration and the Vice President for Information Systems. The Vice President for Information Systems will present the recommendation to the President .

For each project, delineated in the above paragraph, the chancellor, vice president, or appropriate officer within the central administration will serve as the executive sponsor and 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 be responsible for providing regular reports on project implementation status to the executive sponsor as well as to the Vice President for Information Systems.

Any requests for new systems for sector and departmental needs must be evaluated by the Department of Data Administration, to determine whether the systems process or store university-wide data or must interface with other university-wide systems. Systems which process or store university-wide data or which interface with other university-wide systems shall follow the approval process outlined in the previous paragraphs.

I. ***Communications and Networking*** The University is committed to providing state-of-the-art communications and networking services to support the institutional mission. This commitment includes providing a robust communications infrastructure for voice, data, and video, including enabling technologies and core applications that support teaching and learning, research, administration, and community outreach. Faculty, student and staff access to information resources located locally and throughout the world across the Internet will be provided in an efficient and effective manner. Funding for the infrastructure facilities are a shared responsibility between general (institutional) funds and sector funds.

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. For expenditures for computing and communications equipment and services of less than ten thousand dollars ($10,000.00), Deans and Directors are responsible for reviewing and approving the departmental/divisional requests. 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.

All requests for computing or communications equipment and services in excess of ten thousand dollars ($10,000.00) 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 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 provides the communications systems and services for the University. Communications and Network Systems is responsible for ensuring that all University communication systems will interoperate with national and international networks by maintaining appropriate campus communication standards. Therefore, all departments that are planning any communications or networking projects must consult with Communications and Networking Systems in determining voice, data, and video needs and specifications.

C. ***Copier/Printer Acquisition*** Publishing Services provides consultation, analysis, and recommendations to University departments regarding 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, duplicating, or postal services 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 Servicesor 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 computingresource.

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DATA ADMINISTRATION
POLICIES AND ORGANIZATIONAL RESPONSIBILITIES

The purpose of this Administrative Regulation is to set forth policies and organizational responsibilities for the data administration program at the University. This regulation applies to "administrative" data, or that data which is of institutional significance and which is used to support or is relevant to the administrative, operational, patient care or planning functions within the institution.

I. General Information

A. The University will have an enterprise database system containing all of its institutional administrative data. All sector/departmental systems containing peripheral administrative data will be integrated with the institutional database and data architecture.

II. Organizational Responsibilities

A. The Vice President for Management and Budget will:

1. have final approval regarding all recommendations of the Committee of Data Stewards (see AR II-1.7-1 and AR III-2.0-1) concerning the management of administrative data, including at a minimum long range planning, the definition of procedures, prioritization of projects, and assessment of proposed system changes and purchases in view of established data standards,

2. make policy recommendations to the President as needed,

3. recommend a representative to serve as the Chair of the Committee of Data Stewards, and another as a member of the Committee of Data Custodians (see AR III-2.0-1).

B. The Department of Data Administration, headed by the Director of Information Resource Management, will:

1. report to the Vice President for Information Systems, and ensure the implementation of the decisions made by the Vice President for Management and Budget in the application of guidelines in the comprehensive management of institutional administrative data,

2. improve the efficiency of processes associated with the collection, storage, maintenance, manipulation, analysis, access to and security of institutional administrative data, including the institutional data warehouse,

3. be supported in all efforts by the Committee of Data Custodians, Committee of Data Stewards (see AR III-2.0-1), Information Systems Computing Services (see AR II-1.7-1), Medical Center Information Services, and other sector technical staff,

4. be managed by the Director of Information Resource Management who will serve as the Chair for the Committee of Data Custodians (see AR III-2.0-1), and who will coordinate all data management efforts with the Chandler Medical Center.

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 William T. Young 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 William T. Young 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 (comprised of the William T. Young 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 on-line 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 are difficult to achieve in a system with a 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 in both the central library and in the branches.

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 William T. Young Library or the Medical Center Library. Branch library personnel should report to the administration of the William T. Young 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 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 on-line catalog which is maintained by the University system libraries.

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. Electronic catalog access, 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-ange 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 William T. Young Library or the Medical Center Library. Personnel in such positions report administratively to the administration of the William T. Young 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 librarycollections 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 the Library Catalog

In order to effectively utilize the University's information resources, records of books purchased for independent educational unit library collections shall be supplied to the University System Libraries for inclusion in the on-line 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.

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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 E 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 E 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 E 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.

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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.

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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. A government wide definition will be proposed during the next 12 months. Recommend that the definition be revised once the new government wide definition is adopted

Process

A. Concerns about potential misconduct should be communicated immediatelyto the senior administrator of the area in which the alleged incident(s) occurred, i.e. the dean of the college or school, the Director of University Libraries, the President of Lexington Community College, the Assistant Vice President for Research and Graduate Studies in the case of most research centers and institutes. 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 Legal Counsel and the Office of Research Integrity, the senior administrator shall conduct an inquiry into the circumstances of the allegations and determine whether there are sufficient grounds to indicate that they have validity. The senior administrator or his/her designee will respond to the allegations. Precautions against real or apparent conflicts of interest will be taken in selecting individual(s) to conduct the inquiry. The senior administrator or his/her designee will use the advice of Legal Counsel on procedures and other matters pertaining to the inquiry. The senior administrator must notify the appropriate chancellor/vice

president, Vice President for Research and Graduate Studies, Legal Counsel or the Office of Research Integrity upon receipt of an allegation and initiation of the inquiry.

C. In conducting the inquiry, the senior administrator shall consult with the accused and provide the accused with the opportunity to respond to the allegations. If appropriate, the original research records should be sequestered from the accused and other individuals such as co-authors, collaborators or complainants. The senior administrator shall complete the initial inquiry within 60 days. Any extension of the inquiry beyond the 60 days requires documentation of the reasons.

D. The senior administrator or his/her designee will prepare a written report summarizing the findings of the inquiry. The inquiry is a fact-finding process to determine whether an allegation or apparent instance of misconduct warrants an investigation. The accused will have the opportunity to comment on the inquiry report and the comments will become part of the final record. The Vice President for Research and Graduate Studies should be given the opportunity to review the inquiry report. The senior administrator will maintain documentation of the inquiry for three years after completion of the inquiry. The senior administrator will be responsible for providing the documentation to the sponsoring agency upon request and in consultation with the Vice President for Research and Graduate Studies and the Office for Research Integrity.

E. If based on the inquiry, there is not sufficient basis for proceeding to an investigation, the senior administrator or his/her designee will undertake efforts, as appropriate, to restore the reputation of the person alleged to have engaged in misconduct. The senior administrator, also, will undertake efforts, as appropriate, to protect the positions and reputations of the person who, in good faith, made the allegation of scientific misconduct.

F. 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 and the Office of Research Integrity, 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.

G. 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 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.

H. 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.

I. 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.

J. 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, sequester and 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.

K. 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.

On reaching a conclusion that scientific misconduct did or did not occur, the burden of proof is on the investigative body to support its findings by a preponderance of the evidence.

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. A copy of the investigation report will be provided if required by the agency.

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 of the final report by the sponsoring agency.

L. 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.

The appropriate chancellor/vice president will undertake efforts, as appropriate, to protect the reputations of persons alleged to have engaged in misconduct.

M. The appropriate chancellor/vice president will undertake efforts, as appropriate, to protect the positions and reputations of those persons who, in good faith, made the allegations of scientific misconduct.

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.

N. 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.

O. Any appeal from the investigative body's decision must be submitted to theVice President for Research and Graduate Studies, in writing, within thirty days of the date the final report was issued.

P. 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.

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.

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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 Postsecondary 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 mechanismsthat 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.

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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)

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

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 and of state or locally operated secondary area technology centers.

II. Statutory Authority

KRS 164.020(32) provides that the Council on Postsecondary Education shall:

> (32) Develop a statewide policy to promote employee and faculty development in all postsecondary institutions and in state and locally operated secondary area technology centers 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 or a state or locally operated secondary area technology center 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 or a state or locally operated secondary area technology center 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 or area technology center within the human resources system of that institution or area technology center.

5. "Summer term" or "summer session" means the period in the academic calendar between the spring and the fall semester.

6. "Technology Center" means a state operated secondary area technology center as defined in KRS 151B.110 or a locally operated secondary area technology center.

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 be:

   a. recorded consistent with residency requirements; and
   b. recorded in the financial accounting system of the course-offering institution consistent with financial reporting guidelines of the Council.

4. A. student participating in the Faculty and Staff Tuition Waiver Program shall be separately identified in the course offering institution's student database consistent with Council guidelines.

5. The Faculty and Staff Tuition Waiver Program applies to all courses offered for college credit not specifically excluded by this policy.

6. 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.

7. 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 or technology center 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 participating employee.

8. 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.

9. An employee eligible to participate in this program may take courses during normal working hours with written permission of the employing institution.

10. 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.

11. An institution or technology center may offer additional benefits to its own employees or to employees of other postsecondary institutions that exceed the benefits of this policy.

12. Credit hours earned under the state policy are not assignable; however, an employing institution that wishes to allow its employees to assign credit hours to third parties may do so, either by having the employee sign a waiver of the state policy in favor of the institutional policy or by the institution granting credit hours in excess of those provided by the state.

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 or technology center as a regular full-time employee. Certification of employment shall be provided by the employing institution or

technology center 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.

5. 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

Amended: 2000 General Assembly in Senate Bill 240. Revision policy adopted by the Council on Postsecondary Education, May 22, 2000, Effective, July 1, 2000.

Certification: Gordon K. Davies, President

III. FACULTY AND STAFF TUITION WAIVER PROGRAM STATEWIDE (NON-UK EMPLOYEES)

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	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.

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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.

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	DATE EFFECTIVE 1/11/99	SUPERSEDES REGULATION DATED 6/16/83, 8/5/87

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, 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 l, 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 is sufficiently severe or pervasive to interfere 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 often takes place in situations of a power differential between the individuals involved. The University's policy prohibits sexual harassment between members of the University community regardless of their status within the University as student, faculty or staff.

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 activity; or
direct solicitation of sexual activity or other sex-related behavior accompanied by promise of reward or threat of punishment.

Sexual harassment may also arise from sufficiently severe or pervasive unwelcome conduct that has the effect of creating an intimidating, hostile, or offensive educational or working environment. The following types of acts may illustrate sexual harassment in violation of University policy:

unwelcome physical contact such as touching, or physical interference which limits participation in or benefit from work or academic performance;
unwelcome remarks about a person's clothing or body; sexual questions, jokes, anecdotes and stories; display of sexually offensive posters, pictures, words or messages; and
introduction of sexually explicit materials into the classroom or into the workplace without an educational or work-related purpose.

E. Determination of Policy Violation

In determining whether conduct constitutes sexual harassment, University officials will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the incidents occurred. A determination is made from the facts on a case-by-case basis.

F. 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.

G. 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 complaint 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 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 staff in the Equal Opportunity Office to resolve a complaint of sexual harassment.

The staff in the Equal Opportunity Office provides information, advice and assistance for prompt and equitable resolution of informal sexual harassment complaints.

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 Human Resources Policy and Procedure Manual University of Kentucky Staff Human Resources 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

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 Human Resources Policy and Procedure Manual University of Kentucky Staff Human Resources Policy and Procedure No. 7.0: Grievances, Or GR XII.H. Order of Communications

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	DATE EFFECTIVE 5/1/89	SUPERSEDES REGULATION DATED

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.1-11	PAGE 1
	DATE EFFECTIVE 5/1/89	SUPERSEDES REGULATION DATED

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 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.

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.1-12	PAGE 1
	DATE EFFECTIVE 8/5/93	SUPERSEDES REGULATION DATED

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. Delegation

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 re- turn 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)

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 Signature Date (please print)
Type of practice (field of specialization, if any)

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.

B. While Memorial Coliseum is used largelyn 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 Director of Student Activities. 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 theUniversity of Kentucky Governing Regulations.

F. When the Coliseum is used bya 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.

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.

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.

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I. Organization. 1

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.

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

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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 **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.2-7	PAGE 1
	DATE EFFECTIVE 6/11/96	SUPERSEDES REGULATION DATED

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.2-8	PAGE 1
	DATE EFFECTIVE 12/20/00	SUPERSEDES REGULATION DATED

POLICY ON DISCLOSURE OF CAMPUS SECURITY AND CRIME STATISTICS

The University of Kentucky is required by state and federal law to provide certain information about campus crime to the public. This regulation implements the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 USC 1092(f), 34 CFR Part 668.46 and the Michael Minger Act, KRS 164.948 to 164.9489 and KRS 164.993, 13 KAR 2:100.

Each University of Kentucky employee designated in this regulation is hereby directed to report to the University of Kentucky Police Department in the manner described below all campus crimes, fires, and threats of fires of which he or she becomes aware. Definitions of which crimes are reportable and what is included in the term "campus" are given below. The UK Police Department is charged with making daily crime logs available to the public and with preparing and submitting annual reports pursuant to the Clery and Minger Acts. The Environmental Health and Safety Division is charged with the responsibility of reporting fires, threats of fire, and fire alarms to the State Fire Marshal's Office pursuant to the Minger Act. The Vice President for Administration is charged with the responsibility for overall coordination of campus-wide efforts to comply with the Acts and this Administrative Regulation.

Each Chancellor and Vice President is directed to fully cooperate with the UK Police Department, the Environmental Health and Safety Division and the Vice President for Administration to ensure that employees of his or her sector comply with the requirements of this regulation.

Employees Required to Report Crimes and Fire Related Information

(1) Officers and employees of the UK Police Department, the Medical Center Security Department, and the UK Parking Department;

(2) UK officials who have significant responsibility for student and campus activities, including, but not limited to:

(a) Employees of the Vice Chancellor for Student Affairs:
(b) Employees of Auxiliary Services;
(c) Employees of the colleges who are designated as student affairs officers;
(d) Employees of the Athletics Department including coaches; and

(e) Advisors to registered student organizations.

Note: Pastoral or licensed professional counselors are not required to report when acting as pastoral or professional counselors. A "pastoral counselor" is associated with a religious order or denomination and is recognized by a religious order or denomination as someone who provides confidential counseling. A "professional counselor" is a person whose official responsibilities include providing mental health counseling and who is functioning within the scope of his or her license or certification. Medical professionals are not required to report.

Crimes Which Must be Reported to University Police

Arson
Assault
Burglary
Criminal Damage to Property
Hate Crimes (if there is evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability)
Manslaughter
Menacing
Motor Vehicle Theft
Murder
Reckless Homicide
Robbery
Sex Offenses both forcible and non-forcible
Stalking
Terroristic Threatening
Theft
Wanton Endangerment
Weapons Possession
Arrests for Liquor and Drug Law Violations

These crimes shall be reported immediately to the University Police Department using forms or electronic means designed by the Police. Incidents where students are referred for campus disciplinary action for liquor law violations or drug law violations must also be reported.

Fires, Fire alarms, and Threats of Fire Which Must be Reported to University Police: Every fire, fire alarm, or threat of fire (an expression of an intention to inflict something harmful in the way of destructive burning or explosions) shall immediately be reported to the University Police Department, which in turn shall report the incident to Environmental Health and Safety, which shall report to the State Fire Marshal as required by the Minger Act. University Police shall also report all threats or actual alarms to the

local fire department. The Physical Plant Divisions are directed to coordinate their fire alarm reporting activities with those of the University Police Department.

Definition of Campus For the purposes of this regulation, the University of Kentucky campus is defined as:

All buildings or property owned, leased, controlled, or managed by UK in Fayette County
The Woodford County farm
Robinson Forest
The Quicksand and Princeton Agricultural Experiment Stations
University of Kentucky-operated facilities on the campus of Paducah Community College
Spindletop Hall
The Hilary J. Boone Faculty Club
Rupp Arena when being used for UK functions
All buildings or property owned or controlled by a registered student organization including fraternities and sororities
Any other buildings or property owned or controlled by UK that are used in direct support of, or in relation to, UK's educational purposes which are frequently used by students
All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Cooperation with other Agencies: The UK Police shall make reasonable, good faith efforts to obtain the required statistics from local police agencies and the State Police concerning campus crimes reported to those agencies.

Timely Warning Reports The UK Police Department shall, within 24 hours after an incident is first reported and in a manner which will aid in the prevention of similar crimes, report to the campus community on crimes that are reported pursuant to this policy that are considered to represent a threat to students and employees.

Crime log. The UK Police Department shall maintain and make available to the public in written form and on the World Wide Web a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on the campus which is reported pursuant to this regulation. The log must include the nature, date, time, and general location of each crime; and the disposition of the complaint, if known. The Police Department may withhold information required in the log only if there is clear and convincing evidence that the release of that specific information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. The Police Department must disclose any information withheld once the adverse effect is no longer likely to occur.

Non-Duplication of Reporting: University Police officers involved in any reportable crime or fire-related incident are responsible for reporting the incident. If a Police Officer is known to have been on a crime or fire scene, University officials need not file a duplicate report.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.3-1	PAGE 1
	DATE EFFECTIVE 2/8/99	SUPERSEDES REGULATION DATED 3/19/92, 6/11/92

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.

D. Method of Payment

All new employees hired in a regular status on or after July 1, 1999, shall be paid through direct deposit. Documentation of payment will be provided to each employee.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.3-2	PAGE 1
	DATE EFFECTIVE 11/11/88	SUPERSEDES REGULATION DATED 1/2/86

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 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 that 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	Vacation Days Earned Per Month During an	Terminal Vacation Pay Per Day of Unused Vacation Leave in and Assignment Period

Period Salary)	Assignment Period*	(APS = Assignment Period
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-1.3-3	PAGE 1
	DATE EFFECTIVE 8/16/94	SUPERSEDES REGULATION DATED

POLICY FOR DISPOSITION OF PERSONAL PROPERTY
Approved by Board of Trustees

A. General

Surplus property of the University of Kentucky and its affiliated corporations may be sold or otherwise disposed of in accordance with the Kentucky Revised Statutes (KRS 164A.575). The relevant sections of the law are stated below:

"The governing board shall have power to salvage, to exchange, and to condemn supplies, equipment, and real property." [KRS 164A.575(5)]

"The governing board shall sell or otherwise dispose of all real or personal property of the institution which is not needed or has become unsuitable for public use, or would be more suitable consistent with the public interest for some other use, as determined by the board. The determination of the board shall be set forth in an order and shall be reached only after review of a written request by the institution desiring to dispose of the property. Such request shall describe the property and state the reasons why the institution believes disposal should be effected. All instruments required by law to be recorded which convey any interest in any such real property so disposed of shall be executed and signed by the appropriate officer of the board. Unless the board deems it in the best interest of the institution to proceed otherwise, all such real or personal property shall be sold either by invitation of sealed bids or by public auction; provided, however, that the selling price of any interest in real property shall not be less than the appraised value thereof as determined by the Finance and Administration Cabinet or the Transportation Cabinet for such requirements of that department." [KRS 164A.575(7)]

It is the purpose of this document to set forth the policies and procedures of the University of Kentucky necessary to conform to the requirements of this law for the disposition of all property and to provide guidance to all units within the University and its affiliated corporations for the transfer or other disposition of any such personal property.

Express approval of the Board of Trustees is required for each property disposition except in those specific cases where the property is acquired with federal or private gifts or grants and where: (1) the University is required to transfer the property by the terms of a sponsor's regulations or conditions, or (2) the grant is contracted or otherwise transferred to another organization under circumstances where the granting agency expects that the personal property will be transferred with the grant.

B. Personal Property Disposition

1. Definition

Personal property is defined as all items of moveable or fixed equipment and supplies owned by the University of Kentucky and its affiliated corporations (excluding livestock, see part 2.b of this section).

2. Procedures

The following procedures will establish the generally accepted procedures for the disposal, conveyance, or transfer of personal property. In an organization as complex as the University of Kentucky, it is difficult to describe all possible cases. Exceptions to these procedures will be granted only at the discretion of the Board of Trustees upon the recommendation of the President and consistent with KRS 164A.575. For purposes of disposition, personal property, regardless of how acquired by the University of Kentucky and its affiliated corporations, will be classified as: [a] recyclable materials; [b] livestock; [c] unsuitable for public use (for example, hazardous property, equipment that cannot be repaired); [d] trade-ins; [e] property more suitable for some other use consistent with the public interest; or [f] not needed (as a result, for example, of program redirection or termination, replacement by new equipment, duplication as a result of a gift of other equipment).

a. Sale of Recyclable Materials

The sale of recyclable materials (i.e., scrap paper, metal, X-ray film, and precious metals) shall be authorized by an order of the Board of Trustees approving in advance an annual plan for expected sales. The Office of the Controller and Treasurer is responsible for the establishment of competitively bid vendor contracts for the disposal of recyclable materials. These contracts are established annually through the Purchasing Division.

b. Livestock Disposition

The Dean of the College of Agriculture is responsible for the administration of sales or other disposition of all livestock with the approval of the Controller and Treasurer. Disposition of livestock shall be authorized by an order of the Board of Trustees approving an advance annual plan for livestock sales. Approval of an advance annual plan is necessary due to price fluctuations and problems of anticipating exact dates livestock will be sold. Livestock will be sold by one of the following methods:

1) Disposition by Public Auction or Sealed Bid

Unless it is in the best interest of the University of Kentucky to proceed otherwise, livestock shall be sold by invitation of sealed bids or by public auction (i.e. local livestock auctions).

2) Disposition of Superior Breeding Animals by Private Treaty

In order to improve the Commonwealth's livestock economy, superior animals (cattle, horses, swine, and sheep) may be sold by private treaty by complying with the following guidelines. An estimated number of superior animals by species, sex, age, etc., will be advertised by a responsible faculty member through the Cooperative Extension Service, Kentucky Agri-news or a major newspaper at least one month before sale. Minimum sale prices will be established by the College of Agriculture. Sale of animals will be to the highest bidder at or above the established sale price. In cases of tie bids, a random draw will determine the successful bidder.

3) Special Cases

Any animal disposals which do not fall within the methods contained in sections 1 and 2 above will be handled on a case by case basis. Written justification for the sale and exception to the ordinary methods must be approved by the Department Chair, Dean of the College of Agriculture, Vice Chancellor for Administration of the Lexington Campus, and the Controller and Treasurer, and accompany the Personal Property Sale Request Form.

c. Property Unsuitable for Public Use

1) Items of personal property that would endanger the public through continued use (i.e., radioactively contaminated machines, biologically hazardous equipment, equipment that would be harmful even if repaired, etc.) can be declared unsuitable for public use and are to be reported in writing to the Surplus Property/Waste Management Department, Office of the Controller and Treasurer.

2) Unless the Board of Trustees deems it in the best interest of the University of Kentucky to proceed otherwise, all items of personal property unsuitable for public use shall be disposed of by the Controller and Treasurer in a manner in accord with laws governing the disposal of such items. Any hazardous material (e.g., asbestos, chemicals, etc.) must first be reported to the Director, Office of Environmental Health and Safety. This office, with assistance of Surplus Property/Waste Management Department, will dispose of such hazardous material in accord with appropriate state and federal regulations and with the cost of disposal born by the appropriate administrative unit.

d. Property Trade-Ins

1) Items of personal property that will be replaced by new equipment as part of a trade-in agreement with a vendor will be reported in writing to the Surplus Property/Waste Management Department, Office of the Controller and Treasurer. The Surplus Property/Waste Management Department, in consultation with the appropriate chair or dean and the Director, Purchasing Division, will approve each request based upon the best interest of the University. The University must obtain at least market value for property items disposed of as part of a trade-in agreement. It is the responsibility of the department to provide a copy of the purchase order to Surplus Property/Waste Management Department, Office of the Controller and Treasurer.

2) The Plant Assets Inventory Section of General Accounting will review each request for accounting purposes.

e. More suitable for Some Other Use Consistent with the Public Interest.

Consistent with the best interest of the University of Kentucky and the general public as determined by the Board of Trustees, personal property may be sold by negotiation for a monetary consideration or conveyed without monetary consideration to other Commonwealth of Kentucky agencies, local governmental units in Kentucky (e.g., city, county, public schools, civil defense units); other educational institutions, and non-profit, charitable, civic, or community organizations. Preference will be given, where appropriate, to those public agencies or institutions within the Commonwealth of Kentucky. Organizational units within the University may recommend the sale or conveyance of personal property to one of the groups listed above.

f. Property Acquired with Gifts or Grants

If the University is <u>required</u> or <u>expected</u> to transfer the property by the terms of a sponsor's regulations or conditions, as set forth in Paragraph A above, no action by the Board of Trustees is required. The Vice President for Research and Graduate Studies shall provide documentation and certification to the Controller and Treasurer that such a condition exists. The transfer is subject to approval of the Controller and Treasurer who shall maintain the official records of such transfers.

g. Other Property That Is Not Needed

1) Items of personal property that are not needed by any organizational unit will be reported in writing to the Surplus Property/Waste Management Department, Office of the Controller and Treasurer.

2) Items of personal property that have been reported in the above fashion are available for transfer to other internal organizational units. Such transfers to internal units do not require action of the Board of Trustees.

3) Unless the Board of Trustees deems it in the best interest of the University of Kentucky to proceed otherwise, all items of personal property not transferred to an internal organizational unit shall be sold either by invitation of sealed bids or by public auction. Sale by negotiation for monetary consideration or conveyance without charge to other state agencies or state supported institutions of higher education within the Commonwealth of Kentucky will require action by the Surplus Property/Waste Management Department.

4) For routine dispositions (e.g., obsolete equipment, surplus office equipment), a plan is submitted to The Board of Trustees on an annual basis setting forth the description of the personal property, reasons for disposition, and the method of disposition. For non-routine dispositions, an order is submitted to The Board of Trustees on an item-by-item basis setting forth the description of the personal property, reasons for disposition, and the method of disposition.

PHYSICAL FACILITIES AND MAJOR EQUIPMENT PLANNING AND MANAGEMENT

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IV. Assignment of Specific Responsibilities for Planning and Management

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This Administrative Regulation establishes the basis for policies, procedures, and related assignment of responsibilities for the planning and management of the physical facility and equipment needs of the University of Kentucky, as provided for in KRS 164.550.630 (House Bill 622). 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. Facility Plans and Major Equipment Plans
III. Implementation and Management Process
  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 of the University is responsible to the Board of Trustees 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 physical facilities planning and management function as delineated herein. The Vice President for Fiscal Affairs and the Vice President for Administration are delegated specific responsibilities in the oversight and coordination of the University's facilities planning and management functions as delineated in the following sections of this policy. 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, Facility Plans, and Major Equipment Plans.

A. Campus Physical Development Plans provide a context in which space requirement plans and facility plans are established. 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 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 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 facility plans. The Vice President for Fiscal Affairs shall maintain and distribute current space data, space standards, formatting requirements, guidelines, and schedules for the development and submission of space requirement plans. Each sector and vice presidential area shall prepare biennially, as part of the six-year planning process, space requirement plans, within the context of information and guidelines provided by the Vice President for Fiscal Affairs.

C. Facility Plans and Major Equipment Plans

1. Facility Plans are an integral part of University strategic planning and include six-year capital improvement plans, biennial capital budget requests, and annual capital budgets. Facility planning is an essential part of the University's comprehensive planning process and is dependent upon, and interacts with, academic and financial planning. The primary purpose of facility planning is to identify logically and systematically the physical resources required to support current and future University goals, objectives, and programs.

   Each sector and vice presidential area shall develop as part of strategic planning, facility plans which include: (1) status reports on the facility plans prepared for the current biennium and (2) prioritized facility plans, to include land acquisitions and dispositions, proposed for each of the forthcoming two biennia.

2. Major Movable Equipment Plans are required for individual items of movable equipment equal to or exceeding $100,000, and serve a purpose similar to facility plans in the University's long range planning process. Major Movable Equipment Plans shall be submitted by each sector and vice presidential area for inclusion in the University's 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 proposals of capital projects and major movable equipment items for inclusion in their respective six-year capital improvement plans and biennial capital budget requests as appropriate. These proposals should clearly identify the source of funds (including lease-purchase or similar financing arrangements) for each project and item of equipment. The Vice President for Administration shall coordinate the development of consolidated lists of capital projects and major movable equipment items, in draft priority format and submit to the President of the University. The President shall determine final priorities for projects and equipment items on the consolidated lists.

III. Management Policies

A. Capital Construction Policies and Procedures

The Vice President for Fiscal Affairs shall be responsible for the administration and oversight of capital construction at the University of Kentucky. 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 policies and procedures developed and approved by the Vice President for Fiscal Affairs.

All projects estimated to cost $400,000 or more shall be submitted to the Board of Trustees of the University for review and approval as part of the biennial budget request. The Finance Committee of the Board and the Board of Trustees shall be kept informed of all changes to projects on a quarterly basis.

Projects costing less than $100,000 may be delegated to the respective chancellor/vice president

The Vice President for Fiscal Affairs shall develop and distribute the procedures to be followed in capital construction projects to Chancellors and Vice Presidents

B. Real Property Acquisition and Disposition

The Vice President for Fiscal Affairs shall be responsible for the administration and oversight of all land acquisitions and dispositions including contractual agreements such as granting of easements, leasing of real property, reporting and inventory of real property, and post-audit of real property transactions. Land acquisitions and dispositions shall be managed in the context of approved campus physical development plans.

The Board of Trustees of the University may sell or otherwise dispose of real property of the University which it determines to be surplus, unsuitable for public use, or more suitable for some other use consistent with the public interest. Property acquisitions and disposals must be submitted to the Secretary of Finance and Administration for approval.

C. Allocation of University Space

The President is responsible for the allocation of space 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 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 planned 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.

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.

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 annually to the Office of the President space assignments, room uses, condition of facilities, and related information;

2. Prepare and submit to the Office of the President six-year capital improvement plans and biennial capital budget requests; and

3. 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. The 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, capital projects for new construction and renovation, program space requirements, support services, aesthetics, and the management and operation of assigned physical facilities on a University-wide basis.

C. The Vice President for Administration

The Vice President for Administration shall periodically report on the status of University planning to the Board of Trustees and external agencies. These reports shall include annual capital budgets, biennial capital requests, land acquisition plans, and six-year capital improvement plans. The Vice President for Administration shall coordinate 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.

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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 Administration 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 Administration 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/vicepresidents 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 actiontaken 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 Administration.

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 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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.5-2	PAGE 1
	DATE EFFECTIVE 1/1/01	SUPERSEDES REGULATION DATED 3/11/93, 2/17/99, 8/2/00

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 Administration 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 which contain institutional administrative data, and the provision of programming and educational support for the effective use of those databases.

II. Organizational Responsibilities

A. Vice President for Administration - Office of Institutional Planning, Budgeting, and Effectiveness will:

1. establish data management guidelines to ensure the timely availability and integrity of data on human resources, finances, students, facilities, and programs to meet information needs for institutional decision-making.

2. coordinate external reporting on students, faculty, finances, and staffing to the Council on Postsecondary Education, other state government offices, and federal agencies as defined by the President. This includes all reports required by the Council on Postsecondary Education reporting guidelines, federal IPEDS reports, EEO reports, SACS reports and other reports as assigned by the President.

3. provide executive decision support information to the President.

4. 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.

5. work closely with the chancellor/vice presidential areas regarding availability of and access to institutional administrative 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 Postsecondary 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 annual and periodic reviews of educational programs and units as specified in AR II-1.0-6, and of administrative and educational support units, as specified here. The annual and periodic reviews of administrative and educational support units will incorporate the basic requirements of institutional effectiveness. Each administrative and educational support unit must:

a. establish a clearly defined purpose which supports the institution's purpose and goals;
b. formulate goals which support the purpose of each unit;
c. develop and implement procedures to evaluate the extent to which these goals are being achieved in each unit; and
d. use the results of the evaluations to improve administrative and educational support services..

The Chancellors/Vice Presidents will establish and update annually a periodic review schedule for the administrative and educational support units in their respective sectors/areas. The Office of Institutional Planning, Budgeting and Effectiveness will maintain and distribute the periodic review schedule along with suggested guidelines and strategies for conducting the review. Periodic reviews will take place every four to six years and will be conducted by a method to be determined by the unit head's supervisor. The periodic review process should include, at a minimum:

a. broad-based involvement of unit employees;
b. an assessment of strengths and weaknesses;
c. a written report with recommendations presented to the unit head's supervisor; and
d. revision to annual and strategic plans as necessary to ensure continuous improvement.

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 administrative 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 to support institutional effectiveness needs, as assigned by the President and in accordance with data management guidelines established by the Vice President for Administration.

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 vduntary 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
1997-98	5.0	10.0	15.0

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
1997-1998	5.0	10.0	15.0

Beginning July 1, 1996, the Universityshall 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%
5.0	10.0	15.0

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 and III.C.3, 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	-	Computed2 Annual Benefit from the Funded Plan	-	Computed3 Annual Benefit from Civil Service

Benefit AccumulationsRetirement

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 retiremenbenefits 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 payment 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

A participant on leave with pay shall make the employee contribution and receive the University contribution based on the amount of the salary that is paid through the University payroll. Contributions to a participant's retirement plan shall be made on the actual salary paid through the University payroll, not to exceed the annual salary.

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*** The Vice President for 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. ***Use of Information Systems*** All use of Information Systems facilities and services at the University will be for sanctioned University purposes only, consistent with the University's mission and goals as defined in the current University Strategic Plan 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 information technology services used in support of the sector's 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 to support university-wide services is the prerogative of the President.

Information Systems is responsible for supporting 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 Information Systems 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 and the Vice President for Information Systems. 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. Information Systems Services

A. ***Instructional Computing*** The Vice President for Information Systems is responsible for providing general purpose 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. Departments and colleges are responsible for providing specialized facilities and services specific to their areas/disciplines. Students should 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. The Vice President for Information Systems is responsible for budget recommendations and for administering the expenditure of funds generated by the student technology fee.

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 Vice President for Information Systems is responsible for preparing recommendations on University-wide administrative systems for the President consistent with the data needs identified by the Vice President for Administration. The Vice President for Information Systems shall develop these recommendations in collaboration with the chancellors, vice presidents, other administrative officers, and the Committee of Data Stewards (see AR II-1.7-3 and AR III-2.0-1).

E. ***Administrative Computing Systems Facilities*** All systems and databases which store and process official institutional administrative data will reside on equipment operated by Information Systems. The Vice President for Information Systems is 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. Information Systems is responsible for programming and technical consulting resources to maintain and modify these systems.

F. ***University-wide Administrative Systems Coordination*** The University will maintain an official institutional database containing all of its institutional administrative data. The Vice President for Information Systems will implement central systems in accordance with administrative data management guidelines established by the Vice President for Administration (see AR II-1.7-3).

All sector/departmental systems containing peripheral administrative data will be integrated with the institutional database and data architecture. The Vice President for Information Systems will monitor sector systems which integrate with official institutional systems/databases in accordance with administrative data management guidelines established by the Vice President for Administration.

G. ***Access to and Custodial Responsibilities for University-Wide Administrative Systems*** Institutional administrative data in University-wide administrative systems are a significant institutional resource and appropriate access should be broadly available to the University community. The responsibility for determining security controls and subsequent access to the data in the enterprise database system must reside with a Chancellor or Vice President. Primary responsibility for the content and quality of the data in these systems is assigned to individuals within the functional areas. These staff are designated as the Custodians, and serve as members of the Committee of Data Custodians to provide support on various data management issues (see AR III-2.0-1). However responsibility for data quality is a shared responsibility with the Department of Data Administration and any technical staff or users who have the ability to update the data. The Data Custodian(s) assigned to the respective University-wide systems are responsible for establishing user advisory committees 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.

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 Information Systems staff and forward them through the appropriate chancellor or vice president to the Department of Data Administration (see AR I-1.0-1 and AR II-1.7-3). 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 Department of Data Administration. Wherever feasible, the University will purchase appropriate commercial software, when it is available to do a given project, rather than developing the software internally. All requests will be evaluated in terms of the data management standards established by the Vice President for Administration, all recurring and non-recurring costs and benefits identified, and a report containing the results of the evaluation will be presented to the Committee of Data Stewards (see AR III-2.0-1). This Committee will review the information and make a recommendation on the appropriate course of action to the Vice President for Administration and the Vice President for Information Systems. The Vice President for Information Systems will present the recommendation to the President .

For each project, delineated in the above paragraph, the chancellor, vice president, or appropriate officer within the central administration will serve as the executive sponsor and 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 be responsible for providing regular reports on project implementation status to the executive sponsor as well as to the Vice President for Information Systems.

Any requests for new systems for sector and departmental needs must be evaluated by the Department of Data Administration, to determine whether the systems process or store university-wide data or must interface with other university-wide systems. Systems which process or store university-wide data or which interface with other university-wide systems shall follow the approval process outlined in the previous paragraphs.

I. ***Communications and Networking*** The University is committed to providing state-of-the-art communications and networking services to support the institutional mission. This commitment includes providing a robust communications infrastructure for voice, data, and video, including enabling technologies and core applications that support teaching and learning, research, administration, and community outreach. Faculty, student and staff access to information resources located locally and throughout the world across the Internet will be provided in an efficient and effective manner. Funding for the infrastructure facilities are a shared responsibility between general (institutional) funds and sector funds.

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. For expenditures for computing and communications equipment and services of less than ten thousand dollars ($10,000.00), Deans and Directors are responsible for reviewing and approving the departmental/divisional requests. 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.

All requests for computing or communications equipment and services in excess of ten thousand dollars ($10,000.00) 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 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 provides the communications systems and services for the University. Communications and Network Systems is responsible for ensuring that all University communication systems will interoperate with national and international networks by maintaining appropriate campus communication standards. Therefore, all departments that are planning any communications or networking projects must consult with Communications and Networking Systems in determining voice, data, and video needs and specifications.

C. ***Copier/Printer Acquisition*** Publishing Services provides consultation, analysis, and recommendations to University departments regarding 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, duplicating, or postal services 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 Servicesor 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 computingresource.

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DATA ADMINISTRATION
POLICIES AND ORGANIZATIONAL RESPONSIBILITIES

The purpose of this Administrative Regulation is to set forth policies and organizational responsibilities for the data administration program at the University. This regulation applies to "administrative" data, or that data which is of institutional significance and which is used to support or is relevant to the administrative, operational, patient care or planning functions within the institution.

I. General Information

A. The University will have an enterprise database system containing all of its institutional administrative data. All sector/departmental systems containing peripheral administrative data will be integrated with the institutional database and data architecture.

II. Organizational Responsibilities

A. The Vice President for Management and Budget will:

1. have final approval regarding all recommendations of the Committee of Data Stewards (see AR II-1.7-1 and AR III-2.0-1) concerning the management of administrative data, including at a minimum long range planning, the definition of procedures, prioritization of projects, and assessment of proposed system changes and purchases in view of established data standards,

2. make policy recommendations to the President as needed,

3. recommend a representative to serve as the Chair of the Committee of Data Stewards, and another as a member of the Committee of Data Custodians (see AR III-2.0-1).

B. The Department of Data Administration, headed by the Director of Information Resource Management, will:

1. report to the Vice President for Information Systems, and ensure the implementation of the decisions made by the Vice President for Management and Budget in the application of guidelines in the comprehensive management of institutional administrative data,

2. improve the efficiency of processes associated with the collection, storage, maintenance, manipulation, analysis, access to and security of institutional administrative data, including the institutional data warehouse,

3. be supported in all efforts by the Committee of Data Custodians, Committee of Data Stewards (see AR III-2.0-1), Information Systems Computing Services (see AR II-1.7-1), Medical Center Information Services, and other sector technical staff,

4. be managed by the Director of Information Resource Management who will serve as the Chair for the Committee of Data Custodians (see AR III-2.0-1), and who will coordinate all data management efforts with the Chandler Medical Center.

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 William T. Young 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 William T. Young 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 (comprised of the William T. Young 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 on-line 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 are difficult to achieve in a system with a 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 in both the central library and in the branches.

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 William T. Young Library or the Medical Center Library. Branch library personnel should report to the administration of the William T. Young 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 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 on-line catalog which is maintained by the University system libraries.

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. Electronic catalog access, 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-ange 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 William T. Young Library or the Medical Center Library. Personnel in such positions report administratively to the administration of the William T. Young 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 librarycollections 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 the Library Catalog

In order to effectively utilize the University's information resources, records of books purchased for independent educational unit library collections shall be supplied to the University System Libraries for inclusion in the on-line 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.

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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 E 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 E 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 E 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.

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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. A government wide definition will be proposed during the next 12 months. Recommend that the definition be revised once the new government wide definition is adopted

Process

A. Concerns about potential misconduct should be communicated immediatelyto the senior administrator of the area in which the alleged incident(s) occurred, i.e. the dean of the college or school, the Director of University Libraries, the President of Lexington Community College, the Assistant Vice President for Research and Graduate Studies in the case of most research centers and institutes. 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 Legal Counsel and the Office of Research Integrity, the senior administrator shall conduct an inquiry into the circumstances of the allegations and determine whether there are sufficient grounds to indicate that they have validity. The senior administrator or his/her designee will respond to the allegations. Precautions against real or apparent conflicts of interest will be taken in selecting individual(s) to conduct the inquiry. The senior administrator or his/her designee will use the advice of Legal Counsel on procedures and other matters pertaining to the inquiry. The senior administrator must notify the appropriate chancellor/vice

president, Vice President for Research and Graduate Studies, Legal Counsel or the Office of Research Integrity upon receipt of an allegation and initiation of the inquiry.

C. In conducting the inquiry, the senior administrator shall consult with the accused and provide the accused with the opportunity to respond to the allegations. If appropriate, the original research records should be sequestered from the accused and other individuals such as co-authors, collaborators or complainants. The senior administrator shall complete the initial inquiry within 60 days. Any extension of the inquiry beyond the 60 days requires documentation of the reasons.

D. The senior administrator or his/her designee will prepare a written report summarizing the findings of the inquiry. The inquiry is a fact-finding process to determine whether an allegation or apparent instance of misconduct warrants an investigation. The accused will have the opportunity to comment on the inquiry report and the comments will become part of the final record. The Vice President for Research and Graduate Studies should be given the opportunity to review the inquiry report. The senior administrator will maintain documentation of the inquiry for three years after completion of the inquiry. The senior administrator will be responsible for providing the documentation to the sponsoring agency upon request and in consultation with the Vice President for Research and Graduate Studies and the Office for Research Integrity.

E. If based on the inquiry, there is not sufficient basis for proceeding to an investigation, the senior administrator or his/her designee will undertake efforts, as appropriate, to restore the reputation of the person alleged to have engaged in misconduct. The senior administrator, also, will undertake efforts, as appropriate, to protect the positions and reputations of the person who, in good faith, made the allegation of scientific misconduct.

F. 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 and the Office of Research Integrity, 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.

G. 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 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.

H. 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.

I. 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.

J. 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, sequester and 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.

K. 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.

On reaching a conclusion that scientific misconduct did or did not occur, the burden of proof is on the investigative body to support its findings by a preponderance of the evidence.

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. A copy of the investigation report will be provided if required by the agency.

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 of the final report by the sponsoring agency.

L. 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.

The appropriate chancellor/vice president will undertake efforts, as appropriate, to protect the reputations of persons alleged to have engaged in misconduct.

M. The appropriate chancellor/vice president will undertake efforts, as appropriate, to protect the positions and reputations of those persons who, in good faith, made the allegations of scientific misconduct.

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.

N. 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.

O. Any appeal from the investigative body's decision must be submitted to theVice President for Research and Graduate Studies, in writing, within thirty days of the date the final report was issued.

P. 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.

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.

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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 Postsecondary 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 mechanismsthat 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 anintercollege 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-B.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-A.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-A.4.d.

3. Qualifications - See GR VII-B.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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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 unless one of the following provisions applies: AR II-1.1-12 (Family Medical Leave); GR X.C.7. (leave for duration of an election or term of office); GR X.C.5.d. (educational leave); or for other leaves of absence where the University, in granting the leave, and the individual, in accepting it, agree that time spent on the leave of absence shall not count as probationary period service. 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 ending date of the probationary period in a non-tenured appointment shall be set prior to signing the initial Notice of Appointment and Assignment Form and shall not exceed seven years from the date of initial appointment. Previous full time service with the rank of instructor or higher at another institution of higher learning shall not be counted as part of the probationary period. A non-tenure period of less than seven years may be negotiated between the appointee and the president of the community college prior to initial appointment.

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.

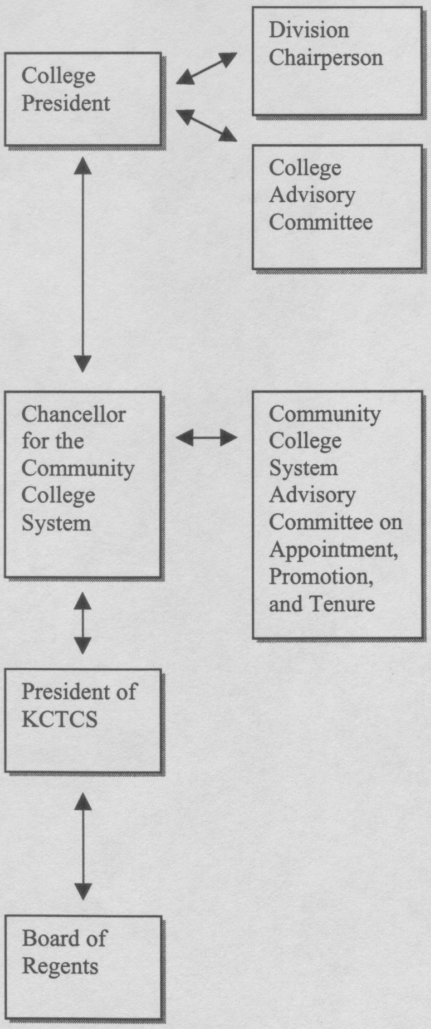
B. Composition

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 KCTCS.
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 Regents 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 the 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.

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.

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.

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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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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 Medical Staff Executive Committee 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 house officer may appeal to the Medical Staff Executive Committee of the University Hospital. The Chair of the Medical Staff Executive Committee of the 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 studythe facts in the case, conduct hearings if deemed necessary, and submit a written report of its findings and recommendations for disposition to the Medical Staff Executive Committee 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 Medical Staff Executive Committee of the University Hospital, excluding any members who previously rendered decisions at Stages I - III or participated as a grievance hearing committee member at Stage IV, 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 Medical staff Executive Committee 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 Extramural and Post Graduate Medical Education. In any case involving sexual harassment, copies of the committee's report and the Executive Committee's final decision also shall be forwarded to the Affirmative Action Officer.

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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.

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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.

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 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 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 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.

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 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 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.

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.

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-8.0-1	PAGE 1
	DATE EFFECTIVE 2/16/88	SUPERSEDES REGULATION DATED 7/1/83

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.

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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.

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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 any student organization must be registered with the office of the Student Center Director, and 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).

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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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REGULATIONS GOVERNING THE USE OF MEMORIAL HALL AND ADJACENT AMPHITHEATER

A. The Director of the Student Center, 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 Director of the Student Center. 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 Director of the Student Center 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 Assistant to the President for Fiscal Affairs.

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 inWorld 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.

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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 office of the Director of the Student Center;

2. Members of the University faculty and staf, 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 recreationalareas;

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 Office	Conferences and Institutes
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

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

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AR III 1.1-3- Commencement Committee
AR III 1.1-4- Non-Resident Fee Committee for the Lexington Campus, and Medical Center, of the University of Kentucky.
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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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	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.

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	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.

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	DATE EFFECTIVE 8/18/98	SUPERSEDES REGULATION DATED 8/1/92 3/5/97, 1/14/98

UNIVERSITY DISTANCE LEARNING COMMITTEE AND ADVISORY PANEL

The Distance Learning Committee advises the President of the University on policies governing distance learning, and advises the Director of the Distance Learning Technology Center on issues related to technology and distance learning infrastructure.

The Committee shall be composed of representatives of the two Chancellors and the 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 Dean of University Extension, the Director of the Distance Learning Technology Center, and the Special Assistant to the President for Academic Affairs.

An Advisory Panel of users and potential users of distance learning delivery systems will meet at least once annually with the Committee to provide advice on issues that emerge or that are potential concerns. 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 President of the University appoints the Distance Learning Committee and the Advisory Panel members.

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	DATE EFFECTIVE 5/27/93	SUPERSEDES REGULATION DATED

CONTINUING EDUCATION COUNCIL

The Continuing Education Council is appointed by the President to serve as an advisory and policy recommending body relating to University-wide continuing education matters. Representatives to the Council shall be from each sector of the University and Central Administration. Specifically, the Continuing Education Council shall:

1. advise the President on pertinent issues relating to continuing education.

2. recommend policy that will enhance the quality of the University of Kentucky credit and non-credit continuing education offerings.

3. where appropriate, develop and implement systems and strategies to meet Kentucky's continuing education needs effectively and efficiently.

4. facilitate compliance with Southern Association of Colleges and Schools accreditation requirements.

5. facilitate the provision of opportunities through continuing education offerings for cost-effective training and value-added interaction between participants in the programs.

6. maintain an updated roster of those responsible for coordinating continuing education in the University.

7. provide information to continuing education professionals in the University.

8. at least once a year, meet with continuing education professionals in the University to obtain their views and advice regarding continuing education.

An annual report of the work of the Committee shall be submitted to the President.

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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 President 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, MEDICAL CENTER, AND LEXINGTON COMMUNITY COLLEGE

APPROVED BY THE BOARD OF TRUSTEES

Application for change of residency classification by a student enrolled in or an applicant to a program on the Lexington Campus or Medical Center shall be made in writing to the Residency Officer in the Registrar's Office for initial consideration. Application for change of residency classification by a student enrolled in or an applicant to a program at the Lexington Community College shall be made in writing to the Residency Officer at Lexington Community College for initial consideration. Residency determinations shall be based on Administrative Regulations promulgated by the Council on Postsecondary Education contained in 13 KAR 2:045. The decision of the Residency Officer in the Registrar's Officer or Lexington Community College Residency Officer, if adverse to the applicant, may be appealed to the Non-Resident Fee Committee.

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. One faculty member and one student shall be appointed from Lexington Community College. 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 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 Non-Resident Fee Committee for the Lexington Campus, Medical Center, and Lexington Community College shall consider appeals from students whose initial requests for change in residency status have been denied by the Residency Officer in the Registrar's Office or the Residency Officer at Lexington Community College. Residency appeals shall be based on Administrative Regulations promulgated by the Council on Postsecondary Education contained in 13 KAR 2:045. The applicant shall be notified in writing as to the Committee's decision on the applicant's appeal.

If the applicant considers the decision of the Committee to be unsatisfactory, the applicant may request a formal hearing by contacting the Chairperson of the Non-Resident Fee Committee in writing within fourteen days after receipt of the written notification.

The Chancellor of the Lexington Campus, the Chancellor of the Medical Center, and the President of Lexington Community College are authorized to appoint or employ a hearing officer to preside over formal residency hearings. Formal hearings shall be arranged based on a timely request from a student. The formal hearing shall include guarantees of due process including the right of a student to be represented by legal counsel and the right of the student to present information and testimony in support of a claim of Kentucky residency. The Hearing Officer shall have the authority to establish procedural rules for hearings.

The hearing officer shall make a recommendation to the appropriate Chancellor or the President of Lexington Community College. The Chancellor or President shall decide the appeal and notify the student in writing.

The Office of Legal Counsel shall advise the Residency Officer in the Registrar's Office, the Residency Officer at Lexington Community College, the Non-Resident Fee Committee, the Chancellors and the President of Lexington Community College on legal matters, including but not limited to interpretation of the residency regulations promulgated by the Council on Postsecondary Education contained in 13 KAR 2:045, procedural questions, and applicable laws, cases, and regulations.

The Non-Resident Fee Committee shall submit an annual report on its activities to the Vice President for Fiscal Affairs.

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	DATE EFFECTIVE 2/17/99	SUPERSEDES REGULATION DATED AR III-8.2-2 8/30/92 AR III-7.0-2 2/4/93 AR III-1.1-5 2/4/93, 6/11/95, 2/26/9

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. Maintain a subcommittee, known as the Institutional Biosafety Committee, to carry out the functions required under NIH regulations, including 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 to serve as an advisory committee on the use of infectious agents to include: policy and procedure recommendations and individual research project approval.

5. Maintain a subcommittee, known 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. Maintain a subcommittee, known 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. Maintain a subcommittee, known 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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RISK MANAGEMENT ADVISORY COMMITTEE

The Risk Management Advisory Committee shall be appointed by the President and shall advise the President on risk management issues. The Committee is charged with identifying and analyzing areas of risk and exposure and making recommendations for appropriate levels of risk retention (self-insurance) and risk transfer (insurance).

The specific responsibilities of the Risk Management Advisory Committee are:

1. Recommend a five-year plan for management of risk including specific goals and objectives.

2. Identify appropriate risk management practices and related training to ensure compliance with statutory, contractual and safety obligations.

3. Identify risks and exposures and develop plans to minimize or reduce those risks and exposures.

4. Recommend appropriate levels of risk retention and risk transfers based upon cost-benefit analyses.

5. Recommend funding and related cost allocation for risk retention and transfers.

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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.

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	DATE EFFECTIVE 9/22/93	SUPERSEDES REGULATION DATED AR III-8.2-3 7/1/83 3/19/92 4/29/93

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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	DATE EFFECTIVE 9/22/93	SUPERSEDES REGULATION DATED AR III-8.2-4 9/18/92 AR III-8.2-4 3/19/92

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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	DATE EFFECTIVE 6/11/96	SUPERSEDES REGULATION DATED 7/5/88 3/19/92 9/23/94

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.

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	DATE EFFECTIVE 1/1/01	SUPERSEDES REGULATION DATED 7/30/90, 9/1/91, 8/2/00

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 information systems 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, the Associate Vice President for Communications, and the Medical Center Vice Chancellor for Information Technology shall serve as ex-officio members of all three committees. The President shall designate the chairperson for each subcommittee. 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.

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) Undergraduate student (to be nominated by the Student Government Association)
(1) Dean of Undergraduate Studies, Lexington Campus (ex officio)
(1) Vice Chancellor for Academic Affairs, Medical Center (ex officio)
(1) Dean for Academic Affairs, Lexington Community College (ex officio)
(1) Director, Academic Computing Services (ex officio)
(1) Director, Information Systems Support Services (ex officio)

Administrative Computing Subcommittee

The Administrative Computing Subcommittee will be comprised of two subcommittees: Data Stewards and Data Custodians.

Subcommittee: Data Stewards

The Data Stewards will be responsible for making recommendations to the Vice President for Administration on issues concerning the management of administrative data, including at a minimum long range planning, the definition of procedures, prioritization of projects, and assessment of proposed system changes and purchases in view of established data standards (see AR II-1.7-1 and AR II-1.7-3). This subcommittee will be comprised of higher-level management who have the responsibility for planning and policy development for their functional areas, are familiar with the institutional ramifications of data access, quality and analysis in their domain, and are cognizant of the various regulatory mandates with which the University must comply. The Data Stewards should contain no more than two representatives from each of the following areas: Lexington Campus, Research and Graduate Studies, Fiscal Affairs and University Relations and three from the Medical Center. The Chair of the Data Stewards Subcommittee will be a staff member from the office of the Vice President for Administration. The Vice President for Administration will recommend this individual to the President.

Subcommittee: Data Custodians

The Data Custodians will work with Department of Data Administration on all aspects of its programs to develop a data inventory and standards, improve data quality, access and security, design a data warehouse and enhance data planning (see AR II-1.7-3). This subcommittee and the Department of Data Administration will supply recommendations on all of the above to the Data Stewards as needed. The Data Custodians will be comprised of management responsible for the collection and maintenance of specific data in their functional areas, and enforcing corresponding policy and procedures. These individuals should be the experts on the administrative systems that support their areas, and the most familiar with the interrelationship between policy and procedures, business rules, data systems, data standards and security classifications. There will be at least one representative from each of the following areas on this subcommittee: Admissions, Registrar, Student Financial Aid, Student Billing Services, Human Resources, Payroll, Budget Office, Accounting, Purchasing, Development, Facilities, Research and Graduate Studies, Medical Center Information Services, Faculty Systems and central and sector Institutional Effectiveness. Other Custodians may be added as required. The Director of

Information Resource Management serves as the Chair for the Data Custodians. The Director of Computing Services will serve as an ex-officio member.

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	DATE EFFECTIVE 3/19/92	SUPERSEDES REGULATION DATED 10/15/88

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.

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.

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.

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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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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.

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 Committee 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; and

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 responsibility, 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 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 President.

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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 l 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.

BOARD OF STUDENT MEDIA

The charge for the Board of Student Media is provided in AR II-8.0-1.

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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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GOVERNING REGULATIONS AND ADMINISTRATIVE REGULATIONS

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