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UNIVERSITY OF KENTUCKY ADMINISTRATIVE ORGANIZATION

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http://www.uky.edu/Regs/orgchart.htm

I. Introduction and General Organization

The Board of Trustees 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. The President is responsible for all official communication with the Board of Trustees and external agencies and has specific responsibilities for the policy, planning, and development functions of the institution.

On July 5, 2001, the University of Kentucky was reorganized into a Provost Model. The basic objective of the reorganization was to integrate and centralize the academic, research and financial missions of the University. To that end it was necessary to consolidate the executive leadership across the University under the umbrella of "one university." (Prior History – Appendix A)

The Provost Model includes a Provost, an Executive Vice President for Finance and Administration, and an Executive Vice President for Health Affairs. The Provost and the executive vice presidents report directly to the President, have broad authority delegated from the President and comprise the chief administrative team that directs the activities of the University. The Provost is the chief academic officer for the University and oversees the research activities of the University. The Executive Vice President for Finance and Administration directs and oversees the resources of the University. The Executive Vice President for Health Affairs directs and oversees the clinical enterprises of the health care colleges and the University Hospital.

II. The President

A. Functions and Responsibilities of the President

1. The President is the chief executive officer of the University and is delegated broad authority from the Board of Trustees to administer the academic, administrative, and financial operations of the University. The President is responsible for all official relationships and communication with the Board of Trustees.

2. The President is responsible for all official University relationships and communication with international, federal, state, and local government agencies, including related policy, legal, planning, and budgetary matters.

3. The President is responsible for University policy and planning, as well as the coordination of academic (instruction, research and service), student, business, and administrative services across the University. The President is also responsible for the management and interpretation of all Board and University policies and regulations.

B. Positions within the Office of the President

The major positions within the Office of the President, responsible for carrying out the functions and responsibilities of the President, include the following:

1. The Provost

(a) The Provost provides oversight, general direction, and coordination of all academic affairs of the colleges, academic programs, and student affairs for the University. The Provost is the chief academic officer for the University. The Provost reviews the quality and effectiveness of the academic programs and prioritizes new and continuing educational needs, initiatives, and opportunities for the University, subject to the coordination and approval of the President, Board of Trustees, and Council on Postsecondary Education. The Provost also provides general planning, guidance, review, and coordination for all of the University's endeavors in graduate education. The Provost shall seek the advice of the University Senate Council, except under extraordinary pressure of time, on the significant reduction, deactivation, or discontinuance of academic programs before recommending on such to the President.

(b) The Provost is responsible for developing and implementing, as appropriate, plans, policies, and procedures for student programs and services. The Provost provides oversight, general direction, and coordination of the student affairs activities of the colleges, academic programs, and student services for the University. Student services include Financial Aid, Admissions, Recruitment, Counseling and Testing, the Registrar, and University Health Services. Student Affairs includes major non-academic activities and programs such as residential life, student activities, career services, counseling services, and the Student Center.

(c) The Provost is responsible for faculty employee functions, maintains the official academic records of all faculty members, and has the authority to manage the employment (recruitment and appointment), promotion, tenure, termination, and leave approval for the faculty. The Provost reviews and recommends to the President and the Board on faculty appointment, reappointment, and tenure. In the exercise of these functions the Provost is subject to University policies and procedures. Certain faculty employee actions also require approval by the President and the Board of Trustees.

(d) The Provost oversees the research activities of the University. As such, the Provost is responsible for ensuring the growth and development of the University's research programs and facilitates the University's role as a major research institution. The Provost provides oversight for research multidisciplinary centers and institutes, research support units, and program assistance to individual faculty and academic research units. The Provost is responsible for ensuring University compliance with governmental regulations relating to the conduct of research.

2. Executive Vice President for Finance and Administration

(a) The Executive Vice President for Finance and Administration is the chief financial officer for the University. As such, the Executive Vice President for Finance and Administration oversees the fiscal resources of the University and is responsible for the financial, accounting, and budgetary reporting procedures and systems of the University and for ensuring compliance with University and external fiscal requirements.

(b) The Executive Vice President for Finance and Administration is responsible for the planning, development, and operations of the physical resources of the University. The Executive Vice President for Finance and Administration directs and oversees the human, physical, administrative and technological resources of the University according to the priorities established by the President and the Board of Trustees. The major organizational units within the Office of the Executive Vice President for Finance and Administration include such areas as Auxiliary Services, Parking and Transportation, Campus Services, Public Safety, Facilities Management, Human Resources, Information Technology, Institutional Equity, Internal Audit, the Treasurer and Controller, UK Work-life, and Planning, Budget and Policy Analysis.

3. Executive Vice President for Health Affairs

(a) The Executive Vice President for Health Affairs is the chief operating officer for the University's clinical enterprise. The Executive Vice President for Health Affairs is responsible for the planning, development, and operations of the clinical enterprise, according to the priorities established by the President and the Board of Trustees. The clinical enterprise encompasses and integrates all the patient care activities of the University including the University Hospital, Kentucky Children's Hospital, Kentucky Clinics, Gill Heart Institute, Markey Cancer Center, Kentucky Neuroscience Institute and the clinical activities of the colleges of medicine, dentistry, nursing, pharmacy, public health, and health sciences.

(b) The Executive Vice President for Health Affairs is also responsible for the oversight and management of the faculty practice plans and physician practice management for the University's health care providers. The Executive Vice President for Health Affairs works directly with, and in support of, other officials of the clinical enterprise, deans of medical colleges, officers of the faculty practice plans, University officials, medical staff members, and community and state officials.

4. Director of Athletics

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

5. General Counsel

The General Counsel is responsible for providing comprehensive legal services to the University and its affiliated corporations, including the President, the Board of Trustees, the faculty, staff, and students on University matters. The Office of Legal Counsel provides legal services including: risk and liability evaluation and prevention, representation in University legal matters and proceedings, advice on the legal implications of proposed policies and actions, counsel on compliance with state and federal laws and University regulations, drafting or reviewing of University contracts, and coordination of the University's real, personal, and intellectual property interests.

6. Vice President for Commercialization and Economic Development

The Vice President for Commercialization and Economic Development oversees economic development efforts throughout the University and helps create collaborative efforts among the University's researchers. The Vice President is responsible for translating the research done in University labs and on campus into commercially valuable information and technology. The Vice President is also responsible for developing partnerships with local and state government agencies to assist in economic development activities, such as attracting businesses to Kentucky and facilitating joint research projects with private companies and the state. The Vice President manages university-affiliated research entities, such as Kentucky Technology, Inc., Coldstream Campus, and on-campus incubators.

7. Vice President for Institutional Advancement

The Vice President for Institutional Advancement is responsible for building partnerships and fostering relationships between the university and the many constituencies it serves, including organizations in the community, media, government and alumni. The Vice President for Institutional Advancement is responsible for offices that include Alumni Affairs, Development, Community Relations, Government Relations, Public Relations, and University of Kentucky Radio (WUKY).

(a) The Office of Public Relations provides services to the University that include internal and external communication, media relations, public relations counseling, crisis management, web design, and the writing, editing, and design of University publications. The Director of Public Relations shall be the official spokesperson for the University. All media releases shall be approved by the Office of Public Relations and all media inquiries shall be directed to the University Office of Public Relations. All University publications in any medium shall be approved by the University Office of Public Relations.

(b) The Office of Government Relations manages all official relationships with federal, state and local government agencies and entities on behalf of the University. Individual employees are not authorized to speak or act as representatives of the University to elected leaders or other government entities on issues that relate to policies or legislation affecting the University, without first obtaining approval from the Office of Government Relations. The Office shall provide logistical support, background assessments and other assistance, as necessary.

(c) The Office of Development coordinates all University development efforts and provides development services to the University. The Office of Development provides opportunities and assistance to individuals, corporations, and foundations who wish to make financial contributions to the University. The Office acknowledges and receipts all gifts for the University.

(d) The Office of Alumni Affairs 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 colleges. The Office coordinates its efforts, whenever possible, with the University of Kentucky Alumni Association, an independent, non-profit 501(c)(3) corporation. The University of Kentucky Alumni Association is the official record keeper for alumni records.

8. <u>Vice President for Institutional Research, Planning, and Effectiveness</u>

The Vice President for Institutional Research, Planning and Effectiveness is responsible for coordinating university-wide institutional research and effectiveness activities in support of executive decision-making, strategic planning and evaluation, and quality enhancement. The Vice President for Institutional Research, Planning and Effectiveness is responsible for ensuring University compliance with state and federal accountability and reporting requirements and with the regional accreditation standards of the Commission on Colleges of the Southern Association of Colleges and Schools (SACS). In fulfillment of these responsibilities, the Vice President for Institutional Research, Planning and Effectiveness collaborates with Information Technology to ensure data quality and timely access to institutional data maintained in university-wide administrative databases.

(a) The Office of Institutional Research is responsible for establishing and maintaining the University's official data on students, faculty and staff, disseminating official data to the University community, and conducting surveys and research projects that inform planning and policy decisions.

(b) The Office of Assessment is responsible for supporting educational and administrative units in their planning and assessment efforts, promoting a culture of assessment, and facilitating quality enhancement throughout the University.

9. Vice President for Institutional Diversity

The Vice President for Institutional Diversity is the senior administrative officer responsible for promoting collaboration across faculty, staff, administration, and students in earnest pursuit of the University's diversity goals as articulated by the President and Provost. The Vice President for Institutional Diversity is charged with advising the President and Provost on implications of all academic, fiscal, and administrative policy decisions on the University's diversity goals; and with developing, implementing, and evaluating of the University's diversity plan in close collaboration with all relevant governance and administrative groups within the university.

III. Organizational Charts **http://www.uky.edu/Regs/orgchart.htm**

A. Office of the President
B. The Provost
C. Executive Vice President for Finance and Administration
D. Executive Vice President for Health Affairs
E. Director of Athletics

F. General Counsel
G. Vice President for Economic Development
H. Vice President for Institutional Advancement
I. Vice President for Institutional Research, Planning and Effectiveness
J. Vice President for Institutional Diversity

References:
GR I - The University of Kentucky
GR II - Governance of the University of Kentucky
GR III - The President of the University
KRS 164.120 - Colleges maintained.
KRS 164.210 - Colleges, departments and bureaus determined by trustees.
KRS 164.220 - Appointment, salaries, and retirement benefits of university personnel.
KRS 164.260 - Purchase or condemnation of property.

Appendix "A"

History (from prior Administrative Regulation I -1.0-1, 6/19/01):

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.

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SUBSTANTIVE CHANGE POLICY

I. Introduction

The University is accredited by the Commission on Colleges (COC) of the Southern Association of Colleges and Schools (SACS). As a standard of accreditation the University must notify the COC of substantive changes before they occur. The purpose of this policy is to establish institutional procedures for recognizing and approving substantive change and ensuring timely notification to the COC. The University's SACS Accreditation Liaison is the individual responsible for ensuring that this policy is implemented.

II. Definitions

A. The *Commission on Colleges of the Southern Association of Colleges and Schools* is the recognized regional accrediting body in the 11 U.S. southern states and in Latin America for those institutions of higher education that award associate, baccalaureate, master's or doctoral degrees. The Commission is recognized by the U.S. Department of Education as an agency whose accreditation enables its member institutions to seek eligibility to participate in Title IV programs. To maintain its recognition by the U.S. Department of Education, the Commission has incorporated federal requirements into its substantive change policy and procedures. Some of those requirements expect an institution to seek approval prior to the initiation of a substantive change so that the change can be included in the institution's scope of accreditation.

B. *Substantive change* is a significant modification or expansion in the nature and scope of an accredited institution, as defined in SACS' substantive change policy and required by Comprehensive Standard 3.12.

C. *Notification* to the COC regarding substantive change means that the President of the University shall send a letter to the President of the Commission on Colleges summarizing the proposed change, providing the intended implementation date, and listing the street address if the change involves the initiation of an off-campus site.

D. A p*rospectus* is a concisely worded narrative that describes a proposed substantive change according to a format specified by the COC.

E. The *Accreditation Liaison* is the individual appointed by the President of the University to help ensure the University remains in compliance with SACS accreditation requirements and policies.

F. A *branch campus* is a location of an institution that is geographically apart and independent of the main campus of the institution. A location is independent of the main campus if the location is (1) permanent in nature, (2) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential, (3) has its own faculty and administrative or supervisory organization, and (4) has its own budgetary and hiring authority.

G. An *off-campus site* is a location of an institution that is geographically apart, but not independent, of the main campus. The site may be used in an ongoing manner to deliver programs or courses leading to a degree, certificate, or other recognized educational credential, but it does not have its own faculty, administrative organization or budget.

H. *Distance education* is a formal educational process in which the majority of the instruction (interaction between students and instructors and among students) in a course occurs when students and instructors are not in the same place. Instruction may be synchronous or asynchronous. A distance education course may employ correspondence study, or audio, video, or computer technologies.

I. A *degree completion program* is an adult or accelerated program, typically at the baccalaureate level, in areas such as management and organizational leadership in which the first two years of the degree program are completed at one institution and a second institution delivers the remaining two years on the first institution's campus.

J. A *teach-out agreement* is a written agreement between accredited institutions that provides for the equitable treatment of students if one of those institutions stops offering an educational program before all students enrolled in that program complete the program. In accord with federal regulation 34 CFR 602.24(c), if an institution enters into a teach-out agreement with another institution, it shall submit the agreement to the office of the Commission on Colleges for approval prior to its implementation.

III. Procedures

A. Approval authority relating to each type of substantive change shall occur at various levels of the University (see Appendix 1 - Matrix of Approval and Recommendation Responsibilities for Substantive Change).

B. The President may delegate administrative responsibilities for approving or recommending on substantive change to the Provost or other appropriate senior administrators *(GR III, Page III-1)*. These responsibilities shall be reflected in job descriptions of the positions, letters of appointment, and other appropriate documents for those assigned such responsibilities.

C. In accordance with its academic approval responsibilities as established in *GR IV. C.1, Page IV-2*, the University Senate shall maintain academic program approval procedures and forms that:

1. Recognize substantive changes related to academic programs in appropriate approval documents. These documents shall accompany the proposal at each step;

2. Require approval by the appropriate educational unit faculties and also include any recommendations offered by the corresponding department chair, dean, and/or Provost prior to approval of academic substantive change by the Councils of the University Senate and the University Senate; and

3. Provide for timely notification to the Commission on Colleges prior to change implementation, as required by the SACS substantive change policy.

D. The Accreditation Liaison shall inform all responsible individuals at each level of the University (see Matrix in Appendix 1) of the SACS substantive change policy and the institutional substantive change policy on a biannual basis (August and February) and at the same time shall request notification of substantive changes in planning for the next 12-month period. The 12-month timeframe will provide a long-range outlook to ensure that notifications can be carried out six months prior to implementation of substantive change. The Accreditation Liaison shall prepare the President's notification to the COC regarding the substantive changes that are reported.

E. If a prospectus is subsequently required by the COC, the deans or appropriate senior administrators shall coordinate preparation of the prospectus and forward the prospectus to the Accreditation Liaison for final review.

F. The Accreditation Liaison shall review a required prospectus and obtain approval of the President and the Provost before preparing for submission to COC by the President.

Matrix of Approval and Recommendation Responsibilities for Substantive Change

Types of Substantive Change	**Time Frame for Notifying SACS**	**Actions Required by Level** (A_M=Approval based on Academic Merit; A_F=Approval based on Administrative Feasibility; R=Recommendation Required*; N=Not Required)								
ACADEMIC		**Dept Faculty**	**Dept Chair**	**College Faculty**	**Dean**	**Councils of the University Senate**	**University Senate**	**Provost**	**President**	**Board of Trustees**
Initiating coursework or programs at a more advanced level than currently approved	12 months	(Not applicable for the University of Kentucky)								
Expanding at current degree level (*significant departure from current programs)*	6 months	A_M	R	A_M	R	A_M	A_M	R	R	A_{FM}
Initiating programs at a lower degree level	6 months	A_M	R	A_M	R	A_M	A_M	R	R	A_{FM}
Initiating Off-campus Sites where 25% or more of program offered [i.e., that 25% of the credit hours; a specialized form of distance learning]	25%--prior to implementation; 50%--6 months	A_M	R	A_M	R	A_M	A_M	R	A_F	N
Adding significantly different programs at an approved site *(only if programs are currently approved)*	Prior to implementation	A_M	R	A_M	R	A_M	A_M	R	A_F	N
Initiating distance learning where 25% or more of program offered	25%--prior to implementation; 50%--6 months	A_M	R	A_M	R	A_M	A_M	R	A_F	N
Initiating programs/courses offered through contractual agreement or consortium	Prior to implementation	A_M	R	A_M	R	A_M	A_M	R	A_F	N
Altering significantly the length (credit hours) of a program	6 months	A_M	R	A_M	R	A_M	A_M	R	A_F	N
Initiating degree completion programs (note SACS definition)	6 months	A_M	R	A_M	R	A_M	A_M	R	A_F	N

Closing a program	6 months	A_M	R	A_M	R	A_M	A_M	R	R	A_{FM}
Initiating teach-out agreement within institution	6 months	A_M	R	A_M	R	A_M	A_M	R	A_F	N
Initiating teach-out agreement with another institution	6 months	A_M	R	A_M	R	A_M	A_M	R	R	A_{FM}
ADMINISTRATIVE										
Initiating a branch campus	6 months	R	R	R	R	R	R	R	R	A_{FM}
Initiating a merger/consolidation	6 months	R	R	R	R	R	R	R	R	A_{FM}
Relocating a campus	Prior to implementation	R	R	R	R	R	R	R	R	A_{FM}
Changing governance, ownership, control, or legal status	6 months	R	R	R	R	R	R	R	R	A_{FM}
Altering significantly the educational mission of the institution	6 months	R	R	R	R	R	R	R	R	A_{FM}
Closing the institution	6 months	R	R	R	R	R	R	R	R	A_{FM}

*Recommendation responsibility means having the opportunity to offer an opinion on the academic merit or the administrative feasibility of the proposed change that accompanies a proposal when it is transmitted to the next level of consideration.

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 1:6

Responsible Office: President / General Counsel

Date Effective: 05/06/2011

Supersedes Version: N/A

Formulation and Issuance of University Governing Regulations and Administrative Regulations

Major Topics

Legal Authority

Definitions

Regulation Template

Regulation Review Committee (RRC)

Institutional Responsibilities

Procedures and Approval

I. Introduction

The University formally approves, issues, and maintains in a consistent format, official university regulations in a central regulations library. This regulation establishes the policies and procedures for drafting, reviewing, revising, withdrawing, approving, announcing, and archiving official University regulations. Additionally, this Regulation defines the roles and responsibilities of the participants in the regulation development process and establishes the Regulation Review Committee.

University regulations connect the university's mission to individual conduct, clarify institutional expectations, support compliance with laws and regulation, mitigate institutional risk, and enhance productivity and efficiency in the university's operations. University regulations are thoroughly reviewed, maintained, and made available to the University community to promote practicality, compliance, and accountability. All regulations shall be promulgated in accord with the standards, format, and procedures set forth in this regulation to achieve consistency, appropriateness, and ease of understanding of, ease of access to, and compliance with university policies.

II. Authority

KRS 164.200 authorizes the Board of Trustees to establish regulations for the government of the University. The Governing Regulations are promulgated by the Board of Trustees to establish the broad policies and procedures for the operations of the University and to delegate certain responsibilities to the President, the University Senate, the Staff Senate, the Student Government Association, the Graduate Faculty, and others.

The Board of Trustees delegates to the President the authority to promulgate the Administrative Regulations, including the Human Resources Policy and Procedures Administrative Regulation, and the Business Procedures Manual of Administrative Policies and Procedures, except that some Administrative Regulations are promulgated by the Board of Trustees when required by state or federal law, external accrediting agencies, or other similar requirements. Chief administrative officers are authorized to establish unit policies and procedures attendant to their delegated administrative responsibilities. (See Governing Regulation, Part XIII.B and Governing Regulation, Part II)

III. Entities Affected

This regulation applies to all employees, students, and units of the University.

IV. Definitions

A. "University Regulations" or "Regulations" contain the official governing principles, policies and procedures of the University. University-wide regulations are distinguished from procedures and unit-level policies. University-wide regulations:

1. Mandate requirements of or provisions for members of the University community or provide procedures for implementation;

2. Have broad application throughout the University;

3. Enhance the university's mission, reduce institutional risk, promote operational efficiency or ensure compliance with applicable laws, regulations, or accreditation requirements;

4. Are approved by the Board of Trustees or President, or his/her designee, in accordance with the *Governing Regulations, Part II and Part XIII*; and

5. Are administered by at least one Responsible Official and a Responsible Office.

B. "Interim Regulation" means provisional regulation issued when a University regulation is needed within a time period too short to complete the process described in Section VIII.A.

C. "Unit-Level Policies" are policies, procedures, or guidelines established by an educational or administrative unit that do not meet all characteristics of a University regulation and do not adhere to all of the provisions of the review process set forth in this regulation. Unit-level policies shall be consistent with, and not in conflict with, the *Governing Regulations, Administrative Regulations, Human Resources Policy and Procedures Administrative Regulation*, and *Business Procedures Manual of Administrative Policies and Procedures*. Unit-level policies may be more detailed or restrictive than University-wide regulations, but shall not be less restrictive. In the event of a conflict between a university-wide regulation and a unit-level policy, the University-wide regulation supersedes the unit-level policy.

D. "Procedures" are detailed statements that provide for orderly implementation of established policies through specific, prescribed actions. Procedures are generally not included in a regulation, unless required by an external agency such as law, additional regulation, accreditation requirement, etc.

E. "Regulations Review Committee" (RRC) is the standing committee appointed by the President to provide oversight for the regulation process.

F. "Responsible Official"/"Responsible Office" is the university employee and unit charged with overseeing the administration of the regulation, including but not limited to developing, implementing and enforcing the regulation. Depending on the scope of its subject matter, a regulation may have more than one

responsible official or office.

G. "Stakeholder" means an individual, function, or unit whose university role or professional expertise relates to the subject of the regulation and who, therefore, is consulted for comment on its draft.

V. University Regulation Document Template

A. The University utilizes a standard regulation document template(s) and review process to facilitate consistency, clarity, conciseness, understanding, access and compliance with university regulations. An appropriate template shall be used for all regulations. The Governing Regulations, Administrative Regulations, Human Resources Policy and Procedure Administrative Regulations, and Business Policies and Procedures, may each have a unique template.

B. Depending on the subject matter, a regulation may include any or all of the sections described below, but at a minimum the regulation shall include the Regulation Header, Introduction, Application, and Policy sections. Additional sections not described below may also be included as appropriate for each individual regulation. The RRC will assist with determining the appropriate sections for a regulation.

1. *Regulation Information* – contains basic information about the regulation, such as the regulation's title, Responsible Official(s), Responsible Office(s), latest effective date, and next regular review date.

2. *Introduction* – encapsulates the regulation's purpose, namely its core provisions or requirements, and why the policy exists. The Introduction typically identifies the institutional risk, university mission or value, or any legal or regulatory requirements the policy addresses.

3. *Authority* – Describes any specific delegation or mandate to the University from a state or federal agency, governing body, or accrediting agency related to the requirements of the regulation.

4. *Entities Affected* – describes the people, units, or other constituencies to which the regulation applies.

5. *Definitions* – includes terms that are important or unique to the regulation.

6. *Policy* – expands on the Introduction section and details the regulation's substances, namely its core provisions and requirements.

7. *Responsibilities* – describes the people or units affected by the regulation and their responsibilities in implementing the regulation.

8. *Committee* – the Committee section describes the Committee's role, responsibilities, and composition.

9. *Procedures* – describes the minimum actions required to fulfill the regulations requirements. This section should not include details such as the responsible office's protocols, nor actions that are optional or only desirable,

10. *Reporting requirements* – describes any required regular reports related to the subject of the regulation and the University official or external agency to which the report must be provided.

11. *Exceptions* – describes when exceptions are allowed, the process by which the exceptions are granted, and the University official who is authorized to grant an exception.

12. *Appendix* – describes any supplemental documents attached to the regulation, such as a flowchart or a required form.

13. *References* – provides citations to any sources of authority for the regulation (e.g. State or Federal Law, the *Governing Regulations, Minutes of the Board of Trustees*, an external accreditation agency, etc.)

VI. Regulations Review Committee (RRC)

A. RRC Membership

1. The RRC is appointed by the President and comprised of representatives from the major units within Office of the Provost, each of the Executive Vice Presidential areas, the Office of General Counsel, University Senate, and the Staff Senate. In order to achieve appropriate University-wide representation, the President may also appoint additional faculty and staff employees.

2. The chair shall be designated by the President.

3. The Committee members normally shall have staggered, three-year appointments, and members may be reappointed for consecutive terms.

B. RRC Responsibilities

The RRC serves as an advisory group to the President, the Provost, and the executive vice presidents by making recommendations on new and existing regulations. The RRC's responsibilities include:

1. Reviewing new and existing regulations for practicality, clarity, and adequacy of the document for the University's operations;

2. Establishing and maintaining the official regulation template(s);

3. Ensuring consistency in the format and presentation of regulations;

4. Working with the Responsible Official, or designee, and the Responsible Office assigned for each regulation;

5. Eliminating conflicts between University regulations to the extent possible;

6. Ensuring consistency with laws or other external requirements, as well as consistency with the University's mission, vision, and values; and

7. Establishing a calendar for regular review of all regulations (regular review is recommended to occur every five (5) years).

The RRC also may, at the request of a responsible official, assist with the formulation of unit-level policies.

VII. Institutional Responsibilities

A. Responsible Official

The Provost, or the appropriate executive vice president or vice president, shall assign a Responsible Official and a Responsible Office to all existing regulations within their area of operations and to any proposed new regulations. If no Responsible Official is assigned, the Provost or executive vice president for that area of operations is deemed to be the Responsible Official. The Responsible Official's responsibilities include:

1. Identifying the need for and purpose of a regulation in relation to a responsibility that falls under his/her jurisdiction;

2. Designating a responsible office to develop or administer the regulation;

3. Determining the extent that stakeholder comments on drafts of the regulation should be incorporated;

4. Approving the draft of the regulation to be presented to stakeholders and the university community for review and comment;

5. Approving the final draft of the regulation before it is presented to the Board of Trustees or the President for final approval;

6. Communicating with and training appropriate areas or individuals regarding the regulation's requirements; and

7. Assisting the responsible office in establishing any support systems necessary to achieve ongoing compliance.

B. Responsible Office

The Responsible Office's responsibilities include:

1. Identifying the need for new or revised regulation within that area of operations;

2. Upon request of the Responsible Official, developing new regulations or revisions to existing regulations;

3. Working with the RRC and the Office of Legal Counsel to put regulations through the review cycle;

4. Seeking and considering stakeholder input;

5. Communicating with and training appropriate members of the university community regarding the regulation's requirement; and

6. Establishing and implementing any new support systems or processes needed to achieve University compliance with new or substantially revised regulations;

C. Stakeholders

Upon request of the Responsible Official, Responsible Office, RRC, or Office of Legal Counsel, stakeholders are responsible for commenting on draft new and proposed regulations in relation to the likely impact on members of the University Community.

D. Office of Legal Counsel

The Office of Legal Counsel's responsibilities include:

1. Steering regulations through the drafting, review, and revision processes, and generally guiding the Responsible Officials and Responsible Office through the regulation development process;

2. Providing administrative and legal support for the RRC, and arranging and chairing the RRC meetings;

3. Providing the structure, formatting, expression, and other editorial aspects of regulations to assure clarity and coherence, including controlling the templates and draft documents;

4. Ensuring the appropriate stakeholders are provided an opportunity to comment on the regulation;

5. Seeking final approval by the Board of Trustees or President or designee;

6. Assisting the Office of the President in issuing the university-wide announcement to promulgate or, where appropriate, withdraw a university policy; and

7. Maintaining a central repository of the official University regulation documents, and the University's regulations website.

VIII. Procedures and Approval Processes*

* **Note:** There are some regulations that predate this policy, and so, as yet, have not been through the entire process outlined herein. They remain official university policies and, in time, are expected to complete this process.

A. Minor Updates

On an as-needed basis, a responsible official may request that the RRC make routine changes (such as new contact names, position titles, and email or Web addresses) to an existing regulation. Such changes do not require vetting or final approval of the President. The Office of Legal Counsel will record the details and dates of changes.

B. Substantive Revisions and New Regulations

1. Proposals for new regulations or changes to existing regulations shall be sent to the Provost or appropriate executive vice president or vice president. Once the Provost, executive vice president, or vice president approves the proposal, he or she will appoint a Responsible Official and a Responsible Office for the regulation and forward the regulation to the RRC for review. Additionally, the RRC shall initiate its own review of existing regulations based on its regular regulations review schedule.

2. The RRC shall review the regulation in accordance with section VI.B. of this regulation.

3. The Office of Legal Counsel shall seek comments from appropriate stakeholders. The RRC shall return the regulation and any comments to the Responsible Official and Responsible Office for final review. The Responsible Official will determine the extent to which comments and proposed edits will be incorporated.

4. The Office of Legal Counsel shall seek final approval for the regulation from the Board of Trustees or the President, or designee. Revisions to existing regulations shall be presented showing tracked changes, unless these changes are so substantial as to make this impractical. In this event, the existing regulation shall be shown along with the revised regulation.

5. The Responsible Official, Responsible Office, new effective date, and date of next review shall be recorded in the Header section of the regulation's header.

6. The Office of Legal Counsel, in coordination with the Office of Public Relations, is responsible for assisting the Office of the President in announcing new, substantially revised, or withdrawn regulations to the University Community.

7. The Office of Legal Counsel is responsible for posting the regulation to the Regulations website, and maintaining the official, approved document.

8. The Responsible Official and Responsible Office are responsible for disseminating and implementing the regulation in the affected areas.

C. Withdrawing a Regulation

A responsible official may deem it appropriate to withdraw an existing regulation or consolidate it with another regulation. In such a case, the responsible official will inform the RRC of this intent and the reason. The Board of Trustees or the President shall approve the action and issue an announcement of the withdrawn or consolidated policy. The responsible official will deliver any additional communication to appropriate stakeholders.

D. Interim Regulations

(a) When a new regulation or substantial revision to a regulation is needed within a time-period that does not allow for complete drafting and review of the policy document as outlined in this regulation, the responsible official may request the RRC review a regulation and seek approval from the President on an interim basis.

(b) Interim regulations are effective for up to six months. Extensions beyond this period may be approved by the President in additional six-month increments.

(c) In order to become a standard University regulation and be included in the regular regulations review cycle, the interim regulation must complete the process outlined in section VIII.A of this regulation, preferably within one year of the issuance of the interim regulation.

E. Posting Regulations

(a) The University maintains the repository of current Governing Regulations and Administrative Regulations at: www.uky.edu/Regs. Human Resources maintains the current Human Resources Policy and Procedure Administrative Regulations at www.uky.edu/HR/policies/. The Executive Vice President for Finance and Administration maintains the current Business Policies and Procedures at www.uky.edu/EVPFA/Controller/BPM.htm.

(b) Any unit-level web pages that incorporates or refers to any University-wide regulation shall link directly to the site listed above and shall not post their own versions.

(c) Printed versions of regulations may be included in the student handbook, faculty handbook, staff handbook, announcements and other publications, but shall include a disclaimer that the official University regulations website www.uky.edu/Regs should be consulted for the latest version.

F. Regulation Templates

The Regulation document templates are found at:
http://www2.research.uky.edu/RRC/Regulations/Website%20Development/Regulations%20Template.dotx

IX. References

KRS 164.200

Revision History

This is a new regulation.

For questions, contact: Office of Legal Counsel

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR 2:1-1	PAGES 1
	DATE EFFECTIVE 7/1/09	SUPERSEDES REGULATION DATED AR II-1.0-1, Pages I-III: 3/27/91, 8/20/92, 4/30/93 1/25/94, 11/24/95, 7/1/98, 8/18/98, 1/11/99, 7/27/00. AR II-1.0-1, Parts I-III: 7/01/08

PROCEDURES FOR FACULTY APPOINTMENT, REAPPOINTMENT, PROMOTION AND THE GRANTING OF TENURE

I. Introduction

A university capable of educating its students for work and citizenship in the twenty-first century must have an outstanding faculty. These procedures and criteria have been developed for the purpose of continually improving the quality and performance of the faculty in order to enhance the quality of the University's programs and permit the University to achieve its multiple missions.

The review required for promotion and granting of tenure is a summative evaluation of both the candidate's accomplishments over the entire probationary period and the candidate's future scholarly potential. It is based on the criteria set out in the *Administrative Regulations*, which require a consideration of information (e.g., the evaluations of external reviewers) that might not be available for the annual performance and tenure progress reviews.

Faculty appointments are in educational units and shall be of three types: (1) tenure-ineligible appointments; (2) tenured or tenure-eligible appointments; and (3) post-retirement appointments. (GR X-B.1)

Before appointing a faculty employee, the educational unit must ensure that it has followed the established hiring policies and practices of the college, as codified in the college rules and unit rules, and all *Governing Regulations* and *Administrative Regulations* on appointments.

II. Sources of Procedures and Criteria for Appointment and Advancement

A. Procedures

The procedures to be used in each educational unit for preparing recommendations for appointment, reappointment, promotion, and granting of tenure shall be those established by the University, the college and the faculty of the educational unit (GR VII.B). The University procedures are those established in the *Governing Regulations*, the *Administrative Regulations* and as may be further elaborated by the Provost. In addition to the procedures prescribed here, college-level procedures may be established by the dean in consultation with the

college faculty (GR VII.A.4). Additional procedures at the level of the educational unit (hereafter referred to as "the unit") are established jointly (GR VII.A.5, 6) by the faculty of the unit and by the department chair, graduate center director, school director (when the school does not contain departments), or the dean in a college without departments or schools (all referred to hereafter as the "educational unit administrator").

B. Criteria and Evidences of Activity

1. The University-level criteria and evidences of activity to be used in evaluations for appointment, reappointment, promotion, and tenure for the various faculty title series are specified in various sections of the *Administrative Regulations* as indicated below:

(a) Regular Title Series – (see AR 2:2-1 and 2:2-2)

(b) Extension Title Series – (see AR 2:3)

(c) Special Title Series – (see AR 2:4)

(d) Research Title Series – (see AR 2:5)

(e) Clinical Title Series – (see AR 2:6)

(f) Librarian Series – (see AR 2:7)

(g) Adjunct Title Series – (see 2:8)

(h) Emeritus Faculty – (see sub-section II.C.4 below)

(i) Voluntary Title Series – Criteria for academic ranks of voluntary faculty are established upon approval by the Provost (see AR 2:9).

(j) Lecturer Series – Unit criteria and evidences of activity, and procedures for appointment, reappointment, promotion, and merit review of Lecturers shall be developed by those educational units that employ full-time Lecturer faculty and submitted to the dean of the college for approval (see AR 2:10).

2. In addition to the above, each unit's faculty shall develop policy statements describing the evidences of activity in instruction, research and other creative activity, and service that are appropriate to their field(s), for use in guiding evaluations for promotion and tenure. The departmental statement is operative in the unit upon approval by the dean (GR VII.A.6.c). If no such

statements are approved for a unit, then only the specifications of the University-level regulations shall be used for evaluation.

C. Other Faculty Appointments

1. Joint Appointments – The constituent appointments relating to a joint appointment may be processed simultaneously or at different times; however, each appointment shall be processed independently and shall be considered on its own merits. An individual's academic rank, though usually the same, may differ in the constituent appointments (see GR X.B.1(a)(ii)).

2. Faculty Employee Assignments at the Veterans Affairs and other academically affiliated non-UK hospitals and clinics – There are occasions when a regular faculty employee may be assigned to work at the Veterans Affairs or another non-UK hospital or clinic pursuant to an academic affiliation agreement. In such cases, salaries may be paid partially or totally by the University, or reimbursed by the affiliated institution. Faculty employees so assigned shall retain all the rights and privileges of regular faculty employees as described in the *Governing Regulations* and *Administrative Regulations* and are subject to all applicable University policies and procedures. Salary funding arrangements shall be defined by contract.

3. Named Professorships – Individuals appointed to named professorships shall meet all criteria for the rank of Professor and shall have acquired national recognition for excellence in instruction, research and other creative activity, or service in their disciplines. While normally reserved for exceptional professors, a named professorship may be granted to an exceptional associate professor. Each named professorship will provide specifically identified resources for program support of a professor, and it is ordinarily expected that a significant portion of the compensation and program support allocations will come from endowment income or extramural gifts (see AR 8:4 "Policies Governing Private Funding of Academic Positions"). In exceptional circumstances (e.g., the recruitment or retention of a member of the National Academy of Science) named professorships may be submitted by the President to the Board of Trustees for approval for which funding may derive from revenue sources other than endowment income or extramural gifts.

4. Emeritus/Emerita Faculty - Upon retirement, tenured faculty members shall retain their titles with the designation of “emeritus” or “emerita” (e.g., Professor Emeritus). Faculty employees with emeritus/emerita status are entitled to the following rights and privileges: to be included in faculty lists in University bulletins and, upon request, to be provided a mailbox in the appropriate educational unit; to be assigned office and/or laboratory space and furnished supplies for creative work (upon request, subject to availability and approval of the concerned educational unit); to have faculty library privileges; to

apply for research grants and publication subsidies funded by the Office of the Vice President for Research; to receive University identification cards; to receive parking privileges as specified in University parking policies; to participate, upon invitation by the respective unit faculty, as non-voting members of departmental or college faculties; to use University recreational facilities upon presentation of suitable identification; to purchase tickets to athletic events with previous priority status; to hold membership in the University of Kentucky Federal Credit Union; to make purchases at the University Bookstore at the employee discount rate; to participate in academic processions; to be appointed to represent the University at academic ceremonies at other institutions; to receive notices of University events; and to take part generally with the faculties in all social and ceremonial functions of the University.

5. Temporary Faculty Employees - An individual whose assigned duties and responsibilities should be completed within one year or less may be appointed as a faculty employee on a temporary basis. Temporary appointees are not eligible for tenure; however, time spent in a full-time faculty appointment on a temporary basis at the University of Kentucky may be counted as a part of the individual's probationary period should the individual subsequently be appointed to a regular, full-time position in a tenure-eligible title series. Temporary faculty employees are not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs.

(a) Visiting Faculty - The designation "visiting" before an academic title indicates that the individual who holds an appointment at an academic institution or research center has been offered a temporary appointment for an academic year, semester, summer session, or other specified term not to exceed one year. The visiting title used should be appropriate to the appointee's home base academic rank (i.e., Visiting Professor, Visiting Associate Professor, Visiting Assistant Professor, or Visiting Instructor). Where the usual academic rank or title does not appear to be suitable, the title "Visiting Lecturer" shall be used. The final decision on such an appointment is made by the Provost upon recommendation of the educational unit administrator and the dean without reference to an Academic Area Advisory Committee. A visiting appointment is typically full-time, either salaried or unsalaried. The appointment is temporary, by definition, and the visitor is not eligible for faculty benefits. A visiting faculty employee with a salaried full-time appointment is not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs. Visiting faculty are not eligible for membership in the University Senate, but faculty membership, with or without voting

privileges, may be extended to visiting faculty by the faculty of the educational units to which they are academically appointed. Visiting faculty are not eligible for tenure; however, time spent in a full-time appointment on a visiting basis at the University of Kentucky may be counted as a part of the individual's probationary period should the individual subsequently be appointed to a regular, full-time position in a tenure-eligible title series.

(b) Part-time Faculty - Part-time faculty employees have an official faculty appointment, receive a salary, and participate substantially, but less than full-time, in the program of an educational unit. The dean makes the final decision on appointments of part-time faculty employees at any rank. The appointment shall be for one year or other stated period not to exceed one year, subject to renewal. Appointees are not eligible for tenure, sabbatical leave, or membership in the University Senate. Appointees are not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs. Faculty membership, with or without voting privileges, may be extended to part-time faculty employees by the faculty of educational units to which they are academically appointed.

III. The Comprehensive Tenure Review

In a comprehensive tenure review, a dossier is reviewed at all levels of the University (educational unit, college advisory committee and dean, academic area advisory committee and Provost, and President), irrespective of the judgment, favorable or not, at the previous level of review. Considerable deference in tenure cases shall be shown by the Provost to the judgments emanating from the college, especially in cases where the Provost has determined that those college-level judgments (unit faculty, educational unit administrator, college advisory committee and dean) are nearly unanimous, either for or against the granting of tenure. Final action by the Board of Trustees, upon the recommendation of the President, shall result either in the granting of tenure and, where appropriate, promotion to the rank of Associate Professor, or the issuance of a terminal (one-year) reappointment contract. The exercise of a comprehensive tenure review shall not affect a faculty person's right to appeal a tenure decision on the grounds of procedure, privilege and/or academic freedom, as provided below (see section XI.B below), or to appeal as provided in the *Governing Regulations* (GR I.I).

A tenure-eligible faculty employee is entitled to one (1) comprehensive tenure review, which shall be completed no later than the end of the next-to-last year of the probationary period. A comprehensive tenure review shall also be extended to a new faculty employee whose initial appointment at the academic rank of Associate Professor or Professor also proposes immediate tenure. In addition, a comprehensive tenure shall be extended to a new faculty employee whose initial tenure-eligible appointment stipulates Professor (without tenure) and whose educational

unit initiates a tenure review, and not a non-renewal of appointment, in the first year of service (see section VI.A.6 below).

IV. Tenure Consideration during the Terminal Contract Year

A. By waiving his or her right to a comprehensive tenure review in the next-to-last year of the probationary period (see section VI.A.4 below), a faculty employee forfeits his or her right to a comprehensive tenure review. However, the possibility of consideration for tenure during the terminal contract year, subject to the terms stated in section IV.B, immediately below, is not abridged.

B. After consultation with the unit faculty, an educational unit administrator may initiate a request to the dean for tenure consideration on behalf of a faculty employee who was placed on terminal contract either after a comprehensive tenure review or after waiving his or her right to a comprehensive tenure review (see section VI.A.4 below). If the dean finds insufficient evidence to warrant a new tenure consideration, the dean shall deny the request and notify the educational unit administrator that a terminal year consideration of tenure shall not be initiated. If the dean determines that the evidence in support of a favorable tenure decision has substantially strengthened, the dean may grant the request and authorize the educational unit administrator to initiate the review.

Once initiated, the terminal year tenure review shall be conducted in accordance with the procedural steps enumerated in sections VI-XIII below, except that the review process shall be stopped and the specified parties notified, if the dean or Provost renders a negative judgment on the tenure proposal. Prior to making his or her judgment, the dean and Provost shall obtain a written recommendation from the specified faculty advisory committee (see sections VII.B.2 and VIII.B.1 below).

V. Tenure Review Prior to the Sixth Year

An educational unit administrator may initiate a tenure review prior to the sixth year of probationary service if, in the opinion of the tenured faculty of the educational unit and the unit administrator, the individual's record of accomplishment across all areas of assignment is commensurate with the award of tenure. (The act of soliciting letters by the educational unit administrator from reviewers external to the University shall constitute the initiation of a tenure review.) The review shall follow the policies and procedures that govern the conduct of the sixth-year (tenure) review, as delineated in Section III above and Sections VI-XIII below. However, unlike a tenure review conducted in the sixth year of the probationary period, a tenure review initiated prior to the sixth year can be suspended by the dean. The dean shall notify in writing the educational unit administrator of his or her decision to suspend the tenure review and indicate that the individual under review shall be entitled to an ordinary reappointment review at the appropriate time in that contract period and in subsequent contract periods.

A faculty employee whose tenure review has been suspended by the dean shall not be eligible for a subsequent tenure review until the sixth year of his or her probationary period. A sixth-year comprehensive tenure review of an individual whose previous tenure review was suspended by the dean shall be conducted according to the policies and procedures delineated in Sections III above and VI-XIII below. The educational unit administrator shall include in the sixth-year (tenure) dossier those evaluative letters from the previously suspended tenure review that were submitted by reviewers external to the University.

VI. Procedural Steps Occurring at the Level of the Educational Unit

A. Initiating the Review Process

1. Recommendations for appointment, reappointment, terminal reappointment, joint appointment, post-retirement appointment, decision not to reappoint, promotion and the granting of tenure, concerning faculty of any rank or title series, shall be initiated by the educational unit administrator.

2. Reviews for promotion or granting tenure shall be completed in time for the affected faculty employee to be notified of the result in accordance with GR X.B.1(e).

3. During the second year at the rank of Instructor, the individual shall be considered for promotion or terminal reappointment effective in the third year, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a terminal reappointment.

4. An assistant professor shall be considered for promotion and tenure no later than the next-to-last year of a probationary period, unless the individual requests in writing that such consideration not be done because of the intent to resign or willingness to accept a terminal reappointment.

5. An associate professor without tenure may be considered for tenure at any time prior to the next-to-last year of the stated probationary period. However, a tenure-eligible associate professor shall be considered for tenure no later than the next-to-last year of a probationary period, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a terminal reappointment.

6. A tenure-eligible professor shall be considered for tenure in the first half of a one-year probationary period, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a notice of non-renewal of appointment.

B. Consultations Conducted by the Educational Unit Administrator

Individuals who have defined or assigned administrative roles and participate in the decision-making at or above the level of educational unit administrator shall not be involved as consulted faculty employees in the educational unit in which they hold an academic appointment.

C. Consultation with Applicants and New Faculty

1. Either before or at the time of interview of an individual for a faculty appointment, the educational unit administrator shall inform the individual about those parts of the *Governing Regulations* and the *Administrative Regulations* that deal with appointment, reappointment, promotion and tenure and shall provide access to these regulations as requested. At the time an appointment is offered, an individual shall be informed of the criteria for academic ranks by the educational unit administrator.

2. The educational unit administrator shall inform all new faculty employees (within one month of the beginning of their employment) of the existence and locations of the following University documents: (a) the *Governing Regulations*; (b) the *Administrative Regulations*; (c) the *Rules of the University Senate*, in particular the Faculty Code; (d) the rules and procedures of their college; (e) the rules and procedures of their educational unit; and (f) the *Student Rights and Responsibilities*. Access to any of these documents shall be provided by the educational unit administrator as requested.

D. Consultation with the Faculty Candidate for Promotion or Tenure

Prior to the initiation of a recommendation concerning tenure for an individual during the next-to-last-year of a probationary period, the educational unit administrator shall consult with the faculty employee as to whether the individual waives the exercise and thereby stops the consideration. Any such waiver shall be in writing to the dean and the dean shall offer the individual a terminal reappointment. An assistant professor or associate professor with tenure whose promotion to a higher rank has not been considered by an academic area advisory committee for a period of six years may request such consideration by September 1 of the seventh or a subsequent year. The educational unit administrator shall make the individual aware of the option to submit such a request.

E. Assembly of the Dossier

1. The educational unit administrator is responsible for the assembly of a dossier associated with a faculty personnel recommendation. The dossier is prepared from materials in the Standard Personnel File (see below) and from additional materials supplied by the educational unit administrator and faculty employee. The dossier contents necessary for most faculty personnel actions other than annual faculty performance review are specified in Appendix II

(Dossier Contents.) In the preparation of a joint appointment dossier, the educational unit administrator in the secondary department shall develop the dossier for the secondary appointment.

2. All written judgments from consulted individuals shall be obtained only through the request of the educational unit administrator.

3. Pursuant to Kentucky Revised Statutes KRS 61.878(3), the written judgments of persons consulted in connection with appointments, promotions, and tenure decisions are not confidential, and the writers of such judgments shall be notified when their judgments are solicited.

4. No materials will be made part of a faculty employee's dossier other than those described above and specified in Appendix II (Matrix of Dossier Contents), except with the written permission of the faculty employee under review.

F. The Standard Personnel File

1. There shall be one Standard Personnel File maintained for each faculty employee. The Standard Personnel File contains the Notice of Academic Appointment and Assignment form, curriculum vitae, the teaching credentials certification form and, if appropriate, the teaching credentials justification form, and transcripts of academic work leading to advanced degrees. This personnel file also contains many of the crucial materials, particularly evaluation materials, needed for or taken from the dossier, which are defined below. The file contains Distributions of Effort forms, faculty merit or other evaluation reports, evaluations prepared by committees and those of educational unit administrators, and all other professional evaluation reports. The file shall also contain materials related to responsibilities that the faculty employee has to governmental or other agencies. The file contains regularly updated assessments of effectiveness in instruction, research and other creative activity, and service.

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

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

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

5. The Standard Personnel File may contain communications to or from the faculty employee, solicited or unsolicited letters or memos relating to professional function, which are not relevant to consideration for promotion or the granting of tenure.

G. Consultation with the Faculty in the Educational Unit

1. An educational unit administrator shall consult with appropriate faculty employees of the unit in preparing recommendations for appointments, reappointments, promotion and/or the granting of tenure, as delineated above, such consultation being in accordance with *Governing Regulations* section VII.B.5. See also Appendix I (Matrix of Consultations and Written Judgments).

2. The following provisions apply to the solicitation of outside letters by the educational unit administrator:

(a) A promotion or tenure dossier shall include a minimum of six (6) letters of evaluation from qualified persons outside the University. These outside letters are crucial in promotion and tenure reviews.

(b) The letters from outside of the University shall be obtained by the educational unit administrator directly from appropriately qualified persons selected in part from, and in part independent of, suggestions of the individual being considered for promotion or tenure.

(c) At least four (4) of the letters from outside of the University shall come from reviewers selected by the educational unit administrator independent of the candidate for promotion or tenure.

(d) Outside letters from scholars at research-oriented universities shall be given the most serious consideration, except in promotion and tenure reviews involving faculty employees whose assignments do not include significant research responsibilities. Where deemed appropriate by the unit administrator, letters from persons affiliated with prestigious non-academic institutes, centers or specialized schools may be used.

(e) The letters from outside of the University shall be accompanied in a promotion and/or tenure dossier by a written statement by the educational unit administrator indicating for each letter whether or not the name of the respondent had been suggested by the individual under consideration and, if known, whether or not the respondent had been a previous faculty colleague of the individual.

3. The educational unit administrator shall notify the consulted faculty employees when the dossier is available for their review. All letters from outside of the University received shall be included in the dossier and made available to consulted faculty employees prior to their providing individual written judgments to the educational unit administrator. The consulted faculty employees shall be expected to read and consider the contents of the dossier, including the outside letters, on matters of appointment, reappointment, promotion and/or the granting of tenure, before providing individual written judgments to the educational unit administrator.

H. Recommendation of the Educational Unit Administrator to the College Dean

The educational unit administrator shall add to the dossier all written judgments received from the unit faculty, and his or her written recommendation, and forward that completed dossier to the dean. Where disagreement occurs between the educational unit administrator and the consulted educational unit faculty concerning a recommendation, the educational unit administrator shall report this difference with adequate documentation to the dean and also notify the consulted unit faculty regarding such action.

VII. Procedural Steps Occurring at the Level of the College

A. Completeness of the Dossier

The dean shall review the dossier for completeness (see Appendix II) and procedural compliance. If the dossier is not complete or procedurally compliant, the dean shall direct the educational unit administrator to secure the missing materials or procedural compliance and, as appropriate, to allow the consulted unit faculty to examine the new materials and contribute new consultative input to the educational unit administrator or to submit new written judgments.

B. Consultation with College Advisory Committee on Appointment, Reappointment, Promotion and Tenure

1. Each college with at least two educational units (e.g., departments,

schools and graduate centers) within the college shall have a college advisory committee comprised of tenured faculty members from the college faculty, excluding educational unit administrators and assistant/associate deans. The college advisory committee shall be concerned with policy matters on, and individual cases related to, faculty appointment, reappointment, promotion and the granting of tenure. Its members may be elected by the college faculty, or appointed by the dean after consultation with an appropriate faculty body of the college as documented in the College Rules. Upon prior recommendation by the college faculty and approval of the dean and the Provost, a large college comprised of multiple departments representing a diversity of academic disciplines may establish multiple college advisory committees. Such an arrangement shall be documented in the College Rules.

2. Prior to making a recommendation or decision on terminal reappointments or decisions not to reappoint, the dean shall provide the dossier to the college advisory committee, and obtain its written advice.

3. The dean shall also obtain a written recommendation from the college advisory committee whenever an assistant professor, associate professor, or professor is considered for promotion and/or tenure.

4. A written recommendation from the college advisory committee should also be sought for initial appointments at the ranks of associate professor or professor.

5. A member of a college advisory committee or an academic area advisory committee shall be excluded from any participation in that committee's consideration of a recommendation initiating from the educational unit in which the faculty employee holds an academic appointment. He or she shall participate fully in the unit-level evaluation of those candidates. Persons shall not serve at the same time as a member of both a college advisory committee and an academic area advisory committee.

C. Actions Taken by the Dean

1. The dean of a college shall make the final University decision to approve or disapprove a recommendation for those actions specified in Appendix III (Matrix of Authority of the Dean) as being delegated to the dean's final authority. The dean shall notify the candidate in writing of the action taken, with a copy of that notification to the educational unit administrator, and as specified in Appendix III the dean shall communicate the action taken through the Provost to the President to be reported to the Board of Trustees.

2. If a dean disapproves an educational unit administrator's recommendation for reappointment at any rank and offers a terminal reappointment instead, but the tenured members of the unit faculty reaffirm their positive judgment by majority vote and the educational unit administrator reaffirms his or her positive recommendation for reappointment, the Provost shall refer the matter to the pertinent academic area advisory ommittee.

3. In actions for which the dean is not delegated final approval (see Appendix III), the dean shall obtain, as appropriate, the written recommendation from the college's advisory committee, and then act upon the recommendation from the educational unit administrator. If the dean approves a positive recommendation or overturns a negative recommendation of the educational unit administrator, the dean's written recommendation and the written recommendation of the college advisory committee, shall both be added to the dossier and forwarded to the Provost.

4. In cases involving a comprehensive tenure review, the dean shall first obtain the written recommendation from the college's advisory committee on the tenure recommendation from the educational unit administrator. The dean shall then reach a judgment on the recommendation from the educational unit administrator. Finally, the dean shall add to the dossier both the written recommendation of the college's advisory committee and the dean's written recommendation, and forward the dossier to the Provost.

VIII. Procedural Steps Occurring at the Level of the Provost

A. Completeness of the Dossier

The Provost shall ensure that the dossier is complete and procedurally compliant. (Appendix II) If the dossier is not complete or if there is procedural noncompliance, the Provost shall direct the dean to secure the missing materials or the procedural compliance and, as appropriate, to allow the consulted unit faculty, the educational unit administrator, the college advisory committee, and the dean to examine the materials and contribute new consultative input or to submit new written judgments or recommendations.

B. Recommendations from Academic Area Advisory Committee

1. Academic Area Advisory Committee

(a) The Provost shall forward the dossier to the appropriate academic area advisory committee for all cases involving appointment at, or promotion to the rank of Associate Professor or Professor, or the granting of tenure. In those cases that have not received near-unanimous support from all lower-level reviewers (external letter writers, unit faculty and

educational unit administrator, college advisory committee and dean) the Provost shall require a written evaluation from the academic area advisory committee. The academic area advisory committee may elect to submit to the Provost a written evaluation on any case assigned to that committee. If the Provost is inclined to render a negative judgment on a case that has received near-unanimous support from all lower-level reviewers, but which has not been recommended on by an academic area advisory committee, the Provost shall first obtain a written recommendation from an academic area advisory committee.

(b) For cases in which the Provost has received a dean's recommendation for terminal reappointment of an individual, in contrast to the majority vote of the tenured faculty and educational unit administrator's concurrence for reappointment, the Provost shall refer the matter to the appropriate academic area advisory committee for an independent written evaluation. The committee in its deliberations shall address itself to the individual's scholarly potential, ability as an instructor, and other professional qualifications indicative of a probable eventual tenured appointment and shall submit a written recommendation to the Provost.

(c) An academic area advisory committee may request the written advice of an ad hoc committee (appointed by the Provost) for further evaluation before returning the dossier with the ad hoc committee's written advice, and the academic area advisory committee's written recommendation, to the Provost.

C. Actions Taken by the Provost

1. The Provost shall make the final University decision to approve or disapprove a recommendation concerning visiting title series faculty and promotion to Senior Lecturer. The Provost shall communicate approval through the President to the Board of Trustees and convey the substance of his or her final action (approval or disapproval) in writing to the dean. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

2. For cases in which the Provost has received a dean's recommendation for terminal reappointment of an individual, in contrast to the majority vote of the tenured faculty and educational unit administrator's concurrence for reappointment, the Provost shall refer the matter to the pertinent academic area advisory committee and request a written recommendation. After reviewing the dean's recommendation, the material forwarded through the dean from the educational unit and the written recommendation from the academic area advisory

committee, the Provost shall either approve the proposal for terminal reappointment and report the action through the President to the Board of Trustees and notify the dean in writing, or disapprove and stop the terminal reappointment proposal and notify the dean in writing of the Provost's decision for reappointment. The dean shall notify the candidate in writing of the Provost's decision, with that notification by the dean being copied to the educational unit administrator.

3. For cases involving the consideration of initial appointment (with or without tenure), reappointment, promotion, or the granting of tenure in the terminal year of a probationary period, the Provost shall review the dossier and all recommendations and either forward a positive recommendation to the President of the University, or stop the evaluation process and inform the dean in writing of that decision. The dean shall notify the candidate in writing with a copy to the educational unit administrator.

4. In cases involving a comprehensive tenure review, the Provost shall first consider the written recommendation, if any, from the appropriate academic area advisory committee (see section VIII.B.1). The Provost shall then reach a judgment on the recommendation from the dean. Finally, the Provost shall add to the dossier both the written recommendation, if any, of the academic area advisory committee and the Provost's written recommendation and forward the dossier to the President.

IX. Procedural Steps Occurring at the Level of the President

The President shall review the Provost's recommendation and either make a positive recommendation on the tenure case to the Board of Trustees, which shall take final action, or disapprove, stop the tenure review and inform the Provost in writing. In the latter case, the Provost shall inform the dean in writing, who shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

X. Procedural Steps Occurring at the Level of the Board of Trustees

A. The Board of Trustees shall take final action on the proposal by approving or disapproving the President's recommendation. The President, through the Provost, shall inform the dean in writing of the Board's action. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

B. The Notice of Academic Appointment and Assignment form constitutes the official appointment record. With the exception of salary, the precise terms and conditions covering each appointment shall be stated in writing on that form. The appointment, including salary, becomes final when it is approved by or reported to the Board of Trustees.

C. Notice of reappointment for tenure-eligible faculty shall be processed in a timely manner, preferably at least three months before the renewed appointment begins. It shall be the responsibility of the Provost to ensure compliance with this regulation.

D. The ending date of the probationary period in a tenure-eligible appointment shall be set by the dean prior to signing the initial Notice of Academic Appointment and Assignment form and shall not exceed seven years from date of initial appointment, except as permitted in GR X.B.1(c). Previous full-time service with the rank of Instructor or higher at another institution of higher learning may be counted as part of the probationary period as negotiated between the appointee and the dean prior to initial appointment. Time spent in a full-time faculty appointment on a visiting or temporary basis at the University of Kentucky may be counted as a part of the individual's probationary period, as negotiated between the appointee and the dean, should the individual subsequently be appointed to a regular, full-time faculty position in a tenure-eligible title series.

XI. Procedural Steps Involving a Negative Recommendation to Reappoint, Promote or Grant Tenure.

A. Whenever a recommendation is disapproved at any level, this fact shall be reported back to the preceding level(s) and an opportunity provided for a thorough discussion of the recommendation among the concerned parties.

B. Any related appeal(s) to the Provost concerning procedural matters or privilege or to the University Senate Advisory Committee on Privilege and Tenure concerning procedural matters, privilege, or allegations of violation of academic freedom shall be initiated in writing by the faculty employee within 60 days after being notified in writing by the dean of the disapproval of the recommendation to reappointment, promote or grant tenure. When such an appeal to the University Senate Advisory Committee on Privilege and Tenure has been initiated in writing by a faculty employee, the chair of that committee shall inform the appropriate dean and Provost of that development.

C. A faculty employee may request a meeting with the dean to discuss informally the circumstances surrounding the non-renewal of appointment, the denial of promotion and/or the granting of tenure. If the faculty employee is not satisfied with this conference, a related conference with the Provost may be requested.

XII. Final Disposition of the Dossier

At the conclusion of processes leading to negative decisions about appointments, reappointments, promotions or the granting of tenure, the dossier shall remain intact during the sixty (60) day period for filing an appeal, or, in cases where a formal appeal has been filed, until such time that a final decision has been rendered. Thereafter, the dossier shall not be retained,

although all evaluative letters and reports or reviews contained in the dossier shall be added to the faculty employee's Standard Personnel File. Representative examples of research and other creative activity included in the dossier as it was developed shall be returned to the faculty member for his or her retention. The teaching portfolio, or teaching materials submitted by the faculty employee, shall also be returned to the faculty employee.

XIII. Appendices

A. Appendix I – Matrix of Consultation and Written Judgments
B. Appendix II – Dossier Contents
C. Appendix III – Matrix of Authority of the Dean

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PRACTICE PLANS FOR HEALTH SCIENCE COLLEGES AND
UNIVERSITY HEALTH SERVICES
(Approved by the Board of Trustees)

I. Introduction

This Administrative Regulation authorizes faculty practice plans ("Plan(s)") for all University health science colleges, currently the Colleges of Dentistry, Health Sciences, Medicine, Nursing, Pharmacy, Public Health, and the University Health Services ("college(s)"). This Administrative Regulation establishes the base plan (i.e. minimum requirements) for the Plan. Each college will complete an addendum ("College Addendum") to describe the details for the college's individual Plan and to identify any differences from the basic plan requirements. Each College Addendum shall be the same or substantially the same as the template attached hereto as Appendix "A" and incorporated by reference herein. This Administrative Regulation, along with each College Addendum, constitutes the complete Plan for each college or service.

Authority to approve College Addenda is hereby delegated jointly to the dean of each respective college, the Provost, and the Executive Vice President for Health Affairs (EVPHA).

The purpose of the Plan is to facilitate proper functioning of the instruction, research, and service programs of the University, consistent with the integrity and responsibilities of the University. Income generating activities of the members of the Plan that relate to their professional expertise or credentials are facilitated by their employment at the University. The Plan is created to ensure accountability and legal compliance of these activities. The operation of the Plan shall be evaluated periodically with the underlying principles hereinafter set forth as guides.

This Administrative Regulation supersedes and takes precedence over any other regulations related to professionally generated income provided by a faculty member in any of the health science colleges for such income that is determined by the college to be included in the Plan. Except for reporting and disclosure obligations set forth in Section XI of this regulation, professionally generated income determined by a college not to be part of the Plan, as well as University-approved entrepreneurial activities and royalties associated with income from intellectual property, shall be governed by applicable University regulations or policies. (See, *Administrative Regulation II-1.1-1*, *Faculty Consulting and Overload*, and *Administrative Regulation II-1.1-3, Intellectual Property Disposition and Administrative Regulation*)

II. Scope

A. The Plan establishes policies and general procedures relating to compensation for services rendered by all members of the Plan, regardless of specialty. Members of the Plan shall include all faculty employees in all title series, regardless of period of appointment, and physicians employed by University Health Services, unless otherwise determined by the college. For purposes of this regulation, the term "faculty" includes physicians employed by University Health Services. The only exception will be those faculty members who were at the University at the time the prior Plan for his or her college was originally established and chose not to join. Individuals in non-faculty positions or staff in adjunct faculty appointments may not be members of the Plan.

B. The Plan is applicable to all services provided by Plan members incident to the care of patients and to all other activities which are a part of the health care programs of the University. Such services and activities include 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: (a) the diagnosis, treatment, and evaluation of patients; (b) the provision of therapeutic products for patients or others; and, (c) consultation with patients. Additional income to be included in the Plan may be determined by each college in its College Addenda.

C. Royalty income or other compensation resulting from intellectual property owned and licensed by the University is exempt from the Plan as it is addressed by Administrative Regulation II-1.1-3. University-approved entrepreneurial income is exempt from the Plan.

D. Any professionally generated income that is not included by a college in its Plan is governed by AR II-1.1-1, Faculty Consulting and other Overload Employment.

III. Definitions

A. The "Fund" 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 Fund shall be the Fiscal Entity for each Plan, unless otherwise specified in an individual College Addendum.

B. 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. The Board of Directors of the Fund shall include representation from each Plan for which the Fund serves as Fiscal Agent.

C. The "Practice Plan Committee" means the committee as provided in Section X of this regulation.

D. The "Division or Department" means all approved divisions or departments in which the Plan members are employed.

E. The "Plan Services Account" means that separate depository account to be established as provided in Section VI and VII of this regulation.

F. The "Board of Trustees" means the Board of Trustees of the University which by law is the governing board of the institution.

G. The "Fiscal Agent" shall be the 501(c)3 Corporation maintaining the funds of each Plan.

H. The "Billing Entity" shall be that organization billing third parties for services rendered which are subject to each Plan.

I. The "Plan Member Documents" mean the documents by which members are enrolled to bill for services subject to each Plan.

J. The "College Addendum" means the document, approved as an addendum to this regulation, by which the college may add more detail or certain options not specified herein.

IV. Underlying Principles

A. Clinical services are provided by the University's health care programs because they are essential to the instruction, research and service missions of the University, and to the proper use of the facilities and professional skills, and to reinforce health care resources in local communities throughout the Commonwealth.

B. The kinds and volume of services provided shall be determined by the needs of the instruction, research, and service missions of the University. Income derived from the provision of patient care is essential to carrying out these missions and in this sense is properly considered an appropriate product of their operation.

C. Patient care facilities shall be used exclusively for activities which are part of the University's instruction, research, and service programs.

D. The professional interests of Plan members should be concentrated in academic activities. Arrangements creating financial incentives for Plan members that would tend to inappropriately divert or dilute their concentration on instruction, research, and service program responsibilities are not consistent with the mission of the University.

E. Each Plan member can rightfully expect:

1. Facilities, materials, and support needed for instruction and research;

2. Opportunity to maintain and develop clinical skills;

3. Compensation for work on a basis which recognizes the Plan member's responsibilities, competence, and productive effort and which is reasonably in line with compensation which the faculty member could obtain elsewhere in an academic environment; and,

4. Professional liability coverage, to the extent legally permissible, through the University's self-insurance program for clinical activities conducted in accordance with and accounted for through the Plan. The definition of "clinical activities" for coverage purposes shall be set, from time to time, by the UKHealthCare Risk Management Committee or its successor in responsibilities.

F. It is the University's responsibility to assure that the level of compensation for Plan members is competitive with other nationally-recognized academic medical centers and adequate to attract and maintain a strong, competent faculty. 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 Plan member that the member's total remuneration from all sources shall be in accord with a predetermined level which is fixed consistent with adequacy for the particular profession and which is periodically reviewed.

G. Payments received for services rendered by Plan members shall 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 as defined in Section VII of this regulation.

H. Overall compensation is approved by the Board of Trustees as part of the operating budget of the University. The manner and extent to which individual compensation from the Plan's Service Account is combined with other compensation shall be reviewed and approved annually by the EVPHA and the Provost, with the objective of providing stability of total compensation without impinging on the freedom of Plan members to apportion their time and efforts among instruction, research, and service activities as determined by their interests and program responsibilities.

V. Setting of Charges for Health Professionals' Services

Standard schedules of charges for services are subject to review by the Practice Plan Committee of each Plan and approval by the dean of the college and EVPHA and shall be the general basis for assessing such charges to patients. However, the amount of charges may be adjusted on a case by case basis as proposed by the Plan member rendering the services with approval by the dean if variation from standard charges is deemed to be warranted by the circumstances and not prohibited by law, regulation, or applicable contract.

VI. Billing and Collection of Charges for Health Professionals' Services

A. Charges for services rendered by Plan members shall be billed by the Billing Entity 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 collection of all amounts shall be handled by a billing system and Billing Entity approved by the University. Amounts collected for combined charges for services and undesignated receipts from or on behalf of individual patients who receive health care services shall be applied on appropriate bases of pro ration to payment for the various entities providing services. Major problems relating to collection from patients of charges for services shall be handled in a manner that is subject to consultation with the Plan member rendering the services to the patients, subject to applicable legal, regulatory and contractual requirements.

B. Any payments, other than compensation as established by the Board of Trustees, which are received by Plan members for professional services within the scope of the Plan, shall be transmitted immediately to the University for inclusion with other funds collected for services of the Plan members.

C. All funds collected or received by any person or entity, including the University, for Plan members' services shall be collected and received in trust for the Fiscal Agent. Such funds, if not received directly by Fiscal Agent, shall be segregated upon receipt and shall be paid over to the Fiscal Agent for deposit into a separate account of the Fiscal Agent for each individual Plan managed by that Fiscal Agent. Each separate account shall be designated and known as the Plan Services Account of the individual Plan.

VII. Use of Funds Deposited in the Plan Services Account

As a standing policy, the Fiscal Agent, shall use and expend all monies and funds deposited in the Plan Services Account to the extent available for the following purposes:

A. Compensation to members of the Plan in such amounts as may be necessary to provide the difference between other University compensation and the total compensation as established by the Board of Trustees in the operating budget of the University. The operating budget shall show the amounts to be paid from the Plan Services Account, which amounts are dependent upon the availability of funds.

B. Such other purposes as from time to time may be recommended to the Board of Directors of the Fiscal Agent by the Practice Plan Committee of each Plan provided, however, that such funds may not at any time be used for payment to Plan members 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 University.

VIII. Plan Administrator and Budget

A. The dean of each college, in consultation with the Plan members, shall appoint a Plan administrator. The Plan administrator will be responsible for the day-to-day operation of the Plan and its funds and for the preparation of reports to the dean and the Practice Plan Committee on the financial status of the Plan. The Plan administrator will also be responsible for preparing the annual budget of the Practice Plan.

B. The annual budget shall include funding for the following:

1. Account(s) to enhance college programs;

2. Estimated administrative expenses to manage the Practice Plan;

3. Expenses associated with program implementation;

4. Operating expenses to support Plan member efforts to secure and manage services and contracts;

5. Grant(s) to the University to provide for payment of salary funding of all faculty lines to the extent supported by Practice Plan income and support for staff involved in assisting faculty in generation of professional income; and

6. Contingency reserve to meet potential shortfalls.

C. The proposed annual budget for the Plan shall be submitted by the dean to the Practice Plan Committee for review and comment prior to submitting to the Board of Directors of the Fiscal Agent for approval at its annual meeting.

IX. Provisions for Faculty Salary Supplemental Compensation Program under the Practice Plan

A. Objectives

The specific objectives of the salary supplementation plan include the following:

1. To increase faculty income in addition to that available through State support to the college in an effort to remain competitive with other academic institutions in the recruitment and retention of outstanding faculty;

2. To increase faculty incentive to participate in income-producing activities which are beneficial to the college, the University, and the State;

3. To maintain primary emphasis on the teaching and research programs of the college; and

4. To use professional practice by faculty as a vehicle for clinical training.

B. Basis

The program is based on a system allowing the dean and chairs to reward faculty members for unusual productivity and effort. The rewards shall be derived from income generated by faculty activity but shall not necessarily be directly related to the fiscal productivity of each individual. The system shall allow maintenance of the college balance without overcompensation for one segment of activity to the exclusion of other equally important commitments.

C. Applicable Provisions

1. Supplemental compensation and benefits shall be estimated for the ensuing fiscal year during the annual operating budget process; the amount budgeted shall be included as a separate nonrecurring, supplemental budget item. This supplemental budget shall be submitted to the Board of Directors of the Fiscal Agent and the Board of Trustees for approval as part of the annual operating budget. The appropriation of funds for expenditures shall be equal in amount to additional income to the University provided by a grant by the Board of Directors of the Fiscal Agent to the University specifically for the purpose of financing the supplementary operating budget. Such a grant shall be in addition to that made by the Fiscal Agent in support of salaries provided in the basic operating budget of the college.

2. Fiscal Agent grants for the purpose of supplemental compensation shall constitute non-recurring funds, and approval of the supplementary operating budget based thereon shall not constitute an increase in the budget base of the college. Unless otherwise specified in the College Addendum, supplemental compensation payable to participating individuals in accordance with approved supplementary operating budgets shall 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 shall 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, as collected through the last day of the quarter in which the faculty member resigns.

3. The EVPHA and the Provost are 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 Fiscal Agent for the purpose of supplemental compensation or increases to individual discretionary accounts within the Fund shall 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.

4. Criteria utilized in determining the percentage to be allocated shall be submitted by the dean of the college for review by the Plan members prior to preparation of the supplementary operating budget. Changes in the criteria may be recommended to the practice plan committee and others, as appropriate, by the dean if necessary to reconcile differences between the actual figures and the projected supplemental budget.

5. Unless otherwise specified in the College Addendum, disbursements for the first quarter of a fiscal year shall be based on the pro rata revenues collected from July 1 - September 30th. Disbursements for the second quarter of a fiscal year shall be based on pro rata revenues collected from October 1 - December 31st. Disbursements for the third quarter of a fiscal year shall be based on pro rata revenues collected from January 1 - March 31st. Disbursements for the fourth quarter of a fiscal year shall be based on pro rata revenues collected from April 1-June 30th.

6. 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 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.

7. If the actual amounts generated and required for the supplementary expenses are greater than the approved annual supplementary operating budget, a revised budget shall be prepared and submitted in accordance with university budgetary procedures, before the established budgetary authority is reached.

8. In preparation of the supplementary operating budget, the dean of the college shall allocate the Fiscal Agent grant for supplemental compensation based on generation of income from professional fees and other sources and based on performance.

9. Departmental or Divisional Practice Plans ("Departmental Plans") are allowed if authorized by the College Addendum. If so authorized, the Departmental Plans shall be approved by the Dean, Provost, and EVPHA, and shall comply with the terms of this regulation.

X. The Practice Plan Committee

A. The Practice Plan Committee of each Plan shall be elected by the members of the Plan and will consist of a minimum of five (5) members of the Plan. In addition, the dean of the college shall serve as an ex-officio member of the Committee.

B. The Committee shall meet periodically and shall review the operation of the Plan and the College Addendum, including matters relating to the applicability of the Plan to sources of income, standard schedules of charges for services, and any other aspects 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 this Plan or utilized in its operation. In the event that changes are deemed necessary by the dean, they shall be brought before the college Plan members by the Chair of the Committee.

XI. Limitations on Practice by Faculty Members

A. As a condition of employment, Plan members shall not maintain offices or engage in the practice of their profession outside of the approved programs of the University, except in infrequent and special circumstances as in emergencies and in other situations where provision of service is required by professional ethics. The Plan Member Documents shall reflect the limitations set forth in this regulation.

B. Plan members shall avoid all actual or potential conflicts of interest in their professional activities. Accordingly, during any period of assignment, non-assignment, sabbatical or other leave, all outside professional activities, whether income-generating or not, and whether exempt from inclusion in the Plan, shall be reported in advance to the dean and again on a annual basis on forms prescribed by the EVPHA and Provost. All outside professional activities are subject to applicable University regulations and policies related to conflicts of interest, including but not limited to: *Governing Regulation, Part I*, Ethical Principles and Code of Conduct and Code of Conduct Addendum-Clinical Enterprise, and *Administrative Regulation II-4.0-4*, Research Conflict of Interest and Financial Disclosure Policy.

C. To assure compliance with Internal Revenue Service (IRS) regulations, an employee who has controlling interests (owns at least 50% or more) of an outside company must report any contributions made to a Qualified Retirement Plan, Simplified Employee Pension plan- Individual Retirement Account (SEP-IRA) or any other retirement investment vehicle. Contributions made should be reported immediately to the Human Resources Employee Benefits Office to ensure Internal Revenue Service plan limits are not exceeded.

XII. Exceptions and Appeals

A. Plan members requesting exclusion from the Plan of an income generating activity not subject to an exemption enumerated in the each college's plan shall make a

request in writing through the respective director or chair to the dean. The dean shall make a decision based upon an interpretation of the definition of income and other facts and circumstances. The decision shall be communicated, in writing, through the division or department, to the Plan member. Plan members wishing to appeal the decision of the dean shall do so in accordance with paragraph B, below.

B. Plan members wishing to appeal a decision of the dean to deny a request for exclusion of income from the Plan, any salary or distribution dispute, or any actions of the Plan, shall advise the dean, in writing, within thirty business days of when the Plan member knew or should have known about the matter so appealed. The dean shall have ten business days to affirm, modify or deny the appeal. If no action is taken, the original action shall be deemed to have been affirmed. The Plan member shall then have thirty business days to appeal the action of the dean to the Provost and EVPHA, each of whom shall receive a written request from the Plan member setting forth the details of the basis for the appeal and the alleged reason(s) the dean is not correct. The Provost and EVPHA shall have thirty business days to issue a joint written decision to affirm, modify or deny the appeal.

XIII. Effective Date

A. This is regulation is effective July 1, 2009

B. Until such time as an individual College Addendum is approved, any other existing Administrative Regulation establishing a practice plan for that college shall remain in effect. Upon the effective date of the initial College Addendum for each college, the prior Administrative Regulation shall be superseded in regard to that college's Plan.

C. College Addenda, and revisions thereof, are effective when executed jointly by the respective college dean, the Provost, and the EVPHA, on such date as specified therein.

APPENDIX "A"

COLLEGE (or UNIT) PRACTICE PLAN ADDENDUM
(SAMPLE)

Preamble: This Addendum (the "Addendum") supplements Administrative Regulation (AR) 3:14_____ and provides specific information concerning the practice plan of_____ (the "College" or "Unit"). It may be referred to as the College of _____or _____Unit Practice Plan Addendum.

General: An annual contract (the "Annual Contract") _____is _____is not (check one) authorized with an approved Fiscal Agent (not required if Fund serves as Fiscal Agent). If authorized, the annual contract is part of this Addendum and incorporated by reference, herein. If a conflict in terms arises between the Annual Contract and the College or Unit Addendum, terms of the Annual Contract shall take precedence.

Specific: College or Unit Addendum Modifications, below, are made in reference to the specific paragraphs of *Administrative Regulation (AR) 3:14, Practice Plans for Health Science Colleges and University Health Services*.

I. Introduction.
The terms set forth in AR 3:14, Paragraph I, are not subject to local modification.

II. Scope.
The Plan Members are faculty in the (title series, appointment periods, University Health Services):
_____
_____
_____
_____

Services provided by Plan Members incident to the care of patients and to all other activities which are a part of the health care programs of the University are included in the Plan. This includes 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: (a) the diagnosis, treatment, and evaluation of patients; (b) the provision of therapeutic products for patients or others; and, (c) consultation with patients.

In addition, the following professionally generated income is included in the plan: (check "yes" or "no")

YES_____ NO_____ Direct and in-kind payments (excluding actual out-of pocket costs) for providing (a) advice, (b) professional consulting services, (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 are included in the Plan.

YES_____ NO_____ Witness fees and payments relating to depositions, testimony, or other evaluations in the capacity of a witness;
YES_____ NO_____ Professional fees and compensation for educational consulting in medical and pharmacy focused programs in conjunction with the pharmaceutical industry and/or other external agencies;
YES_____ NO_____ Honoraria for lectures;
YES_____ NO_____ Unassigned income from publications;
YES_____ NO_____ Prizes for personal past achievements and not for services rendered;
YES_____ NO_____ Special administrative stipends paid by the University for performing administrative assignments beyond those normal to academic appointments;
YES_____ NO_____ Income for a profession or activity unrelated to the professional education, experience, or training that qualifies members of the Plan for a University appointment;
YES_____ NO_____ Payments for service to NIH or other governmental peer review research project site visits or review activities;
YES_____ NO_____ Any reimbursement and fees associated with regular continuing education programs funded by the College;
YES_____ NO_____ Other income which relates to or would not exist but for the professional education, experience, or training that qualifies members of the Plan for a University appointment.

III. Definition Details.
The Fiscal Agent, if other than the Fund, of the Plan is: _____

The Practice Plan Committee consists of:
_____
_____
_____

Department or Division Plans ____ are ____are not authorized. If authorized, the following requirements apply (first five apply, unless an exception is granted by the Provost and EVPHA:
____Written Document
____Approval by Dean
____Approval by Provost
____Approval by EVPHA
____Legal Review
____Annual Audit

Other:_____
_____
_____

The Plan Service Account is maintained by: ____the Fund; ____Other
Specify_____

The Billing Agency is:_____

The Plan Member Documents include:

_____Practice Agreement
_____Assignment for Billing to:_____
_____Non Compete or Restrictive Covenant
_____Other (specify)_____

An example of the form of each is attached hereto, as Collective Attachment III, and incorporated by this reference.

IV. Underlying Principles.
The principles set forth in AR 3:14, Paragraph IV, are not subject to modification.

V. Setting of Charges.
Any special terms concerning the setting of fees are attached hereto as Attachment V, which is attached hereto and incorporated herein by this reference.

VI. Billing and Collection.
The college billing and collection process, if in more detail than AR 3:14, Paragraph VI, is described in Attachment VI, which is attached hereto and incorporated herein by reference.

VII. Use of Funds Deposited in the Plan Services Account.
The terms set forth in AR 3:14, Paragraph VII, are not subject to modification.

VIII. Plan Administrator and Budget.
The Plan Administrator is:_____.

The College budget process, if described in more detail than AR 3:14, Paragraph VIII, is described in Attachment VIII, which is attached hereto and incorporated herein by reference.

IX. Provisions for Faculty Salary Supplemental Compensation.
The percent of net revenue to be allocated for supplemental compensation, as determined by the EVPHA and the Provost is _____.

The College shall retain _____ percent of collected fees for its use in professional development, educational promotion, academic enrichment and related endeavors. Any special retention of funds or fees is described in Attachment VII, which is attached hereto and incorporated herein by reference.

The Frequency of Distributions is: ____monthly; ____quarterly; ____other (Specify)_____.

X. The Practice Plan Committee.
The terms set forth in AR 3:14, Paragraph X, are not subject to modification.

XI. Limitations on Practice by Plan Members.
Any additional modifications or limitation on practice are attached as Attachment XI, which is attached hereto and incorporated by this reference.

XII. Exceptions and Appeals.
Any modifications to the grievance procedure are described in Attachment XII, which is attached hereto and incorporated by this reference.

Any Special Provisions are attached hereto, as the Special Provisions Attachment, and incorporated by this reference. If any Attachment referenced herein is not included, the Attachment is conclusively presumed to be omitted intentionally.

XIII. Effective Date.
This Addendum shall be in force for a term beginning July 1, 2009 and ending June 30, 2010. It shall automatically renew for any number of successive one year terms unless terminated or modified by a writing signed by the approving parties, below.

APPROVING PARTIES:

DEAN, College of _____

_____
(Signature)

PROVOST:

_____
(Signature)

EVPHA:

_____
(Signature)

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR 4:4	PAGE 1
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COMMENCEMENT COMMITTEE

I. Introduction

The Commencement Committee shall be advisory in all matters related to the University's commencement exercises.

II. Responsibilities

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.

III. Membership

The Committee is appointed by the President and reports to the President or designee. Committee membership shall be comprised of individuals from the faculty, staff, and students. The chair 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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POLICY ON SEXUAL ASSAULT, STALKING, AND RELATIONSHIP VIOLENCE

I. Policy

The University is committed to maintaining an environment that is safe and free from sexual assault, stalking and relationship violence. The University will not tolerate sexual assault, stalking, and relationship violence (including threats of sexual assault and related relationship violence) against its students, faculty, staff, or visitors. In an ongoing effort to prevent sexual assaults, stalking and relationship violence, the University provides education and prevention programs; investigates complaints of sexual assault, stalking, and relationship violence; dispenses corrective or disciplinary action where appropriate; provides information on obtaining appropriate counseling and medical care; and provides complainants with information on pursuing criminal or other legal action.

II. Definitions

The following are intended as broad definitions, established for purposes of defining University policy. They are not intended to replace or summarize the Kentucky Penal Codes.

A. Sexual Assault

Sexual assault is a broad category that includes, but is not limited to, rape, sexual abuse and sexual misconduct. Sexual assault is any form of sexual contact obtained without consent or obtained through the use of force, threat of force, coercion, or intimidation. There are various degrees of sexual assault which cover a range of conduct and levels of force or intimidation. Examples include, but are not limited to:

1. forcible vaginal, anal or oral intercourse, digital penetration or penetration by an object;

2. sexual contact without full and free consent given by the person, including situations where drugs and/or alcohol impair the person's ability to give full and free consent;

3. attempted or actual unwanted sexual activity, such as sexual touching or fondling an unwilling person's intimate parts (e.g. genitalia, groin, breast or buttock, or clothing covering them) or forcing an unwilling person to touch another's intimate parts;

4. sexual contact when the perpetrator knows the person is unaware of the sexual contact; and

5. sexual contact when the person is below the statutory age of consent.

B. Stalking

A course of conduct directed at a specific person that is unwanted, unwelcome, or unreciprocated and that would cause a reasonable person to fear for his or her safety, security, or well-being. Stalking includes repeated harassing or threatening (implicit or explicit) behaviors. Examples include, but are not limited to:

1. following a person;

2. appearing at their home, place of business, or classrooms;

3. making harassing phone calls;

4. mailing written messages, or sending electronic messages;

5. leaving messages or objects at their home, place of business, vehicle, or classroom; and

5. vandalizing personal property.

C. Relationship Violence

Relationship violence occurs when one partner tries to maintain power and control over the other through actual or threatened physical or sexual violence, or psychological and emotional abuse. These acts may be directed toward a spouse, an ex-spouse, a current or former boyfriend or girlfriend, or a current or former dating partner.

D. Consent

Consent is the act of knowingly and voluntarily agreeing, verbally or non-verbally, to engage in sexual activity. Consent cannot be granted by an individual who:

1. is incapacitated by any drug or intoxicant;

2. has been purposely compelled by force or threat of force;

3. is unaware that the act is being committed;

4. is impaired because of a mental or physical condition;

5. is coerced by supervisory or disciplinary authority; or

6. is less than the statutory age of consent.

E. Complainant

A complainant is anyone who reports that she or he has been a victim of sexual assault, stalking, or relationship violence.

F. Respondent

A respondent is anyone against whom a report or allegation of sexual assault, stalking, or relationship violence is made.

III. Prohibited Acts

A. Every member of the University community is prohibited from:

1. engaging in sexual assault, stalking, or relationship violence;

2. retaliating in any manner against an individual who reports sexual assault, stalking, or relationship violence;

3. interfering with procedures to investigate or redress a complaint of sexual assault, stalking, or relationship violence; and

4. making an intentionally false accusation of sexual assault, stalking, or relationship violence through the University's procedures.

B. Any member of the University community who engages in one of these prohibited acts against any other member of the University community may be subject to corrective action and appropriate sanctions.

IV. Reporting and Filing Complaints

A. Sexual assault, stalking and relationship violence may be reported to the University of Kentucky Police, Lexington Fayette Urban County Police, University of Kentucky Violence Intervention and Prevention Center, the Dean of Students Office, or to any University official.

B. The University strongly encourages the reporting of all incidents of sexual assault, stalking, and relationship violence to the appropriate University officials. A report is an account or description of a specific incident. An incident may be reported without filing a formal complaint.

C. Filing a formal complaint is different from reporting an incident. A formal complaint is a request for the University to investigate an incident and take appropriate actions. The University will investigate all formal complaints of sexual assault, stalking, or relationship violence and will take appropriate disciplinary or corrective action in each instance. It will provide information on pursuing criminal or other legal action. It will also provide information on health care, counseling, and other support services available for students, faculty, staff, and visitors who have reported sexual assault, stalking, or relationship violence.

D. The University encourages individuals who make a report or file a formal complaint of sexual assault, stalking and relationship violence, regardless of where the report is made, to also contact the University of Kentucky Violence Intervention and Prevention Center (http://www.uky.edu/StudentAffairs/VIPCenter/) for assistance in accessing and navigating services, resources, and referrals both on and off campus. All University personnel who receive a report or complaint of sexual assault, stalking, or relationship violence should immediately refer the complainant to the Violence Intervention and Prevention Center, where the complainant will be counseled on his or her options.

E. Individuals who experience sexual assault or relationship violence are strongly encouraged to seek medical attention and be examined for physical injury, the presence of sexually transmitted diseases, or pregnancy as a result of rape.

NOTE: An individual who is considering making a criminal complaint or taking other legal action should seek medical care as soon as possible after the assault. It is important for the individual to not bathe, douche, or change clothing prior to the medical examination in order to avoid inadvertently removing important evidence. The kind of evidence that supports a legal case against an accused should be collected within 72 hours of an assault.

Important University Contact Numbers:

UK Police .....911 from a UK phone; or #UKPD from your cell phone
Violence Intervention and Prevention Center..... (859) 257-3574; or (859) 257-3564
Office of the Dean of Students.....(859) 257-3754
Office of Human Resources.....(859) 257-9555
Counseling and Testing.....(859) 257-8701
University Health Services.....(859) 323-5823
UK HealthCare.....(859) 257-1000

V. Rights of the Complainant and the Accused.

A. The complainant has the right to choose whether or not to file a formal complaint. There may be circumstances, however, such as the status of the alleged assailant or the

seriousness of the offense, in which the University must investigate and take action to protect the complainant or other members of the University community.

B. In addition to pursuing administrative penalties and remedies, the complainant maintains the right to pursue criminal charges.

C. Both the complainant and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offence (the University's final determination and any sanction(s)).

D. The complainant and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding.

E. A student complainant has the right to change University housing and academic arrangements if such changes are reasonably available.

F. An employee complainant may consult with Human Resources regarding available options.

VI. Corrective Actions and Disciplinary Procedures

A. If the respondent is a student, the University utilizes the process outlined in the Code of Student Conduct. If the respondent is a faculty or staff employee, the University utilizes the process outlined in Governing and Administrative Regulations, Human Resources Policies and Procedures, and other applicable University policy. The Violence Intervention and Prevention Center, in consultation with the Dean of Students Office, Human Resources Office, or the Office of the University Counsel, can advise a complainant which procedures would be applicable in a given case.

B. Possible sanctions for students resulting from the University disciplinary process range from a warning to disciplinary expulsion. Possible sanctions for faculty and staff range from an oral warning to termination of employment. Both the complainant and the respondent shall be informed of the outcome of the corrective action or disciplinary process.

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INSTITUTIONAL PROGRAM FOR ANIMAL CARE AND USE

I. Introduction

The University affirms that the prudent use of animals for research, instruction, and biological testing has advanced scientific and medical knowledge, alleviated pain and suffering, and improved the health of both animals and humans. Therefore, the University supports and protects the officially sanctioned use of animals in carrying out its missions as a public, land-grant research university. The University acknowledges and accepts its legal and ethical responsibility for animals under its care, and is committed to caring for and using animals in ways that are scientifically, medically and humanely appropriate.

The University's program for animal care and use (the Program) encompasses all physical, procedural, medical, and human resources necessary for an integrated and effective program that supports the institutional missions.

II. Application

This administrative regulation applies to all research, teaching, and testing activities involving vertebrate animals (animal activities) conducted at University facilities or under University sponsorship, regardless of the species or source of funding. All members of the university community who participate in animal activities are required to fulfill their individual and collective responsibilities embodied in this administrative regulation as a condition for retaining the privilege to work with animals at the University.

III. Policy

A. The University shall comply with all applicable provisions of the Animal Welfare Act (AWA) and with the regulations and standards for implementing the Act promulgated at 9 CFR, Chapter 1, Subchapter A, Parts 1, 2 and 3 (Animal Welfare Act Regulations or AWAR). The University shall follow applicable Animal Care Policies established by the Animal Plant Health Inspection Service (APHIS), U.S. Department of Agriculture.

B. The University shall comply with the Public Health Service Policy on Humane Care and Use of Laboratory Animals (PHS Policy), which incorporates the U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research and Training (the Principles).

C. The University has established and shall maintain a program for animal activities in accordance with the Guide for the Care and Use of Laboratory Animals (the Guide) of the Institute of Laboratory Animal Resources, National Research Council.

D. The University shall adhere to provisions of the Guide for the Care and Use of Agricultural Animals in Agricultural Research and Teaching (Ag Guide) published by the Federation of Animal Science Societies.

E. An animal use protocol must be reviewed and approved by the Institutional Animal Care and Use Committee (IACUC) prior to initiating any animal activity. For sponsored projects involving animal activities, the animal use protocol shall be approved before an account will be established.

IV. Roles and Responsibilities

A. Institutional Official (IO)

1. The Vice President for Research is designated as the IO, with full authority and responsibility to represent the University on all matters related to animal activities and to legally commit the University to comply with all applicable animal welfare laws, regulations and policies.

2. The IO shall have full authority to promulgate, implement, and enforce policies across the University to ensure compliance with this administrative regulation.

B. Attending Veterinarian

1. The Attending Veterinarian shall hold a Doctor of Veterinary Medicine (DVM) or equivalent degree from an accredited school or college of veterinary medicine, be licensed to practice veterinary medicine in at least one state, and be either certified by the American College of Laboratory Animal Medicine (ACLAM) or have training or experience in laboratory animal science and medicine. The Attending Veterinarian reports directly to the Institutional Official and is a permanent voting member of the IACUC.

2. The Attending Veterinarian shall have full and direct authority to develop and implement an effective program of veterinary care and to oversee the adequacy of other aspects of the Program. This includes the authority to direct or provide for appropriate medical care, including euthanasia, as necessary and consistent with established standards of veterinary medical practice.

3. The Attending Veterinarian may intercede at any time in an animal activity, which in his or her judgment jeopardizes animal welfare or compliance with federal laws and regulations or University policy. This includes the authority

to suspend an ongoing animal activity, pending a review by the IACUC acting in full committee.

C. Institutional Animal Care and Use Committee (IACUC)

1. Membership

(a) The IACUC shall consist of at least five (5) members who are appointed by the IO. The members shall be qualified through expertise and experience to provide oversight for the University's animal care and use program, facilities, and procedures. As a minimum the IACUC shall be comprised of:

i. the Chair, who shall be a practicing scientist and who has significant experience in animal research, and has the responsibility for overseeing the coordination and implementation of effective, efficient systems for animal use protocol review, Program review, and facility inspections;

ii. the Attending Veterinarian;

iii. a practicing scientist experienced in animal research;

iv. a nonscientific member, whose primary concerns are with nonscientific areas of the Program; and

v. a member who shall not be affiliated with the University in any way other than as a member of the IACUC, and who shall not have an immediate family member* who is affiliated** with the University. This person represents the general community interests in the proper care and treatment of animals.

* "Family member" means parents and children, husbands and wives, brothers and sisters, brothers- and sisters-in-law, mothers- and fathers-in-law, uncles, aunts, nieces and nephews, sons- and daughters-in-law, and step-relatives in the same relationships.

** "Affiliated" means any University employment, including part-time and temporary, board membership, currently enrolled students, contractors/vendors who do business with the university, and individuals holding key positions in University-affiliated associations (e.g. Alumni Association, Athletics Board, etc.).

(b) The IO may appoint alternate members to the IACUC consistent with the AWAR and PHS Policy. The IO may appoint non-voting *ex*

officio members to the IACUC who represent other offices and functions of the University in order to facilitate effective integration of the Program.

(c) To provide for appropriate checks and balances in oversight of the Program, the Institutional Official, the Attending Veterinarian, and the IACUC Chair shall be three separate persons.

(d) The IACUC may use consultants, as needed, for specific protocol review or advice to the committee. The consultant may offer options and advice, but may not vote on an animal protocol or amendment thereof.

2. Quorum

The total number of voting members of the IACUC necessary to conduct its work shall be determined by the IO in consultation with the IACUC Chair, Attending Veterinarian and Office of Research Integrity. A majority (more than 50%) of the voting members must be present at a convened IACUC meeting to constitute a quorum.

3. Multiple IACUCs

(a) The Institutional Official may establish multiple IACUCs should the volume of animal activities exceed the reasonable capacity of a single IACUC to review the associated protocols and provide timely and effective oversight of the Program.

(b) If multiple IACUCs are established, they shall report to a central, all-campus IACUC, the composition of which shall include the chairs of the individual IACUCs as members. The overall composition of any IACUC and the all-campus IACUC shall conform to federal requirements.

(b) No more than three persons from the same department-level administrative unit (department, center or institute) shall serve as members of the same IACUC.

D. The Office of Research Integrity

The Office of Research Integrity:

1. provides administrative support and guidance for the Program and facilitates program integration;

2. supports the activities of the IACUC, including the scheduling and logistics of IACUC meetings, the coordination of semiannual program review and

facility inspections, and the scheduling and coordination of subcommittee meetings as necessary;

3. maintains protocol records and correspondence relating to protocol review and approval, records of semiannual program reviews and facility inspections, animal user occupational health and training records, and records of official correspondence between the University and regulatory and oversight agencies;

4. provides training for IACUC members and research personnel using animals, and serves as a central information resource for the care and use of animals;

6. facilitates communication between the IACUC, IO, and Attending Veterinarian in meeting their regulatory obligations; and

7. provides guidance and assists investigators in submitting the necessary documentation for IACUC review of animal use protocols.

E. Principal Investigator

1. Investigators who use animals in research, teaching, or testing have a responsibility to society and the scientific community for the proper stewardship of the animals used. The use of animals at the University is a privilege governed by government regulations, University policy, and public concerns.

2. The principal investigator of an animal care and use protocol shall be directly responsible for ensuring that personnel listed on the protocol comply with the provisions of this administrative regulation.

References:

- Animal Welfare Act and Regulations:
  http://www.nal.usda.gov/awic/legislat/usdaleg1.htm
- Public Health USDA-APHIS Animal Care Policy Manual:
  http://www.aphis.usda.gov/animal_welfare/policy.shtml
- Service Policy on Humane Care and Use of Laboratory Animals (PHS Policy):
  http://grants.nih.gov/grants/olaw/references/PHSPolicyLabAnimals.pdf
- HHS/NIH/Office of Laboratory Animal Welfare (OLAW):
  http://grants.nih.gov/grants/olaw/olaw.htm
- Guide for the Use and Care of Laboratory Animals, Institute for Laboratory Animal Research. National Academies Press (1996):

http://www.nap.edu/openbook.php?record_id=5140

- Guide for the Care and Use of Agricultural Animals in Agricultural Research and Teaching, Federation of Animal Science Societies (1999): http://www.fass.org/page.asp?pageID=216

- AVMA Guidelines on Euthanasia (2007): http://www.avma.org/issues/animal_welfare/euthanasia.pdf

- *The IACUC Handbook* (Silverman, Suckow and Murthy, eds.), 2nd Ed., CRC Press, Boca Raton, 2007.

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ADVISORY COMMITTEE FOR THE KENTUCKY WATER RESOURCES RESEARCH INSTITUTE

I. Introduction

The primary role of the Kentucky Water Resources Research Institute (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 Advisory Committee of the Kentucky Water Resources Institute formulates recommendations and gives advice to the Director of the Institute.

II. Membership

A. The Advisory Committee of the Kentucky Water Resources Institute is appointed by the Vice President for Research (VPR), who also designates the chair. Committee members other than those with ex officio status normally shall have staggered three-year appointments.

B. The membership of the Committee shall be comprised as follows:

1. Faculty representatives from the University of Kentucky;

2. Faculty representative(s) from other participating state-supported universities;

3. The Vice President for Research, or designee, (ex officio);

4. The Director of the Water Resources Institute (ex officio);

5. 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; and

6. Any other ex officio member(s) designated by the VPR.

III. Responsibilities

A. The specific charge of this Advisory Committee is to:

1. 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;

2. Make recommendations to the Director on the Kentucky Water Resources Institute Plan (Plan), submitted to the Institute by leading water resources officials throughout the Commonwealth. The Plan is made available to university faculties throughout Kentucky to identify for them the most significant water resources problems of Kentucky and the region;

3. 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

4. Provide advice to the Director on Institute policies and procedures.

B. The Committee shall maintain written minutes of meetings and, on request, shall prepare special reports for the Vice President for Research.

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TUITION AND STUDENT FEES

I. Purpose

The University is obligated to ensure that all fees charged to students are reasonable and properly approved. This regulation defines the authority for the approval of student fees, departmental responsibility for reporting fee information, and the criteria of reasonableness in setting fees.

II. Approval Authority

KRS 164.020 gives the Council on Postsecondary Education the authority to determine the tuition rates at public colleges and universities in Kentucky. The Council has determined that their statutory authority to set tuition also includes the setting of mandatory fees. The University of Kentucky Board of Trustees recommends tuition and mandatory fees to the Council. The Board has the authority to approve other student fees.

III. Definitions

A. Mandatory student fees are assessed for all full-time students, with the exception of those students who take all courses via internet or off-campus (outside of Fayette and its contiguous counties). Part-time students are assessed certain mandatory fees.

B. Non-mandatory (or other) fees are required for particular courses, programs, or activities in which students choose to participate. Non-mandatory fees may include one or more of the following types of fees:

1. Program Fees. Fees charged to students in a particular program(s) or major(s). These fees are usually college-wide for all students enrolled in a particular college or degree program to cover specialized provisions needed by students in order to graduate from that college or degree program.

2. Course Fees. Fees charged to students in a particular course(s). These fees cover costs incurred for materials, labs, equipment, supplies, and other costs associated with a course.

3. Enrichment Fees. Fees charged to students participating in an activity or event (usually not course specific) such as advising conferences, camps, workshops, or

instrument rentals. Typically, the students receive direct benefit from materials, instruction, and other consumables purchased with the assessed fees and participate in these activities at their option.

4. Administrative or Service Fees. Fees charged to students for administrative activities or for a particular service provided by the University. For example, late payment fees, fees for taking an exam administered by the University, fees for processing an application, or printing a student's transcript. Disciplinary fines and parking fines are specifically excluded from the definition of non-mandatory fees.

IV. Evaluation Criteria

Fees shall comply with the following:

A. Students have a reasonable opportunity to benefit directly and equally from the fee.

B. The fee does not exceed the cost (direct and indirect) of providing the product, service, or activity to the student.

C. The fee covers:

1. atypical costs associated with a specific course or program;

2. costs of providing any activity or event such as advising conferences, camps, workshops, or instrument rentals. Typically, the student receives direct benefit from materials, instruction, and other consumables purchased with the assessed fee and participates in these activities at their option; or,

3. costs of providing an administrative activity or service such as late payment fees, fees for taking an exam administered by the University, or fees for processing an application or printing a student's transcript.

V. Payment and Reporting of Fees

Centralized assessment of fees allows the maximization of financial aid awards and streamlines payments to the University. Additionally, internal controls and reporting capabilities are increased. All student fees shall be assessed and paid through Student Billing Services unless an exception is granted. Examples of fees not reasonably billed and collected by a central service are library fines, student id's, etc. Exception requests shall be approved by the Executive Vice President for Finance and Administration or appropriate designee.

VI. Procedures

Refer to Business Procedure E-20-1, University of Kentucky – Approval of Student Fees for procedural steps in establishing student fees for approval.

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POLICY STATEMENT AND ADVISORY COMMITTEE ON NAMING UNIVERSITY PROPERTY

I. Introduction

Naming new University structures, properties, or portions thereof, e.g., playing fields, rooms, and plazas, (hereafter "property") and changing the names of existing property, whether on the main campus or elsewhere, is of interest to the entire University community. An appropriate name accounts for present and possible future uses of the property, and reflects functions performed and interests served by the property. This regulation establishes the methods and standards for appropriately naming University properties. The purpose of this regulation is to:

A. Aid the President and the Board of Trustees in selecting suitable names;

B. Encourage participation in the naming process by the University community, faculty, staff, alumni, trustees, and friends;

C. Set forth the guidelines for naming University property; and

D. Establish the Advisory Committee on Naming University Property.

II. Advisory Committee on Naming University Property

A. Responsibilities

1. The Committee shall solicit, receive, and consider proposed names for University properties, in accordance with the guidelines and procedures outlined herein.

2. The Committee shall provide advice to the President and the Board of Trustees in matters related to naming University property.

B. Membership

1. The Committee is appointed by the President, who also designates the chair and ex officio members of the Committee.

2. Committee membership shall be comprised of individuals from the faculty and staff who shall have staggered three-year appointments.

C. Procedures

1. All nominations shall be submitted to the chair of the Committee, together with a statement indicating the suitability of the proposed name in accordance with the guidelines and procedures outlined herein.

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. The Committee shall forward specific recommendations regarding names for University property to the Provost or appropriate executive vice president, who subsequently shall make recommendations to the President.

4. The President, or the chair of the Committee through the President, shall seek the approval of the Board for any naming of a major property (e.g. a new building with a name other than functional, or an athletic facility or stadium), or when the naming involves an individual with particular significance to the University, or whenever the President otherwise deems it to be in the best interest of the University for the Board to approve the name.

5. All nominations shall be held in the strictest confidence by all interested parties.

III. General Guidelines

In recommending names for University property, the Committee shall consider the following criteria:

A. All University property which is dedicated to highly specialized uses that prevent its conversion to other functions, such as the Hospital, residence halls, and athletic facilities, shall carry as part of its name terms which describe its specialized use. However, changes to the property's function may necessitate changes to the property's name. Functionally descriptive names may also be given to general purpose property.

B. 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". Such property shall be given names that carry some general significance for the University as a whole, e.g. Memorial Coliseum.

C. Service structures should carry functionally descriptive names in addition to any other name given.

D. 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, and 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 should be avoided.

E. 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, shall not be considered except in the most extraordinary cases. Names of living persons no longer on active service with the University also should only be proposed in exceptional cases.

F. It is appropriate to express the esteem and appreciation the University holds 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 property. Wherever possible, however, the person's name should be given to a property related to some activity appropriate to that person's field of interest or endeavor.

If personal names are to be considered, first priority should be given 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.

G. The names of certain existing properties 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.

H. All new property should be named, wherever practicable, by the time preliminary architect's drawings are approved. Barring this, their names and the name changes of existing property should be determined as far as possible ahead of occupancy.

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.

I. Off-campus properties should be given names which describe their geographical location.

J. General administrative and multipurpose office and classroom properties 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.

K. Property 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.

L. The names of rooms in, or of spaces within or adjoining, properties 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 provisions of the guidelines.

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	DATE EFFECTIVE 01/26/09	SUPERSEDES REGULATION DATED AR III-8.2-1: 9/ 23/94, 7/1/83

ADVISORY COMMITTEE FOR THE DONOVAN TRUST

I. Introduction

The Advisory Committee for the Donovan Trust makes recommendations to the President regarding the use of investment income from the Herman Lee and Nell Stuart Donovan Memorial Endowment.

II. Membership

The membership of the Committee may be comprised of individuals from the faculty, staff, and students. The chair and ex officio members shall be designated by the President. The Committee members other than those with student or ex officio status shall have staggered three-year appointments.

III. Responsibilities

A. 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 Executive Vice President for Finance and Administration, specific recommendations regarding the use of income generated by the trust fund principal in the preceding fiscal year.

B. Recommendations regarding the use of investment income shall be in accordance with the following trust provisions contained in the will of Dr. Herman Lee Donovan:

1. 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;

2. 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,

3. 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.

C. The Committee is responsible for submitting an annual report and, on request, special reports to the President, through the Executive Vice President for Finance and Administration.

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UNIVERSITY COMPUTING ADVISORY COMMITTEES

I. Introduction

To facilitate the exchange of information regarding University-wide computing and data communication needs and interests, the University establishes three standing committees in the areas of research, instruction, and administration. The committees provide advice and recommendations to the Provost, appropriate executive vice president, and University Chief Information Officer (CIO) relative to broad, University-wide computing policies, procedures, and directions. In addition, at the request of the President or the President's designee, the committees may be asked to consider specific information systems related problems or proposals.

II. Membership

The President shall appoint the members of each committee and shall designate the chair for each committee. Appointment terms shall be staggered and normally for three years, except that the appointments of students shall be for one year. Reappointments are permitted. The committees may also include non-voting ex-officio members.

III. Committees

The three standing committees shall individually focus on the areas of research, instruction, and administrative computing. The committees shall meet at least once each academic semester.

A. Research Computing Committee

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. The Research Computing Committee provides advice regarding computing services to support existing and planned research. The Committee shall be comprised of:

Seven (7) faculty members;
One (1) graduate student (to be nominated by the Dean of the Graduate School);
One (1) senior research administrator;
One (1) senior administrator responsible for high performance computing; and
Two (2) representatives from Information Technology (advisory, non-voting).

B. Instructional Computing Committee

The University is committed to providing students with access to appropriate computing facilities, including state-of-the-art hardware, software, and courseware. The Instructional Computing Committee provides advice regarding general purpose instructional computing services, with the aim of ensuring that students have access to a wide variety of computer languages, applications, and services in an easy-to-use environment. The Committee shall be comprised of:

Seven (7) faculty members;
One (1) undergraduate student (to be nominated by the Student Government Association);
Two (2) senior academic administrators in the Provost areas, e.g. enrollment management, undergraduate education, academic support; and
Two (2) representatives of Information Technology (advisory, non-voting).

C. Integrated Resources Information Systems Administrative Computing Systems Coordinating Committee (IRIS ACSCC)

The University is committed to providing appropriate administrative computing systems to support institutional operations. The IRIS ACSCC shall have as its primary responsibility the establishment of priorities for future development and enhancements of the Integrated Resources Information Systems (IRIS). Secondary responsibilities include reviewing, approving, and prioritizing all change requests to IRIS; maximizing the return on the University's investment in the IRIS project; establishing priorities for reporting; and serving as advocates for the senior University administrators responsible for the major administrative computing systems listed below. The IRIS ACSCC shall be comprised of the principal University administrators responsible for the major administrative computing systems based on their role for these administrative systems:

Financials and Accounting;
Human Resources;
Materials Management;
Campus Management;
Plant Maintenance;
Faculty Effort;
Business Warehouse;
Budget;
Health Care CIO (ex officio non-voting);
University CIO (ex officio non-voting); and
Director, IRIS Administrative Systems Group (ex officio non-voting).

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THE SULLIVAN AWARDS COMMITTEE

I. Introduction

The Sullivan Awards Committee is responsible for selecting and recommending to the President the recipients of the Algernon Sydney Sullivan Awards.

II. Membership

A. The Committee is appointed by the President, who also designates the chair.

B. The Committee shall be comprised of individuals from the faculty. Members other than those with ex officio status normally shall have staggered three-year appointments.

C. One representative of the Office of Development and one representative of the Office of Alumni Affairs shall serve as ex officio members of the Committee.

D. The Committee shall report directly to the President, or designee.

III. Responsibilities

A. In carrying out its responsibilities the Committee shall 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, and with others as appropriate for the non-student award.

B. The Committee shall 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 Award shall be made only in recognition of fine spiritual qualities practically applied to daily living, as distinct from high scholarship, athletic achievement, success in business, professional ability, political leadership, or mere worldly prominence in any calling. Nevertheless, by no means does the Society fail to realize that the highest spiritual and humanitarian qualities can be found in intimate and inseparable association with a successful pursuit of all the above mentioned avocations."

"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."

C. The Committee shall establish a calendar for its work, undertake necessary announcements and solicitation of nominations from the University faculty and deans, and the presidents and advisers of all student organizations and dormitories.

D. The Committee shall establish practices of screening that protect the confidentiality of individual records. It shall maintain a record of those receiving the awards and submit appropriate materials to the University Archives on a regular basis.

E. The chair shall oversee the selection process, secure the medallions and certificates, have these engraved, and submit these in advance along with recommended citations to the President. The chair 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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR 11:4	PAGE 1
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University Joint Committee on Honorary Degrees

I. Purpose and Responsibilities

A. Purpose

The University Joint Committee on Honorary Degrees is established jointly by the University Senate and the President of the University (SR 5.4.2.3) to identify, evaluate, and recommend to the University Senate candidates for the award of an honorary degree.

B. Responsibilities

The joint committee is charged with the following responsibilities:

1. Identify candidates for honorary degrees through a broadcast solicitation;

2. Evaluate the qualifications of candidates and compile a list of recommended nominees; and,

3. Transmit to the University Senate through the Office of the Senate Council Chair a list of those nominees for the award of an honorary degree endorsed by majority vote of the University Joint Committee on Honorary Degrees. As prescribed in SR 5.4.2.3.B.2, supporting information shall accompany each nomination forwarded by the committee.

II. Membership

A. Membership Composition

The University Joint Committee on Honorary Degrees shall be appointed by the President in his role as the Chair of the University Senate and shall consist of seven (7) appointed members and four (4) *ex-officio* members. Appointed members and *ex officio* members are designated as voting or non-voting below.

1. Appointed Members

(a) Four (4) members shall be selected by the Senate Council from the University Faculty (voting).

(b) Two (2) members shall be selected by the President from the University Faculty (voting).

(c) One member of the Board of Trustees shall be designated by the Board Chair to serve as the Board's Liaison (non-voting) to the Committee.

2. Ex-Officio Members

(a) The Provost, or the Provost's designee, shall serve as an *ex officio* member on the committee (voting).

(b) The Dean of the Graduate School shall serve as an *ex officio* member on the committee (voting).

(c) The Senate Council Chair shall serve as *ex officio* member of the committee (non-voting).

(d) The President shall designate one other *ex officio* member of the committee from the senior administration (non-voting).

3. Committee Chair

The President shall designate the committee chair from the members (appointed or *ex officio)*.

B. Conditions for Appointment

1. The six (6) committee members appointed from the University Faculty shall have staggered three-year appointments. The Board Liaison shall have a one-year appointment, and may be renewed at the discretion of the Board Chair. *Ex Officio* members are standing members of the committee.

2. The President and Senate Council Chair shall confer each year before finalizing the faculty membership on the University Joint Committee on Honorary Degrees to ensure that the proposed list of faculty appointees is broadly representative of the faculties of the University.

III. Role of the University Senate

A. Nominations to the Board of Trustees

The ninety-four (94) elected faculty representatives in the University Senate comprise the body authorized to vote on the names placed in nomination by the University Joint Committee on Honorary Degrees (GR IV.A). The names of those nominees favorably recommended by the elected faculty representatives in the University Senate, along with any specified supporting documentation, shall be transmitted to the UK Board of Trustees for its approval.

B. President as Chair of the University Senate

The President retains the right to address either the University Senate (in the role as the Chair of the University Senate) or the Board of Trustees (in the role as President) about the qualifications of a nominee(s) for the award of an honorary degree.

References: KRS 164.240
GR IV.A
SR 5.4.2.3

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IV. Selected Policies and Procedures Affecting Academic Employment*

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

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

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

It is University policy not to provide written reasons in cases of non-renewal of appointment. However, upon the faculty member's request, the dean of the college may meet with the faculty member and discuss informally the circumstances surrounding the non-renewal. If the faculty member is not satisfied with this conference, a related conference with the Senior Vice President and Chancellor of the Medical Center or the Provost may be requested.

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

B. Termination of Appointment

1. Reasons for Termination

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

*For purposes of this Regulation, appeals concerning faculty non-renewal in the Colleges of Nursing, Allied Health, Medicine, Dentistry, and Pharmacy and the Graduate Centers of Toxicology, Biomedical Engineering, and Nutritional Science are considered by the Senior Vice President and Chancellor of the Medical Center. The Provost considers all other faculty appeals, including those of librarians.

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

2. Procedure

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

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

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

The Hearing Committee, in consultation with the President and the faculty member, shall exercise its judgment as to whether the hearing shall be public or private. During the proceedings the faculty member shall be permitted to have an academic advisor and a counsel of personal choice. At the request of either party or the Hearing Committee, a representative of a responsible educational association shall be permitted to attend the proceedings as an observer. A full stenographic record of the hearing or hearings shall be taken and made available to the parties concerned. The burden of proof that adequate cause for dismissal exists shall rest with the institution and shall be satisfied only by clear and convincing evidence in the record considered as a whole. If the faculty member's competence is in question, the testimony should include that of qualified faculty members from this and/or other institutions of higher education.

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

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

3. Suspension

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

C. Academic Freedom of Non-Tenured Faculty

If faculty members on non-tenured appointments or faculty members on post-retirement appointments allege that decisions not to reappoint them were caused by considerations violative of academic freedom, or that they were given less advance notice than specified in these regulations, they shall present their allegations in writing to the University Senate Advisory Committee on Privilege and Tenure within 60 days after being notified in writing by their respective deans of the decisions not to reappoint. Allegations so presented shall be given preliminary consideration by the Advisory Committee on Privilege and Tenure, which shall attempt to settle the matter by informal methods. The faculty members' allegations shall be accompanied by statements that they agree to the presentation, for the consideration of the committee, of such reasons and evidence as the University may allege in support of its decisions. If the difficulty is unresolved at this stage and if the committee so recommends, the procedures set forth in PART X.B.5.b of the Governing Regulations shall be applied, except that the faculty members making the complaints are responsible for stating the grounds upon which they base their allegations, and the burden of proof shall rest upon them. If prima facie cases are established via these procedures in favor of the faculty members, it becomes incumbent upon the

persons who made the decisions not to reappoint to present evidence in support of those decisions.

D. Resignation

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

E. Administrative Personnel

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

F. Graduate Student Academic Staff

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

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

G. Opportunities for Hearings

In no case shall a member of an academic staff, who is not otherwise protected by the preceding regulations which relate to dismissal proceedings, be dismissed (termination before the end of a period of appointment) without having been provided with a statement of reasons and an opportunity to be heard before the University Senate Advisory Committee on Privilege and Tenure.

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

H. Change of Assignment

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

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

A. Areas of Activity

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

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

1. Teaching and Student Relations

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

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

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

2. Research and Other Creative Activity

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

3. Professional Status and Activity

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

4. University and Public Service

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

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

B. Balance and Intellectual Attainment

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

C. General Criteria for Ranks

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

1. Assistant Professor

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

2. Associate Professor

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

3. Professor

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

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

10/8/99

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 2:1-1

Responsible Office: Provost

Date Effective: 07/01/2011

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Procedures for Faculty Appointment, Reappointment, Promotion and the Granting of Tenure

Major Topics

Faculty Appointment Types

Comprehensive Tenure Review

Terminal Year Tenure Review

Early Tenure Review

Procedural Steps
- Educational Unit
- Standard Personnel File
- College
- Provost
- Board of Trustees
- Appeal of Negative Recommendation

Appendices

I. Introduction

A university capable of educating its students for work and citizenship in the twenty-first century must have an outstanding faculty. These procedures and criteria have been developed for the purpose of continually improving the quality and performance of the faculty in order to enhance the quality of the University's programs and permit the University to achieve its multiple missions.

The review required for promotion and granting of tenure is a summative evaluation of both the candidate's accomplishments over the entire probationary period and the candidate's future scholarly potential. It is based on the criteria set out in the *Administrative Regulations*, which require a consideration of information (e.g., the evaluations of external reviewers) that might not be available for the annual performance and tenure progress reviews.

Faculty appointments are in educational units and shall be of three types: (1) tenure-ineligible appointments; (2) tenured or tenure-eligible appointments; and (3) post-retirement appointments. (GR X-B.1)

Before appointing a faculty employee, the educational unit must ensure that it has followed the established hiring policies and practices of the college, as codified in the college rules and unit rules, and all *Governing Regulations* and *Administrative Regulations* on appointments.

II. Entities Affected

This regulation applies to all faculty and educational units of the University.

III. Sources of Procedures and Criteria for Appointment and Advancement

A. Procedures

The procedures to be used in each educational unit for preparing recommendations for appointment, reappointment, promotion, and granting of tenure shall be those established by the University, the college and the faculty of the educational unit (GR VII.B). The University procedures are those established in the Governing Regulations, the Administrative Regulations and as may be further elaborated by the Provost. In addition to the procedures prescribed here, college-level procedures may be established by the dean in consultation with the college faculty (GR VII.A.4). Additional procedures at the level of the educational unit (hereafter referred to as "the unit") are established jointly (GR VII.A.5, 6) by the faculty of the unit and by the department chair, graduate center director, school director or the dean in a college without departments or schools (all referred to hereafter as the "educational unit administrator").

B. Criteria and Evidences of Activity

1. The University-level criteria and evidences of activity to be used in evaluations for appointment, reappointment, promotion, and tenure for the various faculty title series are specified in various sections of the Administrative Regulations as indicated below:

   (a) Regular Title Series – (see AR 2:2-1 and 2:2-2)

   (b) Extension Title Series – (see AR 2:3)

   (c) Special Title Series – (see AR 2:4)

   (d) Research Title Series – (see AR 2:5)

   (e) Clinical Title Series – (see AR 2:6)

   (f) Librarian Title Series – (see AR 2:7)

   (g) Adjunct Title Series – (see 2:8)

   (h) Emeritus Faculty – (see sub-section III.C.4 below)

   (i) Lecturer Series – Unit criteria and evidences of activity, and procedures for appointment, reappointment, promotion, and merit review of Lecturer Series Faculty shall be developed by the faculty of those educational units that employ Lecturer Series faculty and submitted to the dean of the college for approval (see AR 2:9).

   (j) Voluntary Title Series – Criteria for academic ranks of voluntary faculty shall be developed by the faculty of those educational units that employ Voluntary Series faculty and submitted to the dean of the college for approval. (see AR 2:10).

2. In addition to the above, each unit's faculty shall develop policy statements describing the evidences of activity in instruction, research and other creative activity, and service that are appropriate to their field(s), for use in guiding evaluations for promotion and tenure. The departmental statement is operative in the unit upon approval by the dean (GR VII.A.6.c). If no such statements are approved for a unit, then only the specifications of the University-level regulations shall be used for evaluation.

C. Other Faculty Appointments

1. Joint Appointments – The constituent appointments relating to a joint appointment may be processed simultaneously or at different times; however, each appointment shall be processed independently and shall be considered on its own merits. An individual's academic rank, though usually the same, may differ in the constituent appointments (see GR X.B.1(a)(ii)).

2. Faculty Employee Assignments at the Veterans Affairs and other academically affiliated non-UK hospitals and clinics – There are occasions when a regular faculty employee may be assigned to work at the Veterans Affairs or another non-UK hospital or clinic pursuant to an academic affiliation agreement. In such cases, salaries may be paid partially or totally by the University, or reimbursed by the affiliated institution. Faculty employees so assigned shall retain all the rights and privileges of regular faculty employees as described in the Governing Regulations and Administrative Regulations and are subject to all applicable University policies and procedures. Salary funding arrangements shall be defined by contract.

3. Named Professorships – Individuals appointed to named professorships shall meet all criteria for the rank of Professor and shall have acquired national recognition for excellence in instruction, research and other creative activity, or service in their disciplines. While normally reserved for exceptional professors, a named professorship may be granted to an exceptional associate professor. Each named professorship will provide specifically identified resources for program support of a professor, and it is ordinarily expected that a significant portion of the compensation and program support allocations will come from endowment income or extramural gifts (see AR 8:4 "Policies Governing Private Funding of Academic Positions"). In exceptional circumstances (e.g., the recruitment or retention of a member of the National Academy of Science) named professorships may be submitted by the President to the Board of Trustees for approval for which funding may derive from revenue sources other than endowment income or extramural gifts.

4. Emeritus/Emerita Faculty - Upon retirement, tenured faculty members shall retain their titles with the designation of "emeritus" or "emerita" (e.g., Professor Emeritus). Faculty employees with emeritus/emerita status are entitled to the following rights and privileges: to be included in faculty lists in University bulletins and, upon request, to be provided a mailbox in the appropriate educational unit; to be assigned office and/or laboratory space and furnished supplies for creative work (upon request, subject to availability and approval of the concerned educational unit); to have faculty library privileges; to apply for research grants and publication subsidies funded by the Office of the Vice President for Research; to receive University identification cards; to receive parking privileges as specified in University parking policies; to participate, upon invitation by the respective unit faculty, as non-voting members of departmental or college faculties; to use University recreational facilities upon presentation of suitable identification; to purchase tickets to athletic events with previous priority status; to hold membership in the University of Kentucky Federal Credit Union; to make purchases at the University Bookstore at the employee discount rate; to participate in academic processions; to be appointed to represent the University at academic ceremonies at other institutions; to receive notices of University events; and to take part generally with the faculties in all social and ceremonial functions of the University.

5. Temporary Faculty Employees - An individual whose assigned duties and responsibilities should be completed within one year or less may be appointed as a faculty employee on a temporary basis. Temporary appointees are not eligible for tenure; however, time spent in a full-time faculty

appointment on a temporary basis at the University of Kentucky may be counted as a part of the individual's probationary period should the individual subsequently be appointed to a regular, full-time position in a tenure-eligible title series. Temporary faculty employees are not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs.

(a) Visiting Faculty - The designation "visiting" before an academic title indicates that the individual who holds an appointment at an academic institution or research center has been offered a temporary appointment for an academic year, semester, summer session, or other specified term not to exceed one year. The visiting title used should be appropriate to the appointee's home base academic rank (i.e., Visiting Professor, Visiting Associate Professor, Visiting Assistant Professor, or Visiting Instructor). Where the usual academic rank or title does not appear to be suitable, the title "Visiting Lecturer" shall be used. The final decision on such an appointment is made by the Provost upon recommendation of the educational unit administrator and the dean without reference to an Academic Area Advisory Committee. A visiting appointment is typically full-time, either salaried or unsalaried. The appointment is temporary, by definition, and the visitor is not eligible for faculty benefits. A visiting faculty employee with a salaried full-time appointment is not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs. Visiting faculty are not eligible for membership in the University Senate, but faculty membership, with or without voting privileges, may be extended to visiting faculty by the faculty of the educational units to which they are academically appointed. Visiting faculty are not eligible for tenure; however, time spent in a full-time appointment on a visiting basis at the University of Kentucky may be counted as a part of the individual's probationary period should the individual subsequently be appointed to a regular, full-time position in a tenure-eligible title series.

(b) Part-time Faculty - Part-time faculty employees have an official faculty appointment, receive a salary, and participate substantially, but less than full-time, in the program of an educational unit. The dean makes the final decision on appointments of part-time faculty employees at any rank. The appointment shall be for one year or other stated period not to exceed one year, subject to renewal. Appointees are not eligible for tenure, sabbatical leave, or membership in the University Senate. Appointees are not eligible for University contributions toward employee benefits, but may participate at their own expense in certain University benefit programs. Faculty membership, with or without voting privileges, may be extended to part-time faculty employees by the faculty of educational units to which they are academically appointed.

IV. The Comprehensive Tenure Review

In a comprehensive tenure review, a dossier is reviewed at multiple levels of the University (educational unit, college advisory committee and dean, academic area advisory committee and Provost), irrespective of the judgment, favorable or not, at the previous level of review. Considerable deference in tenure cases shall be shown by the Provost to the judgments emanating from the college, especially in cases where the Provost has determined that those college-level judgments (unit faculty, educational unit administrator, college advisory committee and dean) are nearly unanimous, either for or against the granting of tenure. The responsibilities of the Board of Trustees in tenure cases are codified in section X of this Administrative Regulation. The exercise of a comprehensive tenure review shall not affect a faculty person's right to appeal a tenure decision on the grounds of procedure, privilege and/or academic freedom, as provided below (see section XI.B below), or to appeal as provided in the Governing Regulations (GR I.I).

A tenure-eligible faculty employee is entitled to one (1) comprehensive tenure review, which shall be completed no later than the end of the next-to-last year of the probationary period. A comprehensive tenure review shall also be extended to a new faculty employee whose initial appointment at the academic rank of Associate Professor or Professor proposes immediate tenure. In addition, a comprehensive tenure shall be extended to a new faculty employee whose initial tenure-eligible appointment stipulates Professor (without

tenure) and whose educational unit initiates a tenure review, and not a non-renewal of appointment, in the first year of service (see section VII.A.6 below).

V. Tenure Considerations during the Terminal Contract Year

A. By waiving his or her right to a comprehensive tenure review in the next-to-last year of the probationary period (see section VII.A.4 below), a faculty employee forfeits his or her right to a comprehensive tenure review. However, the possibility of consideration for tenure during the terminal contract year, subject to the terms stated in section V.B, immediately below, is not abridged.

B. After consultation with the unit faculty, an educational unit administrator may initiate a request to the dean for tenure consideration on behalf of a faculty employee who was placed on terminal contract either after a comprehensive tenure review or after waiving his or her right to a comprehensive tenure review (see section VII.A.4 below). If the dean finds insufficient evidence to warrant a new tenure consideration, the dean shall deny the request and notify the educational unit administrator that a terminal year consideration of tenure shall not be initiated. If the dean determines that the evidence in support of a favorable tenure decision has substantially strengthened, the dean may grant the request and authorize the educational unit administrator to initiate the review.

   Once initiated, the terminal year tenure review shall be conducted in accordance with the procedural steps enumerated in sections VII-XIII below, except that the review process shall be stopped and the specified parties notified, if the dean renders a negative judgment on the tenure proposal. Prior to making his or her judgment, the dean and Provost shall obtain a written recommendation from the specified faculty advisory committee (see sections VIII.B.2 and IX.B.1 below).

VI. Tenure Review Prior to the Sixth Year

An educational unit administrator may initiate a tenure review prior to the sixth year of probationary service if, in the opinion of the tenured faculty of the educational unit and the unit administrator, the individual's record of accomplishment across all areas of assignment is commensurate with the award of tenure. (The act of soliciting letters by the educational unit administrator from reviewers external to the University shall constitute the initiation of a tenure review.) The review shall follow the policies and procedures that govern the conduct of the sixth-year (tenure) review, as delineated in Section IV above and Sections VII-XIII below. However, unlike a tenure review conducted in the sixth year of the probationary period, a tenure review initiated prior to the sixth year can be suspended by the dean. The dean shall notify in writing the educational unit administrator of his or her decision to suspend the tenure review and indicate that the individual under review shall be entitled to an ordinary reappointment review at the appropriate time in that contract period and in subsequent contract periods.

A faculty employee whose tenure review has been suspended by the dean shall not be eligible for a subsequent tenure review until the sixth year of his or her probationary period. A sixth-year comprehensive tenure review of an individual whose previous tenure review was suspended by the dean shall be conducted according to the policies and procedures delineated in Sections IV above and VII-XIII below. The educational unit administrator shall include in the sixth-year (tenure) dossier, in addition to the external letters solicited for the comprehensive tenure review itself, those evaluative letters from the previously suspended tenure review that were submitted by reviewers external to the University.

VII. Procedural Steps Occurring at the Level of the Educational Unit

A. Initiating the Review Process

1. Recommendations for appointment, reappointment, terminal reappointment, joint appointment, post-

retirement appointment, decision not to reappoint, promotion and the granting of tenure, concerning faculty of any rank or title series, shall be initiated by the educational unit administrator.

2. Reviews for reappointment or granting tenure shall be completed in time for the affected faculty employee to be notified of the result in accordance with GR X.B.1(e). Except for circumstances identified in GR X.B.1(f)(i), a faculty employee being considered for the granting of tenure shall not be asked to sign a terminal reappointment contract prior to a final decision by the Provost to disapprove tenure.

3. During the second year at the rank of Instructor, the individual shall be considered for promotion or terminal reappointment effective in the third year, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a terminal reappointment.

4. An assistant professor shall be considered for promotion and tenure no later than the next-to-last year of a probationary period, unless the individual requests in writing that such consideration not be done because of the intent to resign or willingness to accept a terminal reappointment.

5. An associate professor without tenure may be considered for tenure at any time prior to the next-to-last year of the stated probationary period. However, a tenure-eligible associate professor shall be considered for tenure no later than the next-to-last year of a probationary period, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a terminal reappointment.

6. A tenure-eligible professor shall be considered for tenure in the first half of a one-year probationary period, unless the individual requests in writing that such not be done because of the intent to resign or willingness to accept a notice of non-renewal of appointment.

B. Consultations Conducted by the Educational Unit Administrator

Individuals who have defined or assigned administrative roles and participate in the decision-making at or above the level of educational unit administrator shall not be involved as consulted faculty employees in the educational unit in which they hold an academic appointment.

C. Consultation with Applicants and New Faculty

1. Either before or at the time of interview of an individual for a faculty appointment, the educational unit administrator shall inform the individual about those parts of the Governing Regulations and the Administrative Regulations that deal with appointment, reappointment, promotion and tenure and shall provide access to these regulations as requested. At the time an appointment is offered, an individual shall be informed of the criteria for academic ranks by the educational unit administrator.

2. The educational unit administrator shall inform all new faculty employees, including temporary faculty employees, (within one month of the beginning of their employment) of the existence and locations of the following University documents: (a) the Governing Regulations; (b) the Administrative Regulations; (c) the Rules of the University Senate, in particular the Faculty Code; (d) the rules and procedures of their college; (e) the rules and procedures of their educational unit; and (f) the Student Rights and Responsibilities. Access to any of these documents shall be provided by the educational unit administrator as requested.

D. Consultation with the Faculty Candidate for Promotion or Tenure

Prior to the initiation of a recommendation concerning tenure for an individual during the next-to-last-year of a probationary period, the educational unit administrator shall consult with the faculty employee as to whether the individual waives the exercise and thereby stops the consideration. Any such waiver shall be in writing to the dean and the dean shall offer the individual a terminal reappointment. An assistant professor

or associate professor with tenure whose promotion to a higher rank has not been considered by an academic area advisory committee for a period of six years may request such consideration by September 1 of the seventh or a subsequent year. The educational unit administrator shall make the individual aware of the option to submit such a request.

E. Assembly of the Dossier

1. The educational unit administrator is responsible for the assembly of a dossier associated with a faculty personnel recommendation. The dossier is prepared from materials in the Standard Personnel File (see below) and from additional materials supplied by the educational unit administrator and faculty employee. The dossier contents necessary for most faculty personnel actions other than annual faculty performance review are specified in Appendix II (Dossier Contents.) In the preparation of a joint appointment dossier, the educational unit administrator in the secondary department shall develop the dossier for the secondary appointment.

2. All written judgments from consulted individuals shall be obtained only through the request of the educational unit administrator.

3. Pursuant to Kentucky Revised Statutes KRS 61.878(3), the written judgments of persons consulted in connection with appointments, terminal reappointments, promotions, and tenure decisions shall be handled in a confidential manner but, upon request, the candidate has the right to review all letters placed in the individual's dossier. The writers of such judgments shall be notified when their judgments are solicited that the candidate, upon his or her request, shall be granted access to all letters placed in the individual's dossier.

4. No materials will be made part of a faculty employee's dossier other than those described above and specified in Appendix II (Matrix of Dossier Contents), except with the written permission of the faculty employee under review.

F. The Standard Personnel File

1. There shall be one Standard Personnel File maintained for each faculty employee. The Standard Personnel File contains the Notice of Academic Appointment and Assignment form, curriculum vitae, the teaching credentials certification form and, if appropriate, the teaching credentials justification form, and transcripts of academic work leading to advanced degrees. This personnel file also contains many of the crucial materials, particularly evaluation materials, needed for or taken from the dossier, which are defined below. The file contains Distributions of Effort forms, correspondence between the individual and educational unit administrator concerning academic employment conditions and salary, faculty merit or other evaluation reports, evaluations prepared by committees and those of educational unit administrators, and all other professional evaluation reports. The file shall also contain materials related to responsibilities that the faculty employee has to governmental or other agencies. The file contains regularly updated assessments of effectiveness in instruction, research and other creative activity, and service.

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

3. Unsolicited materials relevant to professional function may be included in the Standard Personnel File by the educational unit administrator provided the faculty employee sees them and is offered the opportunity to document his or her response to them. The faculty employee's written responses shall be placed by the educational unit administrator in the individual's Standard Personnel File.

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

5. The Standard Personnel File may contain communications to or from the faculty employee, solicited or unsolicited letters or memos relating to professional function, which are not relevant to consideration for promotion or the granting of tenure.

G. Consultation with the Faculty in the Educational Unit

1. An educational unit administrator shall consult with appropriate faculty employees of the unit in preparing recommendations for appointments, reappointments, promotion and/or the granting of tenure, as delineated above, such consultation being in accordance with Governing Regulations section VII.B.5. See also Appendix I (Matrix of Consultations and Written Judgments).

2. The following provisions apply to the solicitation of outside letters by the educational unit administrator:

   (a) A promotion or tenure dossier shall include a minimum of six (6) letters of evaluation from qualified persons outside the University. These outside letters are crucial in promotion and tenure reviews.

   (b) The letters from outside of the University shall be obtained by the educational unit administrator directly from appropriately qualified persons selected in part from, and in part independent of, suggestions of the individual being considered for promotion or tenure.

   (c) At least four (4) of the letters from outside of the University shall come from reviewers selected by the educational unit administrator independent of the candidate for promotion or tenure.

   (d) Outside letters from scholars at research-oriented universities shall be given the most serious consideration, except in promotion and tenure reviews involving faculty employees whose assignments do not include significant research responsibilities. Where deemed appropriate by the unit administrator, letters from persons affiliated with prestigious non-academic institutes, centers or specialized schools may be used.

   (e) The letters from outside of the University shall be accompanied in a promotion and/or tenure dossier by a written statement by the educational unit administrator indicating for each letter whether or not the name of the respondent had been suggested by the individual under consideration and, if known, whether or not the respondent had been a previous faculty colleague of the individual.

3. The educational unit administrator shall notify the consulted faculty employees when the dossier is available for their review. All letters from outside of the University received shall be included in the dossier and made available to consulted faculty employees prior to their providing individual written judgments to the educational unit administrator. The consulted faculty employees shall be expected to read and consider the contents of the dossier, including the outside letters, on matters of appointment, reappointment, promotion and/or the granting of tenure, before providing individual written judgments to the educational unit administrator.

H. Recommendation of the Educational Unit Administrator to the College Dean

The educational unit administrator shall add to the dossier all written judgments received from the unit faculty, and his or her written recommendation, and forward that completed dossier to the dean. Where disagreement occurs between the educational unit administrator and the consulted educational unit faculty concerning a recommendation, the educational unit administrator shall report this difference with adequate documentation to the dean and also notify the consulted unit faculty regarding such action.

VIII. Procedural Steps Occurring at the Level of the College

A. Completeness of the Dossier

The dean shall review the dossier for completeness (see Appendix II) and procedural compliance. If the dossier is not complete or procedurally compliant, the dean shall direct the educational unit administrator to secure the missing materials or procedural compliance and, as appropriate, to allow the consulted unit faculty to examine the new materials and contribute new consultative input to the educational unit administrator or to submit new written judgments.

B. Consultation with College Advisory Committee on Appointment, Reappointment, Promotion and Tenure

1. Each college with at least two educational units (e.g., departments, schools and graduate centers) within the college shall have a college advisory committee comprised of tenured faculty members from the college faculty, excluding educational unit administrators and assistant/associate deans. The college advisory committee shall be concerned with policy matters on, and individual cases related to, faculty appointment, reappointment, promotion and the granting of tenure. Its members may be elected by the college faculty, or appointed by the dean after consultation with an appropriate faculty body of the college as documented in the College Rules. Upon prior recommendation by the college faculty and approval of the dean and the Provost, a large college comprised of multiple departments representing a diversity of academic disciplines may establish multiple college advisory committees. Such an arrangement shall be documented in the College Rules.

2. Prior to making a recommendation or decision on terminal reappointments or decisions not to reappoint, the dean shall provide the dossier to the college advisory committee, and obtain its written recommendation.

3. The dean shall also obtain a written recommendation from the college advisory committee whenever an assistant professor, associate professor, or professor is considered for promotion and/or tenure.

4. A written recommendation from the college advisory committee shall also be sought for initial appointments at the ranks of associate professor or professor.

5. A member of a college advisory committee or an academic area advisory committee shall be excluded from any participation in that committee's consideration of a recommendation initiating from the educational unit in which the faculty employee holds a primary academic appointment. He or she shall participate fully in the unit-level evaluation of those candidates. Persons shall not serve at the same time as a member of both a college advisory committee and an academic area advisory committee.

C. Actions Taken by the Dean

1. The dean of a college shall make the final University decision to approve or disapprove a recommendation for those actions specified in Appendix III (Matrix of Authority of the Dean) as being delegated to the dean's final authority. The dean shall notify the candidate in writing of the action taken, with a copy of that notification to the educational unit administrator, and as specified in Appendix III the dean shall communicate the action taken through the Provost to the President to be

reported to the Board of Trustees.

2. If a dean disapproves an educational unit administrator's recommendation for reappointment at any rank and offers a terminal reappointment instead, but the tenured members of the unit faculty reaffirm their positive judgment by majority vote and the educational unit administrator reaffirms his or her positive recommendation for reappointment, the Provost shall refer the matter to the pertinent academic area advisory committee.

3. In actions for which the dean is not delegated final approval (see Appendix III), the dean shall obtain, as appropriate, the written recommendation from the college's advisory committee, and then act upon the recommendation from the educational unit administrator. If the dean approves a positive recommendation or overturns a negative recommendation of the educational unit administrator, the dean's written recommendation and the written recommendation of the college advisory committee shall both be added to the dossier and forwarded to the Provost.

4. In cases involving a comprehensive tenure review, the dean shall first obtain the written recommendation from the college's advisory committee on the tenure recommendation ofthe educational unit administrator. The dean shall then reach a judgment on the recommendation from the educational unit administrator. Finally, the dean shall add to the dossier both the written recommendation of the college's advisory committee and the dean's written recommendation, and forward the dossier to the Provost.

IX. Procedural Steps Occurring at the Level of the Provost

A. Completeness of the Dossier

The Provost shall ensure that the dossier is complete and procedurally compliant. (Appendix II) If the dossier is not complete or if there is procedural noncompliance, the Provost shall direct the dean to secure the missing materials or the procedural compliance and, as appropriate, to allow the consulted unit faculty, the educational unit administrator, the college advisory committee, and the dean to examine the materials and contribute new consultative input or to submit new written judgments or recommendations.

B. Recommendations from Academic Area Advisory Committee

1. The Provost shall forward the dossier to the appropriate academic area advisory committee for all cases involving appointment at, or promotion to the rank of Associate Professor or Professor, or the granting of tenure. In those cases that have not received near-unanimous support from all lower-level reviewers (external letter writers, unit faculty and educational unit administrator, college advisory committee and dean) the Provost shall require a written evaluation from the academic area advisory committee. The academic area advisory committee may elect to submit to the Provost a written evaluation on any case assigned to that committee. If the Provost is inclined to render a negative judgment on a case that has received near-unanimous support from all lower-level reviewers, but which has not been recommended on by an academic area advisory committee, the Provost shall first obtain a written recommendation from an academic area advisory committee.

2. For cases in which the Provost has received a dean's recommendation for terminal reappointment of an individual, in contrast to the majority vote of the tenured faculty and educational unit administrator's concurrence for reappointment, the Provost shall refer the matter to the appropriate academic area advisory committee for an independent written evaluation. The committee in its deliberations shall address itself to the individual's scholarly potential, ability as an instructor, and other professional qualifications indicative of a probable eventual tenured appointment and shall submit a written recommendation to the Provost.

3. An academic area advisory committee may request the written advice of an ad hoc committee

(appointed by the Provost) for further evaluation before returning the dossier with the ad hoc committee's written advice, and the academic area advisory committee's written recommendation, to the Provost.

C. Actions Taken by the Provost

1. The Provost shall make the final University decision to approve or disapprove a recommendation concerning Visiting Title Series faculty and promotion to Senior Lecturer. The Provost shall communicate approval through the President to the Board of Trustees and convey the substance of his or her final action (approval or disapproval) in writing to the dean. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

2. For cases in which the Provost has received a dean's recommendation for terminal reappointment of an individual, in contrast to the majority vote of the tenured faculty and educational unit administrator's concurrence for reappointment, the Provost shall refer the matter to the pertinent academic area advisory committee and request a written recommendation. After reviewing the dean's recommendation, the material forwarded through the dean from the educational unit and the written recommendation from the academic area advisory committee, the Provost shall either approve the proposal for terminal reappointment and report the action through the President to the Board of Trustees and notify the dean in writing, or disapprove and stop the terminal reappointment proposal and notify the dean in writing of the Provost's decision for reappointment. The dean shall notify the candidate in writing of the Provost's decision, with that notification by the dean being copied to the educational unit administrator.

3. For proposals involving the consideration of initial appointment (with or without tenure), reappointment, promotion, or the granting of tenure in the terminal year of a probationary period, the Provost shall review the dossier and all recommendations and either make a positive recommendation through the President to the Board of Trustees, which shall take final action, or disapprove, stop the personnel action and notify the dean. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

4. In cases involving a comprehensive tenure review, the Provost shall first consider the written recommendation, if any, from the appropriate academic area advisory committee (see section VIII.B.1). The Provost shall then reach a judgment on the recommendation of the dean and either make a positive recommendation on the tenure case through the President to the Board of Trustees, which shall take final action, or disapprove, stop the tenure review and notify the dean. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

X. Procedural Steps Occurring at the Level of the Board of Trustees

A. The Board of Trustees shall take final action on the proposal by approving or disapproving the Provost's recommendation. The President, through the Provost, shall inform the dean in writing of the Board's action. The dean shall notify the candidate in writing with a copy of that notification to the educational unit administrator.

B. The Notice of Academic Appointment and Assignment form constitutes the official appointment record. With the exception of salary, the precise terms and conditions covering each appointment shall be stated in writing on that form. The appointment, including salary, becomes final when it is approved by or reported to the Board of Trustees.

C. Notice of reappointment for tenure-eligible faculty shall be processed in a timely manner, preferably at least three months before the renewed appointment begins. It shall be the responsibility of the Provost to ensure compliance with this regulation.

D. The ending date of the probationary period in a tenure-eligible appointment shall be set by the dean prior to signing the initial Notice of Academic Appointment and Assignment form and shall not exceed seven years from date of initial appointment, except as permitted in GR X.B.1(c). Previous full-time service with the rank of Instructor or higher at another institution of higher learning may be counted as part of the probationary period as negotiated between the appointee and the dean prior to initial appointment. Time spent in a full-time faculty appointment on a visiting or temporary basis at the University of Kentucky may be counted as a part of the individual's probationary period, as negotiated between the appointee and the dean, should the individual subsequently be appointed to a regular, full-time faculty position in a tenure-eligible title series.

XI. Procedural Steps Involving a Negative Recommendation to Reappoint, Promote, or Grant Tenure

A. Whenever a recommendation is disapproved at any level, this fact shall be reported back to the preceding level(s) and an opportunity provided for a thorough discussion of the recommendation among the concerned parties.

B. Any related formal appeal(s) to the President concerning procedural matters or privilege or to the University Senate Advisory Committee on Privilege and Tenure concerning procedural matters, privilege, or allegations of violation of academic freedom shall be initiated in writing by the faculty employee within 60 days after being notified in writing by the dean of the disapproval of the recommendation to reappointment, promote or grant tenure. When such an appeal to the University Senate Advisory Committee on Privilege and Tenure has been initiated in writing by a faculty employee, the chair of that committee shall inform the appropriate dean and Provost of that development.

XII. Final Disposition of the Dossier

At the conclusion of processes leading to negative decisions about appointments, reappointments, promotions or the granting of tenure, the dossier shall remain intact during the sixty (60) day period for filing an appeal, or, in cases where a formal appeal has been filed, until such time that a final decision has been rendered. Thereafter, the dossier shall not be retained, although all evaluative letters and reports or reviews contained in the dossier shall be added to the faculty employee's Standard Personnel File. Representative examples of research and other creative activity included in the dossier as it was developed shall be returned to the faculty member for his or her retention. The teaching portfolio, or teaching materials submitted by the faculty employee, shall also be returned to the faculty employee.

XIII. Appendices

A. Appendix I – Matrix of Consultation and Written Judgments

B. Appendix II – Dossier Contents

C. Appendix III – Matrix of Authority of the Dean

IVX. References

GR I The University of Kentucky (Definition)

GR VII University Organization

GR X Regulations Affecting Employment

AR 2:2-1 Appointment, Reappointment, Promotion, and the Granting of Tenure in the Regular Title Series (1/1/2000)

AR 2:2-2 Appointment, Reappointment, Promotion, and the Granting of Tenure in the Regular Title Series (9/20/1989)

AR 2:3 Policies and Procedures on Appointment, Promotion, Granting of Tenure, and Termination of Appointment (Appointment & Promotion Extention)

AR 2:4 Policies and Procedures on Appointment, Promotion, Granting of Tenure, and Termination of Appointment (Appointment & Promotion - Special Title Series)

AR 2:5 Policies and Procedures on Appointment, Promotion, Granting of Tenure, and Termination of Appointment (Appointment & Promotion - Research)

AR 2:6 Policies and Procedures on Appointment, Promotion, Granting of Tenure, and Termination of Appointment (Clinical Tile Series)

AR 2:7 Policies and Procedures on Appointment, Promotion, Granting of Tenure, and Termination of Appointment (Librarian)

AR 2:9 Policies and Procedures on Appointment, Promotion, Granting of Tenure, and Termination of Appointment (Lecturer)

AR 2:10 Policies and Procedures on Appointment, Promotion, Granting of Tenure, and Termination of Appointment (Voluntary)

AR 8:4 Policies Governing Private Funding of Academic Positions

Revision History

AR II-1.0-1: 3/27/91; 8/20/92; 4/30/93; 1/25/94; 11/24/95; 7/1/98; 8/18/98; 1/11/99; 7/27/00.
AR II-1.0-1, Parts I-III (now AR 2:1-1): 7/01/08; 7/01/09.

For questions, contact: Office of Legal Counsel

APPOINTMENT, REAPPOINTMENT, PROMOTION, AND THE GRANTING OF TENURE IN THE REGULAR TITLE SERIES

I. Areas of Activity

A. Four areas of activity are important in the evaluation of faculty for appointment, and promotion in the Regular Title Series: (1) instruction, including both formal classroom teaching activities and other activities that influence students' growth; (2) research or other creative activity; (3) professional status and activity; and (4) University and public service.

B. Since all appointment, reappointment, promotion, and tenure actions shall be decided on the basis of merit, the following detailed statements regarding each of these areas will serve as a guide to evaluators who review the accomplishments of a faculty employee. Additional University-level elaboration on the nature of the activities in these areas is in AR II-.1.0-1.XVI. The educational unit faculty may also develop statements describing the evidences of activity in instruction, research and service that are appropriate to their field(s) for use in guiding evaluations for promotion and tenure. If developed and approved by the educational unit faculty, those statements must be submitted by the department chair, graduate center director, school director (when the school does not contain departments), or the Dean in a college without departments or schools (referred to hereafter as the "educational unit administrator") to the dean for review and final approval before the statements are made operative in the educational unit. Revisions to an educational unit's statements, upon approval of the educational unit faculty, must also be submitted by the educational unit administrator to the dean for review and final approval. (GRVII.A.6(c))

1. Instruction and Student Relations

(a) Markedly superior teaching and advising are distinct values and shall be recognized in appointment, reappointment, promotion, and the granting of tenure. Recognition also shall be given to a faculty employee's contribution to student welfare through service on student-faculty committees or as an advisor to student organizations or other instructional activities enumerated in the Teaching Portfolio. (AR II-1.0-5, Appendix I) Teaching, advising, and other instructional activities must be documented through the Teaching Portfolio.

(b) Objective evidence of the quality of teaching shall be included in the final dossier. Such evidence shall include: evaluations by students

and, if available, graduates; and may include reports by colleagues qualified in the field, and when appropriate, the subsequent accomplishments of graduates whose major work has been supervised by the individual under consideration

(c) Colleges shall evaluate the quality as well as the quantity of academic advising done by each faculty employee. The results of this evaluation shall be considered in the annual performance review, the tenure progress reviews and in the decisions concerning reappointment, promotion, and the granting of tenure of each faculty employee.

2. Research or Other Creative Activity

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

3. Professional Status and Activity

The demonstration that the abilities of the individual under consideration are recognized outside the University by the candidate's profession is important in evaluation. Furthermore, service to one's profession is valued work. Such recognition and professional service must be weighted according to rank. Obviously, a candidate for the lowest rank will not be likely to have achieved wide professional recognition or engaged in much service to a profession. There are many ways in which extramural recognition may be evidenced and service documented, and those entrusted with evaluation will use the kind of evidences appropriate to the candidate's field. Qualitative rather than quantitative judgments are of primary importance.

4. University and Public Service

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

(b) Service to the community, state, and nation also shall be recognized as positive evidence for promotion, provided that this service emanates from the special competence of the individual in an assigned field and is an extension of the individual's role as a scholar-teacher. Patient care is recognized as a special competence in an assigned field and is an integral part of the service component. Public service unrelated to the individual's role as a scholar-teacher does not constitute evidence for appointment, reappointment, promotion, and the granting of tenure, or salary increase.

II. Balance and Intellectual Attainment

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

III. General Criteria for Ranks

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

A. Assistant Professor

To qualify for appointment, reappointment or promotion to Assistant Professor, a candidate shall hold the terminal degree appropriate to the field of assignment and present evidence of capacities for good instruction, research or other creative activity, and service and a potential for significant growth in these areas.

B Associate Professor

To qualify for appointment, reappointment or promotion to Associate Professor, a candidate must meet the qualifications of Assistant Professor and provide evidence of continuous improvement and contribution in instruction, and research or other creative activity, and service. Furthermore, the individual shall have earned some regional recognition for excellence appropriate to the field of assignment.

C. Professor

To qualify for appointment or promotion to Professor, a candidate must meet the qualifications of Associate Professor, and demonstrate that, in the opinion of colleagues, the individual is outstanding in instruction, research or other creative activity and service. In addition, the candidate will have earned national and, perhaps, international recognition in research or other creative activity. It is further stressed that this rank is recognition of attainment rather than of length of service.

IV. The September 20, 1989 revisions of this Administrative Regulation are applicable to those appointed in the Regular Title Series prior to January 2000.

APPOINTMENT, REAPPOINTMENT, PROMOTION, AND THE GRANTING OF TENURE IN THE REGULAR TITLE SERIES

I. Areas of Activity

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

Since all appointment, reappointment, promotion, and tenure actions shall be made on the basis of merit. The following detailed statements regarding each of these areas will serve as a guide for evaluating the accomplishments of a faculty member.

A. Teaching, Advising, and Other Instructional Activities

1. Teaching involves creating a learning environment, as well as transmitting, transforming and extending knowledge. Superior teaching and advising shall be recognized as integral components of the evaluation for promotion and tenure as appropriate given the faculty employee's assignment. Educational activities extend far beyond the classroom, and the University of Kentucky acknowledges the importance of educating citizens, both on and off campus, as part of its land grant mission. Recognition also shall be given to a faculty employee's contribution to student welfare through service on student-faculty committees, as an advisor to student organizations, or other instructional activities enumerated in the Teaching Portfolio (AR II-1.0-5). Teaching, advising, and other instructional activities shall be documented through the Teaching Portfolio.

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

3. Colleges shall evaluate the quality as well as the quantity of academic advising done by each faculty employee. The results of this evaluation shall be

considered in the annual performance review and in the decisions concerning retention or promotion of each faculty employee.

B. Research and Other Creative Activity

1. Faculty employees have a responsibility for the creation of knowledge. Scholarship related to research or creative endeavors shall be original, of high quality, and validated by rigorous peer review. Communication of the work's significance to the scholarly community and to the public at large is a component of the mission of the University and, therefore, its evaluation is an integral part of the promotion and tenure process. The documented quality of research and/or creative scholarship shall be an integral component of the promotion and tenure evaluation process as appropriate given the faculty employee's assignment.

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

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

C. Professional, University and Public Service

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

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

3. Citizenship activities of faculty employee's and projects unrelated to their professional roles in the University, while laudable, do not constitute evidence for academic appointment, reappointment, promotion, or the granting of tenure.

II. Balance of Intellectual Attainment

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

III. General Criteria for Ranks

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

A. Assistant Professor

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

B. Associate Professor

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

C. Professor

Appointment, reappointment, or promotion to full professor shall be made only after a candidate has met the criteria for associate professor and has demonstrated high scholarly achievements commensurate with his or her assignment in areas of: (1) teaching, advising, and other instructional activities; (2) research or other creative activity; (3) professional, university and public service. Particularly, such an appointment implies that, in the opinion of colleagues, the candidate's scholarship is excellent and, in addition, she or he has earned a high level of professional recognition.

Where appropriate, this recognition should be on a national or international level in the field of assignment. It is further emphasized that this rank is in recognition of attainment rather than length of service.

IV. Applicability

This regulation is applicable to faculty employees appointed in the Regular Title Series after December 31, 1999 and should be retained as Page V-B until V-A is no longer applicable.

APPOINTMENT, REAPPOINTMENT, PROMOTION, AND THE GRANTING OF TENURE IN THE EXTENSION TITLE SERIES

I. Introduction

The Extension Title Series consists of the following academic ranks and titles: (1) Assistant Extension Professor; (2) Associate Extension Professor; and (3) Extension Professor.

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

In matters of evaluation, the department chair, graduate center director, school director (when the school does not contain departments), or the dean in a college without departments or schools recommendation and the complete supporting dossier shall be forwarded to the dean of the college in which the individual's position is funded.

II. Criteria for Ranks

A. Assistant Extension Professor

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

B. Associate Extension Professor

In addition to meeting the criteria for Assistant Extension Professor, appointment or promotion to the rank of Associate Extension Professor shall be based on:

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

   (a) Leadership;

   (b) Participation in professional organizations;

(c) Requests to serve as consultant, advisor, or expert participant; and

(d) Recognition for outstanding service in the field of assignment.

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

(a) Development of training or extension education programs;

(b) Preparation of public information materials;

(c) Publication of useful and creative articles in appropriate professional journals;

(d) Generation and dissemination of new knowledge and data through activities such as evaluating and interpreting research and through conducting demonstrations, surveys, and other field activities; and

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

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

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

C. Extension Professor

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

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

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

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

4. Substantial achievement in the field of assignment as measured by modes of publication suitable to the individual's field and maintenance of contact with and development and application of new knowledge relevant to the individual's field.

APPOINTMENT, REAPPOINTMENT, PROMOTION, AND THE GRANTING OF TENURE IN THE SPECIAL TITLE SERIES

I. Introduction

The University requires the services of professionally competent faculty employees to meet instructional and service responsibilities in selected areas or positions in which assignments do not necessarily include research or creative work. To meet these responsibilities effectively and to be competitive in attracting and retaining needed faculty employees, a Special Title Series has been established as defined below.

II. Definition

The academic ranks and titles in the Special Title Series parallel those in the Regular Title Series (i.e., Instructor*, Assistant Professor*, Associate Professor*, and Professor*). Examples of more specific special titles are Associate Professor of Applied Music* and Assistant Professor of Medicine*. The asterisk, as a superscript immediately following a title, designates that the rank and title are associated with a position in the Special Title Series.

III. Establishment of Special Title Positions and Criteria

A new Special Title Series position shall be established as follows:

A. The faculty of the initiating educational unit shall prepare a justification for the position, a description of the position, and propose criteria for appointment, reappointment, promotion, and the granting of tenure to each of the four ranks in the Special Title Series. (GR VII.A.6(c)) Proposed criteria are not necessary if the criteria for appointment, reappointment, promotion, and the granting of tenure have been approved previously for the same type of Special Title Series position. The previously approved criteria and the approval documents shall be appended to the chair's request to the dean for approval. A statement of this action shall be included in the supporting material and the listing of proposed criteria may be omitted. The description of the Special Title Series position shall include a statement that evaluation of a faculty employee's performance should be commensurate with his or her approved distribution of effort agreement. After review and approval, the dean of the college shall forward the educational unit's recommendation and supporting material to the Provost.

B. The Provost shall, if such have not been previously approved, refer the pertinent criteria for appointment, reappointment, promotion, and the granting of tenure to the appropriate Academic Area Advisory Committee for evaluation, suggestions on any

desirable and/or necessary revision, and approval. After approval of the criteria by an Area Committee, the Provost shall approve or disapprove the educational unit's recommendation for the establishment of new Special Title Series positions.

IV. Guidelines and Procedures for Appointment, Reappointment, Promotion, and the Granting of Tenure

A. Before an individual can be appointed to a position in the Special Title Series, the position must have been approved by the Provost.

B. The Special Title Series is not intended to serve as a means for appointing and promoting individuals who are unable to qualify for appointment or promotion in the Regular Title Series because of demonstrated lack of research competence.

C. The procedures for handling recommendations for appointment, reappointment, promotion, and the granting of tenure in the Special Title Series are the same as those for processing similar recommendations related to the Regular Title Series. (AR II-1.0-1 Pages I-III) However, the pertinent special criteria associated with the approval of a Special Title Series position shall serve as guidance for evaluators in matters related to appointment, reappointment, promotion, and the granting of tenure.

V. Conditions of Employment

Employment in a Special Title Series position does not normally imply a specific responsibility to engage in research. Consequently, appointment or promotion to the rank of Associate Professor or Professor in this series does not automatically qualify an individual for membership in the Graduate Faculty. In all other respects, the conditions and benefits of employment related to appointments in the Special Title Series are the same as those related to appointments in other tenure-eligible title series.

APPOINTMENT, REAPPOINTMENT AND PROMOTION IN THE RESEARCH TITLE SERIES

I. Introduction

The University has continuously expanding requirements for scientists, specially-trained investigators, and other highly-qualified personnel to meet responsibilities in research and other creative activities, especially those responsibilities related to projects which the institution operates under contracts, grants, or other designated funds. To fulfill these requirements more effectively and to be more competitive in attracting and retaining needed professional personnel, a research title series for appointments and promotions without tenure has been established as hereafter defined and described.

II. Definition

The Research Title Series is a professorial series for appointment and promotion of appropriately qualified individuals who participate in the University's academic program but whose activities shall be limited to participation in projects which (1) involve research or other creative activity, (2) are of limited and specified duration, and (3) the institution operates under contracts, grants, or other designated funds. A faculty employee on appointment in the Research Title Series shall not have any regularly-scheduled teaching or service assignments. Interim appointment and payment of salary from funds other than those associated with contracts, grants, and other designated funds may occur, with approval of the Provost, when there is a gap of six months or less between approved contracts, grants, or other sources of designated funds. However, in such circumstances, the appointee's assignment shall be completely consistent in a general sense with the duties which the individual had and will be expected to continue under a program for research or other creative activity which is supported from contracts, grants, or other designated funds.

III. Establishment of a Position

To establish a position in the Research Title Series, the department chair, graduate center director, school director (when the school does not contain departments), or the dean in a college without departments or schools of the initiating educational unit shall (1) prepare a proposal demonstrating the need for such a position and indicate the source, amount, and term of funding for the program of research or creative activity to which the position is related, and (2) obtain approvals of the dean of the college, Vice President for Research, the Dean of the Graduate School, with final approval of the Provost.

IV. Areas of Activity

Three areas of activity are important in the evaluation of individuals for appointment, performance review, and promotion in the Research Title Series: (1) research or other creative activity; (2) professional status and activity; and (3) ability to initiate and maintain a program of research or creative activity supported by contracts, grants, or other designated funds. Guidelines relative to the first two areas of activity are described under the Regular Title Series; guidelines for the third area of activity are well-established in that the contract, grant, or other source of designated funds shall cover salaries and costs of benefits for personnel, operating expenses, equipment, and overhead.

V. Academic Ranks, Titles, and Criteria

The academic ranks and related titles in the Research Title Series shall be: (1) Assistant Research Professor; (2) Associate Research Professor; and (3) Research Professor. Although it is not feasible to specify exact criteria for evaluating the credentials of an individual for appointment or promotion to any one particular rank in the Research Title Series, the following statements are provided as guidelines.

A. Assistant Research Professor

Appointment to the rank of Assistant Research Professor shall be made when it has been determined that the individual has a current independent capability for conducting reliable research or other creative work supported through contracts, grants, or other designated funds, has a potential for significant professional growth in the field of research or creative activity, and holds the terminal academic degree appropriate to the field of assignment.

B. Associate Research Professor

Appointment or promotion to the rank of Associate Research Professor shall be made only after an indication of continuous improvement and contribution by the individual in research or other creative activity supported through contracts, grants, or other designated funds. Furthermore, the individual shall have earned some regional recognition for excellence appropriate to the field of assignment.

C. Research Professor

Appointment or promotion to the rank of Research Professor is an indication that, in the opinions of colleagues and administrators, the individual is outstanding in research or other creative activity supported through contracts, grants, or other designated funds and has earned national and, perhaps, international recognition. It should be further emphasized that this rank is a recognition of attainment rather than years of experience or length of appointment.

VI. Procedures for Appointment and Promotion

Procedures for appointment and promotion to academic ranks related to approved positions in the Research Title Series are the same as those for the regular title series. (AR II-1.0-1, Pages I-III)

VII. Terms of Appointment

A. An Assistant Research Professor shall be appointed for a specific term not to exceed three years or, if for a lesser period of time, the period of funding from the contract, grant, or other designated funds. An Associate Research Professor or a Research Professor shall be appointed for a specific term not to exceed five years or, if for a lesser period of time, the period of funding from the contract, grant, or other designated funds. A faculty employee may be reappointed in the Research Title Series for one or more additional terms, contingent upon continuity of funding and the individual's accomplishments.

B. The procedure by which an appointee in the Research Title Series may be proposed, recommended, and approved for membership in the Graduate Faculty is the same as that for an appointee in the regular title series. If an appointee in the Research Title Series is approved for membership, the individual's participation as a member of the Graduate Faculty shall be limited to directing graduate theses and dissertations and to serving on committees appointed by the Dean of the Graduate School.

C. If the appointment of a faculty employee is changed from the Research Title Series to the regular title series through proper administrative channels, years of service while on appointment in the Research Title Series shall be eliminated from consideration in the determination of the probationary period related to the appointment of the faculty employee in the regular title series.

VIII. Conditions of Employment

A. A faculty employee on appointment in the Research Title Series is eligible for all benefits of the Regular Title Series except tenure and sabbatical leave. University contributions toward retirement, social security, and insurance benefits for the faculty member shall be covered through the contract, grant, or other designated funds which provide support for the individual's position.

B. Faculty membership, with or without voting privileges, may be extended to an appointee in this series by the educational unit to which the individual is assigned. However, a faculty employee on appointment in the Research Title Series shall not be eligible to vote on matters relating to faculty appointment, retention, promotion, or tenure or to be elected to the University Senate.

APPOINTMENT, REAPPOINTMENT, AND PROMOTION IN THE CLINICAL TITLE SERIES
(Approved by the Board of Trustees)

I. Introduction

The University's mission involves three primary functions: instruction, research and service. In some areas, the educational experience is enhanced by having clinically competent faculty employees who are qualified to personally provide care or counseling to clients and training to students in clinical settings. To fulfill this need a Clinical Title Series for appointments, reappointments, and promotions without tenure was established by the Board of Trustees in 1986 for the health care colleges and was extended in 1995 to other colleges that have clinical disciplines. The ratio of the number of faculty appointments in the Clinical Title Series to the total number in the tenure-track title series (i.e., Regular, Special, Extension, Librarian) in a college shall not exceed 25 percent unless a specific higher ratio is approved by the Provost and the dean after a consultative vote is taken of the faculty council in the college.

II. Definition

The Clinical Title Series is a series of tenure-ineligible academic ranks and titles for appointment and promotion of qualified individuals, who participate in the University's academic programs and whose duties and responsibilities are essentially related to clinical practice, service to clients or patients, and experiential training of students of the profession. For those faculty employees appointed to Clinical Title Series positions in health care programs, the primary responsibilities are to provide patient care services, to expose students to their professional expertise, and to direct students' educational experience in the clinical settings where the faculty employee practices.

III. Establishment of a Position

To establish a position in the Clinical Title Series, the chair of the initiating educational unit shall prepare, in consultation with the unit faculty employees, a request demonstrating the need for such a position and indicating the source, amount, and term of funding for the position, and then obtain approvals of the request from the dean of the college and the Provost.

IV. Areas of Activity

A. Four areas of activity are important in the evaluation of individuals for appointment, reappointment, performance review, and promotion in the Clinical Title Series:

1. Practice or practice-relevant activities;

2. Effective clinical instruction;

3. Professional status and activity; and

4. Ability to generate practice funds, if applicable for the position and as established in the position request.

B. No University general funds shall be used to support fully or partially the workload of a faculty employee in a Clinical Title Series position, except that the Provost may approve an exception on a position-by-position basis in cases where:

1. the job assignment is inappropriate for the Regular Title Series; and

2. fees or practice funds are not collected in relation to the job activities.

V. Academic Ranks, Titles, and Criteria

A. The academic ranks and related titles in the Clinical Title Series shall be:

1. Clinical Instructor;

2. Assistant Clinical Professor;

3. Associate Clinical Professor; and

4. Clinical Professor.

B. Appointees in the Clinical Title Series shall be subject to annual performance review. All appointments, reappointments, and promotions shall be decided on the basis of merit and as evidenced in the above areas in which activity shall be regularly assigned. Evidence of professional qualifications consists of educational attainment and professional accomplishment. Evidence in the second area of activity consists primarily of effective clinical instruction. Evidence of professional status and activity emphasizes clinical recognition. Evidences for professional status and activity are described under the Regular Title Series (AR II-1.0-1.V.A.3). Although it is not feasible to specify exact criteria for evaluating the credentials of an individual for appointment, reappointment, or promotion to any one particular rank in the Clinical Title Series, the following criteria provide guidance for evaluators:

1. Clinical Instructor

In order to qualify for appointment or reappointment to Clinical Instructor, a candidate shall:

(a) hold the terminal degree or other professional certification relevant to the clinical area (the latter shall be expressly identified in the position description request);

(b) demonstrate clinical competence;

(c) hold a license to practice in the discipline; and

(d) have the potential for significant professional growth in the clinical area, and contribution in the areas of clinical and experiential practice and instruction in an experiential setting.

2. Clinical Assistant Professor

In order to qualify for appointment, reappointment, or promotion to Clinical Assistant Professor, a candidate shall meet the qualifications of Clinical Instructor, and in addition must both have a terminal degree (as determined by the profession) and provide evidence appropriate to the profession of recognition at least at the local level. The requirement for a terminal degree at the rank of Clinical Assistant Professor, for exceptional professionals with national reputations as being among the best in their fields, may be waived upon:

(a) The positive majority vote of the tenured and tenure-eligible faculty in the educational unit who are at or above the rank of Assistant Professor;

(b) The positive recommendations of the educational administrator and the dean; and,

(c) The positive recommendation of the appropriate Academic Area Advisory Committee and the approval of the Provost.

3. Clinical Associate Professor

In order to qualify for appointment, reappointment, or promotion to Clinical Associate Professor, a candidate shall meet the qualifications of Clinical Assistant Professor and have exercised substantial commitments in practice and clinical instruction. The individual appointed or promoted to this rank shall have demonstrated creative contributions to the instructional and clinical service programs of the University or comparable institution, documented with evidences

appropriate to the field of assignment. The individual also shall have earned regional recognition as a clinician.

4. Clinical Professor

In order to qualify for appointment, reappointment, or promotion to Clinical Professor, a candidate shall meet the qualifications of Clinical Associate Professor and provide evidence to demonstrate that in the opinion of colleagues and administrators the individual is an outstanding practitioner and that regional, and perhaps national, recognition has been accorded the individual and beyond that, excellence in areas of emphasis has been achieved and appropriately documented with evidences appropriate to these areas.

VI. Procedures for Appointment, Reappointment, and Promotion

A. Procedures for appointment, reappointment, and promotion to academic ranks related to approved positions in the Clinical Title Series are the same as those for the tenure-eligible title series (AR II-1.0-1), except that faculty employees of the Clinical Title Series shall be consulted on a departmental or divisional basis as appropriate about appointment, reappointment, and promotion to academic ranks equal to or below their own.

B. The procedure by which an appointee in the Clinical Title Series may be proposed, recommended, and approved for associate membership in the Graduate Faculty is the same as that for an appointee of the tenure-eligible title series [GRVII.A.3(a)]. Clinical Title Series members shall not direct graduate theses and dissertations, but they may serve on thesis and dissertation committees and such other committees as appointed by the Dean of the Graduate School.

C. If the appointment of a faculty employee is changed from the Clinical Title Series to one of the tenure-eligible title series through proper administrative channels and after following the established procedures for the tenure-eligible title series, years of service while on appointment in the Clinical Title Series shall not be considered in the determination of the probationary period related to the appointment of the faculty employee in the tenure-eligible title series.

VII. Terms of Appointment

A Clinical Instructor shall be appointed for a specific term, not to exceed three years or, if for a lesser period of time, the period of funding from clinical practice, contracts, grants, or other sources as approved above (section IV). A Clinical Assistant Professor, a Clinical Associate Professor, or a Clinical Professor shall be appointed for a term not to exceed five years or, if for a lesser period of time, the period of funding from clinical practice, contracts, grants, or other approved sources. A faculty employee may be reappointed in the Clinical Title Series for one or

more additional terms, contingent upon continuity of approved funding and the individual's performance and accomplishments.

VIII. Conditions of Employment

A. A faculty employee on appointment in the Clinical Title Series is eligible for all benefits of the Regular Title Series, except tenure and sabbatical leave. University contributions toward retirement, social security, and insurance benefits for the faculty employee shall be funded through clinical practice, contracts, grants, or other approved sources which provide support for the individual's position.

B. Faculty membership, with or without voting privileges, may be extended to an appointee in this series by the faculty employees of the educational unit to which the individual is assigned (GRVII.A.6). However, a faculty employee on appointment in the Clinical Title Series shall not be consulted about nor be eligible to vote on matters relating to faculty appointment, retention, and promotion in the tenure-eligible title series.

C. Faculty employees appointed in the Clinical Title Series shall not have regularly assigned duties in University service (see "Areas of Activity" above). However, faculty employees appointed in this title series who have been extended the privilege of membership in the college faculty body (GR VII.A.4) may be elected to serve in the University Senate. Individuals appointed in the Clinical Title Series shall not occupy more than 25 percent of the University Senate seats allocated to a college, nor be calculated as more than 25 percent of the faculty employees of a college in the apportionment of University Senate seats among the colleges.

IX. Reporting

The Office of the Provost shall maintain a record of the number of faculty employees on appointment in the Clinical Title Series for each college, including any exemptions granted pursuant to this Administrative Regulation. The Provost shall provide to the University Senate Council an annual report regarding the status (i.e., total number and exemptions per college) of faculty employees appointed in the Clinical Title Series.

APPOINTMENT, REAPPOINTMENT, PROMOTION, AND THE GRANTING OF TENURE IN THE LIBRARIAN SERIES

I. Introduction

Librarians at the University of Kentucky hold academic appointments in ranks designated as Librarian IV, Librarian III, Librarian II, and Librarian I, analogous to the academic titles of Instructor, Assistant Professor, Associate Professor, and Professor, respectively (Minutes of the Meeting of the Board of Trustees, February 11, 1966). Consequently, in addition to this section (Section X), parts of Sections II, III, XIII, and XIV and all of Section IV are applicable to librarians.

II. Requirements for Appointment and Promotion

A. Required Earned Degrees for Each Librarian

Each librarian shall have earned an A.B. or a B.S. degree, or its equivalent, and a graduate (fifth-year) degree in Library Science. Upon recommendation of the Dean of Libraries, relevant experience or a master's degree in another field may be substituted for the degree in Library Science.

B. Additional Experience Required for Rank of Librarian III

An individual appointed or promoted to the rank of Librarian III shall, in addition to the requirements in Section X.B.1, have had at least three (3) years of successful library-related experience. Upon recommendation of the Dean of Libraries, graduate study, in addition to that specified in Section X.B.1, may be substituted for part or all of the three (3) years of practical experience.

C. Additional Experience Required for Ranks of Librarian II and Librarian I

An individual appointed or promoted to the rank of Librarian II or Librarian I shall, in addition to the requirements in Section X.B.1, have had not less than five (5) years of successful library-related experience. Additional experience may be required if such training is appropriate to the individual's position. The individual also may be required to have demonstrated subject specialization and/or supervisory or administrative abilities where such abilities are appropriate. A master's or doctoral degree in a subject matter field may be taken as evidence of subject specialization.

III. Appointments

A. Appointment to the Rank of Librarian IV or Librarian III

The Dean of Libraries, acting with the approval of the Provost shall make an appointment to the rank of Librarian IV or Librarian III, subject to the requirements outlined in Section X.B (check). In making such an appointment, the Dean of Libraries shall have the same authority and responsibilities as those of a dean of a college. Approved appointments shall be communicated through the Provost to the President who reports these to the Board of Trustees.

B. Appointment to the Rank of Librarian II or Librarian I

A recommendation (with supporting dossier) for appointment to the rank of Librarian II or Librarian I shall be made to the Provost by the Dean of Libraries after consultation with appropriate librarians and administrators and, if desirable, with the College Advisory Committee. After receiving such a recommendation, the Provost shall review the supporting dossier for completeness and then obtain a related recommendation from the Librarian Series Area Committee. Additional procedural steps for handling a recommendation for appointment of a librarian at the rank of Librarian II or Librarian I are parallel to those applicable to a regular faculty member of equivalent academic rank.

IV. Promotions

A. Promotion from Librarian IV to Librarian III

An individual shall not remain at the rank of Librarian IV for more than five (5) years. If, after that period, promotion to Librarian III cannot be justified, the individual's appointment as a librarian shall not be renewed. In considering an individual for promotion to the rank of Librarian III, annual performance reviews shall be taken into account. These reviews shall have been conducted in terms of criteria appropriate to the librarian's assigned duties but with attention given to the individual's participation in professional activities and general professional development and to any research and/or publication which may have been done.

Promotion from the rank of Librarian IV to Librarian III shall be made by the Dean of Libraries. Consideration of such a promotion shall be based on consultation with appropriate librarians and administrators and made with the approval of the Provost. Approved action shall be communicated through the Provost to the President who reports it to the Board of Trustees. In case of disapproval of a proposal to promote an individual to Librarian III, the Dean of Libraries, notifies the individual of such action in writing with copies to any appropriate administrators.

B. Promotion from Librarian III to Librarian II or from Librarian II to Librarian I

Promotion from Librarian III to Librarian II or from Librarian II to Librarian I shall be based upon performance and professional development. The individual shall have achieved recognition in a mode appropriate to the individual's specialty in an assigned field. In addition to demonstrated performance and ability, the individual shall have had at least five (5) years of successful library-related experience. If tenure was not granted while on appointment as Librarian III, the individual shall be granted tenure at the time of promotion to Librarian II. In no case shall the assignment of administrative duties be a requirement for promotion to the rank of Librarian II or Librarian I.

A recommendation (with supporting dossier) for promotion from Librarian III to Librarian II or from Librarian II to Librarian I shall be made to the Provost by the Dean of Libraries after consulting with appropriate librarians and administrators and, if desirable or necessary (Section III.F.1) (check cite), with the College Advisory Committee. After receiving such a recommendation, the Provost shall review the supporting dossier for completeness and then obtain a related recommendation from the Librarian Series Area Committee. Additional procedural steps for considering and handling a recommendation for promotion from Librarian III to Librarian II or from Librarian II to Librarian I are parallel to those applicable to a regular faculty member of equivalent academic rank.

V. Reappointments, Terminal Reappointments, and Notices of Non-Renewal ofAppointment

Non-tenured appointments at the ranks of Librarian IV, Librarian III, and Librarian II shall be made on a year-to-year basis, subject to annual review. Non-tenured appointments at the rank of Librarian I shall be made for a total period not to exceed one year. Reappointments, terminal reappointments, and notices of non-renewal of appointment shall be based on results of both annual reviews and consultations with appropriate librarians and administrators. The processes for considering and handling reappointments, terminal reappointments, and notices of non-renewal of appointment for librarians are generally parallel to those applicable to regular title series faculty members of equivalent academic rank.

VI. Probationary Periods and Recommendations for Tenure

A. The total probationary period of a Librarian III shall not exceed seven (7) years, including applicable previous full-time service as a professional librarian at another institution or as a Librarian IV. A librarian with more than three (3) years of full-time experience at another institution who is appointed at the rank of Librarian IV, Librarian III, or Librarian II may be required to serve in a probationary status not to exceed four (4) years. An individual initially appointed at the rank of Librarian I may be given non-tenured status for a period not to exceed one (1) year.

B. Recommendation for tenure shall be dependent upon the quality of the individual's performance during the probationary period and the extent to which the individual has achieved recognition in a mode appropriate to the individual's specialty in an assigned field. At any time deemed appropriate during the probationary period, the

granting of tenure may be recommended to the Provost by the Dean of Libraries after consulting with appropriate librarians and administrators and with the College Advisory Committee. After receiving such a recommendation and reviewing the supporting dossier for completeness, the Provost shall obtain a related recommendation from the Librarian Series Area Committee. Additional procedural steps for considering and handling recommendations for tenure of librarians are parallel to those applicable to a regular title series faculty member of equivalent academic rank.

VII. General Considerations

A. The terms and conditions of employment, excepting salary, covering each appointment of a librarian shall be set forth in the Notice of Academic Appointment and Assignment for that individual.

B. An annual or, where appropriate, biennial review of each librarian's performance shall be conducted by the Dean of Libraries, who shall obtain a written report from the librarian's department head or supervisor. The review shall be conducted in terms of criteria appropriate to the librarian's rank, but with particular attention given to assigned duties, as well as to general professional development, participation in professional activities, and any research and/or publication which may have been done.

VIII. Conditions of Employment

A. Appointment as a librarian does not normally imply a specific major responsibility to engage in research and publication. However, a librarian is eligible to apply for research grants as a principal investigator if permitted by the granting authorities, subject to the approval of the Dean of Libraries.

B. Librarians are eligible for membership in the University Senate and for sabbatical leave in accordance with University sabbatical leave policies. Overall, librarians and regular title series faculty members are entitled to the same benefits and privileges.

APPOINTMENT, REAPPOINTMENT, AND PROMOTION IN THE ADJUNCT SERIES

I. Definition

Adjunct Title Series faculty are individuals employed by a non-University agency or by the University with primary appointments in non-faculty positions, who contribute significantly to the instructional or research missions of the University. The phrase "Adjunct Series" is used in parentheses to modify an academic rank and title, e.g., Associate Professor (Adjunct Series) or Associate Professor of Medicine (Adjunct Series).

II. Terms of Appointment

Normal periods of appointment for full-time Adjunct Series positions shall correspond to those to which the Adjunct Series designation is made. Tenure shall not be granted to appointees in the Adjunct Series. The terms of appointment shall be noted in the Notice of Academic Appointment.

III. Establishment of a Position

A. The Provost shall approve the establishment of each position to be filled by an appointment in this series, but only after the favorable recommendation of the appropriate Academic Area Advisory Committee in cases of regular, full-time adjunct positions in the University. Where appropriate, approval shall include an appraisal of the level of teaching to be performed in the position.

B. Appointments in the Adjunct Series shall be limited to those qualified individuals who do not already have a faculty appointment at the University to the extent of more than 50 percent. Full-time faculty employees at the University who seek formal academic appointment beyond their primary educational unit should consult AR II-1.0-1, Part I-III on joint appointments.

IV. Procedures and Criteria

Procedures for appointment, reappointment, and promotion to titles in the Adjunct Series are the same as those for the regular title series (AR II-1.0-1, Part I-III), except that time in rank and involvement of an Academic Area Advisory Committee are not required for appointments or reappointments. Criteria for appointment, reappointment, and promotion shall parallel those established for the academic rank and title assigned, except that appraisal of the candidate shall take into account, as appropriate, a heavier work load in assigned responsibilities. Promotion to

the Associate Professor or Professor rank in this series does not automatically qualify an individual for membership in the Graduate Faculty.

V. Conditions of Employment

An appointee in the Adjunct Series shall not be eligible for tenure, sabbatical leave, employee benefits, or election to the University Senate. However, an appointee who is a full-time employee of the University and has a primary appointment in a non-faculty position shall be entitled to employee benefits appropriate for the non-faculty position. Faculty membership, with or without voting privileges, may be extended to an appointee in the Adjunct Series by any educational unit to which the individual is assigned.

LECTURER SERIES FACULTY

I. Definition

Lecturer Series faculty are professionally qualified teachers hired for a fixed term. Lecturer Series faculty do not have the same responsibilities and professional obligations of faculty in Regular, Special, Extension or Librarian Title Series. Lecturer Series appointments shall not be made when appointment in a title series is appropriate.

II. Appointment

Lecturer Series faculty are appointed or reappointed by final action of the Provost upon recommendation of the educational unit administrator and the dean without reference to an Academic Area Advisory Committee. Initial appointments at the rank of Lecturer shall not exceed a term of one year. A faculty employee at the rank of Lecturer may be reappointed for one or more additional terms for a period of no more than two years per appointment. Senior Lecturers may be appointed to an initial term not to exceed two years and reappointed for additional terms of no more than two years per appointment. The maximum number or percentage of Lecturers in an educational unit must be based on the written approval of the tenured and tenure-track faculty of that educational unit. The assignment period for Lecturer Series faculty may be on a nine-month, ten-month, eleven-month, or twelve-month basis.

III. Non-renewal

Notification of non-renewal of appointment at the end of the first year of service shall be given no later than March 1 if the appointment expires at the end of that academic year or three months in advance if the one-year appointment terminates during the academic year. Notification of non-renewal of appointment after the first year of service shall be given at least one year before expiration of the appointment. Notification of non-renewal of appointment shall be made in writing by the dean.

IV. Criteria for Appointment, Reappointment, Promotion, and Merit Review

A. The Faculties of the educational units that employ full-time Lecturer Series faculty shall establish unit criteria and procedures for appointment, reappointment, promotion, and merit review (pursuant to GR VII.A.6). These unit criteria and procedures shall be submitted to the dean of the college for approval.

B. After a minimum of five years of continuous service as a full-time Lecturer, consideration for promotion (without tenure) from Lecturer to Senior Lecturer may occur.

The Provost makes the final decision on the promotion, without reference to an Area Committee.

V. Eligibility for Tenure, Leave, and Other Benefits

A. Lecturer Series faculty are not eligible for tenure, sabbatical leave or membership in the Graduate Faculty. Lecturers are eligible for faculty membership with voting privileges in the college faculty and the University Senate, subject to the approval of the tenured and tenure-track members of the faculty in the college to which they have been assigned. They are also eligible for faculty membership with or without voting privileges in the educational unit to which they have been assigned, subject to the approval of the tenured and tenure-track members of the faculty in that educational unit.

B. If a Lecturer is subsequently appointed in the Regular, Special, Extension or Librarian Title Series, time spent as a Lecturer shall not count toward eligibility for sabbatical leave nor as a part of the individual's probationary period.

C. Lecturers are eligible for the same University retirement, health care and life insurance plans as are Regular, Special, Extension or Librarian Title Series faculty. Similarly, temporary disability leave may be granted by the Provost.

VOLUNTARY SERIES FACULTY

I. Definition

Voluntary faculty employees have an official faculty appointment and devote part of their time to a program in an educational unit, but receive no salary. Such faculty employees usually are self-employed or hold full-time positions with other institutions and agencies. The procedures for appointment, reappointment and promotion of voluntary faculty at the various academic ranks generally parallel those for the tenure-eligible title series, except for those procedures prescribed below, and that outside letters of evaluation, faculty letters of evaluation and reference to an Area Committee are not required for appointments, reappointments, and promotions.

II. Procedures

A. An educational unit administrator will bring the name, C.V. and completed Voluntary Faculty Application form of a potential voluntary faculty employee to a regularly scheduled meeting of the unit faculty or, upon delegation by the unit faculty, a meeting of the faculty of a division within the educational unit. The educational unit administrator will propose a suitable rank for the individual under consideration. The faculty will discuss the individual's background and credentials, and will vote on the candidate's suitability for the appointment at a specific rank.

B. If three quarters majority of the educational unit faculty support the appointment, the educational unit administrator will notify the dean.

C. The dean will appoint, by letter, the individual as a Voluntary Faculty employee. The appointments will be annually renewed by the dean up to a five-year period, unless the Voluntary Faculty employee had any licensure or malpractice issue, unless the dean received an unfavorable report, or unless a majority of the voting faculty of the educational unit votes that the appointment not be renewed. The Faculty of the educational unit may at any time consider the qualifications of a Voluntary Faculty employee for promotion to higher rank. Reappointment beyond five years shall be reinitiated as described in steps 1 and 2, above.

D. The educational unit administrator will review the records and participation of the Voluntary Faculty employees on an annual basis to assess the level of involvement and any licensure or malpractice issues and will bring to the

attention of the faculty any individuals whose accomplishments merit consideration for promotion.

E. The dean will report all Voluntary Faculty appointments to the Board of Trustees at least on an annual basis.

F. In rare cases where the proposed Voluntary Faculty employee requires attending privileges at the University of Kentucky Hospital, the dean will forward the nomination to the Chief Medical Officer. The Chief Medical Officer will confirm that the individual has the appropriate credentialing and will initiate the internal process to obtain approval by the Board of Trustees.

III. Criteria for Academic Ranks

Criteria for academic ranks of Voluntary Faculty shall be approved by the Dean, acting on the recommendation of the Faculty of the initiating educational unit. Voluntary Faculty employees are not eligible for tenure, faculty benefits, and membership in the University Senate or election to the Board of Trustees. However, Faculty membership, with or without voting privileges, may be extended to Voluntary Faculty by the Faculty of the educational units to which they are assigned.

ACADEMIC AREA ADVISORY COMMITTEES

I. Introduction

This regulation establishes Academic Area Advisory Committees to provide the Provost and the President with a systematic and broad base of advice from faculty employees on matters of appointment, promotion, and tenure. The Provost shall seek the advice of an Academic Area Advisory Committee on matters involving appointment at the senior academic ranks, promotions, or the granting of tenure in accordance with the policies established in AR II-1.0-1, Parts I-III, Section V.B. Exceptions may be granted as provided below.

II. List of Academic Area Advisory Committees

A. Biological Sciences
B. Humanities and Arts
C. Physical and Engineering Sciences
D. Social Sciences
E. Health Care Clinical Sciences
F. Extension Title Series
G. Librarian Series

III. Composition of Academic Area Advisory Committees

A. The membership of each Academic Area Advisory Committee shall consist of no fewer than five members. In addition, each Area Committee shall have one alternate who, with the exception described in the next paragraph, shall be entitled to participate as a voting member at meetings when any regular member is absent and to attend any other meetings of the Area Committee as a non-participating observer.

B. Members and alternates are appointed by the President from a list of candidates provided by the Senate Council. The list shall include at least twice as many names as there are vacancies. Members and alternates shall be full professors who shall serve staggered two-year terms. The President shall designate the chair of each committee.

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

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

A. The members and alternate of an Area Committee should have a representation as broad as possible from the educational units which the Area Committee serves. No educational unit educational unit shall be represented by more than one person. Appointments as members and alternates on Area Committees shall be rotated among educational units so that over a period of years all educational units shall be represented.

B. The Health Care Clinical Sciences Academic Area Advisory Committee shall consist of ten members, three of whom shall be from the College of Medicine, two from the College of Dentistry, and one each from the Colleges of Health Sciences, Nursing, Pharmacy and Public Health and the Department of Veterinary Science.

C. Any Area Committee may recommend that the Provost appoint *ad hoc* committees to handle cases requiring additional expert advice from people well qualified in the particular discipline involved. *Ad hoc* committees will be discharged as soon as their reports are submitted to the Area Committees. The Area Committees should acknowledge the advice of any *ad hoc* committees in preparing their recommendations to the Provost.

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

A. The Academic Area Advisory committee to which the Provost shall refer a faculty personnel matter (e.g. initial appointment at the senior academic ranks, promotion, the granting of tenure or other faculty matters as specified in various Governing and Administrative Regulations) shall normally be the Area Committee associated with the concerned individual's educational unit as listed below. In a few appropriate cases, however, with prior agreement between the individual and the Provost, an evaluation and a recommendation may be obtained from an Area Committee other than the one normally associated with the educational unit to which the individual is assigned.

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

Biological Sciences
Agronomy
Anatomy and Neurobiology
Animal and Food Sciences
Anthropology (biological phase)
Molecular and Cellular Biochemistry
Biological Sciences
Biomedical Engineering
Dentistry (Oral Biology)
Entomology

Forestry
Kinesiology and Health Promotion (biological phase)
Gerontology
Horticulture
Microbiology, Immunology and Molecular Genetics
Nutrition and Food Science (biological phase)
Nutritional Sciences
Molecular and Biomedical Pharmacology
Pharmacy (Pharmaceutical Sciences)
Physiology and Biophysics
Plant and Soil Sciences
Plant Pathology
Psychology (biological phase)
Toxicology

Humanities and Arts
Architecture (art phase)
Art
Communications and Information Studies
English
Hispanic Studies
History
Human Environmental Sciences (art and design phase)
Honors
Journalism and Telecommunications
Landscape Architecture
Merchandizing Apparel and Textiles
Modern and Classical Languages, Literatures and Cultures
Music
Philosophy
Theatre

Health Care Clinical Sciences
Health Sciences
Dentistry (except Oral Biology)
Medicine
Nursing
Pharmacy (Pharmaceutical Practice)
Public Health
Veterinary Science

Physical and Engineering Sciences
Biosystems and Agricultural Engineering
Architecture (mechanical phase)
Biomedical Engineering

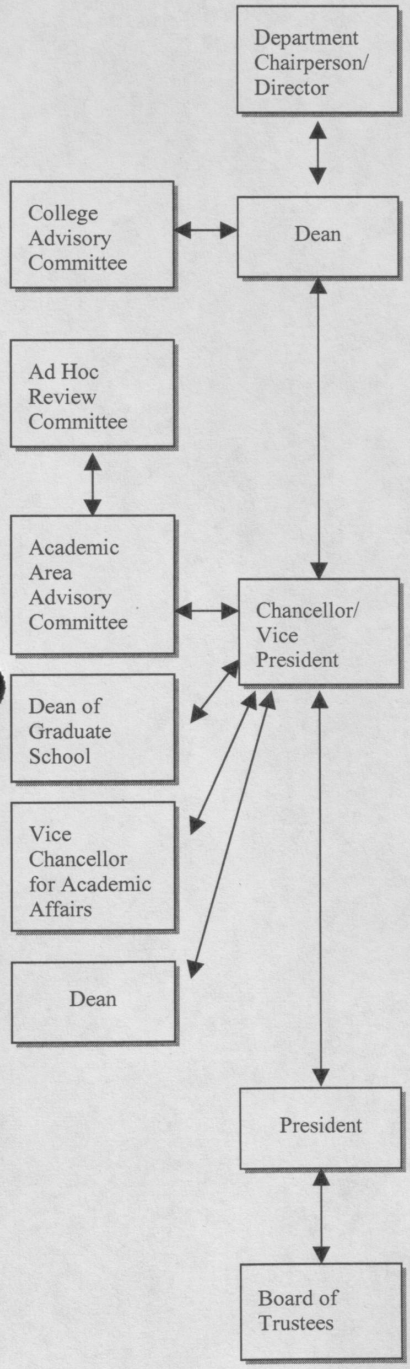
Chemical Engineering
Chemistry
Civil Engineering
Computer Science
Earth and Environmental Sciences
Electrical Engineering
Engineering Mechanics
Mathematics
Mechanical Engineering
Materials Engineering
Mining Engineering
Physics and Astronomy
Statistics

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

Extension Title Series

Librarian Series
Medical Center Library System
University Library System

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



Department Chairperson/Director

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

Dean

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

Chancellor/Vice President

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

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

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

President

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

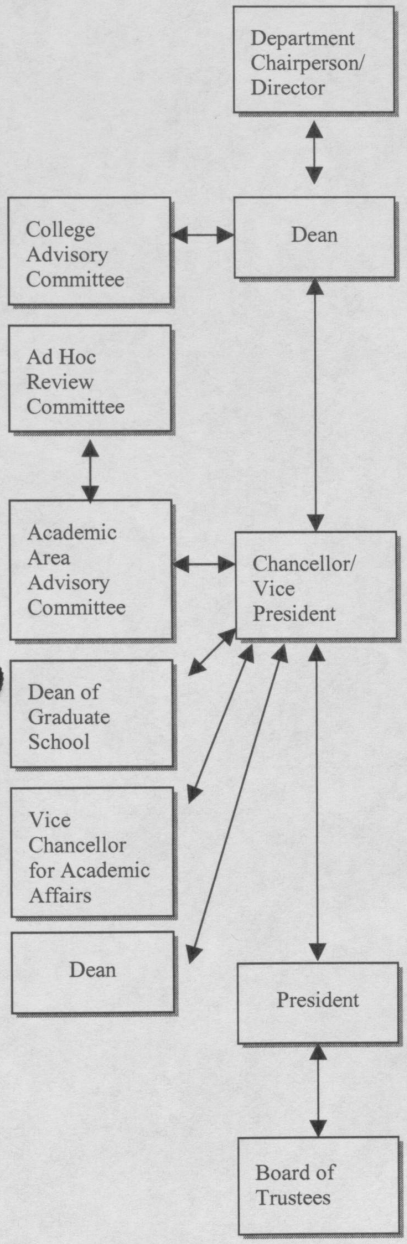
Board of Trustees

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

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

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

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



Department Chairperson/Director

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

Dean

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

Chancellor/Vice President

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

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

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

President

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

Board of Trustees

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

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

XV. Appendix I

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

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

XVI. Appendix II

Faculty Workload Policy Statement - University System (Approved by Board of Trustees)

A. Introduction

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

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

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

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

Many studies indicate that most University faculty members work an average of fifty-five hours per week. [See, for example, Harold E. Yuker, Faculty Workload: Research, Theory, and Interpretation ASHE-ERIC Higher Education Research Report No.10. (Washington,

DC:Association for the Study of Higher Education, 1984)]. The work Week includes activities in a multitude of environments such as libraries, laboratories, and formal and informal settings around the University and elsewhere. Such activities include teaching and advising, constructing and scoring examinations, reading and grading papers, mentoring graduate students, directing graduate thesis and dissertation research, administrative duties, governance work, research and creative work, keeping abreast of developments in one's professional field, and providing professional services. The faculty work year ranges from nine to twelve months. Many faculty members are not compensated for some months each year, yet they spend these months preparing new courses, in professional development, and preparing research or creative projects for publication, exhibition, or performance.

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

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

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

B. Faculty Workload

1. Teaching

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

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

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

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

2. Research and Other Creative Activity

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

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

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

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

3. Service

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

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

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

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

4. Interactions Among Teaching, Research, and Service

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

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

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

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

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

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

b. A research-only assignment equivalent to teaching twelve undergraduate credit hours in which the person would direct research activities, supervise research team members, administer grants and contracts, prepare grant proposals, and/or engage in other research activities as described in Section B (2) above, sufficient to maintain a vigorous

research program comparable to successful full-time researchers in the same or comparable fields at the best of our benchmark institutions.

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

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

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

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

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

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

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

b. Research responsibilities and/or service expectations.

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

D. Expectations and Outcomes

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

1. Expectations

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

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

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

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

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

2. Outcomes

a. On behalf of the Commonwealth of Kentucky, the University faculty aspires to accomplish a three part mission: to create knowledge through research; to preserve and disseminate knowledge through teaching; and to serve the public and academic

community through the application of learning and expertise. This workload statement seeks to achieve these ideals through the realistic management of faculty time and University resources.

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

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

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

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

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.0-2	PAGE 1
	DATE EFFECTIVE 12/9/69	SUPERSEDES REGULATION DATED

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

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

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

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

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

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

educational function and dignity of the University in accordance with its policies. Subject to this expectation and their own exercise of responsibility and discretion, faculty members, administrators, and registered student organizations are free to bring speakers to the campus of the University, providing that proper arrangements for the use of University facilities have been made.

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

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

I. Introduction

In meeting its obligations for instruction, research, and service, the University frequently enters into contractual arrangements with other entities such as the federal government, state and local governments, industry, and private foundations. University faculty and staff participate in these arrangements and University facilities are used.

The following policies and procedures shall govern all grants and contracts for sponsored projects undertaken by the University, with the following exceptions:

A. Formula grants from the U.S. Department of Agriculture to the Agricultural Experiment Station and the Agricultural Extension Services;

B. Earmarked or dedicated state taxes or appropriations;

C. Student aid funds (but not government-funded graduate fellowships, traineeships, research assistantships, etc.);

D. Contracts with third party payers for patient care and related services; and

E. Projects as approved by the President.

II. Definition of Grants and Contracts for Sponsored Projects

A. Grants and Contracts

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

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

2. Testing or evaluation of products is involved.

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

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

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

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

B. Legal and Financial Requirements

The University assumes full legal responsibility for complying with all requirements imposed by the grantor or sponsor upon acceptance of grants and contracts for sponsored projects, including a requirement for a report of expenditures or a provision for an audit.

C. Restricted Gifts

As contrasted with grants and contracts for sponsored projects, restricted gifts are available for financing current operations, but are limited by donors or other external parties to specific expenditure purposes, programs, or organizational units, and for which the donor receives no direct benefits. Policies and procedures for soliciting, receiving, recording, and acknowledging gifts are set forth in the Office of Development policy and procedures..

III. Responsibilities

A. The Vice President for Research

The responsibility for the coordination of grants and contracts procurement and management, consistent with University policies and procedures, of all sponsored projects (except those listed in Section I) is assigned to the Vice President for Research (VPR).

B. Office of Sponsored Projects Administration

The Office of Sponsored Projects Administration (OSPA), a unit in the Office of the VPR, serves both the University and the University Research Foundation

(UKRF) in the procurement, review, approval, and submission of proposals. OSPA also has responsibility for ensuring compliance with the terms and conditions of grants and contracts, excluding financial reports, and for providing general grant and contract administration with project sponsors.

C. Director of the Office of Sponsored Projects Administration

1. The Director of OSPA is delegated the responsibilities of the Office as outlined in Section V and shall, for these purposes, be responsible to the VPR.

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

3. This delegated responsibility and authority shall be performed in accordance with established policies and procedures of the University. The VPR is assigned responsibility for negotiation of Facilities and Administrative (F&A) cost rates relating to sponsored projects as calculated by the Office of the Treasurer and submitted to the cognizant federal agency and such other organizations as may be appropriate. Before finalization of F&A cost rates, the VPR shall consult with the Provost, and Executive Vice President for Finance and Administration or their designees, and obtain final approval of the Treasurer.

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

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

B. UKRF shall act as the agent for the University in contracting with entities external to the University for the conduct of research and other sponsored projects

(except for those excluded in Section I) to be carried out in whole or in part through the use of the University's facilities and personnel.

C. Preparation of annual budgets for UKRF shall be the responsibility of the Executive Director of UKRF. Prior to submission to the UKRF Board of Directors, proposed annual budgets shall be submitted to the Vice President for Planning, Budget and Policy and to the Office of the Treasurer for review.

D. UKRF shall pay to the University any and all funds received as reimbursement for F&A costs incurred in carrying out grants and contracts for sponsored projects, less the amount of approved operating expenses of UKRF.

V. Soliciting and Negotiating Grants and Contracts

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

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

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

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

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

VI. Policy and Procedures for Approval of Sponsored Projects are as follows:

A. All proposals for sponsored projects, including fixed-price agreements, shall include a complete budget reflecting full costs of the project. The principal investigator shall attach a certification that the budget represents the best estimate of full costs, including all salaries of faculty and staff applicable to the project, fringe benefits, full F&A costs, facilities requirements, supplies, equipment, etc. All costs not to be reimbursed by the sponsor shall be clearly indicated together with the internal sources of funds to cover these.

B. Chairs, center directors, college deans, and senior administrators as appropriate, shall certify that they have reviewed and approved the proposal, including the full cost budget and sources of internal funds as required to cover unreimbursed costs.

C. Awards or contracts that provide for reimbursement of full costs of the sponsored project may be accepted and approved by the Director of OSPA, under specific written delegation from the VPR.

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

E. All other awards or contracts that do not provide for reimbursement of full costs of the sponsored project may be accepted and approved by the Director of OSPA, as may be designated by the VPR.

F. Only regular, full-time UK employees are eligible to serve as principal investigators on externally funded sponsored projects. Any exception requires a justification and approval by the appropriate chair and dean. Individuals with Veterans Affairs and university joint appointments may serve as principal investigators in accordance with the policy outlined in Appendix II of this AR.

VII. Acceptance

A. Upon receipt of contractual documents for grants and contracts, OSPA staff shall review the terms of the contract and compare them with the proposal originally submitted. The contract then shall be reviewed with the principal investigator and the appropriate University administrator(s), as necessary, at which time any unusual requirements shall be discussed and specific contract requirements brought to their attention. After this review, any changes shall be negotiated with the sponsor. Significant changes in scope of work, budget, or University cost sharing shall require the concurrence of those who initially reviewed and approved the proposal under this policy. When all points of disagreement are resolved to the mutual satisfaction of all parties, the contract shall be executed on behalf of the University and UKRF by the Director of OSPA.

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

VIII. Administration of Grants and Contracts for Sponsored Projects

A. All grants and contracts involving sponsored projects shall be administered through the OSPA, unless otherwise approved by the President of the University.

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

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

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

IX. Accounting for Grants and Contracts for Sponsored Projects

The Office of the Treasurer is assigned responsibility for financial accounting, establishing accounts, processing and auditing of all business transactions, financial reporting, and billings to grantors and sponsors. Grants and contracts with federal, state government, and all other agencies shall be accounted for in UKRF.

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

A. General

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

B. Procedures

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

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

(a) The University employee shall notify and consult with the appropriate dean, director, , or that administrator's designee, and with OSPA.

(b) In consultation with the University employee, OSPA shall estimate the total direct and F&A costs of carrying out the project and shall determine the price to be quoted to the sponsor. Direct costs shall include salaries of faculty and staff working on the project, fringe benefits, and all other direct costs of executing the agreement. The F&A costs shall be based only on the total direct costs of the sponsored activity, with the exception of human clinical studies as noted in Appendix I. The amount by which the agreed-upon fixed-price exceeds the total direct and F&A costs shall be defined as "fixed-price program support residual balance".

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

C. Fixed-Price Program Support Residual Balances

1. At the completion of a sponsored project, , and upon a certification by the appropriate University unit administrator that total direct and F&A costs have been properly charged as provided herein, program support residual balances shall be transferred to a designated University unrestricted cost center. Prior to the transfer of residual balances, OSPA shall review the expenditures charged to the grant account for reasonableness in terms of the requirements of the project agreement.

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

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

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

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

APPENDIX I

FIXED-PRICE AGREEMENTS

POLICY AND PROCEDURE

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

CATEGORY I - Human Clinical Studies

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

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

At the conclusion of a human clinical study, Column B of the Budget Form mentioned above shall be completed. Based on information provided by Sponsored Projects Accounting (SPA), the OSPA shall indicate on the form actual expenditures incurred on the grant account. If applicable, the PI's department shall attach a list of other appropriate account numbers used to complete the project and the type and amount of expenditures

incurred on those accounts. Signature of the Principal Investigator (PI), shall certify that all costs have been properly charged. OSPA shall sign the form if actual expenditures are reasonable in relation to projected expenditures. If actual expenditures appear to be unreasonable, OSPA shall return the form to the PI for further explanation.

After all necessary approvals have been obtained the residual balance shall be transferred into an unrestricted cost center.

CATEGORY II - Fixed-Price Agreements

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

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

At the conclusion of the project, OSPA shall complete Column B of the Budget Form based on information furnished by SPA. If full F&A costs have been charged to the grant account, the form shall be forwarded to the PI. The PI shall sign to certify that all direct and F&A costs have been properly charged. After OSPA's review and approval the residual balance shall be transferred into an unrestricted cost center.

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

APPENDIX II

INVESTIGATORS WITH VA-UK APPOINTMENTS

POLICY AND PROCEDURE

The University has a number of faculty who have Veterans Affairs Medical Center (VAMC) and University (UK) appointments (see AR II-1.0-1, L.). The VAMC portion ranges from one-eighth to eight-eighths of the faculty member's appointment.

This Appendix provides guidance on the percentage of university effort available for funded research activities and the appropriate documentation and approval required prior to submission of a proposal.

1. Investigators holding joint VAMC and UK appointments, regardless of the percentage effort at the VAMC (i.e., up to and including eight eighths), are eligible to submit grants through UKRF, following all appropriate reviews and approvals.

2. The VAMC bases employee commitments on a 40-hour week (e.g. a $1/8^{th}$ appointment means a five hour commitment). However, this does not limit the corresponding UK appointment to the difference between 40 hours and the VAMC commitment. A work week of up to 60 hours shall be considered reasonable.

3. Prior to submitting a proposal, investigators with joint appointments must have a Memorandum of Understanding (MOU) that specifies the title of the individual's appointment, the responsibilities at both the VA and UK, and the percentage effort available for research. The MOU reflects 100% of the individual's combined VA and UK responsibilities. It must be signed by the department chair, dean and appropriate VAMC officials and must be updated at least annually. The form includes a certification that there is no possibility of dual compensation for the same work or of an actual or apparent conflict of interest regarding such work. The completed and signed form shall be kept on file in the dean's office.

A sample MOU is attached. In the sample, the investigator has a 20-hour commitment (or 4/8ths) to the VAMC and approximately 40 hours committed to UK. Ten hours of the UK appointment, or 16.7% of the combined VAMC-UK responsibilities, is designated for research activities and is available to commit to sponsored projects.

4. Faculty who have a VA appointment of less than 8/8ths shall document their university effort through the faculty effort reporting system. Faculty with 8/8ths VA appointments shall document their effort outside of the effort reporting system by way of written documentation (an information only Distribution of Effort form is appropriate for

this purpose). A copy shall be maintained in the chair's and dean's offices and a copy sent to Sponsored Projects Accounting in the Office of the Treasurer.

SAMPLE MEMORANDUM OF UNDERSTANDING

SUBJECT: Joint Appointment, University and Veterans Affairs Medical Center of Lexington and Dr. *Jane Brown, M.D.*.

The following schedule represents the distribution of total professional responsibilities for Dr. *Brown*, between the University (UK) and the Veterans Affairs Medical Center (VAMC) in Lexington, KY. The purpose of this form is to outline combined activities prior to applying for external funding through UKRF.

	VAMC		**UK**		**TOTAL**	
Official Title:	*Chief, Rheumatology*		*Associate Professor*			
	Hours/week	%	Hours/week	%	Hours/week	%
INSTRUCTION	*5*	*8.3*	*10*	*16.7*	*15*	*25*
RESEARCH	*0*	*0*	*10*	*16.7*	*10*	*16.7*
SERVICE	*0*	*0*	*0*	*0*	*0*	*0*
ADMINISTRATION	*5*	*8.3*	*5*	*8.3*	*10*	*16.7*
CLINICAL	*10*	*16.7*	*15*	*25*	*25*	*41.6*
TOTAL	***20***	***33***	***40***	***67***	***60***	***100***

It is further certified that Dr. *Brown* receives partial salaries from both the VAMC and UK and that there is no dual compensation from these two sources for the same work, nor is there an actual or apparent conflict of interest regarding such work.

Chief of Staff, VAMC
Signature and Date

Department Chair, UK
Signature and Date

Associate Chief of Staff for Research, VAMC
Signature and Date

Dean or Associate Dean, UK
Signature and Date

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

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

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

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

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

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

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

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POLICIES FOR FACULTY PERFORMANCE REVIEW

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

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

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

In the University System, the Department/Division Chair will review each faculty member and recommend an evaluation rating to the dean/community college president of the college to which the department/division is assigned. The performance of each faculty member appointed in the extension title series will be reviewed by the chairperson of the department to which the individual is assigned and the dean of the college in which the individual's position is funded, using the evaluation instrument and appeal process of the college in which the individual's position is funded. For a faculty member with a joint appointment, where the secondary appointment comprises no more than twenty percent of the faculty member's effort, the chair of the department/division in which the faculty member has a primary appointment will evaluate the performance of the faculty member, with input from the chair of the department/division in which the individual has a secondary appointment. If the secondary appointment comprises more than twenty percent of the faculty member's effort, the faculty member will be evaluated by the department/division chairs in the primary department and the secondary department.

In a Graduate Center, the Center Director will review each faculty member assigned to the center and recommend an evaluation rating to the Dean of the Graduate School. A faculty member who has a joint appointment, where the secondary appointment in a center or institute comprises no more than twenty percent of the faculty member's effort, will be reviewed by the chair of the department in which the individual has a primary appointment, with input from the director of the respective center or institute. If the secondary appointment in a center or institute comprises more than twenty percent of the faculty member's effort, then the individual will be evaluated in both the primary department and the center or institute.

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

Exceptions to these performance review policies will apply in cases of (1) tenured faculty who will retire before or at the end of the current fiscal year, and (2) non-tenured faculty whose appointments will not be renewed.

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

2. To serve this purpose, inputs from students, colleagues, and administrators are to be used. Teaching, advising, research, and service assignments must be evaluated in annual and biennial reviews and in appointment, retention, promotion, and tenure. The results of these evaluations shall be considered in the decisions concerning retention, promotion, and merit ratings of each faculty member.

The assessment of teaching shall include the results of student appraisals for at least one semester per year, peer faculty appraisals based upon review of course syllabi, course materials, text, learning exercises, exams and in class presentation where applicable, and also other relevant information. Colleges, working through appropriate University bodies, shall develop some means to evaluate the quality as well as the quantity of academic advising done by each faculty member. As this procedure is developed and implemented, the results of this evaluation shall be considered in the annual performance review. The extent and character of each faculty member's teaching and advising should be documented by a body of supporting materials regularly maintained and updated by the faculty member. For the University System, such documentation shall include a teaching portfolio as outlined in Appendix I.

3. Evaluation of Collaborative Efforts: The products of collaborative and multidisciplinary efforts in teaching, research, and service shall be evaluated. The faculty member shall document the contribution he/she has made to the collective project. The appraisal of the faculty member's effectiveness as part of the collaborative or multidisciplinary effort should include evaluation statements by the other members of the team.

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

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

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

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

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

3. A written agreement is to be developed annually between the unit administrator and the faculty member on the distribution of effort expected of the faculty member in major activities during the succeeding year. For any faculty member who is or will be associated with a multidisciplinary research center or institute, the agreement shall be consistent with the conditions of establishment of the faculty position and signed by the faculty member, director of the research center or institute, the department chairperson, and the dean. In case of lack of agreement on the distribution of effort, the next higher level of University administration will become involved in resolving any issues. In case of a significant change in the faculty member's distribution of activities during the review period, an appropriately revised agreement is to be negotiated. An individual who is hired with the prospect of becoming a tenured faculty member shall be assigned duties by the unit commensurate with making due progress toward meeting requirements for tenure. The annual performance review of each non-tenured faculty member shall include some discussion with the unit administrator of the individual's progress toward consideration for tenure in terms of the unit's expectations.

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

C. Rankings or ratings are to be used.

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

2. The rankings are to be designed to recognize both outstanding and unsatisfactory performances as well as those appraised as degrees of good or satisfactory. Each academic unit must develop a clear set of expectations for satisfactory performance linked to the distribution of effort agreement.

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

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

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

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

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

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

APPENDIX I

Teaching Portfolio
(University System)

A. Teaching Evaluation

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

The following items are required for documentation of teaching:

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

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

3. Representative course syllabi.

4. A quantitative and qualitative summary of student evaluations.

The following items are suggested but not required:

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

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

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

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

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

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

B. Advising Evaluation

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

The portfolio must include the following items:

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

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

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

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

5. Student evaluation of advising.

The following item is suggested but not required:

Evaluation of advising by unit colleagues or administrators.

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THE PLANNING, BUDGETING, AND ASSESSMENT CYCLE

Part 1. THE PLANNING, BUDGETING, AND ASSESSMENT CYCLE

I. Purpose

The purpose of this Administrative Regulation is to set forth definitions, roles and responsibilities, policies, and procedures for the Planning, Budgeting, and Assessment Cycle of the University of Kentucky.

II. Definition of the Planning, Budgeting, and Assessment Cycle

The "Planning, Budgeting, and Assessment Cycle" (the Cycle) at the University of Kentucky is the comprehensive process that integrates strategic planning, budgeting, and assessment. It is the institutional tool that allows the University to marshal its resources most effectively in support of its mission and to document success in fulfilling its mission.

III. Responsibilities

A. The Board of Trustees is responsible for approving the University Strategic Plan and the annual operating budget.

B. The President is responsible for initiating development of the University Strategic Plan and annual operating budget. The President is accountable to the Board for documenting institutional effectiveness.

C. The Provost, executive vice presidents, and others reporting directly to the President have general delegated responsibility for the Cycle at all levels of their respective educational and administrative units.

D. The deans, vice presidents, associate vice presidents, and associate/vice provosts are responsible for implementing policies and procedures of the Cycle in their respective educational and administrative units.

Part 2. STRATEGIC PLANNING

I. Purpose

The purpose of strategic planning is to identify and prioritize the actions the University and its units can take to help it best accomplish the University's goals and fulfill its mission. The University's fiscal plans and resource allocations shall be aligned with the Strategic Plan. All resource allocation and budgeting activities shall follow the methodology prescribed in Part 3 of this administrative regulation.

II. Review of the University Strategic Plan and Mission Statement

A. The University Strategic Plan and the strategic plans of its units are dynamic documents and shall be revised periodically to calibrate the course of the University and its units toward the achievement of the University's mission and vision.

B. The mission statement of the University shall be reviewed in concert with any revisions of the Strategic Plan to ensure that changes in the mission of the University are reflected in the strategic plan. Changes in the University's mission might be mandated by the Kentucky General Assembly or may be developed within the University in reaction to recognized needs. The mission statement shall be reviewed at least every five years.

III. Core Components

The University Strategic Plan and the strategic plans of the units within the University shall include the following core components:

A. mission statement;

B. goals or objectives;

C. strategies (units only); and,

D. performance indicators or measures of progress.

IV. Procedures

A. The President shall initiate the strategic planning process by appointing and charging a committee to develop an updated Strategic Plan.

B. The President shall determine the timeframe to be represented by the Strategic Plan.

C. The strategic planning process shall begin with an environmental analysis and shall also include consideration of university task force reports, long-term financial plans, and other relevant documents and studies.

D. The committee shall inform the University community throughout the planning process and shall seek input and feedback from the University community prior to finalizing the Strategic Plan.

E. Following the completion of the Strategic Plan, the committee shall make a formal presentation of the plan to the University leadership.

F. Once the Strategic Plan is accepted, the President shall present the Strategic Plan to the Board of Trustees for approval.

G. The implementation of the Strategic Plan shall include the following:

1. the assignment of responsibilities for goals and objectives of the Plan;

2. the reevaluation by units within the University of their own strategic plans to ensure alignment with the University Strategic Plan;

3. resource planning; and,

4. assessments and reports of progress toward goals on a periodic basis.

Part 3. BUDGETING

I. Introduction

This part sets forth the responsibilities, policies, and procedures for the budgeting component of the planning, budgeting, and assessment cycle. Budgeting at the University of Kentucky is a process in which the plans of the University are implemented and subsequently the goals of the University are achieved. The budget process 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, long-term financial plans, and the six-year capital plan. This part of the regulation is presented in two sections, operating and capital.

The Kentucky public postsecondary education system is required to submit an executive budget request to the Commonwealth of Kentucky by November 15 of each odd-numbered year. The Council on Postsecondary Education (CPE) works with the institutions to develop the system budget request. Based on the request approved by CPE in November, the University prepares a formal submission to CPE and the executive and legislative branches of state government. The budget request includes both operating and capital budget requests. The capital budget request is generally based on the first two-years of the six-year capital plan.

The University's annual operating and capital budget is prepared during the winter and spring and is generally presented to the Board of Trustees for approval in June. The annual operating and capital budget reflects the enacted executive budget.

II. Operating Budget

A. Definitions

1. Funding Sources

The University's budget policies and procedures and the annual operating budget cover the following major funding sources:

(a) "General" funding means state appropriations, student fees, sales and services, fund balances, and those gifts and grants, endowment incomes, investment incomes, and county appropriations that are not restricted as to purpose by a person or an agency external to the University.

(b) "Hospital" funding means income from hospital operations.

(c) "Auxiliary" funding means income generated by self-supporting operations, including the housing and dining system.

(d) "Restricted" funding means income restricted for a specific purpose by a person or an agency external to the University.

(e) "Affiliated Corporation" funding means income associated with a corporate entity which is not a public agency and which is organized pursuant to the provisions of KRS 273 over which the University 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 the University.

2. "Budget Savings" means savings that includes both salary savings and current expense savings.

3. "Salary Savings" means savings from a budgeted position as a result of:

(a) The position being vacant for a period of time;

(b) A portion of the salary cost of an incumbent being transferred to another fund source; or,

(c) A position being filled at less than the budgeted salary amount.

4. "Current Expense Savings" means savings that result from the under realization of budget expenses.

B. Policies

1. All budget matters shall follow the general organizational structure of the University. The Board of Trustees has final authority. All general, hospital, auxiliary and restricted funds are subject to this policy and shall be expended only for approved programs and objectives. No revenue shall be expended except upon the establishment of an expense authorization approved by the Board. The exception to this policy is the authorization of expenses from account assignments created as a result of a contract or grant agreement between the University and an outside party. The Board has delegated the authority to approve such agreements and authorize related expenses to the President. The President shall report the authorization of such expenses to the Board at its next regularly scheduled meeting.

2. The Vice President for Planning, Budget, and Policy 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 for the evaluation of budget implementation and achievement of program objectives. Also, the Vice President for Planning, Budget and Policy coordinates the submission of the annual operating and capital budget to the Board of Trustees and the Executive Budget Request to the Council on Postsecondary Education and the executive branch.

3. The President, Provost, and executive vice presidents are responsible for:

(a) developing strategic unit plans and managing programs subject to allocated resources in their respective areas;

(b) using assessment results in the development of plans and programs;

(c) allocating funds consistent with approved plans;

(d) operating within approved budget allocations;

(e) ensuring that expenses support established objectives;

(f) realizing estimated revenues or adjusting expenditures in order to not exceed available revenues;

(g) maintaining the integrity of revenues and expenditures by funding source;

(h) ensuring conformity with state and University rules and regulations applicable to the expenditure of funds; and,

(i) managing budget savings within their respective areas. Savings, which are nonrecurring in nature, generally shall be used for nonrecurring purposes. Savings shall be used in a manner consistent with established plans and program objectives.

4. Budget authority may be delegated to vice presidents, associate vice presidents, associate/vice provosts, deans, and directors, but the President, Provost, and executive vice presidents are ultimately responsible for their areas.

5. Funds budgeted from nonrecurring sources should be used generally for nonrecurring purposes, but may be used for recurring purposes on an interim basis with the approval of the President, Provost, or the executive vice presidents, as appropriate, and with notification of the Office of Planning, Budget, and Policy Analysis (OPBPA).

6. Overdrafts, regardless of fund source, shall be covered within each area.

7. The President, Provost, and executive vice presidents are responsible for projecting and managing fund balances generated in their respective areas.

C. Procedures

1. Executive Budget Request Calendar

The calendar for the biennial executive budget request is developed by the OPBPA. The calendar reflects the earliest possible dates for internal decisions, recognizing the scheduled actions of the Council on Postsecondary Education (CPE) and the executive and legislative branches of state government. The biennial budget request is submitted by November 15 of each odd-numbered year to CPE and the legislative and executive branches of state government. The request is based on the budget request for the public postsecondary system approved by CPE and reflects programmatic needs and contains various funding levels for operations (for example, continuation, expansion and new). The General Assembly and the Governor generally enact the biennial budget by April 15 of each even-numbered year.

2. Annual Operating Budget Calendar

The annual operating and capital budget process originates in the OPBPA. The operating budget serves as the annual financial plan for internal operations and reflects the approved budget bill. The development of the annual operating budget begins in the fall. A decision package is presented to senior leadership in the spring, which includes revenue estimates, salary proposal estimates, proposed increases in health care and fixed costs, and other expenditure budget requests. The recommended annual operating budget is presented to the Board for approval in June.

3. Revenue Generation

As part of the development of the annual budget cycle, revenue and recharge estimates are projected for all revenue-producing units. Funds allocated in the annual operating budget to the President, Provost, and executive vice presidents areas are based on estimates of revenue by source including recharges (recharges represent expenditures of one unit in support of activities of another unit). The revenue levels will be established after detailed analysis by OPBPA. Any changes during the year in the budgeted revenue amounts require submission of a revised plan of expenses. These budget revisions shall be submitted to and approved by the Board of Trustees.

4. Budget Allocations and Uses

Funds are allocated to support objectives. Funds shall be allocated to the President, Provost, and executive vice presidents according to the approved plan that is based on the budget decision package. Annual budget allocations shall reflect program and resource directives included in enacted executive branch budgets and other bills. The President, Provost, and executive vice presidents are responsible for the allocation of funds into expense categories (personal services, current expenses, and capital) in accordance with the approved plan. After review of fund allocations, OPBPA prepares the university-wide operating budget document to be submitted to the Board for approval. Individual salaries are determined according to guidelines approved by the President. The President, Provost, and executive vice presidents are responsible for ensuring that each salary authorization adheres to the approved salary guidelines. Each area is responsible for submission of the necessary documents to implement the salaries and wages according to procedures set forth by the Controller.

5. Budget Changes

Any change in the established priorities or any requested reallocation of funds that involves an alteration in priorities shall be approved in the same manner as those originally established. Requests may include the redistribution of funds or the establishment of additional expense authority and shall include a statement of the

program implication. Budgetary changes can be classified as either budget transfers or revisions:

(a) Budget Transfer - The redistribution of funds is accomplished by the use of a budget transfer document.

(b) Budget Revisions - A request to increase (or decrease) expense authority based on increased (or decreased) revenue or recharges requires a budget revision. The budget revision request shall include all pertinent information. Requests for budget revisions are evaluated by OPBPA and submitted to the Board of Trustees for approval.

6. Fund Balances.

The President, Provost, and executive vice presidents are responsible for projecting and managing fund balances generated in their respective areas. As part of the budgeting process, each area submits a plan for the use of estimated fund balances in the upcoming fiscal year. These estimated fund balance amounts are generally included in the recommended operating budget. After approval of the University's audited financial statements, OPBPA calculates the actual fund balances attributable to the over realization of budgeted revenues and the under realization of budgeted expenses for each area. If an area's actual fund balance exceeds the budgeted amount, a revised expense plan shall be submitted for consideration so as to increase the budgeted fund balance authorization.

7. Budget Implementation.

OPBPA is responsible for the implementation of the annual operating budget, as approved by the Board of Trustees.

8. Budget Evaluation.

As described in Part 4, units evaluate their effectiveness in meeting goals and objectives, including the adequacy of resources, through periodic program reviews and annual progress reports. As a result, units may request additional funding to ensure success in achieving their strategic plans. At each organizational level, unit heads should evaluate operating and capital budget requests in context of the unit's periodic program review results and annual progress reports.

III. Capital Budget

A. Definitions

Projects, equipment, information technology, and leases that shall be included in the six-year capital plan are as defined in KRS 7A.010; KRS 45.760; 164A.560; and, AR II-1.4-1.

B. Policies

1. The capital planning and budgeting process spans a two-year cycle and cumulates in the development of a six-year capital plan and a biennial capital request.

2. The six-year capital plan is submitted by April 15 of each odd-numbered year to the Council on Postsecondary Education (CPE) and the Capital Planning Advisory Board (CPAB).

3. The biennial capital request is submitted by November 15 of each odd-numbered year to CPE and the executive and legislative branches of state government. The request is based on the budget request for the public postsecondary system approved by CPE.

4. The President directs capital planning and budgeting at the University by establishing biennial priorities that support the strategic plan.

5. The Provost, executive vice presidents, and others reporting directly to the President shall, at the direction of the President, establish the university-wide priorities for the six-year capital plan and the biennial capital request.

6. The deans, vice presidents, associate vice presidents, associate/vice provosts, department chairpersons, directors, and other administrators, as appropriate, shall:

(a) engage in ongoing capital planning for their units and use these ongoing capital plans to guide the enhancement and maintenance of their facilities in support of their programs and operations; and,

(b) ensure that capital expenses are consistent with established objectives.

7. The Office of Planning, Budget and Policy Analysis shall coordinate the development and submission of the University's six-year capital plan and biennial capital request to the Board of Trustees, CPE and CPAB.

8. An institutional Capital Planning Advisory Group shall assist with the development of the capital plans and biennial capital request and shall provide technical expertise to the President. The group will work collaboratively with the

departments to ensure the development of a comprehensive six-year capital plan and biennial capital request.

9. The University's six-year capital plan shall support and be consistent with other existing plans such as the Strategic Plan, long-range financial plans, and the campus master plan.

10. Recurring expenses shall be supported by recurring revenue; therefore, all continuing costs related to capital projects such as maintenance of facilities and equipment should be included in the operating budget on a recurring basis. Before any capital projects may be initiated, the recurring costs shall be identified and adequate recurring financial support identified. Exceptions to this policy shall be approved in advance by the President, Provost, or the Executive Vice President for Finance and Administration.

C. Procedures

1. All projects in the biennial capital request shall be included in the six-year capital plan.

2. All units shall submit their capital needs for consideration every two years in accordance with the calendar and guidelines issued by OPBPA.

3. Balances remaining after plant fund accounts are closed shall be lapsed to the President, Provost, or respective executive vice president's clearing accounts or to the central clearing account, depending upon the original funding source. The President, Provost, or executive vice presidents shall have the option of reallocating balances to other approved projects or equipment items or transferring the balances to other fund groups through the budget revision request process. If the balances are to be used for physical facilities projects or equipment that has not been approved, a revised plan shall be submitted to the Executive Vice President for Finance and Administration.

4. Balances remaining from physical plant job projects under $100,000 shall lapse to the appropriate sources.

Part 4. ASSESSMENT

I. Introduction

This part sets forth the definitions, responsibilities, policies, and procedures for the assessment component of the planning, budgeting, and assessment cycle. Assessment is used to monitor the University's effectiveness in achieving its mission, vision, and goals. The University and its

units shall demonstrate an explicit use of assessment results to facilitate resource allocation and budgeting decisions in support of their strategic plans and to ensure quality enhancement.

II. Program Review

Assessment of Educational and Administrative Units Program review is the primary vehicle for assessment of educational and administrative units and for documentation of institutional effectiveness. The purpose of program review is to improve the quality and effectiveness of teaching and learning, research, public service, and operations. It does so by systematically examining missions, goals, objectives, resources, activities, processes, and outcomes of programs and services.

A. Definitions

1. "Unit" means all organizational entities that provide educational and administrative programs or services; includes colleges, departments, schools, programs, research centers and institutes (degree and non-degree granting), and program and service centers.

2. "Unit Head" means individuals who initiate program review, receive recommendations resulting from self-study and external review committees, and negotiate the implementation plan with their supervisor; includes college deans, department chairpersons, directors, and other administrators, as appropriate.

3. "Assessment" means an ongoing process through which units evaluate and monitor the effectiveness of programs and services to facilitate decision-making and quality enhancement.

4. "Institutional Research" means the collection and analysis of data on the institution's programs, resources, and processes to support effective planning, assessment, and decision-making.

B. Responsibilities

1. The President shall establish university-wide expectations for conducting program reviews and using assessment results in planning and budgeting decisions to facilitate continuous quality enhancement.

2. The President, Provost and executive vice presidents shall facilitate program reviews to ensure linkages are made between assessment results and ongoing planning and budgeting decisions.

3. The deans, vice presidents, associate vice presidents, associate and vice provosts, department chairpersons, directors, and other administrators shall carry

out program reviews for all educational and administrative units within their areas of responsibility to ensure linkages are made between assessment results and ongoing planning and budgeting decisions.

4. The Vice President for Institutional Research, Planning, and Effectiveness shall:

(a) consult with unit heads to maintain a 5-7 year program review schedule;

(b) initiate the annual program review process;

(c) ensure availability of institutional data necessary to conduct effective program reviews, based on a periodic needs assessment;

(d) make available annual training for external review committee members;

(e) submit an annual report describing the status of program reviews and annual progress reports to the President, Provost and executive vice presidents;

(f) maintain and annually evaluate an institutional research function that works to ensure timely access to accurate, consistent data;

(g) maintain and annually evaluate an assessment function that assists units in developing valid and reliable assessment methods; and

(h) serve as a central repository for program review results and annual progress reports.

D. Institutional Effectiveness Criteria

The University and each of its units shall have:

1. A mission statement that is evaluated and updated during the program review;

2. Clear, concise, measurable unit goals and objectives that are consistent with the unit mission. These statements may reflect inputs and processes, but shall reflect outcomes. The goals and objectives of academic programs, including general education, degree offerings, and certificates, shall address the quality of student learning by describing educational outcomes for students who complete the program.

3. A description of assessment methods, including the specific evaluation techniques and criteria used to determine progress; and,

4. A process to use assessment results for quality enhancement, including linkages to future planning and budgeting.

E. Program Review Components

The program review process has four components:

1. Unit self-study.

The unit shall first prepare a self-study report that covers the time since the last review (5-7 years). The nature of the unit and its programs and services or any special focus given to the program review may require additional elements in the self study; however, the self-study shall include, as appropriate:

(a) Program Documents: strategic plan (i.e. mission statement, goals and objectives, and criteria for measuring progress), organizational chart or structure, and annual progress reports since the last self-study.

(b) Resources: summary information about the adequacy of budget, facilities, equipment, personnel, including faculty and staff numbers and demographics, and support from other university units essential to effective operations, such as research, engagement, development, alumni affairs, human resources, facilities management, financial units, and information technology.

(c) Input from Affected Constituents: As appropriate, units shall collect evaluation data from faculty, staff and students who are affected by the delivery of programs and services of the unit.

(d) Adherence to Policies and Procedures: evidence of adherence to university policies and procedures. For educational units, this includes evidence of adherence to educational policies and procedures established through the faculty governance process, including consistency in applying policies related to grading, probation, and termination; evidence of adherence to procedures on faculty personnel actions and budget request preparation that are established jointly by the unit faculty and the unit head.

(e) Evaluation of Quality and Productivity: evidence of the quality of the collegial environment, including the climate for diversity, and evidence of

quality and productivity in instruction, research, public service, or operations, including, as appropriate, the quality of:

i. faculty and staff employees, communications and interactions;

ii. orientation, advising and other student services programs;

iii. student learning outcomes;

iv. customer or client satisfaction;

v. business and operating procedures;

(f) Analysis of Strengths and Recommendations for Quality Enhancement: a synthesis of self-study findings resulting in a summary of strengths and recommendations for quality enhancement.

2. External Review

This component provides an external perspective regarding the quality and effectiveness of the unit's programs, services, resources, processes, and operations. Its purpose is to assure an objective, unbiased assessment of the unit. An external review committee shall:

(a) examine the self study report;

(b) use appropriate data collection techniques that help assure objectivity to engage in additional information-seeking, as necessary;

(c) assess the validity of the conclusions reached in the self-study;

(d) identify additional strengths and recommendations for quality enhancement; and,

(e) prepare a final report.

3. Implementation Plan

The unit shall use assessment results and recommendations resulting from the self-study and the external review to develop an implementation plan (see required form at http://www.uky.edu/Assessment/prog.shtml) that sets the agenda for change and quality enhancement over the next 5-7 year cycle. The implementation plan, finalized in educational units by the approval of the unit faculty, results from deliberations among unit faculty, staff employees, and/or

students under the leadership of the unit head. Approval of the implementation plan by the unit head's supervisor signals an acknowledgement that unit needs will be given due consideration in future resource allocation decisions. It is the responsibility of the unit, however, to use the implementation plan as documentation of future plans and resource needs during appropriate times in the budgeting process. Following approval of the implementation plan, the planning, budgeting, and assessment cycle begins anew, as the unit:

(a) evaluates and revises its strategic plan;

(b) seeks funding through the annual operating budget process or from other sources; and,

(c) develops an assessment plan (see suggested form at http://www.uky.edu/Assessment/prog.shtml) for the next 5-7 year cycle

4. Annual Progress Reports

This component strengthens the link between program review and subsequent planning, budgeting, and assessment activities. Each unit shall prepare an annual progress report that:

(a) identifies goals and objectives selected for assessment during the year;

(b) describes assessment methods and criteria for success;

(c) presents results; and,

(d) uses results to formulate plans for quality enhancement.

F. Program Review Procedures

1. Schedule

In accordance with Governing Regulation IX-1, a formal, structured program review is scheduled at least once every 5-7 years. The process for scheduling program reviews shall include:

(a) Flexibility for unit heads, with input from unit faculty and staff employees, to negotiate with the President, Provost, or appropriate executive vice president at which level in the organizational structure a meaningful, effective, and efficient program review should be conducted.

(b) Notification by the Vice President for Institutional Research, Planning, and Effectiveness that the program review is about to begin. The notification shall occur approximately six months prior to appointment of the external review committee, signaling initial development of the self-study report.

(c) Opportunity to request a delay in the regularly scheduled time, not to exceed two years. The change may be requested by a majority of the faculty members of an educational unit, a majority of staff employees in an administrative unit, or an appropriate administrator. Such requests shall be in writing, include a rationale, and be approved by the President, Provost, or appropriate executive vice president.

(d) Opportunity for an off-schedule review, which may be initiated by a majority of faculty members in an educational unit, a majority of staff employees in an administrative unit, or an appropriate administrator. If the administrator to whom the unit reports disapproves of a unit request for an off-schedule review, the administrator shall provide a written explanation.

2. Type of Review

Program reviews can be either *focused* or *comprehensive*. A comprehensive review includes the entire unit and its programs and services. A focused review is a thorough study of one or more major aspects of a unit and its programs and services. The option of a focused review is dependant on a successful comprehensive review in the previous cycle.

3. Accreditation Review Substitutions

Reports from external accrediting agencies may be substituted for the program review self-study, if approved by the President, Provost or appropriate executive vice president, and the Vice President for Institutional Research, Planning, and Effectiveness has certified that appropriate critical conditions are met.

4. Preparation of the Self-Study

The unit head shall ensure broad-based involvement in the development and review of the self-study, the identification of strengths, and recommendations for quality enhancement. Upon completion, a copy of the self-study shall be forwarded to the appropriate administrator (see process flowchart and timeline at http://www.uky.edu/Assessment/prog.shtml).

5. Appointment of the External Review Committee

(a) For educational units, after consultation with the unit head, the administrator to whom the unit head reports shall appoint and charge an ad hoc External Review Committee (see process flowchart and timeline at http://www.uky.edu/Assessment/prog.shtml) consisting of six to eight members. The administrator also designates an experienced External Review Committee Chair, who should be external to the University, if possible. Additionally:

i. The college dean shall appoint review committees for academic departments after consultation with the elected college faculty council, or other appropriate college body as identified in the college faculty rules.

ii. The Provost shall consult with the University Senate Council to seek nominations prior to appointment of review committees for colleges.

iii. The appropriate dean(s) shall also be consulted prior to appointment of the review committee for colleges.

iv. The review committee for educational units shall be composed primarily of faculty members external to the unit, two of whom shall be faculty members in the same discipline or college and who are external to the University. The requirement for two committee members external to the University may be relaxed for units visited by an onsite committee in order to obtain external accreditation.

v. One or two unit representatives shall be appointed to support the external review committee. These representatives shall participate in an ex officio capacity, facilitating work of the external review committee through provision of information about the internal self-study and other relevant documentation requested by the external review committee.

vi. The committee shall include student representation, if appropriate, and may include alumni and practicing professionals.

vii. The review committee for multidisciplinary research centers and institutes shall include faculty members in the field and shall include at least one researcher knowledgeable in the field from outside the University.

(b) For administrative units, the administrator to whom the unit head reports shall appoint the external review committee and an appropriate Chair after consultation with the unit head:

i. The President, Provost, or appropriate executive vice president may be consulted in these appointments.

ii. The review committee shall be composed of faculty, staff employees, or students from outside the unit being reviewed and shall represent the stakeholders and constituencies affected by the programs and services of the unit.

iii. One or two members of the self-study committee shall be appointed to support the external review committee. These representatives shall participate in an ex officio capacity, facilitating work of the external review committee through provision of information about the internal self-study and other relevant documentation requested by the external review committee.

7. Distribution and Use of External Review Findings

Upon completion of the external review committee's investigation (see process flowchart and timeline at http://www.uky.edu/Assessment/prog.shtml), the review committee should meet with the unit and its leadership to discuss preliminary findings, after which the review committee shall complete a written report and forward it to the next level of administration. Upon receipt of the external review committee report, the administrator to whom the unit head reports shall:

(a) review the report for factual errors and other sensitive information;

(b) eliminate material clearly invasive of personal privacy and which may be libelous;

(c) meet with the unit head to discuss the review findings and all recommendations;

(d) make the report available to faculty, staff employees, and students and widely communicate information about access to the report among these groups;

(e) work cooperatively with the unit head and unit members to address issues and recommendations;

(f) approve an implementation plan developed by the unit; and,

(g) forward the implementation plan to the appropriate administrator(s) for consideration in budgetary decision-making.

III. Review of Chief Administrative Officers of The University

This part sets forth definitions, policies, and procedures to ensure a comprehensive, useful review of Chief Administrative Officers of the University.

A. Purpose

The major purposes of the review of chief administrative officers are to enhance leadership effectiveness and provide accountability in ensuring fidelity to the University's vision, mission, and values. Other purposes of the review are to promote a climate of cooperation among faculty and staff employees and their respective administrative officers; maximize effectiveness of the unit's execution of its responsibilities; and provide feedback for performance assessment and continuous improvement. Chief administrative officers reviewed under this administrative regulation are exempt from regular Performance Evaluation (PE) procedures conducted by Human Resources. The review of directors and chairs of educational units shall be exercised as provided by GR VII.B.3 and GR IX.3. Some portions of the reviews resulting from this regulation will not be disclosed pursuant to the open records law exception and AG Open Records Decision 99-ORD-137 In re: William C. Jacobs/University of Kentucky.

B. Definition of Chief Administrative Officer (CAO)

For the purposes of this regulation, "Chief Administrative Officers" at the University of Kentucky shall include the following positions:

1. President (who is evaluated by the Board of Trustees in accordance with the Governing Regulations)

2. Provost

3. Executive Vice President

4. Dean

5. Vice President

6. Associate/Vice Provost

7. Unit heads of the following: Alumni Association, Athletics, Controller, Treasurer, University Hospital, Human Resources, and Physical Plant.

8. Other unit heads as designated by the President, Provost, or executive vice presidents. In making decisions regarding the inclusion or exclusion of unit heads, the following criteria shall apply:

(a) level and scope of institutional responsibility and impact; and,

(b) unit size in terms of budget and/or personnel.

C. Types of Review

Three distinct types of review shall be used to assess leadership performance: annual, formative, and summative. When any two occur within the same fiscal year, the annual review becomes a component of the formative or summative reviews.

1. Annual Review

(a) The annual review shall be conducted for all CAOs listed in II above, except the President who is evaluated by the Board of Trustees.

(b) The primary purpose of the annual review is to provide input that will guide compensation decisions, identify areas of strength, and build on opportunities for improvement, both individually and at the unit level. By January 31 of the fiscal year, each chief administrative officer and the officer's supervisor shall have a formally scheduled interview focusing explicitly on the systematic review and assessment of the officer's job performance as it relates to the unit's progress in the previous fiscal year. The discussion shall focus on:

i. the officer's written annual report of progress in meeting previously determined measurable goals or objectives and highlights of the unit's accomplishments (officers who assume their responsibilities during the course of the fiscal year may be exempt from this component);

ii. unit plans and goals for the upcoming year; and.

iii. an assessment of leadership, management, and administrative skills, including strengths and opportunities for improvement.

2. Formative Review

(a) A formative review shall be conducted for the Provost, executive vice presidents, deans, vice presidents, and associate/vice provosts. It shall be optional for other unit heads designated as chief administrative officers.

(b) The primary purpose of the formative review is developmental. The formative review shall be a one-time occurrence carried out in the first three months of the third year in office. The supervisor of a chief administrative officer shall conduct an evaluation survey to provide the officer with constructive feedback on performance and to aid in improving leadership and administrative skills.

(c) The performance criteria shall be those delineated below in Section IV. The survey shall seek feedback from all affected constituencies, such as direct reports, faculty, staff employees, peers, students, and others external to the University, as appropriate.

(d) The Office of Institutional Research, Planning, and Effectiveness shall maintain a schedule of formative reviews, notify supervisors of upcoming reviews, and provide support for the process to ensure consistency across all units.

(e) The formative review shall culminate with a summary dialog between the officer and the officer's supervisor, identification of strengths and opportunities for improvement, and a plan of action for performance improvement.

3. Summative Review

(a) A summative review shall be conducted for the Provost, executive vice presidents, and deans.

(b) The purpose of the summative review is to provide input for establishing future performance goals and expectations and for making compensation and employment decisions.

(c) The summative review of deans shall occur at least every five years, beginning three years after the one-time formative review, or at an intervening occasion as might be initiated pursuant to the majority vote of the College Faculty (GR IX.3). Such a vote shall be coordinated by an elected representative body of that Faculty.

(d) The summative review of the Provost and executive vice presidents shall occur at least every five years, beginning three years after the one-time formative review, or at an intervening occasion as might be initiated

pursuant to the majority vote of the Faculty, in the case of the Provost, or the staff employees, in the case of executive vice presidents (GR IX.3). Such a vote shall be coordinated by an elected representative body of the Faculty or staff employees.

(e) The Office of Institutional Research, Planning, and Effectiveness shall maintain a schedule of summative reviews, notify supervisors of upcoming reviews, and provide support for the process to ensure consistency across all units.

(f) The summative review shall consist of the following:

i. a written self-assessment of performance, including measurable goals or objectives that emerged from strategic planning activities and previous reviews, prepared by the officer and submitted to the officer's supervisor;

ii. an evaluation survey adopted by the University, after consultation with the University Senate and Staff Senate, as appropriate, and affected officers, to solicit feedback from all affected constituencies, such as direct reports, faculty, staff employees, peers, students, and others external to the University;

iii. appointment of at least a five-person review committee by the officer's supervisor in consultation with the officer and with representation from affected constituencies, such as direct reports, faculty, staff employees, peers, students, and others external to the University. For educational units and academic administrators, the officer's supervisor shall appoint at least one review committee member from nominations to be provided by the University Senate. For administrative units, the officer's supervisor shall appoint at least one review committee member from nominations to be provided by the Staff Senate. As appropriate, a student representative may also be appointed from nominations to be provided by the Student Government Association. The Office of Institutional Research, Planning and Effectiveness shall provide training to review committee members to ensure appropriate coordination, standardization, and confidentiality of the review process;

iv. analysis by the review committee of the officer's self-assessment and the results of the evaluation survey; collection of additional information as deemed necessary by the committee,

including both quantitative and qualitative input from sources internal and external to the unit, as appropriate;

v. preparation by the review committee of a performance report to be submitted to the officer's supervisor and to include strengths and opportunities for improvement in specific areas;

vi. discussion of the self-assessment and performance report between the officer and the officer's supervisor and development of a summary report and plan for continuous improvement; and

vii. dissemination of the summary report and improvement plan to the faculty/staff of the CAO's domain.

D. Leadership and Administrative Skills Performance Criteria

The following criteria shall guide the assessment of CAO performance in all reviews. The Office of Institutional Research, Planning and Effectiveness shall maintain an inventory of evaluation survey items related to the criteria that includes a set of items common to all CAOs and additional items specific to CAO positions. The CAO and the CAO's supervisor may also agree upon additional, more specialized criteria and items targeting a unit's particular functions or a CAO's unique duties. Criteria for demonstrating leadership and administrative skills include, but are not limited to:

1. Leadership

(a) Developing and specifying goals, objectives and key indicators to align with the university-wide strategic plan;

(b) Implementing unit plans and strategies for achieving unit goals and objectives;

(c) Promoting innovative and creative approaches;

(d) Building and maintaining support for unit goals and objectives;

(e) Engaging in regular, evidence-based evaluations of unit performance;

(f) Establishing and maintaining open lines of communication;

(g) Representing unit strengths, achievements and needs in the wider university community and beyond;

(h) Establishing an environment of openness, accessibility, consensus-building and collegiality within the unit; and,

(i) Requiring strict, unit-wide adherence to all university anti-discrimination policies.

2. Personnel Management and Development

(a) Ensuring a work environment characterized by respect, dignity and fairness for all personnel;

(b) Recruiting and retaining the best-qualified individuals;

(c) Ensuring the unit contributes to the fulfillment and sustainability of university diversity goals;

(d) Supporting the on-going development of all unit personnel;

(e) Setting high expectations and acknowledging and rewarding demonstrated excellence;

(f) Ensuring evidence-based assessment of personnel performance;

(g) Making appropriate personnel decisions based on performance assessment results;

(h) Implementing a systematic review of current and future key positions and identifying and developing potential candidates to fill vacancies that occur; and

(i) Ensuring consistent, unit-wide compliance with all human resource policies and procedures.

3. Organizational Management

(a) Ensuring collaborative, evidence-based and timely decision making throughout the unit;

(b) Advocating for the unit in university budget and resource development/allocation processes;

(c) Ensuring consistent and timely unit compliance with all University reporting and other administrative/business requirements, policies and procedures;

(d) Allocating unit resources in support of unit goals, objectives and priorities;

(e) Engaging in and encouraging efforts to obtain external resources in support of unit goals and priorities; and

(f) Ensuring all levels within the unit are well-informed about issues, priorities, and expectations of the wider university community.

E. Accountability

The Office of Institutional Research, Planning, and Effectiveness shall maintain a web-based schedule of formative and summative reviews along with a status report on each review scheduled in any given year. The Vice President shall submit an annual report describing the status of each formative or summative review scheduled for the year to the President, Provost and executive vice presidents.

References: KRS 7A.010; KRS 164A.560; GR Part IX; GR Part II.A.6(g)

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	DATE EFFECTIVE 7/01/08	SUPERSEDES REGULATION DATED 9/5/84, 1/30/87

POLICIES RELATIVE TO TEACHING AND RESEARCH ASSISTANTS

I. Introduction

This regulation establishes policies and procedures relative to teaching and research assistants in the University. For additional policies relative to international teaching assistants see also *Administrative Regulation II-1.0-9*: Policies on International Teaching Assistants.

II. Policies and Procedures

A. Teaching assistants shall be carefully supervised and guided in their duties and responsibilities. An experienced teacher in the educational unit shall provide this service. If necessary and available, funds should be designated specifically for the supervision of basic courses to which teaching assistants are assigned.

B. Teaching and research assistants are full-time graduate students** and should be assigned responsibility requiring no more than fifty (50) percent of their time. Normally for teaching assistants, this would mean service for not more than an average of twenty (20) hours per week including time spent in preparation, classroom and laboratory teaching, grading papers, counseling students, or in any combination of those activities in which teachers are customarily engaged. The responsibilities of research assistants will vary with the fraction of time for which they are employed, but normally a one-half time appointment should require no more than twenty hours per week of assignable duties.

** Full-time graduate students are graduate students with a course load of nine (9) or more credit hours per semester during an academic year or six (6) hours during a summer session.

C. Teaching and research assistants who are candidates for a Master's degree shall serve no more than a maximum of three (3) years without completion of their degree requirements.

D. Teaching and research assistants who are doctoral students shall serve no more than five (5) years without successfully completing their qualifying examinations.

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

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

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

III. Appointment, Reappointment, Non-reappointment and Evaluation

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

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

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

D. In no case shall an appointment of a graduate or teaching assistant be terminated before the end of the period of appointment without the individual's being provided with an opportunity to be heard before the University Senate Advisory Committee on Privilege and Tenure. A graduate or teaching assistant, who has established a prima facie case to the satisfaction of the committee that a consideration violative of academic freedom significantly contributed to the individual's non-reappointment, shall be given a statement of reasons by those responsible for the non-reappointment and an opportunity to be heard by a University Senate Hearing Committee (Privilege and Tenure).

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	DATE EFFECTIVE 12/10/85	SUPERSEDES REGULATION DATED 1/5/78

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

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

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

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

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

1. To recommend possible candidates for the position;

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

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

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

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

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

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

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	DATE EFFECTIVE 7/30/90	SUPERSEDES REGULATION DATED 1/30/87

POLICIES ON INTERNATIONAL TEACHING ASSISTANTS*

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

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

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

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

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

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

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

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

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

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

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

I. Students not approved for initial or renewed teaching assignments for the following year shall be informed by their educational units of such action by March 1. Students not

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

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

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

L. The ITA orientation program shall include components of:

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

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

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

M. Each educational unit using ITAs shall:

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

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

3. Evaluate the performance of ITAs; and

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

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

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	DATE EFFECTIVE 7/21/94	SUPERSEDES REGULATION DATED

STATEMENT FOR RECRUITMENT AND SELECTION OF FACULTY

The University is a land grant institution with a three fold mission of instruction, research and service. It serves students and scholars across the Commonwealth of Kentucky and beyond its borders. The academic units, faculties, programs and students are heterogeneous. The aim of the University is to recruit and select outstanding faculty members.

Each educational unit of the University before selecting a faculty member must assure that:

1) a vacant position is identified and authorized subject to availability of funds.

2) the position is described, including minimum requirements.

3) the position is announced/advertised.

4) a screening process to select one or more finalists is utilized.

5) for finalists, employment and personal history inquiries are conducted.

6) one or more finalists are interviewed.

7) a recommendation for appointment is made, or, in the event that no recommendation is made, the search is re-opened or terminated.

8) the candidate selected is offered the position.

Applicable University Governing and Administrative Regulations for appointments must be followed.

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	DATE EFFECTIVE 12/16/00	SUPERSEDES REGULATION DATED

TENURED FACULTY REVIEW AND DEVELOPMENT POLICY

This policy is designed to provide definitive guidance to units in supporting tenured faculty to increase their productivity and to identify and address problems in performance.

This policy builds on the current system for conducting regular performance or "merit" reviews, as defined in AR II-1.0-5, of tenured faculty for purposes of salary increases. It requires the following:

A Consequential Review process must be instituted for any faculty member receiving successive unsatisfactory performance or "merit" reviews in a "significant area of work". For the purposes of this policy, a significant area of work is defined as a Distribution of Effort Agreement greater than 20% in the areas of instruction, research or service. The review is summative in nature and requires a plan to improve performance within a specified period.

Upon recommendation of the department chairperson and approval of the dean, a faculty member subject to evaluation under this plan may be exempted if there are extenuating circumstances (such as health problems). A decision by the chairperson not to recommend such exemption may be appealed to the Dean. A Consequential Review will not be undertaken until the final disposition of any appeal.

The Dean shall notify the faculty member and department chairperson of the initiation of a Consequential Review process and of the procedures of the review.

For a faculty member selected for Consequential Review, the department chairperson shall prepare a review dossier in consultation with the faculty member. The faculty member has the right and obligation to provide for the review dossier all the documents, materials, and statements he or she believes to be relevant and necessary for the review, and all materials submitted shall be included in the dossier. Ordinarily, such a dossier would include at least the following: an up-to-date vita, a teaching portfolio, and a statement on current research or creative work. The chairperson shall add to the dossier any further materials (prior evaluations, other documents, etc.) he or she deems relevant, in every case providing the faculty member with a copy of each item added. The faculty member shall have the right to add any material, including statements and additional documents, at any time during the review process.

The Consequential Review will be conducted by the department chairperson, or at the request of the faculty member by a three-member ad hoc committee consisting of tenured faculty members including one member selected by the Dean, one member chosen by the faculty member, one member selected by the college faculty.

It is not the purpose of the Consequential Review to evaluate the performance of the faculty member but rather to develop a plan to remedy the deficiencies indicated in the performance reviews. It is the responsibility of the department chairperson to recommend the plan that has been developed to the Dean for approval and to monitor the implementation of the plan approved by the Dean. Ideally, the plan should grow out of an iterative collaboration among the faculty member, department chairperson and Dean. The review should be completed within 60 days of notification of the initiation of the review.

It is the faculty member's obligation to assist in the development of a meaningful and effective plan and to make a good faith effort to implement the plan once it is adopted. In the event that the faculty member objects to the terms of the plan, the faculty member may appeal to the appropriate Chancellor. Once the appeal has been resolved, the resulting plan will be implemented.

The plan must:

1) Identify the specific deficiencies to be addressed
2) Define specific goals or outcomes that are needed to remedy the deficiencies
3) Outline the activities that are to be undertaken to achieve the needed outcomes
4) Set timelines for accomplishing the activities and achieving the outcomes
5) Indicate the criteria for annual progress reviews
6) Identify the level and source of any funding which may be required to implement the development plan.

The faculty member and his or her department chairperson should meet each semester to review the faculty member's progress towards remedying the deficiencies. A progress report will be forwarded to the Dean.

Further evaluation of the faculty member within the regular faculty performance evaluation processes of the University may draw upon the faculty member's progress in achieving the goals set out in the plan.

When the objectives of the plan have been met, or in any case no later than three years after the start of the plan, a final report will be prepared by the department chairperson and given to the faculty member. The faculty member will be provided an opportunity to comment on the report if he or she wishes. The faculty member's input will become part of the report submitted to the Dean. If the chairperson states that the objectives of the plan have not been fully met and the faculty member disagrees, the three-member ad hoc committee of tenured faculty members involved in the development of the plan shall be reconvened. If a person who was part of that three-member ad hoc committee is no longer available to serve, his or her successor shall be chosen in the same manner as the original person was chosen. The three-member ad hoc committee will then meet and prepare a report for the Dean. Both the chairperson's report and

the report of the three-member ad hoc committee shall be forwarded to the dean, together with any written comments that the faculty member wishes to add, for the dean's final decision.

In those cases where serious deficiencies continue to exist after the Consequential Review plans are completed, dismissal for cause procedures may be initiated.

Each academic unit may create a process for a Developmental Review of tenured faculty, consistent with criteria in AR II-1.0-1, that includes setting individual faculty goals in collaboration with unit chairpersons, deans, and senior faculty colleagues. These reviews should be incorporated into the current performance review process for tenured faculty to minimize administrative burden.

Each chancellor and dean shall develop a process for allocating additional funds as appropriate to provide necessary support for faculty members undertaking a Consequential or Developmental Review.

Each dean shall prepare annually a summary report on cases resulting from the implementation of the Tenured Faculty Review and Development Policy in that college and transmit the report to the chancellor.

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	DATE EFFECTIVE 2/25/99	SUPERSEDES REGULATION DATED 1/8/90, 8/20/92

CONSULTING AND OTHER OVERLOAD EMPLOYMENT

I. Faculty Consulting and Other Overload Employment Outside the University

A. University Policy

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

With appropriate prior administrative approval, a faculty member employed on a full time 9, 10, 11 or 12 month basis may render professional consulting services in the public interest to an individual association, governmental agency, business, or others. Such consulting activities, whether compensated or not, however, should not interfere with the fundamental responsibility of a faculty member to meet regularly assigned duties and obligations to teaching, research and service, including being regularly available to students and colleagues, which are normally expected of a full-time faculty member and for which the faculty member receives compensation from the University. The dean or president of a college, with the approval of the chancellor/vice president of the affected chancellor/vice president sector, has the authority to limit external consulting and other overload employment for faculty in that college to less than the maximum extent when such limitation is necessary to meet the college's commitments to instruction, research, and service.

At all times while on full-time or part-time appointment, during either an assignment period or a non-assignment period, faculty members must avoid any situations in which their involvement may actually conflict, or appear to conflict, with their University duties and responsibilities. While it is not possible to anticipate every factual situation which might give rise to a conflict of interest, such a conflict of interest does arise within the meaning of this regulation when a faculty member represents the legal interests of another party against the University or when a faculty member engages in litigation on behalf of another party against the University. A conflict of interest also may arise in a case of a potentially patentable invention or discovery (see AR II-1.1-3 for a statement of the University's intellectual properties policy and guidelines for determining the interests of the University and a member of its staff). Interpretations as to conflicts of interest in particular factual situations are to be made by the President of the University with the proviso that an adverse decision can be appealed to the Hearing Committee of the Board of Trustees.

"The above principles apply to all faculty members during the period of their active full-time employment by the University. Any non-assignment period during May 16-August 15 is/are excluded for those faculty members employed on a nine-month (academic year) assignment basis. Similarly, any non-assignment period is excluded for faculty members on a ten-month or eleven-month assignment basis. Additionally, any authorized annual leave or vacation period is excluded for those faculty members employed on a nine month (academic year) assignment basis. The assignment period will determine the number of days that a faculty member may consult (See section B III). Regardless of the assignment period, faculty who plan to consult or to undertake employment outside the University must complete Form F (illustrated at the end of this administrative regulation). Form F must be completed before a faculty member undertakes any consulting or outside employment. The information provided by the faculty member on Form F will be evaluated to ensure that there are no actual or potential conflicts of interest during the nine-month, ten-month, eleven-month, or twelve-month assignment period and also during any non-assignment period, authorized leave, or vacation period. Professional services covered under University-enacted professional service plans are excluded from this approval process."

B. Approval Procedure

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

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

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

In cases where urgency can be demonstrated relative to the consideration of proposals for consulting and other overload employment, chairpersons of departments and divisions and deans and the President of Lexington Community College should be sensitive and responsive to the need for prompt action. In such a case, upon receipt of the faculty member's proposal and the department or division chairperson's recommendation, the dean or president of the college shall approve or disapprove the proposal and report the resulting action to the faculty member, department or division chairperson, and chancellor/vice president of the sector.

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

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

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

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

The following professional activities are subject to the guidelines in Section I.A. but are excluded from the approval requirements in Section I.A. and discussed in this section so long as any such activity occurs on not more than four separate occasions per year and does not result in compensation in excess of one thousand dollars ($1,000) per occasion:

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

2. Occasional lectures or seminars at other institutions;

3. Occasional telephone or office consultation; and

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

Faculty members engaged in consulting and other overload employment activities must assure that they do not have a conflict of interest (See AR II-4.0-4) and that they adhere to the policy on Ethical Standards and Misconduct in Research (GR - X) and (AR II-4.0-2).

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

The University recognizes that there are occasional circumstances when a faculty member may be the most appropriate person to undertake University assignments which are beyond the scope of that individual's normal departmental, college, and University-wide responsibilities. Examples include the conducting of continuing education classes, the grading of correspondence courses, and participating in various types of sponsored activities for which the basic responsibility lies outside the faculty member's educational unit. Reasonable compensation above the individual's regular University contract shall be negotiated between the Dean and faculty member and approved by the Chancellor/Vice President. The local nature of the circumstances, the relative closeness of participants, the potential impingement on the individual's regular duties, market factors, and the potential for conflicts of interest shall be considered.

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

Internal Overload Limits				
	9 month assignment	10 month assignment	11 month assignment	12 month assignment
Pier diem compensation shall not exceed	1/195	1/217	1/238	1/260
Total internal overload compensation shall not exceed	39/195	39/217	43/238	48/260

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

If an internal overload assignment is to be compensated from sponsored project funds, the faculty member's proposal for overload employment shall be forwarded sequentially to the department or division chairperson, dean or president of the college, principal investigator for

the sponsored project, and the Director of the Office of Sponsored Projects Administration for recommendations on approval prior to final action by the chancellor/vice president of the affected sector. In accordance with OMB Circular A-21, Cost Principles for Educational Institutions, sections J.8.d(1) entitled salary rates for Academic Year, and J.8.d.(2)(a) entitled Periods of Outside the Academic Year, in no event will charges to sponsored agreements irrespective of the basis of computation, exceed the proportionate share of the base salary for that period.

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

Limits on Overall Combination of Consulting and other Overload During a Regular Assignment Period				
	9 month assignment (No vacation allowance and covers period August 16 - May 15)	10 month assignment (1 month vacation allowance)	11 month assignment (1 month vacation allowance)	12 month assignment (1 month vacation allowance)
Maximum days for consulting and overload	39 days	39 days	43 days	48 days

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

A faculty member regularly employed full-time on a ten-month assignment basis, which includes a one-month vacation allowance, may be permitted to engage in external consulting and/or other overload employment to a maximum extent of 39 days during a regular assignment period.

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

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

A faculty member regularly employed on a nine-month, ten-month, or eleven-month assignment basis may be permitted to engage in part-time or full-time University employment during a period not included in a regular assignment period. Employment during an interim period between regular assignment periods shall not be considered as internal overload employment but shall be subject to established guidelines and constraints (see AR II-1.1-7).

With appropriate prior approval, a faculty member regularly employed on an assignment basis of less than twelve months may engage in external overload activities up to an average of one day per week while on full-time University summer assignment.

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

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

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

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

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

2. The assignment normally is outside the organizational unit(s) in which the employee is regularly assigned. An exception to this guideline however occurs when an exempt employee teaches a University of Kentucky course for academic credit within the organizational unit to which the employee is regularly assigned. All other exceptions to this guideline will require prior approval of both Human Resources and the appropriate Executive

Vice President/Provost or designee in order to ensure that the assignment is clearly beyond the scope of the employee's regular job responsibilities.

3. The assignment normally should occur outside usual working hours. If the assignment occurs during usual working hours, the exempt staff employee shall work with his or her supervisor to adjust the usual working hours to make up the time. Also, a staff employee shall not teach more than one course during usual working hours.

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

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

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

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

The total compensation an employee receives under this policy during a fiscal year, excluding services covered by a fee schedule for purposes of teaching a course, generally should not exceed 20% of the employee's basic annual salary for that year. All exceptions to this guideline will require prior approval of both Human Resources and the appropriate Executive Vice President/Provost or designee.

Non-exempt staff employees are not eligible for overloads.

FACULTY SALARY CONVERSION RELATED TO CHANGE IN ASSIGNMENT PERIOD

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

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

FACULTY SALARY CONVERSION TABLE

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

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

Designations

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

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

I. PREAMBLE

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

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

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

II. OBJECTIVES OF THE POLICY

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

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

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

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

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

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

III. COVERAGE AND DEFINITION

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

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

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

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

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

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

IV. GENERAL POLICY

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

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

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

C. Rights to intellectual property resulting from sponsored projects shall be owned and controlled by the University. In some instances, the provision of substantial funding, background information, product samples, or confidential proprietary data by a sponsor may

create a situation in which the sponsor may claim partial or complete ownership of intellectual property that might result from the sponsored project. In such cases, final disposition of the property may be negotiated as a part of the sponsored project agreement.

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

V. ADMINISTRATIVE PROCEDURES

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

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

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

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

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

F. In some instances the IPC may find that the University has an ownership right in the discovery but that the discovery has not been developed to the point where a decision as to patentability or commercialization is possible. In such cases, the IPC shall place the discovery in a pending status, provide the originator reasons for taking such action and suggestions as to

additional information or data that might be helpful, and request the originator to report back to the IPC at some specified interval if and when the discovery is brought to a more advanced stage.

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

H. Because UKRF is the designated agent for the University in the management of the intellectual property program, it shall receive by assignment ownership rights from the originator. The Vice President for Research and Graduate Studies will have the responsibility for valuing the intellectual property so that the University's interests in any subsequent negotiations are protected. The process for licensing, selling, or otherwise conveying intellectual property will not involve the use of sealed bids. With close consultation and collaboration with the originator, UKRF shall determine the appropriate method of protection of the property and, where appropriate, obtain such protection. The Vice President for Research and Graduate Studies will, having independently determined the value of the intellectual property, permit Kentucky Technology, Inc. (KTI) to commercialize this property as described in Section VI. In those cases where KTI does not execute its right of first refusal as described in Section VI, UKRF will license, sell, or otherwise convey the intellectual property. UKRF will distribute any net income from commercialization in accord with this policy and the determinations of the IPC. All costs associated with these actions shall be borne by UKRF, except that such costs shall be offset against future income in accord with Section VII.C.

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

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

VI. COMMERCIALIZATION

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

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

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

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

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

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

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

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

F. In some situations it may be in the best interests of the University, the general public, and the originator to enter into commercialization arrangements with entities wholly or partially owned or controlled by the faculty, staff, or students who originated the property. Due to the potential of such arrangements for contributing to the economic development of the state and local areas, such arrangements may be considered and accepted, provided these are not specifically prohibited by law and that adequate provisions, including full disclosure of interests, are made to avoid or otherwise protect against conflict of interest on the part of those involved. Such negotiations for the creation of new commercial entities arising directly from the

University's intellectual property or arising from a potential collaboration between the University's faculty, staff, or students and some outside entity will be handled by KTI in those cases where KTI has executed its right of first refusal or will be handled by UKRF in those cases where KTI has declined its option.

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

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

VII. ROYALTY INCOME SHARING POLICY

A. Net income is defined as gross royalties, license fees, or other such payments received by UKRF on behalf of the originator and the University less necessary deductible costs, e.g., mailing or courier costs, interferences, licensing costs, patent enforcement, necessary travel, auditing fees, or sponsor shares. The phrase "gross royalties, license fees, or other such

payments" means agreed upon payments specified in a license or other commercialization agreement usually expressed as a percentage of sales or a fixed dollar amount per unit manufactured in return for the right to use, copy, reproduced, make, or sell an item of intellectual property or product based on such property. UKRF shall reserve the right to suspend distribution of income where there is reason to believe that substantial deductible costs will be incurred in the future. The originator shall be informed of such decisions. An annual detailed accounting of income and costs shall be made available to the originator by UKRF.

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

C. In certain University units, because of conditions of employment and the nature of work assignments, and the fact that units often assume continuing responsibilities for maintenance and periodic revision of the property, an alternate distribution of net income to employees may be appropriate. Units wherein these situations may occur should propose appropriate modifications to the distribution scale in Section VII.B. Upon approval by the President, such modifications shall be added to this policy as unit supplements. Such modifications may not increase the combined shares of the originator and the department as specified in Section VII.B., except in unusual and very specific circumstances.

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

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

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

G. Originators are encouraged to consider making a gift of all or a part of their income shares to support University research activities. Upon request by an originator, UKRF will retain all or a part of the originator's share in a separate account within UKRF for expenditure in accord with the originator's wishes. The originator may restrict such gifts to any particular

program or unit of the University including the originator's own research program. Such requests may be limited in duration to a specific time period or to some specific future event, e.g., the originator's retirement or resignation from the University, and may be cancelled or modified by the originator at any time.

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

VIII. SHARING OF RESEARCH MATERIALS

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

IX. CONSULTING AGREEMENTS

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

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

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

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

APPENDIX A

Dear _____:

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

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

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

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

Sincerely,

_____ (Signature of Researcher)

_____ (Signature of Researcher's Department Chairperson)

I accept all conditions and stipulations noted above.

_____
(printed name)

_____ _____
(signature) (date)

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UNIVERSITY OF KENTUCKY ALCOHOL POLICY

I. Policy

The University is committed to providing a healthy and safe workplace for all members of the University community. The possession and consumption of alcoholic beverages is controlled by Kentucky law, local ordinances, and University regulations. All members of the University community are expected to obey these laws and regulations.

For issues related to employee (student employees, faculty and staff) alcohol use or abuse, the applicable University policy is Human Resources Policy and Procedure Number 14.0. The policies and procedures related to student organizations and the students' use and abuse of alcohol are found in the Code of Student Conduct or applicable contracts such as housing contracts.

II. Use of Alcohol

A. Use of alcoholic beverages on University property shall not violate any law or any University regulation.

B. Alcoholic beverages are not permitted in classrooms, laboratories, and offices. Except as permitted in accordance with Sections III and IV of this policy, alcoholic beverages are not permitted in other buildings where the public has access, and 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 sections of University 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.

D. House corporations which supervise Greek chapter houses on property leased from the University shall establish house rules consistent with Kentucky law, local ordinances and University regulations and are responsible for ensuring compliance by house residents.

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

E. Registered student organizations shall 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 shall abide by University guidelines for event planning published by the Dean of Students.

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

F. Alcoholic beverages are not permitted at University athletic events, except as provided in Section III of this regulation.

G. 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.

H. Alcoholic beverages are permitted in University facilities for private events with permission of the Provost or appropriate executive vice president, provided such use does not violate any law or University regulation.

III. Serving of Alcoholic Beverages

Alcoholic beverages are permitted to be served on University property or in selected University facilities for private events with permission of the Provost or appropriate executive vice president, provided such use does not violate any law or University regulation. Written requests shall be directed to the Provost or appropriate executive vice president, with a copy sent to the Office of Legal Counsel.

A. Generally, alcoholic beverages are not served in academic facilities. For purposes of this policy, non-academic facilities include:

1. A facility leased by the University to a corporation holding a valid alcohol license, including but not limited to the Boone Center (formerly the Faculty Club) and Spindletop Hall Club.
2. Private residences such as Maxwell Place, the private homes of farm workers and managers, and residences at College of Agriculture Cooperative Extension Service off-campus property.
3. King Alumni House
4. Suites and leased spaces/facilities at Commonwealth Stadium
5. Multipurpose Room, Nutter Fieldhouse
6. UK and LFUCG Arboretum
7. Singletary Center for the Arts
8. Main Building
9. Coldstream Research Campus
10. E.S. Goodbarn

B. Events at which alcohol beverages are served shall meet the following requirements:

1. be a private event and not open to the public,
2. be an event for which tickets have been sold or invitation or membership is required,
3. be held at a designated space in one of the facilities listed above in section III. A. or inside another specifically designated and approved space, and
4. be an event where the majority of the attendees are age twenty one and above.

C. The sponsor of the event shall take affirmative steps to ensure that persons under the age of twenty one are not served alcohol.

D. A licensed business, in good standing with the Kentucky Alcohol Beverage Control Board, shall be responsible for the alcoholic beverages at the event.

E. The sponsor of the event shall present a copy of the alcohol license to the University official that is responsible for the facility.

F. The licensed business shall be insured for the event either through a rider to an existing policy or through the purchase of event insurance coverage. Such coverage shall include naming of the University as an additional insured party and shall be in an amount determined by the Executive Vice President for Finance and Administration.

G. If the sponsor of the event is an off-campus organization or business, the sponsor shall sign a statement that the University, its Board of Trustees, and the University's agents, officers, and employees shall be held harmless for any accident, death or injury to life or property that might be found attributable to the event.

IV. Sale of Alcoholic Beverages

Generally, alcoholic beverages shall not be sold, directly or indirectly, on University property. However, with permission of the Provost or the appropriate executive vice president, alcoholic beverages may be sold under limited and exceptional circumstances on University property or in certain facilities under the following conditions:

A. A request for the sale of alcoholic beverages on University property or in a University facility shall be directed to the Provost or appropriate executive vice president, with a copy sent to the Office of Legal Counsel.

B. A request is unnecessary for a facility leased to a corporation that holds a valid liquor license.

C. The location for sale of alcoholic beverages shall generally be for a facility that is considered as a non-academic facility. Non-academic facilities are those listed in Section III.A.1-10 above.

D. The sponsor of the event shall comply with Section III.B-G above.

Note: Appendix follows on next page.

Appendix

Kentucky Statutes Applicable to the Use of Alcoholic Beverages

1. It is unlawful for a retail licensee 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 aid or assist any person under 21 years of age in purchasing, or having delivered or served to him or her, any alcoholic beverages. (See KRS 244.085)

6. It is unlawful for anyone to drink or be under the influence of any alcoholic beverage in public place(s). (See KRS 525.100)

(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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This Administrative Regulation is eliminated. Its content is included in Human Resources Policy and Procedure 51. The Employee Educational Program is expanded to family members in Human Resources Policy and Procedure 51.

8/3/2007

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~~
~~3.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.~~
~~5.Read the program provisions on the reverse side of the Faculty and Staff Tuition Program Waiver Form.~~
~~7.Complete all items in section I, II and III of the Faculty and Staff Tuition Program Waiver Form.~~

9.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.
11.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.
13.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~~

~~"Course-offering institution" means the institution where an employee has enrolled to take a college credit course under the provisions of this policy.~~

~~"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.~~

~~"Institution" means a state-supported postsecondary institution as described in KRS 164.001(10).~~

~~"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.~~

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

~~"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~~

~~The program is to be titled the Faculty and Staff Tuition Waiver Program.~~

~~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.~~

~~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.~~

~~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.~~

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

~~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.~~

~~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.~~

~~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.~~

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

~~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.~~

~~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.~~

~~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~~

~~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.~~

~~If employment is terminated prior to the first day of classes, an approved tuition waiver will be canceled.~~

~~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.~~

~~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)~~

~~AR II-1.1-5 – 101~~

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POLICY STATEMENT AND ADVISORY COMMITTEE ON NAMING UNIVERSITY PROPERTY

I. Introduction

Naming new University structures, properties, or portions thereof, e.g., playing fields, rooms, and plazas, (hereafter "property") and changing the names of existing property, whether on the main campus or elsewhere, is of interest to the entire University community. An appropriate name accounts for present and possible future uses of the property, and reflects functions performed and interests served by the property. This regulation establishes the methods and standards for appropriately naming University properties. The purpose of this regulation is to:

A. Aid the President and the Board of Trustees in selecting suitable names;

B. Encourage participation in the naming process by the University community, faculty, staff, alumni, trustees, and friends;

C. Set forth the guidelines for naming University property; and

D. Establish the Advisory Committee on Naming University Property.

II. Advisory Committee on Naming University Property

A. Responsibilities

1. The Committee shall solicit, receive, and consider proposed names for University properties, in accordance with the guidelines and procedures outlined herein.

2. The Committee shall provide advice to the President and the Board of Trustees in matters related to naming University property.

B. Membership

1. The Committee is appointed by the President, who also designates the chair and ex officio members of the Committee.

2. Committee membership shall be comprised of individuals from the faculty and staff who shall have staggered three-year appointments.

C. Procedures

1. All nominations shall be submitted to the chair of the Committee, together with a statement indicating the suitability of the proposed name in accordance with the guidelines and procedures outlined herein.

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. The Committee shall forward specific recommendations regarding names for University property to the Provost or appropriate executive vice president, who subsequently shall make recommendations to the President.

4. The President, or the chair of the Committee through the President, shall seek the approval of the Board for any naming of a major property (e.g. a new building with a name other than functional, or an athletic facility or stadium), or when the naming involves an individual with particular significance to the University, or whenever the President otherwise deems it to be in the best interest of the University for the Board to approve the name.

5. All nominations shall be held in the strictest confidence by all interested parties.

III. General Guidelines

In recommending names for University property, the Committee shall consider the following criteria:

A. All University property which is dedicated to highly specialized uses that prevent its conversion to other functions, such as the Hospital, residence halls, and athletic facilities, shall carry as part of its name terms which describe its specialized use. However, changes to the property's function may necessitate changes to the property's name. Functionally descriptive names may also be given to general purpose property.

B. 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". Such property shall be given names that carry some general significance for the University as a whole, e.g. Memorial Coliseum.

C. Service structures should carry functionally descriptive names in addition to any other name given.

D. 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, and 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 should be avoided.

E. 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, shall not be considered except in the most extraordinary cases. Names of living persons no longer on active service with the University also should only be proposed in exceptional cases.

F. It is appropriate to express the esteem and appreciation the University holds 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 property. Wherever possible, however, the person's name should be given to a property related to some activity appropriate to that person's field of interest or endeavor.

If personal names are to be considered, first priority should be given 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.

G. The names of certain existing properties 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.

H. All new property should be named, wherever practicable, by the time preliminary architect's drawings are approved. Barring this, their names and the name changes of existing property should be determined as far as possible ahead of occupancy.

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.

I. Off-campus properties should be given names which describe their geographical location.

J. General administrative and multipurpose office and classroom properties 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.

K. Property 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.

L. The names of rooms in, or of spaces within or adjoining, properties 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 provisions of the guidelines.

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FACULTY ASSIGNMENT AND VACATION LEAVE POLICY

I. Introduction

This regulation establishes University policy on faculty assignment periods, interim assignments, and vacation leave. It also establishes the method for proration of salary and vacation leave for faculty whose employment terminates prior to the end of an assignment period or begins after the start of a fiscal year.

II. Faculty Assignment Periods

A faculty assignment period is the period of time when a faculty employee shall be available for participation in University-related academic activities, i.e. instruction, research and other creative activity, and service. Regular faculty assignments shall be on nine-month (academic year), ten-month, eleven-month, and twelve-month bases within a fiscal year (July 1 – June 30). Faculty assignments shall be administered in a manner approved by the Provost.

A. Nine-month Assignment

1. Assignment Period. The assignment period for faculty on a nine-month assignment is from August 16 through May 15. There is no entitlement to vacation leave for faculty on a nine-month assignment.

2. Salary Proration. One-ninth of annual salary is considered to be earned for each full month of service during the assignment period. A faculty employee 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 employee at the time of termination of employment, the faculty employee shall be required to reimburse the University for the difference.

3. Assignment During Interim Period. Faculty employees on a nine-month assignment may be permitted to engage in University employment during an interim between regular assignment periods to a maximum extent of three months or sixty-six (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.

B. Ten-month Assignment

1. Assignment Period. The assignment period for faculty on a ten-month assignment is from August 1 through May 31.

2. Salary Proration. One-tenth of annual salary is considered to be earned for each full month of service during the assignment period. A faculty employee 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 employee's salary for that month shall be prorated on the basis of calendar days. Taking into account Section III concerning vacation leave, if earned salary is less than the amount which has been paid to the faculty employee at the time of termination of employment, the faculty member shall be required to reimburse the University for the difference.

3. Assignment During Interim Period. Faculty employees on a regular ten-month assignment may be permitted to engage in University employment during an interim between regular assignment periods to a maximum extent of two months or forty-four (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.

4. Vacation Leave. All full-time faculty employees on a ten-month assignment shall be entitled to twenty-two (22) working days of vacation leave with pay per assignment period. The twenty-two (22) days of vacation leave shall be credited annually to the faculty employee on the first day of the new fiscal year. With prior administrative approval, faculty employees may take vacation leave during the period in which they are eligible to take such leave. However, faculty with instructional responsibilities, which typically include responsibilities for advising and graduate supervision, shall be available to fulfill those instructional duties at least until after Commencement and until all reports have been made, and at least five (5) working days prior to the first day of class each semester, unless for special reasons leave is approved. Vacation leave, if used, shall be taken in the assignment period in which it is credited, or the vacation leave shall be forfeited. Exceptions shall only be granted in accordance with section VI, below.

C. Eleven-month Assignment

1. Assignment Period. The assignment period for faculty on an eleven-month assignment is from August 1 through June 30.

2. Salary Proration. One-eleventh of annual salary is considered to be earned for each full month of service during an assignment period. A faculty employee 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 employee's salary for that month shall be prorated on the basis of calendar days. Taking into account Section III 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.

3. Assignment During Interim Period. Faculty 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 twenty-two (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.

4. Vacation Leave. All full-time faculty employees on an eleven-month assignment shall be entitled to twenty-two (22) working days of vacation leave with pay per assignment period. The twenty-two days of vacation leave shall be credited annually to the faculty employee on the first day of the new fiscal year. With prior administrative approval, faculty employees may take vacation leave during the period in which they are eligible to take such leave. However, faculty with instructional responsibilities, which typically include responsibilities for advising and graduate supervision, shall be available to fulfill those instructional duties at least until after Commencement and until all reports have been made, and at least five (5) working days prior to the first day of class each semester, unless for special reasons leave is approved. Vacation leave, if used, shall be taken in the assignment period in which it is credited, or the vacation leave shall be forfeited. Exceptions shall only be granted in accordance with section VI, below.

D. Twelve-month Assignment

1. Assignment period. The assignment period for faculty on a twelve-month assignment is from July 1 through June 30.

2. Salary Proration. One-twelfth of annual salary is considered to be earned for each full month of service during this assignment period. A faculty employee whose employment terminates prior to June 30 shall have earned one-twelfth of annual salary for each full month of completed service. If termination of employment occurs at a time other than month-end, the faculty employee's salary for that month shall be prorated on the basis of calendar days. Taking into account Section III 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.

3. Vacation Leave. All full-time faculty employees on a twelve-month assignment shall be entitled to twenty-two (22) working days of vacation leave with pay per

assignment period. The twenty-two days of vacation leave shall be credited annually to the faculty employee on the first day of the new fiscal year. With prior administrative approval, faculty employees may take vacation leave during the period in which they are eligible to take such leave. However, faculty with instructional responsibilities, which typically include responsibilities for advising and graduate supervision, shall be available to fulfill those instructional duties at least until after Commencement and until all reports have been made, and at least five (5) working days prior to the first day of class for the fall semester, unless for special reasons leave is approved. Vacation leave, if used, shall be taken in the assignment period in which it is credited, or the vacation leave shall be forfeited. Exceptions shall only be granted in accordance with section VI, below.

III. Prorated Vacation Credit and Terminal Vacation Pay

A. For purposes of determining prorated first-year vacation credit for a faculty employee whose first-year assignment begins after the start of a fiscal year, or for purposes of determining terminal vacation pay for a faculty employee who separates his or her employment from the University, vacation days are deemed to be earned per month during an assignment period. Terminal vacation pay per day of unused vacation leave shall be calculated as follows:

Type of Assignment Period____	Vacation Days Earned Per Month During an Assignment Period*____	Terminal Vacation Pay Per Day of Unused Vacation Leave in and Assignment Period (APS = Assignment Period Salary)
Ten-Month	2.200	APS/217
Eleven-Month	2.000	APS/238
Twelve-Month	1.833	APS/260

*Vacation allowance earned for a period of less than one month shall be prorated on the basis of calendar days for that month.

B. Faculty employees shall be paid for earned but unused vacation leave, up to a maximum of twenty-two (22) days, at the time of termination of employment. In reverse manner, faculty employees 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.

IV. Assignment During Interim Periods

Faculty employees on a nine-month, ten-month, or eleven-month assignment shall not engage in two or more University assignments during an interim between two regular assignment periods unless a request for such has been forwarded through proper administrative channels and approved in advance by the Provost. 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.

V. Temporary Faculty

Temporary faculty employees on full time assignment are entitled to the same holiday leave granted to regular faculty employees; are not entitled to vacation leave; and are not entitled to compensation for unused holiday leave.

VI. Exceptions

A. Any faculty employee who has unused vacation leave from fiscal year 2007-2008 may carry those vacation days forward into fiscal year 2008-2009. Thereafter, all vacation leave must be used within the fiscal year in which it is credited.

B. When extraordinary business-related circumstances prevent a faculty employee from using his or her annual vacation leave, the faculty employee's chair may request permission to carry forward the unused vacation leave. A request shall be made in writing and requires the approval of the appropriate dean and the Provost. Final approval to carry forward unused vacation leave shall be granted by the Provost on a case-by-case basis. Circumstances warranting a decision to permit a faculty employee to carry over unused vacation leave must be related to work demands placed on the faculty member by his or her chair, the dean, or the institution and be clearly beyond those experienced in the normal course of employment.

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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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POLICY ON DISCRIMINATION AND HARASSMENT

I. Policy

The University, 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 an environment free of prohibited discrimination, which includes sexual and other forms of harassment. Discrimination and harassment are prohibited between members of the University community and shall not be tolerated.

II. Definitions

A. Discrimination. Discrimination is an action or behavior that results in negative or different treatment of an individual based upon race, color, ethnic origin, national origin, creed, religion, political belief, sex, sexual orientation, marital status, age, uniform service, veteran status, or physical or mental disability. Discrimination is also prohibited in employment matters based on whether an individual is a smoker or nonsmoker, as long as the person complies with any workplace policy concerning smoking.

B. Harassment. Harassment, a form of discrimination, is unwelcome conduct that is based on the statuses noted in section II.A above. Harassment becomes a violation of University policy when:

1. the offensive conduct explicitly or implicitly becomes a term or condition of employment or participation in a University course, program, or activity; or

2. the conduct is sufficiently severe, pervasive, or persistent to interfere with an individual's work, academic or program participation, or creates an environment that a reasonable person would consider intimidating, hostile, or offensive.

C. Sexual harassment. Sexual harassment, a form of sex discrimination, may or may not take place in situations of a power differential between the individuals involved. Sexual harassment includes unwelcome* sexual advances, requests for sexual favors, or other verbal or physical behavior of a sexual nature and becomes a violation of University policy when:

1. the offensive conduct explicitly or implicitly becomes a term or condition of employment or participation in a University course, program, or activity; or

2. the conduct is sufficiently severe, pervasive, or persistent to interfere with an individual's work, academic or program participation, or creates an environment that a reasonable person would consider intimidating, hostile, or offensive.

* 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.

If one of the parties in an apparently welcome amorous or sexual relationship has the responsibility for evaluating 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. (*Governing Regulation* I.D.2(f))

D. Retaliation. Retaliation occurs when an adverse action is taken against a covered individual because he or she engaged in a protected activity, i.e. reporting discrimination or participating in an investigation of a discrimination report.

E. Members of the University Community. Members of the University Community are its faculty, staff, students, and volunteers, as well as customers and visitors of the University.

III Prohibited Acts and Sanctions

A. Every member of the University community is prohibited from:

1. Engaging in discrimination;

2. Retaliating in any manner against any individual who reports discrimination or who participates in an investigation of a discrimination report; and,

3. Making an intentionally false accusation of discrimination through the University's procedures.

B. Any member of the University community who engages in a prohibited act against any other member of the University community shall be subject to disciplinary action and appropriate sanctions up to and including termination or expulsion. If an individual has more than one role or status at the University, e.g. an employee also enrolled as a student, the individual's status at the time the alleged incident occurred and the capacity in which the incident occurred are used to determine the appropriate sanctions.

IV. Examples of Harassment

A. Sexual Harassment

Conduct prohibited under this policy may include, but is not limited to the following: sexual or physical assault; unwelcome physical contact such as touching; direct solicitation of sexual activity; sex-related behavior accompanied by promise of reward or threat of punishment; conduct which interferes with participation in or benefit from work or academic performance; unwelcome sexual remarks about a person's clothing or body; offensive sexual questions, jokes, anecdotes and stories; display of sexually offensive posters, pictures, words or messages; introduction of sexually explicit materials into the classroom or into the workplace without an educational or work-related purpose.

B. Other Forms of Harassment

Conduct prohibited under this policy may include, but is not limited to the following: offensive jokes, slurs, epithets or name calling; physical assaults or threats; intimidation, ridicule or mockery; insults; offensive objects or pictures; and any other conduct that interferes with or limits the ability to participate in or benefit from services or privileges provided by the University.

V. Procedures

A. The Office of Institutional Equity and Equal Opportunity is the University office charged with handling reports of discrimination and for developing procedures for the investigation and resolution of reports.

B. Members of the University community are encouraged to contact the Office of Institutional Equity and Equal Opportunity for additional information regarding the investigation and resolution procedures or to report discrimination, harassment, or retaliation. There may be findings of retaliation, even in the absence of discrimination or harassment findings. Reports should be made as soon as possible after the alleged incident to facilitate the most effective investigation and resolution.

C. A report of discrimination may also be initiated by contacting any dean, director, faculty member, department head, manager, supervisor, or other individual with administrative responsibility. Any such individual who receives a report of discrimination shall contact the Office of Institutional Equity and Equal Opportunity as soon as possible after receiving the report.

D. In determining whether conduct constitutes discrimination or harassment, University officials shall look at the record as a whole and at the totality of the circumstances, such as the nature of the behavior and the context in which the incident(s) occurred. A determination is made from the facts on a case-by-case basis.

References:

Title VII of the Civil Rights Act; 29 C.F. R. Part 1604.11; The Age Discrimination in Employment Act; the Americans with Disabilities Act; KRS 344.040; KRS 61.165; GR I.D.2(a); GR I.D.2(e); GR I.D.2(f); AR II-1.1-15

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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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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)

Page 1 of 2 pages

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:

Page 2 of 2 pages

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).

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.1-13	PAGE 1
	DATE EFFECTIVE 5/22/00	SUPERSEDES REGULATION DATED AR II-8.0-2 7/1/83 3/19/92 9/22/93 9/23/94 6/11/96

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 largely in terms of the needs of the athletics and physical education programs, it is also designed to serve as an auditorium, music hall, conference center, et cetera. Therefore, no unit or organization has priority for the use of the Coliseum facilities except that approved athletics and physical education schedules will be observed.

C. University units and groups, including registered student organizations, may use the Coliseum provided their needs cannot be adequately met in another facility. However, each event must be significantly related to the purposes or curricula of the University and, if sponsored by a registered student organization, have the approval of the faculty advisor and the 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 the University of Kentucky Governing Regulations.

F. When the Coliseum is used by a non-University group or agency, a contract between the group or agency shall be negotiated in advance stating the charge for use of the Coliseum and setting forth the responsibilities of the group or agency and of the University. The

charge for use of the Coliseum will conform to a schedule established by the Vice President for Fiscal Affairs.

G. Any unit or agency using the Coliseum, whether University or non-University, shall take proper care of the building and its equipment and shall be financially responsible for any damage thereto during use resulting from abuse or neglect.

H. Memorial Coliseum is dedicated to the memory of Kentuckians who died in World War II, and no program that is out of keeping with the memorial spirit shall be held in the building.

I. Applications for use of the Coliseum shall be made in writing in advance on forms which are available in the Office of the Director of Athletics.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.1-14	PAGE 1
	DATE EFFECTIVE 6/4/08	SUPERSEDES REGULATION DATED 6/11/94, 9/23/94, 6/11/96

ENVIRONMENTAL HEALTH AND SAFETY

I. Introduction

The University supports and maintains a strong commitment to safety, health and environmental protection through promoting a safe and healthy environment for students, employees, and visitors; positioning itself as a leader within the Commonwealth in environmental stewardship, health protection and safety standards; and assuring compliance with federal, state and local safety, health and environmental requirements. Additionally, the University empowers our employees and students to demonstrate individual and institutional leadership in all matters pertaining to safety, health and environmental protection while preserving academic freedom in research, education and evidence-based practices in patient care.

II. Purpose

The purpose of this regulation is to mandate compliance and assign specific responsibilities associated with implementation of the University's health, safety and environmental protection programs.

III. Responsibilities

A. Environmental Health and Safety (EHS)

EHS 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. Specific responsibilities include, but are not limited to, the following:

1. Functioning as consultants to deans, directors, heads of academic and administrative units, other faculty and staff members, and students in all areas of environmental health and safety;

2. Performing health and safety investigations as necessary;

3. Assisting departmental safety committees in the development of intra-departmental safety programs, and participating in health and safety training and education projects;

4. Providing technical assistance in determining existing or potential health and safety hazards through consultations and code interpretations either for existing operations and facilities or for those which are being planned;

5. Inspecting and reporting on the environmental health and safety aspects of University operations and facilities, either routine or at the request of a department with the results reported in writing to the appropriate administrative officials;

6. Maintaining current reference materials from local, state, and federal agencies, in regard to environmental health and safety rules and regulations affecting campus operations, and assisting in the technical interpretation of same; and

7. Developing appropriate environmental health and safety standards for unique campus situations and submit them for administrative approval.

B. Senior Academic and Administrative Officials

Senior academic and administrative officials, including the Provost, executive vice presidents, vice presidents, deans, directors, and chairs have a primary responsibility for the health and safety of their employees, students, and visitors and for compliance with all applicable laws and regulations. In addition, senior academic and administrative officials are responsible for making necessary improvements and for ensuring that supervisors, employees and students comply with the duties set forth in these regulations.

C. Supervisors

Each supervisor, including a faculty supervisor, is responsible for protecting the health and safety of employees, students and visitors under their supervision. Additionally, each supervisor is responsible for providing a working environment free from safety and health hazards for those supervised. Specific responsibilities include, but are not limited to, the following:

1. Following all safety and health standards, rules and regulations;

2. Informing new employees, students, and visitors about safety and health procedures, rules and regulations, as well as their specific responsibilities;

3. Assuring that required equipment and personal protective devices are provided, maintained, and used;

4. Taking prompt corrective action when unsafe acts or conditions are reported or noted;

5. Providing for health and safety training and education on a continuing basis;

6. Promptly notifying EHS of all employee, student, and visitor related injuries and illnesses resulting in treatment beyond first aid and requesting medical treatment as required;

7. Promptly investigating and reporting to EHS all University related health or safety concerns;

8. Coordinating or conducting internal inspections to ensure safe and healthful conditions;

9. Requesting the assistance of the next higher level of supervision regarding budget requests for health and safety improvements as needed; and

10. Taking specific actions to prevent unauthorized entry to labs, securing highly hazardous materials against theft, and ensuring compliance with security regulations.

D. Employees

Each employee has the responsibility to comply with existing safety and health standards, rules, and regulations. These responsibilities include, but are not limited to, the following:

1. Reporting all hazardous conditions to the supervisor;

2. Wearing or using prescribed protective equipment;

3. Reporting any job-related injuries or illnesses to the supervisor and seeking treatment promptly;

4. Operating any equipment only with proper instruction and authorization.

E. Students

Each student has the responsibility to comply with existing safety and health standards, rules, and regulations. These responsibilities include, but are not limited to, the following:

1. Reporting all hazardous conditions to an appropriate authority;

2. Wearing or using prescribed protective equipment;

3. Reporting any University related injury or illness to a supervisor or an appropriate authority and seeking treatment promptly; and

4. Operating any equipment only with both proper instructions and authorization.

F. Visitors

All visitors engaging in research, clinical or educational activities are subject to the requirements of Section E.

Except as outlined in the policy "Minors in Research Laboratories or Animal Facilities", visitors under the age of 18 who are not enrolled as a University student are not authorized to work or conduct research in University research laboratories, greenhouses, or animal facilities.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.1-15	PAGE 1
	DATE EFFECTIVE 11/20/08	SUPERSEDES REGULATION DATED 11/6/06

TOBACCO POLICY

I. Introduction

The University of Kentucky has a vital interest in maintaining a safe and healthy environment for our students, employees, patients and visitors. Research findings show that use of tobacco products in general constitutes a significant health hazard. The health care and health education programs of the University perform an important health education function by demonstrating and promoting healthy lifestyles through activities such as curtailment of the use of tobacco products. In addition, smoking is a serious safety concern and has been specifically listed as a contributing factor in a number of university facility fires across the nation, many of which have resulted in fatalities or major damage.

II. Definitions

A. "Smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette or pipe.

B. "Tobacco Products" means all forms of tobacco, including but not limited to cigarettes, cigars, pipes, and smokeless tobacco products.

III. Policy

A. Within the geographic areas set forth on the map attached hereto as Appendix A, the use of all tobacco products is prohibited in all owned, operated, leased or controlled University buildings and structures, grounds, parking structures, enclosed bridges and walkways, sidewalks, parking lots, and vehicles, as well as personal vehicles in these areas.

B. For the off-campus areas described in Appendix B, the use of all tobacco products is prohibited in University controlled areas of those structures and facilities.

C. For areas not shown on the map in Appendix A or listed in Appendix B, smoking is prohibited in all owned, operated, leased or controlled University buildings and structures, parking structures, enclosed bridges and walkways, and vehicles. Smoking is also prohibited outside buildings within 20 feet of entrances, exits, air intakes, and windows, unless further restricted by division policy. Tobacco users are responsible for disposing of all tobacco products in appropriate receptacles.

IV. Exceptions and Limitations

A. Tobacco use may be permitted for controlled research with prior approval of the dean or director responsible for the facility, the Provost or appropriate executive vice president, and in the case of smoking, the University Fire Marshal. Smoke, like any other laboratory air contaminant generated, shall be controlled locally in a chemical hood or other exhaust system that provides 100% exhaust to the outside.

B. Tobacco use may be permitted for educational, clinical, or religious ceremonial purposes with prior approval of the dean or director responsible for the facility, the Provost or appropriate executive vice president, and in the case of smoking, the University Fire Marshal.

V. Delegation

Authority for enforcement of this policy is vested with the Provost, or the appropriate executive vice president or vice president, in conjunction with the Associate Vice President for Human Resources or the Dean of Students, or their designee.

VI. Compliance

Violation of this regulation may result in corrective action under the Student Code of Conduct, Human Resources Policies and Procedures, or other applicable University Regulations or Policies. Visitors refusing to comply may be asked to leave campus.

VII. Effective Date

This policy is effective November 20, 2008.

References: KRS 61.165(4); GR I

Medical Center

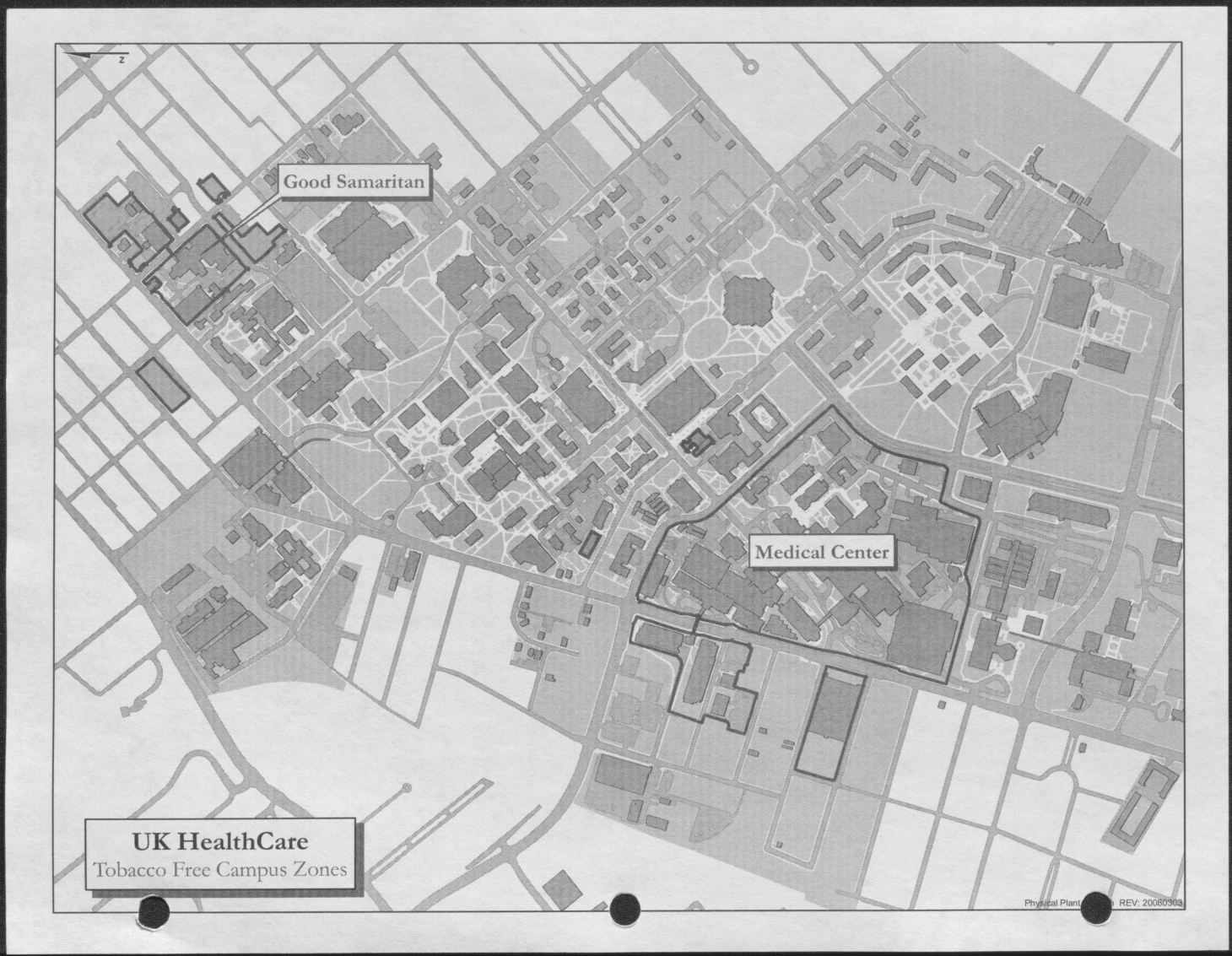
Off Campus Locations

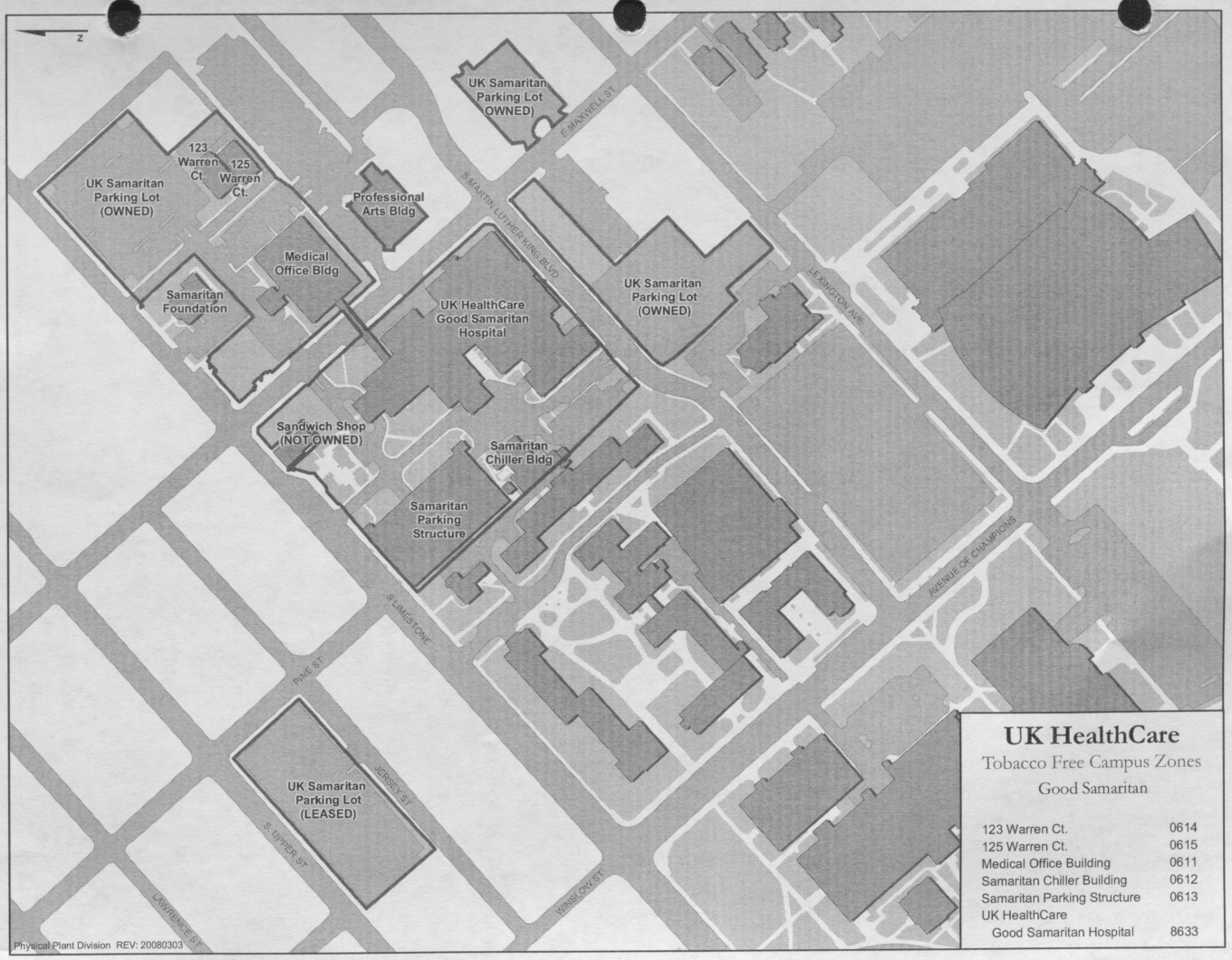
Owned Space

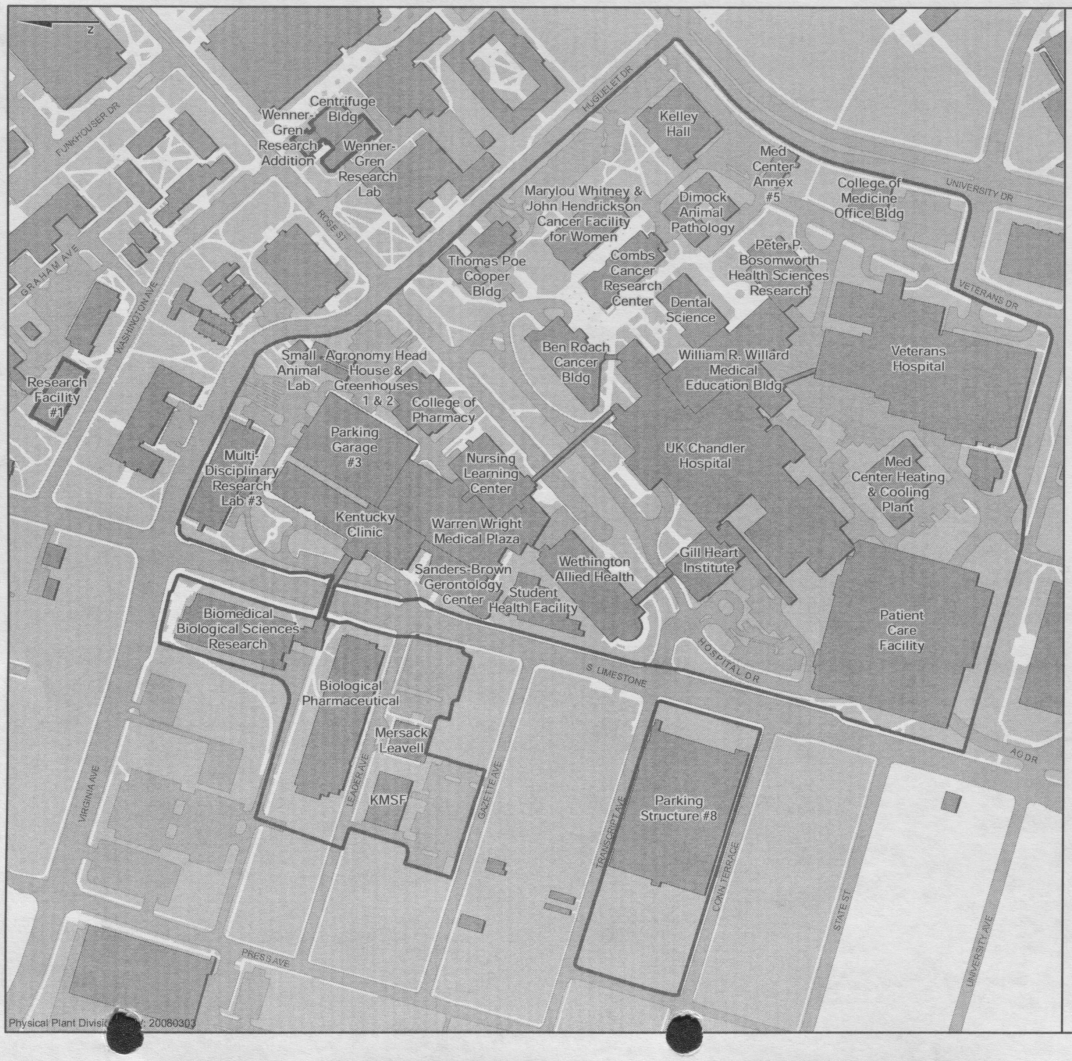
1. College of Public Health
2. Oldham Court
3. Spindletop Animal Research
4. Kentucky Clinic South
5. Kentucky Clinic North

Leased

1. Regency Road/Lowry Lane
2. One Plaza East- ASC Pain Clinic
3. Blazer Parkway
4. Waller Avenue
5. Sterlington Road


Good Samaritan
Medical Center
UK HealthCare
Tobacco Free Campus Zones
Physical Plant
REV: 20080303


UK Samaritan Parking Lot (OWNED)
E MAXWELL ST
123 Warren Ct.
125 Warren Ct.
UK Samaritan Parking Lot (OWNED)
Professional Arts Bldg
S MARTIN LUTHER KING BLVD
Medical Office Bldg
Samaritan Foundation
UK HealthCare Good Samaritan Hospital
UK Samaritan Parking Lot (OWNED)
LEXINGTON AVE
Sandwich Shop (NOT OWNED)
Samaritan Chiller Bldg
Samaritan Parking Structure
AVENUE OF CHAMPIONS
S LIMESTONE
PINE ST
JERSEY ST
UK Samaritan Parking Lot (LEASED)
S UPPER ST
LAWRENCE ST
WINSLOW ST
Physical Plant Division REV: 20080303
UK HealthCare
Tobacco Free Campus Zones
Good Samaritan
123 Warren Ct. 0614
125 Warren Ct. 0615
Medical Office Building 0611
Samaritan Chiller Building 0612
Samaritan Parking Structure 0613
UK HealthCare
Good Samaritan Hospital 8633



UK HealthCare

Tobacco Free Campus Zones

Medical Center

Agronomy Head House & Greenhouses 1, 2	0066
Ben Roach Cancer Building	0093
Biological Pharmaceutical Building	0596
Biomedical Biological Sciences Research Building	0509
Centrifuge Building	0209
College of Medicine Office Building	0086
College of Pharmacy	0082
Combs Cancer Center	0096
Dental Science Building	0297
Dimock Animal Pathology	0076
Gill Heart Institute	0294
Kelley Hall	0075
Kentucky Clinic	0284
KMSF Building	9983
Marylou Whitney & John Hendrickson Cancer Facility for Women	0098
Medical Center Annex #5	0078
Medical Center Heating & Cooling Plant	0085
Mersack Leavell Building	0517
Multi-Disciplinary Research Lab #3	0216
Nursing Learning Center	0232
Parking Structure #3	0199
Parking Structure #8	0601
Patient Care Facility	0602
Peter P. Bosomworth Health Sciences Reseach Building	0305
Research Facility #1	0003
Sanders-Brown Gerontology Center	0230
Small Animal Lab	0065
Student Health Center	0582
Thomas Poe Cooper Building	0073
UK Chandler Hospital	0293
Warren Wright Medical Plaza	0223
Wenner-Gren Research Addition	0237
Wenner-Gren Research Lab	0070
Wethington Allied Health Building	0200
William R. Willard Medical Education Building	0298

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.2-3	PAGE 1
	DATE EFFECTIVE 1/14/98	SUPERSEDES REGULATION DATED AR II-1.2-2 3/15/89 AR II-1.2-2 3/28/91 9/23/93

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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	DATE EFFECTIVE 6/12/07	SUPERSEDES REGULATION DATED 6/11/96

POLICY ON DEADLY WEAPONS
(Approved by the Board of Trustees)

I. Policy

The Kentucky General Assembly explicitly recognizes the authority of the University to regulate the possession of deadly weapons on any property owned, leased or controlled by the University, including the right to prohibit possession of such weapons by any person or entity using University property or premises.

Except as provided in Subsection IV of this policy, deadly weapons are not permitted on any property owned, leased, 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.

II. Violations

A. 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, and all other appropriate legal actions.

B. Faculty and staff employees who possess deadly weapons in violation of this prohibition are guilty of misconduct and subject to corrective action under Governing and Administrative Regulations, including termination of employment and all other appropriate legal actions.

C. Others who possess deadly weapons in violation of this prohibition shall be directed to remove their weapons or themselves from the University's property or premises and shall be subject to all other appropriate legal actions.

III. Definition

For purposes of this policy, "deadly weapon" means:

A. A weapon of mass destruction;

B. Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged;

C. Any knife other than an ordinary pocket knife or hunting knife;

D. Billy, nightstick, or club;

E. Blackjack or slapjack;

F. Nunchaku karate sticks;

G. Shuriken or death star; and,

H. Artificial knuckles made from metal, plastic, or other similar hard material.

IV. Exceptions

The following actions or activities shall be exceptions to 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, athletic, or work-related activities (e.g., historical preservation, law enforcement training, ROTC activities, 4-H marksmanship training, rifle team, etc.);

C. Possession of deadly weapons by persons holding valid permits issued by the Kentucky Department of Fish and Wildlife Resources for use in the Robinson Forest Wildlife Management Area; and,

D. Possession of deadly weapons by a person specifically authorized to have such possession by the President, or his or her designee, but only if such person fully complies with any and all restrictions imposed upon such possession by the President, or his or her designee.

References:

KRS 237.115(1)
KRS 500.080

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.2-8	PAGE 1
	DATE EFFECTIVE 8/3/07	SUPERSEDES REGULATION DATED 12/20/00

POLICY ON DISCLOSURE OF CAMPUS SECURITY AND CRIME STATISTICS

I. Introduction

The University is required by state and federal law to provide certain information to the public about campus crime. This regulation implements the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and the Michael Minger Act.

II. Responsibilities

A. The Office of Emergency Management is designated as the Clery and Minger Compliance Office and is responsible for ensuring that the University maintains compliance with all requirements of these acts. The Office of Emergency Management is responsible for preparing and submitting annual reports pursuant to the Clery and Minger Acts. The Office of Emergency Management, working with the University Police Department, is responsible for making the daily crime log available to the public.

B. The Office of Environmental Health and Safety is responsible for reporting fires, threats of fire, and fire alarms to the State Fire Marshal's Office pursuant to the Minger Act.

C. The Executive Vice President for Finance and Administration is responsible for overall coordination of campus-wide efforts to comply with the Clery and Minger Acts and this Administrative Regulation.

D. Each senior administrator shall fully cooperate with the Office of Emergency Management, University Police Department, Environmental Health and Safety and the Executive Vice President for Finance and Administration to ensure that employees of his or her area comply with the requirements of this regulation.

E. Federal and state laws require university employees defined as "campus security authorities" to report all campus crimes, fires, and threats of fires of which he or she becomes aware (complete list detailed below). For the purposes of this regulation, a "campus security authority" is broadly defined as an individual having responsibility for campus security and officials having

significant responsibility for student and campus activities. This includes but is not limited to:

1. Officers and employees of the University Police Department,

2. Contract security workers of any University unit,

3. Employees of Parking and Transportation Services,

4. Employees of the Office of the Vice President for Student Affairs,

5. Employees of University Housing,

6. Employees of colleges who are designated as student affairs officers,

7. Employees of the Athletics Department, and

8. Advisors to registered student organizations.

III. Exceptions

A. Maintenance, support and clerical staff within the units listed above in Section II.E are not considered campus security authorities.

B. Pastoral counselors and licensed or certified mental health professionals are not required to report when functioning within the scope of their official capacity. A "pastoral counselor" is defined as a person associated with a religious order or denomination and is recognized by that religious order or denomination as someone who provides confidential counseling. A "mental health professional" is defined as a person licensed or certified pursuant to Kentucky statute whose official responsibilities include providing mental health counseling. This includes graduate students acting under the supervision of a licensed or certified mental health professional. Medical professionals are not required to report under these acts.

IV. Crimes Which Shall be Reported by Campus Security Authorities:

A. The following crimes shall be reported immediately to the Office of Emergency Management or the University Police Department:

1. Arson

2. Assault

3. Burglary

4. Criminal Damage to Property

5. 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)

5. Manslaughter

6. Menacing

7. Motor Vehicle Theft

8. Murder

9. Reckless Homicide

10. Robbery

11. Sex Offenses (including but not limited to forced intercourse, sodomy and fondling)

12. Stalking

13. Terroristic Threatening

14. Theft

15. Wanton Endangerment

16. Weapons Possession

17. Criminal attempt of any of the above crimes

18. Arrests for Liquor and Drug Law Violations

B. Incidents where students are referred for campus disciplinary action related to liquor law, drug law, or weapons violations shall be reported on an annual basis.

V. Fires, Fire Alarms, and Threats of Fire Which Shall 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 Division shall coordinate their fire alarm reporting activities with those of the University Police Department.

VI. Definition of Campus

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

A. All buildings or property owned, leased, controlled, or managed by the University in Fayette County

B. All public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus, or immediately adjacent to the campus.

C. The Woodford County Farm

D. Robinson Forest

E. The Quicksand and Princeton Agricultural Experiment Stations

F. Center of Excellence in Rural Health

G. University-operated facilities on the campus of Paducah Community College

H. All buildings or property owned, leased or controlled by a registered student organization including fraternities and sororities
Any other buildings or property owned, leased or controlled by the University that are used in direct support of, or in relation to, the University's educational purposes and are frequently used by students.

VII. Cooperation with other Agencies

The Office of Emergency Management 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.

VIII. Timely Warning Reports

The Office of Emergency Management 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.

IX. Crime Log

A. The University shall make available to the public in written form and on the World Wide Web an easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus which is reported pursuant to this regulation. The log is maintained through a joint effort between the University Police Department and the Office of Emergency Management. The log must include the nature, date, time, and general location of each crime; and the disposition of the complaint, if known.

B. The University 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. This information shall be disclosed once the adverse effect is no longer likely to occur.

References:

- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092(f), 34 CFR Part 668.46)
- Michael Minger Act (KRS 164.948 to 164.9489; KRS 164.993)
- 13 KAR 2:100

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	DATE EFFECTIVE 11/15/06	SUPERSEDES REGULATION DATED 3/19/92, 6/11/92, 2/8/99

POLICY ON PAYMENT OF UNIVERSITY OF KENTUCKY EMPLOYEES

I. Payment of Regular Salary to Faculty Employees

A. Twelve Month Assignment

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, shall be paid in twelve equal installments in the fiscal year.

B. Less Than Twelve Month Assignments

Faculty employees on an assignment basis other than twelve months shall be paid in their first year of employment as follows:

1. Eleven-Month Assignment Basis

New faculty employees on assignment for the period of August 1 through June 30 shall be paid in eleven equal installments commencing with August.

New faculty employees shall be paid in twelve equal installments if their month not on assignment during a fiscal year is other than July.

2. Ten-Month Assignment Basis

New faculty employees on a ten-month assignment basis in a fiscal year shall be paid their regular salary in eleven equal installments commencing with August.

3. Nine-Month (or Academic Year) Assignment Basis

New faculty employees on a nine-month (or academic year) assignment basis in the fiscal year shall be paid their regular salary in eleven monthly installments, commencing in August.

New faculty who begin employment in a month other than August shall be paid their regular salary in equal installments for the number of months remaining in the fiscal year.

B. Termination or Retirement Prior to Completion of the Assignment

If faculty employee on a nine-month, ten-month, or eleven-month assignment basis terminates employment prior to the completion of the assignment period, payment of any remaining earned salary or reimbursement for an overpayment of unearned salary shall be calculated by the department or college according to AR II-1.3-2, as appropriate. Where termination of employment occurs through retirement, payment of the balance of any remaining earned salary or reimbursement for an overpayment of unearned salary shall be made in the last month of the assignment period.

II. Payment of Regular Salary to Non-Faculty Employees

A. Employees, including student employees, who qualify for exemption from both the minimum wage and the overtime provisions of the Fair Labor Standards Act shall be paid their regular salary on a monthly basis, July through June. This section does not apply to exempt employees of the University hospital.

B. Employees, including student employees, who are subject to the minimum wage and/or the overtime provisions of the Fair Labor Standards Act shall 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 recorded in the payroll system in accordance with applicable University policy. Employees of the University hospital shall be paid biweekly.

C. Questions concerning the minimum wage and overtime provisions of the Fair Labor Standards Act should be directed to Human Resources.

III. Payment of Supplemental Compensation to Employees

Any supplemental compensation due University employees shall be paid in accordance with applicable University policy and procedures governing such payments.

IV. Method of Payment

All employees shall be paid through direct deposit. Documentation of payment shall be provided to each employee.

DeMarcus, Nancy

From: President Lee T. Todd, Jr. [President.uk@email.uky.edu]
Sent: Friday, November 14, 2008 10:07 AM
To: DeMarcus, Nancy
Subject: New Administrative Regulations

The Office of the President is pleased to announce the issuance of the following new and revised Governing and Administrative Regulations.

GR X, REGULATIONS AFFECTING EMPLOYMENT: http://www.uky.edu/Regs/files/gr/gr10.pdf Governing Regulation X is revised at Section X.B.2(b) to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited, and establishes that exceptions may be granted in accordance with Administrative Regulation II-1.1-7. The policy change is effective for fiscal year 2008-2009. Section X.B.1(c) is revised to clarify that in a delay of probationary period the extension years are not counted toward eligibility for sabbatical leave. The revision also establishes the procedure by which events leading to an automatic or requested delay of a probationary period are reviewed and approved. Section X.B.2(d)(i) is revised to clarify that non-tenured faculty are ineligible for sabbatical leave.

AR II-1.1-7, FACULTY ASSIGNMENT AND VACATION LEAVE POLICY: http://www.uky.edu/Regs/files/ar/ar038.pdf This Administrative Regulation is revised in accordance with revisions to Governing Regulation X to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited. The revised Administrative Regulation provides the criteria and process whereby the provost may grant an exception to the policy when extraordinary business-related circumstances prevent a faculty employee from using his or her vacation leave. Circumstances warranting a decision to permit a faculty employee to carry forward unused vacation leave must be related to work demands placed on the faculty member by his or her chair, dean, or the institution. The policy change is effective for fiscal year 2008-2009, however any unused vacation from 2007-2008 may be carried over to 2008-2009.

AR II-1.3-2, PRORATION OF SALARY AND VACATION LEAVE FOR FACULTY MEMBERS WHOSE EMPLOYMENT TERMINATES PRIOR TO THE END OF AN ASSIGNMENT PERIOD: This Administrative Regulation is eliminated. Relevant content has been merged into Administrative Regulation II-1.1-7, Faculty Assignment and Vacation Leave Policy.

AR II-7.0-6, HEALTH SCIENCES STUDENT PROFESSIONAL BEHAVIORAL CODE: http://www.uky.edu/Regs/files/HCCcode.pdf This Administrative Regulation is revised to: a) more clearly articulate standards of professional conduct expected by the University and which are consistent with the expectations of the accreditation and licensing boards across the health care professions; b) more clearly delineate the jurisdictional boundaries of the HCC Code and the UK Code of Student Conduct; c) create an appeals process for sanctions imposed under the HCC Code consistent with the UK Student Code of Conduct; and d) adopt a process for amendment of the HCC code consistent with the UK Student Code of Conduct. The revision makes explicit that the policies and procedures on academic offenses delineated in the Selected Rules of the University Senate (SR 6.0, Section VI, Student Academic Affairs) shall be followed when a health care college student is charged with an academic offense. Administrative Regulation II-7.0-6, Health Sciences Student Professional Behavioral Code), is renamed as the Health Care Colleges Code of Student Professional Conduct; and, consistent with the UK Student Code of Conduct, the HCC Code is no longer categorized as an Administrative Regulation.

AR III-1.0-1, UNIVERSITY APPEALS BOARD: This Administrative Regulation is eliminated. Relevant content is now contained in Governing Regulation, Part XI, and University Senate Rules.

AR III-1.0-5, UNIVERSITY DISTANCE LEARNING COMMITTEE AND ADVISORY PANEL: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-8.2-5, STUDENT ADVISORY COMMITTEE ON THE UNIVERSITY OF KENTUCKY HOUSING AND DINING SYSTEM: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-1.0-4, ADVISORY COUNCIL TO THE SANDERS-BROWN CENTER ON AGING: This Administrative Regulation is eliminated. The Council is inactive.

AR III-4.0-8, CONFLICT OF INTEREST COMMITTEE: This Administrative Regulation is eliminated. Relevant content is now contained in Administrative Regulation II-4.0-4.

Please familiarize yourself with these revised regulations. If you are a supervisor, please communicate this information to all of your staff, especially those without computer access. The complete administrative regulation library, including the list of recently revised regulations, may be found at http://www.uky.edu/Regs/index.htm.

Questions about these or other regulations should be directed to the Office of Legal Counsel at (859) 257-2936, or mdeaton@email.uky.edu.

November 2008

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.3-3	PAGE 1
	DATE EFFECTIVE 3/6/07	SUPERSEDES REGULATION DATED 8/16/94, 7-1-04

POLICY FOR DISPOSITION OF PERSONAL PROPERTY
(Approved by the Board of Trustees)

I. Introduction

Surplus property of the University and its affiliated corporations may be sold or otherwise disposed of in accordance with the Kentucky Revised Statutes (KRS 164A.575).

It is the purpose of this document to set forth the policies and procedures of the University necessary to conform to the requirements of this law for the disposition of all personal 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. Detailed procedures for implementation of this regulation are contained in the University's Business Procedures Manual.

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 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 shall be transferred with the grant.

II. Definition

"Personal property" means all items of moveable or fixed equipment and supplies owned by the University and its affiliated corporations (excluding livestock, see part of this section).

III. Procedures

A. The following procedures shall apply to the disposal, conveyance, or transfer of personal property. In an organization as complex as the University, it is difficult to describe all possible cases. Exceptions to these procedures shall be granted only at the discretion of the Board upon the recommendation of the President and consistent with KRS 164A.575.

B. For purposes of disposition, personal property, regardless of how acquired by the University and its affiliated corporations, shall be classified as:

1. 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 Associate Vice President for Auxiliary Services 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.

2. 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 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 shall be sold. Livestock shall be sold by one of the following methods:

(a) Disposition by Public Auction or Sealed Bid - Unless it is in the best interest of the University to proceed otherwise, livestock shall be sold by invitation of sealed bids or by public auction (e.g., local livestock auctions).

(b) Disposition of Superior Breeding Animals by Private Treaty - In order to improve the Commonwealth's livestock economy, superior animals (e.g., 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., shall be advertised through the Cooperative Extension Service, Kentucky Agri-news, or a major newspaper at least one month before sale. Minimum sale prices shall be established by the College of Agriculture. Sale of animals shall be to the highest bidder at or above the established sale price. In cases of tie bids, a random draw shall determine the successful bidder.

(c) Special Cases - Any animal disposals which do not fall within the methods contained in sections 1 and 2 above shall be handled on a case by case basis. Written justification for the sale and exception to the ordinary methods shall be approved by the Department Chair, Dean of the College of Agriculture and Treasurer.

3. Property Unsuitable for Public Use

(a) Items of personal property that would endanger the public through continued use (e.g., 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 Department.

(b) Unless the Board of Trustees deems it in the best interest of the University to proceed otherwise, all items of personal property unsuitable for public use shall be disposed of by the Associate Vice President for Auxiliary Services in a manner in accord with laws governing the disposal of such items. Any hazardous material (e.g., asbestos, chemicals, etc.) shall first be reported to the Director, Office of Environmental Health and Safety. This office, with assistance of the Surplus Property Department, shall dispose of such hazardous material in accord with appropriate state and federal regulations.

4. Property Trade-Ins

Items of personal property that shall be replaced by new equipment as part of a trade-in agreement with a vendor shall be reported in writing to the Plant Assets Department, Office of the Treasurer. The Plant Assets Department, in consultation with the appropriate chair or dean and the Director, Purchasing Division, shall approve each request based upon the best interest of the University. The University shall 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 Plant Assets Department, Office of the Treasurer.

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

Consistent with the best interest of the University 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 shall 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.

6. Property Acquired with Grants

If the University is required or expected 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 Executive Vice President for Research shall provide documentation and certification to the Treasurer that such a

condition exists. The transfer is subject to approval of the Treasurer who shall maintain the official records of such transfers.

7. Other Property that is Not Needed

(a) Items of personal property that are not needed by any organizational unit shall be reported in writing to the Surplus Property Department. Property may not be needed as a result, for example, of program redirection or termination, replacement by new equipment, or duplication as a result of a gift of other equipment.

(b) 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.

(c) Unless the Board of Trustees deems it in the best interest of the University 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 shall require action by the Treasurer.

(d) For routine dispositions (e.g., obsolete equipment, surplus office equipment), a plan shall be 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.

Reference: KRS 164A.575

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	DATE EFFECTIVE 11/15/06	SUPERSEDES REGULATION DATED 8/17/05

CONTRACT AND TRANSACTION APPROVAL AUTHORITY

I. Policy

The President is authorized by the Board of Trustees to enter into certain agreements and authorize payments on behalf of the University.

This authority is delegated by the President to certain administrative officers of the University as outlined in this regulation and its attachments. The University may be committed in these respects only in a manner consistent with this delegation.

In making these delegations the President has established minimum levels of responsibility for approval of transaction documents and contracts as indicated in the Attachments. All general and specific delegations of authority under this policy shall be consistent with these minimum levels of responsibility.

Although signatory or approval authority may be delegated below the minimum levels of responsibility indicated on the Attachments, the assigned official remains fully responsible for all transactions executed under the delegated authority.

II. Definition

"Procurement" means the purchasing, buying, renting, leasing or otherwise obtaining of any supplies, services and equipment.

III. General Delegation For Agreements and Contracts

A. All agreements and contracts involving procurement shall be requisitioned through the Purchasing Division and comply with KRS 45A (Model Procurement Code).

B. All agreements and contracts shall be reviewed by the Office of Legal Counsel prior to execution. Blanket approval may be given for certain form contracts (i.e. dormitory contracts, student loan agreements and the like) at the discretion of the Office of Legal Counsel.

C. Agreements and contracts involving the University as a whole or more than one area of the University shall be approved by the Executive Vice President for Finance and Administration or his/her delegated agent.

D. Agreements and contracts involving only one area of the University shall be approved by the Provost, the appropriate Executive Vice President or the President (for offices reporting directly to the President), or their delegated agent.

E. The Office of the Treasurer shall be consulted in all non-routine transactions as appropriate.

F. Human Resources shall be consulted on all transactions related to employment and employees.

IV. Other Specific Delegations

A. The President has delegated specific authority for approving contracts for certain services and activities to the administrative officers of the University as indicated in Attachment 1.

B. The agent of the University for the service of all legal processes shall be the Office of Legal Counsel.

C. The Office of the Treasurer is responsible for final review and approval of all payments as to propriety, source of funds, appropriateness of documentation and adherence to University policies and regulations.

D. The Provost and executive vice presidents are responsible for establishing plans for processing and approving transaction documents and contracts for their respective areas of responsibility. Such plans shall include:

1. Specific delegations of authority consistent with the minimum levels of responsibility for approval established by the President as indicated in Attachment 1.

2. A responsible person shall be assigned for each budgeted expenditure account. This person has primary responsibility for the activity related to the account. The responsible person, or delegated agent, shall be responsible for determining all transactions charged and posted to the account are appropriate.

3. Procedures to ensure all transaction documents are approved at the appropriate levels of responsibility as indicated in Attachment 1.

4. All delegations of signatory and/or authority approval shall be in writing.

V. Procedures for Transaction Documents

A. The responsible person for each budgeted expenditure account shall approve transaction documents.

1. Signatory and approval authority may be delegated to persons under the direct supervision of the responsible person. All delegations shall be in writing.

2. Individuals cannot approve transaction documents payable to themselves (i.e. travel reimbursement). The immediate supervisor or higher level shall approve payments to employees.

3. Facsimile signatures are not permitted.

4. Payment documents require two signatures representing a segregation of the receiving and approval functions.

5. The delegated person is directly responsible for the appropriateness of each transaction charged and posted to the expenditure account consistent with University policies and regulations.

6. Transaction documents that do not require approval at a level higher than responsible person may be submitted directly to the appropriate offices for final processing (unless otherwise directed by department, college or supervisor).

7. Transaction documents that require approval at a level higher than the responsible person shall be submitted to the appropriate office (i.e. Provost, dean, director) as indicted in Attachment 1.

References:

KRS 164.100
University of Kentucky Governing Regulations Part I and Part II

Attachment 1

UNIVERSTIY OF KENTUCKY
APPROVAL AUTHORITY FOR CONTRACTS

Administration

	Authorization
Auditing and Accounting Services	Treasurer
Banking	Treasurer
Bond Indenture	Treasurer (1)
Collections	Treasurer
Endowment	President
KMSF	President
Insurance	Executive Vice President for Finance and Administration
Multiple Area Involvement	Executive Vice President for Finance and Administration

Institutional Interest: Area

Academic Program	Provost (2) (3)
Athletics Association	
Broadcast Rights	Director of Purchasing (4)
Rupp Arena	President
Competition	Director of Athletics
Employment of Coaching Staff	Director of Athletics/President/Human Resources (4)
Performing Artists/Speakers	Dean/Director
Student Housing & Dining	
Contracts (form)	Executive Vice President for Finance and Administration (2)
Bus Service	Director of Purchasing
Towing Service	Director of Purchasing
Patient Transfer	Executive Vice President for Health Affairs (2)
Third Party Reimbursement	Executive Vice President for Health Affairs (2)
V. A. Agreements	Executive Vice President for Health Affairs
Physicians Practice Agreements (form)	Dean, College of Medicine
Appointment, Tenure	AR II 1.0, AR II 5.02
Personal Services	
Contract/Proof of Necessity Form	Executive Vice President for Finance and Administration
Leases other than space	Director of Purchasing

Other	
Real Property	
Offers to Purchase	Executive Vice President for Finance and Administration (1)
Deeds	Executive Vice President for Finance and Administration (1)
Easement	Executive Vice President for Finance and Administration (1)
Architectural and Engineering Services	Executive Vice President for Finance and Administration (1)
Capital Construction Contracts	Executive Vice President for Finance and Administration (1)
Lease Agreements for Space	Executive Vice President for Finance and Administration (1)
Sponsored Projects	AR II 1.0-3
Indemnity Agreements	Office of Legal Counsel
Hazardous Waste Disposal	Executive Vice President for Finance and Administration (1)

(1) Board of Trustees approval (KRS 45.750 with regard to capital projects and bonded indebtedness; KRS 45A with regard to the Model Procurement Code; KRS 45.750 with regard to capital projects and .KRS 164A.575 with regard to disposal of surplus property)
(2) May be delegated
(3) Limited to previously authorized programs
(4) Board of Directors, UKAA

POLICIES AND PROCEDURES FOR THE APPROVAL OF CAPITAL PROJECTS
Approved by Board of Trustees

I. Introduction

The purpose of this Administrative Regulation is to establish a process for approval of capital projects by the University of Kentucky Board of Trustees and submission of capital projects to the Council on Postsecondary Education and the General Assembly for authorization.

II. Definition

For the purposes of this Administrative Regulation, "Capital Project" means:

A. the construction, reconstruction, acquisition, and structural maintenance of buildings of greater than $600,000; or
B. the acquisition or improvement of a building or real property of greater than $600,000.

III. Capital Project Approval Authority

A. The Board of Trustees or its Executive Committee shall approve:
   1. all University of Kentucky capital projects, regardless of fund source and including but not limited to capital projects of the University Hospital and affiliated corporations, prior to initiation; and
   2. all bond issuances for University of Kentucky capital projects.

B. The Board of Trustees shall approve the Operating and Capital budgets prior to the start of each fiscal year.

C. Pursuant to KRS 45.760, the General Assembly's Capital Projects and Bond Oversight Committee shall authorize changes in capital project scope or fund source.
   Prior to legislative authorization:
   1. The Board of Trustees or its Executive Committee shall approve:
      a. scope increases to capital projects that exceed fifteen percent (15%); and
      b. changes in fund source allocation that exceed fifteen percent (15%).

2. The President shall approve:
   a. scope increases to capital projects that do not exceed fifteen percent (15%); and
   b. changes in fund source allocation that do not exceed fifteen percent (15%).

D. The President shall provide to the Board of Trustees a Quarterly Capital Construction Report describing the status of ongoing capital projects

IV. Capital Request Approval

A. In April of each odd-numbered year, the University of Kentucky shall submit its Six Year Capital Plan to the Capital Planning Advisory Board. This plan shall be reported to the Board of Trustees at the next meeting. A revised Six-Year Capital Plan may be submitted to the Capital Planning Advisory Board by October 1 of each odd-numbered year.

B. The University of Kentucky is required to submit an executive budget request to the Commonwealth of Kentucky every two years. In June of each odd-numbered year, the Board of Trustees shall approve the University's Capital Request for the next biennium. Following approval by the Board of Trustees, the Request shall be submitted to the Council on Postsecondary Education. The Capital Request generally represents the first two years of the six-year Capital Plan.

C. In November of each odd-number year, the Council on Postsecondary Education submits a biennial operating and capital recommendation to the Governor, including a list of capital projects to be authorized for each public university.

D. Prior to a legislative session in which approval of the Commonwealth's Biennial Budget shall be considered, the President shall provide the Board of Trustees a report on the Capital Request that reflects the Council on Postsecondary Education's recommendations and any known capital project changes or additions for which the University shall seek authorization. However, as needed, the President may submit additional Capital Request changes or additions to the General Assembly during the legislative session. The President shall report the results of the legislative session to the Board of Trustees, including a list of the authorized capital projects. Capital projects that have been authorized by the General Assembly shall be submitted to the Board of Trustees for approval prior to initiation.

E. During legislative interims, the university may submit to the General Assembly new capital projects or changes to previously authorized capital projects in which at least fifty percent (50%) of the cost is paid for using private and/or federal funds. The Board of Trustees or its Executive Committee shall approve such projects prior to submission to the Council on Postsecondary Education and the General Assembly's Capital Projects and Bond Oversight Committee for interim authorization.

V. Procedure for Requesting Board of Trustees Approval to Initiate a Project

A. Prior to requesting Board of Trustees approval to initiate a project, the department, college, or unit shall, in consultation with the Capital Projects Management Division as necessary, develop a Capital Project Plan that includes a:
   1. need analysis;
   2. project scope; and
   3. financial plan.

B. The Capital Project Plan shall be submitted to the Provost or appropriate executive vice president for review. The Provost or appropriate executive vice president shall, in consultation with the Executive Vice President for Finance and Administration (EVPFA), the Office of the Treasurer (OT), and the Office of Planning, Budget, and Policy Analysis (OPBPA), make a recommendation to the President.

C. The President shall determine whether to recommend the Capital Project to the Board of Trustees.

D. Project scope increases or decreases and revised financial plans shall be reviewed by the EVPFA, in consultation with the OT and the OPBPA, prior to implementation.

References:

KRS 164A.560; KRS 7A.010; KRS 45.760
University of Kentucky Governing Regulation II

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	AR II-1.6-1	1
	DATE EFFECTIVE 1/22/08	SUPERSEDES REGULATION DATED 8/21/90, 6/16/92, 12/12/95, 6/11/96, 3/4/97, 7/1/98, 9/19/00, 8/13/02, 3/1/03, 1/27/04, 9/21/04, 10/10/06, 6/12/07, 12/11/07

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 two retirement plan carriers to provide retirement plan administrative services for University of Kentucky employees: Teachers Insurance and Annuity Association/College Retirement Equities Fund (TIAA-CREF) and Fidelity Investment Tax-Exempt Services Company (Fidelity). Additionally, American Century Investors, Inc. (American Century) funds shall be provided through Fidelity's administrative platform. 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 both TIAA-CREF and Fidelity and may be modified from time to time by the Board of Trustees pursuant to section XI.

The policies governing insurance benefits for University retirees are a part of the Human Resources Policy and Procedure Administrative Regulations and are found in Numbers 91.0, 93.0, and 94.0. Information on these insurance programs is not included in this administrative regulation.

II. Retirement Groups

A. Eligibility

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 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.

3. 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.

4. 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.

5. 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.

B. Participation Requirements

1. Mandatory Participation

Participation of Groups I, II and III personnel is mandatory upon attainment of age 30. Participation is voluntary prior to 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.

2. Voluntary Participation

Participation of Groups IV and V personnel is voluntary. 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.

III. Contributions and Vesting

A. Groups I, II, III and IV

Notwithstanding any provision to the contrary contained herein, all Groups I, II, III and IV 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, II, III and IV personnel, from FY 1997-98 forward, 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%

B. Group V

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%

C. University Contribution for Executives

Annual contributions to the Retirement Plan may be made on behalf of certain executives as identified and approved by the President, in an amount equal to the aggregate of employee and University contributions otherwise provided herein for Group I employees

D. Excess Retirement Plan

In addition to the regular contributions referenced herein, excess contributions to the plan may be made to provide retention incentives to certain University employees. The Excess Retirement Plan document defines eligibility, contributions, and vesting and provides other information related to the plan.

E. Vesting

Retirement benefits purchased with the combined employee and University contributions shall become the property of individual participants immediately

upon purchase. The employee is 100% vested. All benefits are primarily for the purpose of providing retirement and death benefits.

IV. Plan Limits (Groups I, II, III, IV and V)

A. 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 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 (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.

B. 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 January 1 of a calendar year and end December 31 of the same calendar year.

C. Not withstanding 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.

1. 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.

2. A participant may change the ratio of allocating funds among retirement plan carriers or change options by completing the appropriate paper work. Changes in allocating contributions among the plan options are accomplished by the participant directly with the retirement plan carrier.

D. 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.

E. If by applying the above-stated percentages there would be a violation of federal or state laws, as a result of the employer and 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.

V. Termination of Contributions

Beginning January 1, 1988, retirement plan contributions on behalf of personnel shall terminate upon retirement or cessation of regular full-time employment.

VI. 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 the Provost or appropriate vice president at least three months in advance of the desired retirement date.

B. Normal Retirement

The normal retirement date for all employees of the University is hereby established as the end of the university's fiscal year in which the employee attains age 65.

C. Mandatory Retirement

With the exception of a mandatory retirement date for all law enforcement officers, no mandatory retirement date is applicable to employees of the University of Kentucky. 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.

VII. Retirement Benefits

A. Benefits through Retirement Plan Carriers

Each participant is entitled, upon separation of service, 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 non-annuitized 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. 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.

VIII. 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.

IX. Contributions under Uniformed Services Leave

A participant on Uniformed Services Leave shall have the ability to continue making retirement contributions to the plan. The amount of employee contributions will be made for the entire salary not received while on leave and is eligible for the University match.

X. 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. Employees who have elected to retire and who have been reemployed under this provision will be considered temporary employees.

XI. Loans and Hardship Withdrawals

Employees may obtain loans or take hardship withdrawals from their retirement accounts based on the rules established by the IRS and retirement carrier.

XII. Excess Retirement Contributions

Employees who reach the Internal Revenue Code (IRC) 403(b) plan compensation and contribution limits each year are eligible for the IRC 401(a) retirement plan. Upon reaching the IRC 403(b) plan compensation and contribution limits each year, eligible employees may elect to participate in the IRC 401(a) plan, which includes required post tax contributions, or receive the employer retirement contribution as salary for the remainder of the calendar year.

XIII. Change in Retirement Plan Carriers

The Board of Trustees reserves the right in its sole discretion to remove, add, or otherwise modify the number of retirement plan carriers in any manner that it may determine by written notice to the affected carrier(s). In such event, the Board may direct that all accounts with the affected carrier shall be transferred to a carrier who is currently approved by the Board to accept contributions. In the event a change in the retirement plan carrier made by the University requires a participant to exchange one annuity contract/custodial account for another within the Plan, or in the event a participant

voluntarily elects to exchange an annuity contract/custodial account for another within the Plan, each of the following requirements must be satisfied:

A. The participant's accumulated benefit under the annuity contract/custodial account immediately after the exchange at least equals the participant's accumulated benefit under such contract/account immediately before the change;

B. To the extent the exchanged annuity contract/custodial account is subject to distribution restrictions under Section 403(b) of the Code, as amended, the other annuity contract/custodial account imposes distribution restrictions no less stringent than those imposed by the exchanged annuity contract/custodial account; and

C. The University enters into an agreement with the issuer of the resultant contract under which the University and the issuer will from time to time in the future provide each other with information necessary for the resulting contract to satisfy Section 403(b) of the Code or other federal tax requirements.

XIV. Plan Document

This administrative regulation serves as the University's retirement plan document. Should federal or state law require a more formalized document, the Executive Vice President for Finance and Administration is authorized to execute such a plan document to the extent that it does not conflict with this administrative regulation.

Reference: KRS 164.220

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.6-2	PAGE 1
	DATE EFFECTIVE 10/16/07	SUPERSEDES REGULATION DATED 4/30/96 3/4/97 12/10/02 6/12/07

PHASED RETIREMENT POLICY AND PROGRAM
(Approved by the Board of Trustees)

I. Policy

The Phased Retirement Program is designed to provide an opportunity for eligible full-time faculty and staff employees to make an orderly transition to retirement through part-time service. It is entirely voluntary and will be implemented by written agreement between faculty or staff employees and the University. The Program is ongoing, but may be eliminated at any time by the University.

II. Eligibility and Approval

A. The Phased Retirement Program is available to all full-time faculty and staff employees who have completed fifteen (15) years of full-time service (in accordance with AR II-1.6-1) at the University of Kentucky and who are age sixty (60) or older by the commencement of their phased retirement. Individuals who have already taken regular retirement are not eligible for phased retirement under this program.

B. A decision to request a phased retirement appointment rests entirely with individual employees. Phased retirement that is requested and approved shall commence on the date agreed upon by the employee and the University and recorded in the written agreement.

C. The Phased Retirement Program does not create an absolute right of employees to a phased retirement. Phased retirement appointments must be requested by eligible employees but shall be granted only when such appointments are in the best interests of the University.

III. Requests for Phased Retirement

A. Faculty Requests

1. A faculty employee shall submit a request for a phased retirement appointment to the educational unit administrator at least six (6) months before the date upon which such appointment would become effective unless the affected educational unit administrator and the dean agree to accept a later submission. The request shall include a completed, signed, and notarized phased retirement

agreement and its attendant paperwork.

2. The educational unit administrator shall review the request and make a recommendation to the dean. The dean shall review the request and recommendation of the educational unit administrator and make a recommendation to the Provost. The Provost shall have final approval authority.

B. Staff Requests

1. A staff employee shall submit a request for a phased retirement appointment to the supervisor of the administrative unit to which the employee is assigned at least three (3) months before the date upon which such appointment would become effective, unless the affected supervisor and senior administrator agree to accept a later submission. The request shall include a completed, signed, and notarized phased retirement agreement and its attendant paperwork.

2. The supervisor shall review the request and make a recommendation to the appropriate senior administrator (e.g., vice president or associate vice president). The senior administrator shall review the request and recommendation of the supervisor and make a recommendation to the appropriate executive vice president, Provost, or President. The executive vice president, Provost, or President shall have final approval authority.

IV. Terms and Conditions

Phased retirement appointments under this Program shall be subject to the following terms and conditions:

A. Phased retirement appointments involve a reduction of employment from full-time to part-time, but not less than 50 percent FTE. Such appointments for faculty employees 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). Instruction, research, and service assignments under such an appointment shall be determined by agreement between the faculty employee and the educational unit administrator and shall be set forth in detail in the written phased retirement agreement. Phased retirement appointments for staff employees shall normally consist of no less than 50 percent FTE throughout the fiscal year or duration of the agreement.

B. The salary of an employee on a phased retirement appointment shall be reduced

by 50 percent from the salary such employee would have received but for the election of phased retirement under this program. Employees electing phased retirement appointments shall not be eligible for promotion or proportional merit salary increases during the period of their phased retirement program.

C. Phased retirement under this program shall not exceed five (5) years in duration. Employees who request and receive phased retirement appointments shall agree in writing to accept full retirement from the University no later than five (5) 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 that nothing in this regulation shall preclude employees from electing regular retirement from the University at any point in time during the phased retirement period (even though such employees 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.

D. Faculty employees on phased retirement appointments shall have the same academic freedoms and responsibilities as other faculty employees. Faculty and staff employees on phased retirement appointments will have access to all grievance and appeal procedures available to other employees.

V. Retirement and Other Employee Benefits

A. Retirement Contributions

The University's contributions to retirement for an employee on phased retirement appointment, and the employee's contributions as well, shall be based upon their actual (i.e., reduced) salaries during the period of reduced employment. Employees electing the Phased Retirement Program may access their retirement plan funds, without separating from the University, after the effective date initiating their participation in this program.

B. Disability Benefits

The calculation of disability benefits for an employee on a phased retirement appointment shall be based on the equivalent of the employee's full-time salary at the onset of the phased retirement appointment.

C. Vacation and Other Leave

Faculty employees 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. Staff members shall accrue temporary disability leave and vacation leave in proportion to their reduced full-time equivalency (FTE).

D. Other Benefits

In all other respects, employees on phased retirement appointment shall be entitled to the employee benefits normally offered to regular full-time employees. Employee privileges, such as parking and reduced-cost athletic tickets, will be made available to employees on phased retirement appointments as if they were on regular full-time appointments. Requests for travel expenses and support services for employees on phased retirement appointments shall be considered and evaluated under normal processes. An employee's use and occupancy of office or lab space shall not be adversely affected by electing to accept a phased retirement appointment.

References: KRS 164.220
AR II-1.6-1

DeMarcus, Nancy

From: President Lee T. Todd, Jr. [President.uk@EMAIL.UKY.EDU]
Sent: Friday, June 27, 2008 4:04 PM
To: DeMarcus, Nancy
Subject: New, Revised Governing and Administrative Regulations

The Office of the President is pleased to announce the issuance of the following new and revised Governing and Administrative Regulations.

GR II.A.6(f), INVESTMENT COMMITTEE: http://www.uky.edu/Regs/GR/gr2.pdf
This section of GR II is revised to define the voting membership of the Investment Committee of the Board of Trustees and to provide for the appointment of non-voting community advisory members to the Committee.

GR V.A, THE STAFF SENATE: http://www.uky.edu/Regs/GR/gr5.pdf
The regulation is revised to grant the Staff Senate authority to create procedures that provide an exception to the one year of continuous employment requirement for senator elections for groups of new employees obtained through rare and unusual circumstances.

GR I.L, SMOKE-FREE POLICY: http://www.uky.edu/Regs/GR/gr1.pdf
This section of GR I is revised to delegate authority to the President to promulgate an Administrative Regulation regarding the use of tobacco products on property under the University's jurisdiction. This section of GR I is renamed "Tobacco Policy."

AR II-4.0-1, POLICIES AND PROCEDURES POSTDOCTORAL SCHOLARS, POSTDOCTORAL FELLOWS, AND VISITING SCHOLARS: http://www.uky.edu/Regs/AR/ar067.pdf
This regulation is revised to clarify the policies and procedures for the terms of appointment and employment of postdoctoral scholars and fellows and for the accommodation of visiting scholars.

AR II-1.7-2, POLICY GOVERNING ACCESS TO AND USE OF UNIVERSITY INFORMATION TECHNOLOGY RESOURCES: http://www.uky.edu/Regs/AR/ar064.pdf
The regulation is updated to clarify current University policy and procedure relative to use of University information technology resources.

AR II-1.7-3, INSTITUTIONAL DATA MANAGEMENT AND SYSTEMS ACQUISITION:
http://www.uky.edu/Regs/AR/ar064a.pdf
The regulation is revised to clarify the organizational responsibilities for data and systems administration and to establish policies and procedures for technology acquisitions.

AR III-2.0-1, UNIVERSITY COMPUTING ADVISORY COMMITTEES: http://www.uky.edu/Regs/AR/ar114.pdf
The regulation is revised to establish the Integrated Resources Information Systems Administrative Computing Systems Coordinating Committee (IRIS ACSCC) as the advisory committee for administrative data.

AR II-1.7-1, INFORMATION SYSTEMS POLICIES AND PROCEDURES:
This Administrative Regulation is eliminated. Relevant content is merged into AR II-1.7-3 and AR III-2.0-1. 6/4/2008

AR II-1.1-14, ENVIRONMENTAL HEALTH AND SAFETY: http://www.uky.edu/Regs/AR/ar046.pdf
The regulation is revised to clarify the organizational responsibilities for the University's health, safety and environmental protection programs.

AR II-1.1-15, TOBACCO POLICY: http://www.uky.edu/Regs/AR/ar046-2.pdf

The regulation, formerly the "Smoke Free Policy", is revised to establish a tobacco-free medical center campus, beginning November 20, 2008.

AR III-1.1-2, SUSTAINABILITY ADVISORY COMMITTEE: http://www.uky.edu/Regs/AR/ar103m.pdf
This new regulation formally establishes the Sustainability Advisory Committee. The Committee will develop policy and initiatives that will be incorporated into the university community in a way that positions UK to become a model sustainable campus.

AR III-1.2-2, UNIVERSITY COMMITTEE ON PRESS, RADIO, AND TELEVISION:
http://www.uky.edu/Regs/AR/ar110.pdf
This regulation is revised to reflect the University's new regulation format. There are no substantive changes.

AR III-4.0-1 - VICE PRESIDENT FOR RESEARCH ADVISORY COMMITTEE:
This Administrative Regulation is eliminated.

Please familiarize yourself with these revised regulations. If you are a supervisor, please communicate this information to all of your staff, especially those without computer access. The complete administrative regulation library, including the list of recently revised regulations, may be found at http://www.uky.edu/Regs/AR. Questions about these or other regulations should be directed to the Office of Legal Counsel at (859) 257-2936, or mdeaton@email.uky.edu.

July 2008

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-1.7-2	PAGE 1
	DATE EFFECTIVE 6/4/08	SUPERSEDES REGULATION DATED 3/18/93

POLICY GOVERNING ACCESS TO AND USE OF UNIVERSITY INFORMATION TECHNOLOGY RESOURCES

I. Introduction

Computers, network systems, and other associated technologies offer powerful tools for creating, communicating, and managing data, and for a host of other activities. Taxpayers, students, and other groups providing sources of funding that support information technology resources at the University expect that these assets will be used in support of the University's mission of instruction, research and other creative activity, and service.

The University expects all individuals using information technology resources to take appropriate measures to manage the data stored on technology resources. The University is expected to preserve and protect administrative data transmitted and stored on its systems and comply with applicable federal and state legislation.

The University generally does not monitor or restrict the content of material transmitted, stored, or posted on University-owned information technology resources , but reserves the right to limit or remove access to its networks and to material posted on its computers, when applicable University regulations, contractual obligations, or state or federal laws are violated. Individuals who use University technology resources and email for any work-related or personal matters do not acquire an absolute right of privacy for data, documents and communications transmitted or stored on University information technology resources.

II. Scope

A. This policy applies to users of University information technology resources irrespective of whether those resources are accessed from on-campus or off-campus locations. Persons having the following affiliations with the University are eligible to access and use the University's information technology resources:

1. Current faculty and staff, including post-doctoral fellows;

2. Currently enrolled students (including undergraduate, graduate, and non degree students);

3. Upon request, retired faculty and staff, and their surviving spouses or sponsored dependents;

4. Upon request, spouses or sponsored dependents of faculty or staff who become deceased while employed by the University;

5. Certain persons affiliated with external agencies collaborating with the University; and

6. Any other person authorized by the Vice President for Information Technology or designee to use University information technology resources.

An individual's access to specific resources shall be limited due to University licensing or contract limitations.

For groups 3, 4, and 5, access is generally limited to electronic mail. If resources become constrained, this practice may be reviewed and may be restricted or eliminated in favor of allocating required resources to uses by active faculty, students, and staff. Unless eligible though another affiliation, alumni of the University are not eligible to access and use University information technology resources, except when such resources are available to the general public.

B. This policy applies to all University information technology resources, including:

1. Data and other files, including electronic mail and voice mail, stored in individual computer accounts on University-owned centrally-maintained systems;

2. Data and other files, including electronic mail or voice mail stored on departmentally-maintained systems;

3. Data and other files, including electronic mail and voice mail, stored in individual computer accounts on systems managed by the university on behalf of affiliated organizations;

4. Data and other files, including electronic mail or voice mail, stored on personally-owned devices on University property (e.g., residence hall rooms);

5. Data and other files, including electronic mail or voice mail stored on University-owned systems assigned to a specific individual for use in support of job functions; and

6. Telecommunications (voice or data) traffic from, to, or between any devices described above.

III. Confidentiality

A. In general, information stored on information technology resources is considered confidential, whether protected by the computer operating system or not, unless the owner intentionally makes that information available to other groups or individuals. The University assumes that individual users wish the information they store on central and campus shared information technology resources to remain confidential. Requests for

disclosure of confidential information may be reviewed by the senior administrator of the information technology systems involved. Such requests shall be honored only when approved by the University officials authorized by the University, or when required by state or federal law. Except when inappropriate or impractical, computer users shall receive prior notice of such disclosures.

B. Free expression of ideas is central to the academic process. The University acknowledges the importance of the diversity of values and perspectives prevalent in an academic institution, and is respectful of freedom of expression of ideas. The University does not condone censorship nor does it endorse the inspection of electronic files or monitoring of network activities related to individual activities.

C. Legitimate reasons for persons other than the account holder to access computer files, computers, or network traffic, or to disclose data to third parties, include:

1. Ensuring the continued integrity, security, or effective operation of University systems;

2. Protecting user or system data;

3. Ensuring continued effective departmental operations;

4. Ensuring appropriate use of University systems;

5. Satisfying a legal obligation;

6. Complying with the Kentucky Open Records Act;

7. Complying with the Federal Rules of Civil Procedure for E-Discovery; or

8. Health and safety emergencies.

D. In any case where it becomes necessary for persons other than the account holder to access computer files or computers or network traffic for one or more of the purposes outlined above, all reasonable attempts shall be made to limit the access to the related purpose and to preserve confidentiality of any personal identifiers.

IV. Security

A. Although the University takes reasonable measures to protect the security of its information technology resources and accounts assigned to individuals, the University does not guarantee absolute security.

B. The University helps users of its central and campus shared information technology resources to protect the information they store on those resources from accidental loss, tampering, unauthorized search, or other access. In the event of

inadvertent or non-malicious actions resulting in the loss of or damage to information, or the invasion of the user's identity or privacy, the University's information technology department shall make a reasonable effort to mitigate the loss or damage.

C. The University provides industry-standard security on University maintained systems. Users are responsible for properly safeguarding the information technology resources under their control, specific to files associated with their computer accounts.

D. Users may request that arrangements be made to protect information stored on such resources. These requests may be honored at the discretion of the unit that manages the resources.

V. Information Technology Users' Privileges and Responsibilities

A. The University grants access to its information technology resources to an individual solely for the individual's own University mission-related use. User access shall not be transferred to or shared with another without explicit written authorization by the Vice President for Information Technology, a designee, or the appropriate system administrator.

B. All users of University information technology resources are expected to exercise common sense and decency, including due respect for the rights of others in public areas.

C. User access to information technology resources is contingent upon prudent and responsible use, which includes following appropriate security measures. The user shall not use information technology resources to violate any state or federal laws, Governing Regulations and Administrative Regulations, Code of Student Conduct, Human Resources Policy and Procedures, or Rules of the University Senate. Incidental personal use is an accepted and appropriate benefit of being associated with the University's technology environment. The senior management of each unit is authorized to determine the nature and amount of incidental personal use by members of the unit. An employee's supervisor may require the employee to cease or limit any incidental personal use that hampers job performance, adversely affects or conflicts with University operations or activities, or violates University policy. All direct costs (for example, printer or copier paper and other supplies) attributed to personal incidental use shall be assumed by the user.

D. The user shall not use information technology resources for any individual commercial purpose or for personal gain, except as approved pursuant to other applicable University regulations, or approved by the Vice President for Information Technology, or a designee.

E. Information technology resources shall be shared among users in an equitable manner. The user shall not participate in any behavior that unreasonably interferes with the fair use of information technology resources by another.

F. Information technology resource users shall facilitate computing in the University environment by:

1. Regular deletion of unneeded files from one's accounts on central or shared machines in accordance with the University's record retention policy.

2. Refraining from overuse of information storage space, printing facilities, or processing capacity, and interactive network connections.

VI. System Administrator Responsibilities

A. Both University and departmental system administrators of information technology resources are responsible for the security of information stored on those resources, for making appropriate information on security procedures available to users of those systems, and for keeping those systems free from unauthorized access. Administrators of departmental and individual information technology resources shall not implement any policy or procedure that is less restrictive than University requirements.

B. University and departmental system administrators are prohibited from removing any information from individual accounts unless the system administrator finds that:

1. The presence of the information is illegal (e.g. copyrighted material, software used in violation of a license agreement, or child pornography);

2. The information in some way endangers University information technology resources or the information of other users (e.g. a computer worm, virus, or other destructive program); or

3. The information is inappropriate because it is unrelated to or is inconsistent with the mission of the University, is in violation of University policy, or is otherwise not in compliance with the legal and ethical usage responsibilities listed in the Information Technology Usage Policy.

4. Equipment is being transferred from one unit to another, or when equipment is declared surplus. In this case, all files shall be wiped clean from the hard drives before the transfer occurs. See: http://www.uky.edu/Regs/BPM/E-12-4.pdf.

5. An employee leaves the unit's employment or a student discontinues their enrollment at the University. In this case, the individual's computer account may be inactivated or files may be wiped clean from the hard drives.

C. Departmental system administrators (or University system administrators) may access or permit access to the resources described above, if he or she:

1. Has written (verifiable email or paper) permission from the individual to whom the account or device or communication has been assigned or attributed;

2. In an emergency situation, has a reasonable belief that a process active in the account or on the device is causing or will cause significant system or network degradation, or could cause loss or damage to system or other users data; or

3. Receives a written request from the senior executive officer of a department to access the account of a staff or faculty member who is deceased, terminated, transferred, or is otherwise incapacitated or unavailable for the purposes of retrieving material critical to the operation of the department.

D. University system administrators may access or permit access to the resources described above, if he or she:

1. Receives a court order or direction from University Counsel;

2. Receives a written authorization from the appropriate executive vice president or Provost, for situations where there is reasonable belief that the individual to whom the account or device is assigned or owned has perpetrated or is involved in violations of University policy using the accounts or device in question; or

3. Receives a written request from the Dean of Students, for situations where there is a reasonable belief that a student to whom the account or device is assigned or owned has perpetrated or is involved in illegal activities, or is in violations of University policy using the accounts or device in question.

VII. Violations

A. Legitimate use of an information technology resource does not extend to whatever an individual is capable of doing with it. Just because an individual is able to circumvent restrictions or security, does not mean that the individual is permitted to do so.

Alleged violations of this policy can be reported directly to the Office of the Vice President for Information Technology. If the person responsible is not affiliated with the University, or cannot be identified, the incident should be reported to <itresource abuse@uky.edu>.

B. Examples of Violations

Violations generally consist of downloading or posting to University computers, or transporting across University networks, material that is illegal, proprietary, in violation of University policies or contractual agreements, or otherwise is damaging to the institution. Examples of specific violations include, but are not limited to:

1. Sharing passwords or acquiring another's password without prior written authorization from University Technology Services or the appropriate system administrator;

2. Unauthorized accessing, using, copying, modifying, or deleting of files, data, user ids, access rights, usage records, or disk space allocations;

3. Accessing resources for purposes other than those for which the access was originally issued, including inappropriate use of authority or special privileges;

4. Copying or capturing licensed software for use on a system or by an individual for which the software is not authorized or licensed. Misappropriation of data or copyrighted materials, including computer software, may constitute theft;

5. Use of information technology resources for remote activities that are unauthorized at the remote site;

6. 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;

7. Intentional obscuring or forging of the date, time, physical source, logical source, or other header information of a message or transaction;

8. Interception of transmitted information without prior written authorization from University Technology Services or the appropriate system administrator;

9. Failure to reasonably protect one's account from unauthorized use (e.g., leaving one's terminal publicly logged on but unattended);

10. Violation of priorities for use of information technology resources as established by an individual facility within the University system;

11. Excessive use of information technology resources, especially when it impedes the mission-related activities of other users, or adversely affects system availability or performance;

12. Use of information technology resources for individual commercial activities that are not approved by the University, for personal private gain, or for political campaigning and similar activities that are inconsistent with the University's tax-exempt status;

13. Violation of software license agreements, including making more copies of licensed software than the license allows (i.e. software piracy); or

14. Sending a crippling number of files across the network (e.g. email "bombing" or "spamming").

VIII. Response, Investigation, and Sanctions

A. Response

1. In the event that University officials are notified of alleged misconduct or illegal activity on the part of a member of the University community, after consultation with Human Resources or the Dean of Students and Legal Counsel, contents of an individual's e-mail, other computer accounts, office computer, or network traffic may be copied and stored to prevent the destruction and loss of information, pending formal review of that material.

2. Except when inappropriate or impractical, efforts will be made to notify the involved individual prior to accessing the computer account or device, or before observing network traffic attributed to them. Where prior notification is not appropriate or possible, efforts will be made to notify the involved individual as soon as possible after the access.

B. Investigation of Allegations

1. When the Vice President for Information Technology, a designee, or the appropriate university system administrator has reason to believe that a violation of this policy may have occurred, he or she may initiate an investigation and suspend technology privileges for the individual(s) involved, pending further investigation.

2. If significant University sanctions are imposed, such action, together with an explanation of the causal events, shall be reported by the Vice President for Information Technology or the appropriate system administrator to the Dean of Students, in case of students; or, to the Provost or appropriate executive vice president for all others.

C. Sanctions

1. University sanctions are imposed by the appropriate University authority and may include, but are not limited to, limitation or revocation of access rights, and reimbursement to the University for the technology 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.

2. Disciplinary actions as defined in the Code of Student Conduct, Human Resources Policy and Procedures, and Administrative and Governing Regulations, and Rules of the University Senate may also include any combination of disciplinary action, or civil or criminal liability. The usual rights and privileges of appeal apply.

3. Violation of this policy may also result in the University referring the violation to the appropriate state or federal agency. Violations of KRS 434.840 (Kentucky statutes dealing with unlawful access or use of a computer) shall be referred to the Commonwealth Attorney or the police for investigation and prosecution. Similarly, violations of 18 U.S.C. Sec.1030 (Federal laws related to unlawful access or use of a computer) shall be referred to the Federal Bureau of Investigation.

IX. Appeals

A. In cases where a user's technology privileges are limited or revoked by Information Technology, a user may request a review of the action. The review shall be conducted by Information Technology according to established procedures.

B. In cases where a user's information is removed by Information Technology or the departmental system administrator, a user may appeal the removal through the relevant administrative process appropriate to the status of the user (i.e., faculty, staff or student).

GLOSSARY

Access right: permission to use University information technology resources according to appropriate limitations, controls, and guidelines.

Commercial purpose: activities by an individual or department where the goal or end involves the buying and/or selling of goods or services for the purpose of making a profit.

Data: a representation of facts, concepts, or instructions suitable for communication, interpretation, or processing by human or automatic means.

E-Discovery: a generic term used to encompass how the legal world of litigation, regulation, and criminal investigation searches, collects, preserves, processes, and produces electronic files. E-Discovery is governed by the Federal Rules of Civil Procedure.

Equitable use: use of information technology resources in accordance with this policy and with the rules of an individual University facility; use of information technology 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.

Incidental Personal Use: use of information technology resources by members of the University community of support of activities that do not related to their university employment or studies or to other activities involving and approved by the university. Examples include use of email to send personal messages to friends, family, or colleagues, including messages relating to one-time minimal sales or purchase transactions, and occasional use of the web to gain information about personal interests.

Information Technology Resources: information technology devices (personal computers, printers, servers, networking devices, etc.), computing systems and applications, involved in the processing, storage, and transmission of information.

Kentucky Open Records Act: a state law that requires public records to be made available to any person who requests them, subject to certain exemptions.

Password: a string of characters that a user shall supply to meet security requirements before gaining access to a particular technology resource.

Prudent and Responsible Use: use of information technology 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 University information technology resources.

Remote Activity: any technology action or behavior that accesses remote site facilities via a University information technology resource.

Remote site: any information technology/network equipment, facility or service not part of, but connected with, University information technology resources via a communications network.

Software Piracy: unauthorized duplication, distribution or use of someone else's intellectual property, including computer software, constitutes copyright infringement and is illegal and subject to both civil and criminal penalties.

Sound Recording Piracy: another form of copyright infringement is the unauthorized duplication or distribution of sound recordings. Federal copyright law grants the copyright owner in a sound recording (typically, a record company) the exclusive rights to reproduce, adapt, distribute, and in some cases, digitally transmit the owner's sound recordings. Sound recording piracy is illegal and subject to both civil and criminal penalties.

System Administrator: any individual authorized by the Vice President for Information Technology, the Provost or appropriate executive vice president, or a designee to administer a particular technology hardware system or its system software.

User: an individual, including student, faculty, staff, or individual external to University, who uses University information technology resources.

User id: a character string that uniquely identifies a particular user to a University technology resource.

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INSTITUTIONAL DATA MANAGEMENT AND SYSTEMS ACQUISTION

I. Introduction

This Administrative Regulation sets forth policies and organizational responsibilities for the data administration program, technology acquisitions, and communications networking at the University.

This regulation applies to central "administrative" data and systems which are of institutional significance and which are used to support or are relevant to the administrative, operational, patient care, or planning functions within the institution. Appropriate access should be broadly available to the University community

The University shall have enterprise database systems containing all of its central institutional administrative data. All area or departmental systems containing peripheral administrative data shall be integrated with the institutional databases and data architecture whenever appropriate.

II. Organizational Responsibilities

A. Executive Vice President for Finance and Administration (EVPFA) Responsibilities

The EVPFA shall:

1. have final approval regarding all recommendations of the IRIS Administrative Computing Systems Coordinating Committee (ACSCC) (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; and

3. recommend a representative to serve as the chair of the ACSCC. (AR III-2.0-1)

B. University Chief Information Officer (CIO) Responsibilities

The University CIO shall:

1. coordinate the implementation of the decisions made by the EVPFA in the application of guidelines in the comprehensive management of institutional administrative data;

2. maintain and 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. consult with the ACSCC (see AR III-2.0-1), Information Technology Enterprise Computing Services, University Healthcare Information Technology, and other area technical staff;

4. coordinate all data management efforts with the Provost and the Executive Vice President for Health Affairs;

5. prepare periodic information technology plans that support the institutional goals outlined in the University's strategic plan;

6. coordinate preparation of the University's Information Resources Plan for state-wide use, in compliance with KRS 61.940 to 61.953; and

7. support all centralized, institutional hardware, software, and systems.

C. Business Owner Responsibilities

Primary responsibility for the content and quality of the data in these systems is assigned to individuals designated as the business owners within the functional areas. These individuals are designated to serve as members of the ACSCC and 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 IRIS Administrative Systems Group and any technical staff or users who have the authority to update the data.

D. Data Custodian Responsibilities

1. The business owners shall assign a management staff member from their functional areas to serve as data custodians. The data custodians are subject matter 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. The data custodians will be responsible for the collection and maintenance of specific data in their functional areas, and for providing advice to the business owner on corresponding policy and procedures.

2. Each University area shall make economic decisions involving computing and other services to support its area. Colleges and departments are responsible for operation and maintenance of departmental facilities. However, arrangements whereby departments contract with Information Technology to provide site management and technical support are encouraged. Such arrangements shall be discussed and agreed to by appropriate departmental and information technology representatives and approved by the Provost, appropriate executive vice president or the CIO. 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.

III. Procedures for the Acquisition and Purchase of Systems and Services

A. Purchasing and contracting functions at the University of Kentucky as a state agency shall be completed within the framework of the Commonwealth of Kentucky Revised Statutes KRS l64A.550 to 164A.630.

B. 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.

IV. Capital Acquisitions

A. 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 or divisional requests. The primary responsibility for a decision to acquire departmental or college systems rests with the affected units; however, such decisions should be reviewed with the CIO.

B. All requests for computing or communications equipment and services in excess of ten thousand dollars ($10,000.00) must be submitted to the CIO 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. (see Business Procedures Manual, Section B-7)

C. 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.

V. Administrative Systems Project Request Procedures

A. As institutional units perceive the need for new or expanded University-wide administrative computing systems, they shall prepare requests in cooperation with Information Technology staff and forward them through the Provost or appropriate executive vice president to the CIO. The CIO will to determine whether the systems process or store university-wide data or must interface with other university-wide systems.

B. 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 shall be reviewed by the ACSCC. Recommendations from this committee shall be forwarded to the EVPFA and the CIO for review and action.

C. 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 established data management standards, all recurring and non-recurring costs and benefits identified, and a report containing the results of the evaluation will be presented to the ACSCC. This Committee will review the information and make a recommendation on the appropriate course of action to the EVPFA and the CIO.

D. For each approved request, the appropriate senior administrator within central administration will serve as the executive sponsor and will designate a project liaison. This project liaison will have the responsibility to support the installation or expansion, and shall be responsible for providing regular status reports on project implementation to the executive sponsor as well as to the CIO.

VI. Communications and Networking

A. The University is committed to providing state-of-the-art communications and networking services to support the institutional mission. This commitment includes providing a 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 shall be provided in an efficient and effective manner. Funding for the infrastructure facilities are a shared responsibility between general (institutional) funds and area funds.

B. The Communications and Networking Systems unit (CNS) provides the communications systems and services for the University. CNS 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 CNS in determining voice, data, and video needs and specifications. (See Business Procedures Manual, Section Q)

References:

KRS l64A.550 to 164A.630; KRS 61.940 to 61.95; KRS 45.760 and KRS 45.750; AR III-2.0-1; AR II-1.0-3; Business Procedure Manual Section B-7, Business Procedures Manual Section Q.

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-range projections to meet growth needs. An educational unit may choose to fund a position or positions and all or part of the book budget by a recurring transfer from user organization budgets to the 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 library collections shall be limited to dictionaries, textbooks, workbooks, handbooks, and other working tools used by faculty on a daily or very frequent basis in support of teaching and research.

C. Financial Support Statement

A statement covering financial support is a vital part of a proposal to establish an independent educational unit library collection. University educational units which use their own resources to establish independent educational unit library collections outside the established University System Libraries must accept complete responsibility for operating and maintaining these collections. The University System Libraries normally shall not provide technical services or personnel in support of these collections.

D. Inclusion in 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 ON POSTDOCTORAL SCHOLARS, POSTDOCTORAL FELLOWS, AND VISITING SCHOLARS

I. Introduction

This regulation establishes the policies and procedures for the terms of appointment and employment of postdoctoral scholars and fellows and for the accommodation of visiting scholars in 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 designation of postdoctoral scholars makes it possible for the University to recognize their accomplishments by awarding Certificates of Postdoctoral Study.

II. Jurisdiction

All individuals appointed as a postdoctoral scholar or fellow shall be under the jurisdiction of the Provost. Individuals whose experience and training exceed that of learner or apprentice shall be considered as visiting scholars and are under the jurisdiction of the Provost or the Vice President for Research, as appropriate.

The Provost may delegate certain matters, such as the processing of appointments and reappointments of postdoctoral fellows and scholars, to the Dean of the Graduate School or appropriate college deans.

III. Definitions

A. Postdoctoral Scholar. 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, an academic assignment is required as a condition of appointment with salary. A postdoctoral scholar has status both as a temporary academic staff employee and as a postdoctoral student.

B. Postdoctoral Fellow. 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 (neither of which are considered salary) from grant funds provided specifically for a particular field of study or

training. No academic assignment is required as a condition of receiving the stipend. A postdoctoral fellow has status as a postdoctoral student but not as an employee.

C. Visiting Scholar. 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 designation 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 must have significant scholarly experience. A visiting scholar has status as temporary academic staff. An appointment as visiting scholar normally is without salary from the University.

IV. 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 Provost. 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 Provost.

2. Those who previously have served as a postdoctoral scholar or fellow for five 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 pre-doctoral 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 Provost upon receipt of a recommendation endorsed by the department chair or research unit director and the dean of the appropriate college.

V. Appointments

A. Postdoctoral Scholar or Postdoctoral Fellow

1. Appointment as a postdoctoral scholar or postdoctoral fellow requires recommendations by the appropriate department chair 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 Provost. Applications on forms provided by the Graduate School shall be made at the time of initiation of the individual's program of training and research.

2. A resident faculty member shall be designated to monitor and evaluate the program undertaken. Department chairs 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 Graduate School 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.

3. Appointment as a postdoctoral scholar or fellow in a given field at the University shall be limited to a maximum of five years, unless an exclusion endorsed by the appropriate department chair or research unit director and college dean is approved by the Provost. Department chairs 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, particularly those with appointments in the fourth or fifth year, receive adequate counseling on future, permanent employment opportunities.

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 Provost or the Vice President for Research 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 Provost or Executive Vice President for Research.

VI. 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.

VII. 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 premiums. They do, however, receive a basic life insurance benefit and a health credit. Premiums 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 or Third Party Administrators (TPA's). Specifically, they are eligible:

1. For an identification card, indicating clearly the recipient's status as a postdoctoral scholar, issued without fee by Human Resources 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 Provost or the Graduate School. 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. They are ineligible to use the Student Insurance Plan and the Student Health Service. U.S. Department of State regulations require all J-1 postdoctoral scholars and their dependents (J-2) to have medical evacuation and repatriation coverage. This coverage is not provided with employee health insurance plans and can be purchased at the Office of International Affairs;

3. To pay the Student Activity Fee each semester, which generally 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;

4. For coverage by University's basic life insurance program;

5. To enroll in the University's optional life insurance program. If enrolled in the University's optional life insurance program, eligible to purchase dependent life insurance for spouse and children;

6. To purchase group accident insurance;

7. To purchase dental insurance;

8. To purchase vision insurance;

9. For coverage under the University's Long Term Disability Plan;

10. For coverage by provisions of Kentucky Workers' Compensation Act;

11. To participate in the Employee Education Program (EEP);

12. For coverage under the University's Blood Donor Program;

13. For temporary disability leave in accordance with Staff Personnel Policy and Procedure Number 82.0;

14. For holiday leave with pay in accordance with Staff Personnel Policy and Procedure Number 83.0 and the President's Official Holiday Announcement;

15. To apply for an E parking permit;

16. To participate in the voluntary tax-shelter plans offered by the University of Kentucky, including health care flexible spending accounts and dependent care flexible spending accounts;

17. To apply for membership in the Hilary J. Boone Center at the University of Kentucky;

18. To apply for membership in the Spindletop Hall Alumni, Faculty, and Staff Club; and

19. For an entitlement to fifteen (15) working days of vacation leave with pay per annual assignment period. The fifteen (15) days of vacation leave shall be credited annually to the postdoctoral scholar on the first day of the new fiscal year.* With prior administrative approval, postdoctoral scholars may take vacation leave during the period in which they are eligible to take such leave. Vacation leave, if used, must be taken in the assignment period in which it is credited, or the vacation leave will be forfeited.

* For purposes of determining prorated first-year vacation credit for a postdoctoral scholar whose first-year assignment begins after the start of a fiscal year, or for purposes of determining terminal vacation pay for a postdoctoral scholar who separates his or her employment from the University, vacation days are deemed to be earned per month during an assignment period. The calculation of terminal vacation pay per day of unused vacation leave shall follow the convention established for faculty employees as codified in AR II-1.1-7, sub-section III (Prorated Vacation Credit and Terminal Vacation Pay).

B. Postdoctoral Fellows

Postdoctoral fellows, in view of their status as postdoctoral students but not salaried employees, shall be eligible for certain benefits under stated conditions. They shall be responsible for all premiums. They do, however, receive a basic life insurance benefit and a health credit. Premiums 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 or Third Party Administrators (TPA's). Specifically, postdoctoral fellows are eligible:

1. For an identification card, indicating clearly the recipient's status as a postdoctoral fellow, issued without fee by Human Resources to each individual appointed as a full-time postdoctoral fellow 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 Provost or the Graduate School. 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. They are ineligible to use the Student Insurance Plan and the Student Health Service. U.S. Department of State regulations require all J-1 postdoctoral fellows and their dependents (J-2) to have medical evacuation and repatriation coverage. This coverage is not provided with employee health insurance plans and can be purchased at the Office of International Affairs;

3. 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;

4. For coverage by University's basic life insurance program;

5. To enroll in the University's optional life insurance program. If enrolled in the University's optional life insurance program, eligible to purchase dependent life insurance for spouse and children;

6. To purchase dental insurance;

7. To purchase vision insurance;

8. To participate in selected voluntary tax-shelter plans offered by the University of Kentucky, including dependent care flexible spending accounts;

9. For coverage under the University's Blood Donor Program;

10. To apply for an E parking permit; and

11. To apply for membership in the Hilary J. Boone Center at the University of Kentucky.

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 premiums, 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 and/or Third Party Administrators (TPA's). Specifically, they are eligible:

1. For an identification card, indicating clearly the recipient's status as visiting scholar, issued without fee by Human Resources 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 Provost or the Executive Vice President for Research. 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. Because of their status as temporary employees, they are ineligible to receive a health credit. J-1 visiting scholars and their dependants (J-2) are also eligible to purchase the Student Health Plan at their own expense. Visiting scholars and their spouses insured by the Student Insurance Plan may use the University Health Service on a fee-for-service basis;

4. To purchase dental insurance;

5. To purchase vision insurance;

6. To apply for membership in the Hilary J. Boone Center at the University of Kentucky; and

7. To apply for membership in the Spindletop Hall Alumni, Faculty, and Staff 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 chair of the department or director of the research unit with which the individual was primarily associated and by the Provost. 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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RESEARCH MISCONDUCT

I. Introduction

Any compromise of the ethical standards required for conducting academic research cannot be condoned. Even though breaches in such standards are rare; they must be dealt with promptly and fairly by all parties in order to preserve the integrity of the research community. The objectives of this regulation are to maintain the integrity of University research, to conform to the expectations of extramural sponsors or regulators, and to describe the University's procedure for handling allegations of research misconduct.

In order to preserve the integrity of the overall process of assessing potential misconduct, the process involves multiple steps. The process begins with an allegation, which shall first be assessed to determine whether it meets the criteria for research misconduct. If those criteria are met, there shall be an inquiry into the allegation to determine whether there are enough facts to warrant an investigation. If an investigation is warranted, a formal examination and evaluation of all relevant facts shall determine if the allegation of misconduct is valid. If the allegation is valid, the process shall be concluded with an adjudication procedure.

II. Definition of Research Misconduct

A. "Research misconduct" is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

B. Fabrication is making up data or results and recording or reporting them.

C. Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

D. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

E. In cases of allegations involving activities submitted to or supported by a federal agency, the definition and procedures for research misconduct specified in the agency's regulations will apply.

III. Confidentiality

All parties involved in the inquiry and investigation shall strive to maintain confidentiality of information to the extent consistent with a fair and thorough process and as allowed by law, including applicable federal and state freedom of information and privacy laws.

IV. Reporting Alleged Research Misconduct

A. Concerns about potential research misconduct should be communicated immediately to the senior administrator of the area in which the alleged incident(s) occurred e.g. the dean of the college or school or the director of a research institute or center. Concerns may also be reported to the Office of Research Integrity (ORI) which will refer them to the appropriate administrator.

B. The allegation of misconduct shall be submitted in writing to the appropriate senior administrator and the ORI. If the informant declines to make a written allegation, and the senior administrator believes that there is sufficient cause and sufficient evidence to warrant an inquiry, he or she shall submit a written allegation to the ORI.

V. Absence of the Subject of the Allegation

Should the subject of the allegation leave the University before the case is resolved, the senior administrator on behalf of the University, when possible, shall continue the examination of the allegation and reach a conclusion. The University shall cooperate with the process of another institution to resolve such questions to the extent possible under state and federal law.

VI. Interim Administrative Action

As provided by federal regulations, at any stage in the process of inquiry, investigation, formal finding and disposition, the University may take interim administrative action to protect the welfare of human or animal subjects of research or to prevent the inappropriate use of funds.

VII. Extramural Assurance and Reporting requirements

A. If required by a funding agency, the Vice President for Research (VPR) or his or her designee shall submit written assurance that the institution is in compliance with the agency's requirements for handling allegations of misconduct.

B. If the research is supported by an extramural funding agency, the VPR or his or her designee is responsible for ensuring compliance with the applicable agency's reporting requirements. The senior administrator shall keep the VPR informed of any developments which must be reported to the agency.

VIII. Statute of Limitation

A. Because of the difficulties of investigating old claims and unfairness to the subject of the allegation, allegations regarding research data exceeding six (6) years after publication or submission of the final report on a project for which data was collected,

will not be pursued unless circumstances indicate that the alleged conduct was not reasonably discoverable earlier.

B. Exceptions to the six (6) year limitation are as follows:

1. Subsequent use by the subject of allegation by continuation or renewal of any incident of alleged research misconduct that occurred before the six (6) year limitation through the citation, republication or other use for the potential benefit of the subject of allegation of the research record that is alleged to have been fabricated, falsified or plagiarized.

2. If the appropriate funding agency or the University, in consultation with the funding agency, determines that the alleged misconduct, if it occurred, would possibly have a substantial adverse effect on the health or safety of the public.

IX. Inquiry

A. Allegation Assessment

Upon receiving a written allegation of research misconduct, the senior administrator shall promptly assess the allegation to determine whether the alleged conduct falls within the definition of research misconduct and whether there is sufficient information to initiate an inquiry and document the determination. The senior administrator shall notify the VPR and the appropriate Executive Vice President or Provost, Legal Counsel, and the ORI that a written allegation has been received.

B. Inquiry Initiation

The senior administrator or designee shall initiate an inquiry if, after consultation with Legal Counsel and the Office of Research Integrity (ORI), the allegation is determined to be sufficiently credible and specific so that potential evidence of research misconduct may be identified. The senior administrator shall notify the VPR and the appropriate Executive Vice President or Provost, Legal Counsel, and the ORI that an inquiry has been initiated. If appropriate, the original research records should be sequestered from the subject of the allegation and other individuals such as co-authors, collaborators or informants. The senior administrator and his or her designee(s) shall use the advice of Legal Counsel on procedures and other matters pertaining to the inquiry.

C. Notifying the Subject of the Inquiry

The senior administrator or his or her designee shall inform in writing the individual(s) about whom allegations have been made and any involved collaborators that an inquiry has been initiated and shall present to them a statement of the allegations as soon as

possible. This statement shall include information on the nature of the allegations and the focus of the inquiry and shall inform the individual(s) of the opportunity for the subject of the inquiry to provide comments and other relevant information to the inquiring body. This statement shall also inform them of (a) their right to be represented by an attorney in preparing and/or giving their response in this and all subsequent phases of the inquiry and (b) that under no circumstances shall the person, against whom an allegation is made, attempt to discover the identity of the person who raises the allegation. Also, this statement shall indicate there can be no actions that are, or could be perceived as, retaliatory against a person who raises an allegation or is thought to have raised an allegation, or against inquiry committee members or witnesses.

D. Inquiry Body

In consultation with the VPR and ORI, the senior administrator shall appoint a minimum of two tenured faculty members for the inquiry body, with appropriate scientific or scholarly expertise on the issues in question. Precautions against real or perceived conflicts of interest shall be taken when selecting individual(s) to conduct the inquiry. The senior administrator shall identify one member as chair of the body.

E. Inquiry Process

In the inquiry stage, factual information is gathered by the inquiry body and reviewed to determine if an investigation is warranted. The inquiry is designed to separate allegations deserving further investigation from unsubstantiated or frivolous allegations. In conducting the inquiry, the inquiry body shall consult with the subject of the allegation and provide the subject of the allegation with the opportunity to respond to the allegations. Once sufficient information is obtained to decide whether an investigation is warranted, the inquiry process shall conclude and an inquiry report shall be submitted to the senior administrator. The inquiry body shall complete the initial inquiry and draft a report within sixty (60) calendar days. Any extension of the inquiry beyond the sixty (60) calendar days requires a request for an extension, which includes an explanation for the delay, to be submitted to the senior administrator and approved by the VPR.

F. Inquiry Report

The inquiry body shall submit a written report summarizing the findings of the inquiry to the senior administrator. The subject of the allegation shall have the opportunity to comment on the draft report and the comments will become part of the final record. Any comments must be submitted in writing within thirty (30) calendar days of the date on which the subject of the allegation receives the draft report. The VPR, Legal Counsel and the ORI shall review the report and the subject's comments. The senior administrator in consultation with the VPR shall make the determination of whether findings from the inquiry justify conducting an investigation. The inquiry report,

comments from the subject of the allegation, and the determination by the senior administrator shall constitute the final inquiry determination. The final inquiry determination of the senior administrator shall be completed within thirty (30) calendar days of receiving final comments from the subject of the allegation on the inquiry process. If required, the VPR shall inform the agency sponsoring the research of the findings of the inquiry. A copy of the final inquiry determination shall be provided if requested by the agency.

X. Investigation

A. Investigation Initiation

If findings from the inquiry provide sufficient basis for conducting an investigation, the senior administrator shall request the Provost or appropriate Executive Vice President to initiate an investigation as soon as possible but no later than thirty (30) calendar days after receipt of the final inquiry determination. The VPR shall notify the applicable federal regulatory or funding agency, if any, that an investigation is warranted, within thirty (30) calendar days of initiation of the investigation and provide the agency a copy of the inquiry report. The VPR may also notify other non-federal funding agencies, if any, that an investigation is warranted, within a reasonable time or in accordance with the agency's policies.

B. Notifying the Subject of the Investigation

The Provost or appropriate Executive 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. This statement shall also inform the individual(s) of his or her right to be represented by an attorney in preparing and/or giving his or her response in this and all subsequent phases of the investigation. Also, this statement shall indicate there can be no actions that are, or could be perceived as, retaliatory against a person who raises an allegation or is thought to have raised an allegation, investigation committee members or witnesses.

C. Investigative Body

In consultation with the VPR and the ORI, the Provost or appropriate Executive Vice President shall appoint an investigative body to conduct a formal examination and evaluation of all relevant facts to determine whether research misconduct has taken place. The investigative body shall include at least three (3) tenured faculty members. Other members may be appointed to provide necessary expertise. Precautions against real or

perceived conflicts of interest shall be taken in appointing the investigative body. The subject of the investigation shall be given the opportunity to comment in writing on the membership of the investigative body. The Provost or appropriate Executive Vice President shall inform the University's Legal Counsel and the chief 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.

D. Investigation Process

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 other evidence, and seek expert counsel both inside and outside the University to aid in the investigation. The investigative body shall prepare a written summary of each interview conducted or have a transcript of the interview prepared, and a copy shall be provided to the interviewed party for comment. The investigative body shall keep the Provost or appropriate Executive Vice Presidents, VPR and the ORI apprised of the investigation. The investigative body shall complete its investigation including submission of the investigation report in the shortest feasible period of time but no later than one hundred and twenty (120) calendar days after its formation. If the investigative body is unable to complete the investigation in time, a request for extension which includes an explanation for the delay shall be submitted to and approved by the VPR.

E. Finding of Research Misconduct

A finding of research misconduct requires that the events constitute research misconduct as defined in Section II, above, and that:

1. There is a significant departure from accepted practices of the relevant research community; and

2. The misconduct is committed intentionally, or knowingly, or recklessly; and

3. The allegation is proven by a preponderance of evidence.

F. Investigation Report

1. All subjects of the investigation shall be afforded the opportunity to comment upon the report and have such comments included in the formal record

of the investigation. Any comments shall be submitted in writing within thirty (30) calendar days of the date on which the subjects of the investigation received the draft report.

2. At the completion of the investigation, the investigative body shall submit its findings, comments from the subjects, and recommended institutional actions in writing to the Provost or appropriate Executive Vice President who shall provide a copy to the subjects of the investigation, VPR, Legal Counsel, and the ORI.

3. The Provost or appropriate Executive 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 written comments, if any, shall be included in the formal record.

4. Based on the preponderance of the evidence, the Provost or appropriate Executive Vice President in consultation with the VPR shall make the decision whether or not to accept the investigation report, its findings, and the recommended institutional actions. The VPR shall provide the sponsoring agency, if any, with a copy of the final investigation determination upon request by that agency.

XI. Documentation

At the conclusion of an allegation assessment, inquiry or investigation, the senior administrator or Provost or appropriate Executive Vice President shall forward all documentation pertaining to the allegation assessment, inquiry or investigation to the ORI. The ORI shall maintain documentation for seven (7) years and shall be responsible for providing the documentation to the VPR, Legal Counsel, and appropriate federal agency upon request.

XII. Restoring Reputation

A. If the findings of an inquiry fail to confirm an instance of misconduct, all participants in the inquiry, including the VPR and ORI, shall be so informed in writing by the senior administrator.

B. If the findings of an investigation fail to confirm an instance of misconduct, all participants in the investigation, including the senior administrator and the VPR, shall be so informed in writing by the Provost or appropriate Executive Vice President.

C. The senior administrator, Provost or appropriate Executive Vice President shall undertake all practical and reasonable efforts to protect and restore the reputation of the individual(s) alleged to have engaged in research misconduct but against whom no

finding of research misconduct shall be made, if requested by the individual(s) and as appropriate

D. The senior administrator, Provost or appropriate Executive Vice President shall undertake reasonable and practical efforts to protect or restore the position and reputation of the individual(s) who in good faith, made an allegation of research misconduct, if requested by the individual(s) and as appropriate.

XIII. Formal Findings, Actions Following the Investigation and Disposition

A. If the findings of the investigation substantiate the allegations of research misconduct, the Provost or appropriate Executive Vice President in cooperation with the VPR and the senior administrator shall determine which institutional actions are appropriate. This decision is final.

B. Appropriate institutional action taken against those faculty, staff, postdoctoral scholars, graduate students, and undergraduate students directly involved in misconduct consistent with the University of Kentucky Governing Regulations and Administrative Regulations and staff and student policy manuals include, but are not limited to, the following:

1. Verbal warning;
2. Special monitoring of future work;
3. Formal reprimand which is filed in the employee or faculty member's personnel file;
4. Termination of grant support;
5. Termination of fellowship support;
6. Adjustment of research space allocation;
7. Adjustment of salary;
8. Mandated actions to redress the consequences of the misconduct;
9. Withdrawal of specific privileges;
10. Removal from a special position of privilege or prestige (such as a titled professorship or an endowed chair);
11. Mandated restitution of funds that were used to perform the research in which the conduct occurred;
12. Partial or total suspension from duties for a specified time with or without concomitant loss of pay; or
13. Termination of employment or student status.

C. The outcome of the investigation may be communicated to parties internal or external to the University such as:

1. Sponsoring or funding agencies;

2. Appropriate legal and governmental authorities;
3. Co-authors, co-investigators, collaborators;
4. Editors of journals in which fraudulent research or erroneous findings were published or officials in charge of conferences in which fraudulent research or erroneous findings were presented;
5. Professional licensing boards;
6. Editors of journals or other publications, other institutions, sponsoring agencies and funding sources with which the individual has been affiliated in the past; or
7. Professional societies.

D. The senior administrator is responsible for ensuring that the appropriate institutional actions are enforced.

References:

The University of Kentucky's administrative regulation regarding research misconduct is based on the OSTP (Office of Science and Technology Policy) "The Federal Policy of Research Misconduct" which became effective December 6, 2000. DHHS (Department of Health and Human Services) adopted the policy on June 15, 2005 (42 CFR 93). The OSTP policy has been adopted by multiple federal agencies and other federal agencies are in the process of adopting it with the goal that all government agencies that fund research use the policy.

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RESEARCH CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE POLICY

(Approved by the Board of Trustees)

I. Policy

Integrity, objectivity, and absence of self-dealing are essential at all levels and in all aspects of University activities, including research. The University and its employees are committed to conducting themselves and their activities in accordance with the highest standards of integrity and ethics. 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 investigators disclose their and their family members' financial interests related to research for review by the University. After disclosure the University can make an informed judgment about a particular activity and require appropriate oversight, limitations, or prohibitions in accordance with this policy.

II. Purpose

In compliance with state and Federal law, this regulation sets forth policies, principles, and procedures to ensure that the personal financial interests of University employees do not compromise:

A. the objectivity with which research is designed, conducted, and reported;

B. the welfare of research participants; or

C. the objectivity with which intellectual property is developed.

(NOTE: For regulations on consulting activities and conflict of interest, see AR II-1.1-1)

III. Scope

This regulation applies to all faculty and staff employees, and students involved in research and related activities and to the disclosure and subsequent development of intellectual property.

IV. Definitions

The following definitions apply to this regulation , 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 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, or other forms of intellectual property, irrespective of whether such research is funded by contract, gift, cooperative agreement, 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). For research involving human subjects, "significant financial interest" also includes employee or executive relationships with entities that have a financial interest in the research even when no remuneration is involved. The term does not include any of the following:

1. Salary 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 in value as determined through public prices or other reasonable measures of fair market value, and does not represent more than a five percent (5%) ownership interest when aggregated for the investigator and members of the investigator's family.

V. Research Conflict of Interest Committee (RCOIC)

A. Membership

1. The RCOIC is appointed by the President and reports to the Vice President for Research (VPR). The President shall designate the chair and appoint ex officio members.

2. The RCOIC shall be composed of a minimum of five (5) members appointed by the President and selected from recommendations submitted separately by the VPR and the University Senate Council.

3. A majority of the membership shall consist of faculty employees without administrative appointments. The remaining appointments shall be comprised of faculty employees with administrative appointments (e.g., associate deans, deans, directors of centers or institutes) or staff.

4. The RCOIC members, other than those with ex officio status, shall have staggered three (3)-year appointments.

B. Responsibilities

1. The RCOIC provides assistance on matters involving conflicts of interest and disclosures of significant financial interests in research as defined by this regulation. The RCOIC makes recommendations on courses of action designed to manage, reduce, or eliminate the conflict. More specific responsibilities are outlined in section VIII of this regulation.

2. The RCOIC shall maintain written minutes of meetings and, on request, shall prepare reports for the VPR.

VI. 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 VPR and conducted in full accord with conditions and restrictions imposed by the VPR.

VII. Disclosure Requirements

A. 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.

B An investigator shall disclose relevant significant financial interests of the investigator and the investigator's family members:

1. at the time an application is submitted for external research support;

2. prior to submission of intellectual property (e.g., copyrights, patents, and trademarks) for registration or filing, or

3. at the time an application is submitted for review by the Institutional Review Board (IRB).

C. 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 VPR may also require an investigator to update a disclosure at any time.

D. Disclosures required by this provision shall be submitted to the dean of the investigator's college or the director of the institute or center, or other appropriate senior administrator of the educational or administrative unit 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 (OSPA) or an application is submitted to the IRB, the dean or director shall solicit such statements from the investigator.

E. Disclosures shall be made on standard disclosure forms available from OSPA: http://www.uky.edu/eForms/forms/discfin.pdf

VIII. Review of Financial Interest Disclosure Statements and Management of Conflicts

A. Review of Financial Interest Disclosure Statements

Disclosure statements shall be promptly reviewed by the dean, director, or senior administrator 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 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, the protection of research participants, or 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, prior to approval by the IRB or prior to the submission of intellectual property for registration:

1. The dean, director, or senior administrator shall consult with the investigator and the parties shall 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), no further action is required except that the dean director, or senior administrator shall provide a written confirmation of the agreement of the parties to the VPR and forward the disclosure statement to OSPA.

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 dean, director, or senior administrator may offer assistance with the plan and OSPA may also be consulted for guidance. In any case, the dean, director, or senior administrator shall review the plan proposed by the investigator and may attach additional comments or information. For research involving human subjects the plan shall be designed so that the financial interest does not affect the risk to or welfare of research participants.

3. The plan shall be forwarded to OSPA, either directly or through the IRB in the case of non-externally funded human subjects research. OSPA shall review the disclosure for completeness and may request additional information. The disclosure and recommended management plan shall be forwarded to the RCOIC for review.

4. The RCOIC shall review all the material. The RCOIC may accept the recommended plan, add to the plan or formulate a different course of action to be taken in the management, reduction, or elimination of the conflict.

(a) The RCOIC shall provide the investigator an opportunity to meet with the RCOIC to discuss the situation and possible courses of action. The RCOIC may request the investigator, dean, director, or senior administrator to meet with the RCOIC or to provide information pertinent to the issue. The RCOIC may, in its discretion, consult with experts.

(b) The RCOIC shall propose appropriate conditions or restrictions to the VPR. The RCOIC 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 shall be provided to the investigator. The investigator may also submit written objections or exceptions to the proposal to the VPR. The investigator's response must be submitted within five (5) business days following delivery of the proposal, unless time requirements of any agency or sponsor require shorter time frames.

(c) The RCOIC has wide discretion to recommend, and the VPR 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:

i. public disclosure of significant financial interests;

ii. monitoring of the research by independent reviewers;

iii. modification of the research plan;

iv. disqualification from participation in all or a portion of the research;

v. divestiture of the significant financial interest; or

vi. severance of relationships that create the actual or potential conflict of interest.

5. The VPR may accept the report and recommendations of the RCOIC, or return the matter to the RCOIC with stated concerns or suggestions. The VPR shall render the final decision, and shall notify the researcher, the dean, or director

and the RCOIC of any terms and conditions that shall be employed to manage, reduce or eliminate the conflict.

6. If the research involves human subjects, a copy of the final accepted report and recommendations of the RCOIC shall be forwarded to the IRB. Disclosure of the financial interest to the research participant alone is not a sufficient plan.

D. Conflict of Interest Management Reports

The plan recommended by the RCOIC and accepted by the VPR may require a report. In most cases a report shall be filed annually and at the end of the project. Reports shall be submitted to the RCOIC and shall document the actions taken to implement the conditions outlined in the plan.

IX. Enforcement

A. The following acts and failures violate the provisions of this regulation:

1. intentionally or recklessly providing incomplete, erroneous, or misleading information on a disclosure form;

2. failing for any reason to make any required disclosure;

3. failing to provide requested information needed for an appropriate review of potential or actual conflict of interest situations.

B. A violation of this regulation 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. non-renewal 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);

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 regulation shall be conducted in accordance with the Governing and Administrative Regulations the Human Resources Policy and Procedures, or the Student Code of Conduct.

X. 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 in OSPA for a period of three (3) years following completion of the research project that generated the disclosure statements, documentation, 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 VPR, whichever is longer. To the extent permitted by law, such records shall be maintained confidentially.

B. The University shall make the information described in the preceding paragraph available as prescribed by the sponsoring agency's policy or, 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 shall 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 shall promptly inform the relevant external funding agencies of that fact as required by the agency policy.

D. In making applications for external funding of research activities, investigators will be required to certify that they have read and understand this regulation.

References:
National Institutes of Health 42 CFR Part 50 Subpart F
National Science Foundation "Award and Administrative Guide" Chapter IV.A.
Association for the Accreditation of Human Research Protection Programs (AAHRPP)

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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 mechanisms that bring faculty together in informal working groups with a research focus. Some of these working groups are in response to national initiatives; some grow out of campus initiatives; and still others result simply from the broad interaction among faculty that characterizes a great, research-oriented university. These working groups often interact for a period of time in which they discuss mutual interests and seek funds that will enable them to test the feasibility of their multidisciplinary interests. As the discussion proceeds and the group decides on a particular focus, it may become desirable to organize the working group formally as a center/institute.

During these formative stages and particularly as working groups respond to funding initiatives, it may be desirable to use the terminology "center" or "institute" as the title for a working group submitting a particular proposal. In these situations, the working group should inform and seek approval for this tentative use of the "center" or "institute" title from appropriate chairs and deans. This tentative use of the center/institute title is designed to give faculty flexibility in the early stages of the development of a center/institute. If funding is secured from internal and/or external sources, the working group is required to begin the formal approval process, described in this AR.

The deans, chancellors, and the Vice President for Research and Graduate Studies have a role to play in the successful development of research programs in general and multidisciplinary activities specifically. The sections that follow provide the overarching principles that guide the development and establishment of a center/institute, provide the mechanism for formally creating a center/institute, define the reporting relationships within and external to the center/institute, and define the procedure for terminating a center/institute.

A. It is appropriate, at all stages of the discussions that may lead to centers/institutes, for faculty to keep their chairs, deans, and other administrators apprised of their activities. Such notification need not be formal but is meant to keep all parties well informed on the progress of any discussion that might directly or indirectly impact faculty time and effort.

B. Multidisciplinary centers/institutes shall be established and administered in a way that maximizes their flexibility to respond to new research priorities and their ability to maintain academic integrity.

IV. APPROVAL PROCEDURES FOR CREATING A CENTER/INSTITUTE

A. When discussions among faculty and/or administrators reach a level where there is agreement to proceed with the creation of a center/institute, the faculty and/or administrators should prepare a proposal that addresses the topics in Section V of this AR.

B. When the proposal has been finalized, the evaluation process described in Section V of this AR should be followed. Depending on the reporting relationships of the center/institute, the evaluation process will require the following approvals.

1. Centers/institutes within a college. Recommended by appropriate chairs, recommended by the dean of the college, and recommended by the chancellor of the sector to the President. If the President supports the recommendation, the President will submit it to the Board of Trustees for action. Chancellors will consult with the Vice President for Research and Graduate Studies as part of the approval process.

2. Centers/institutes among colleges in the same sector. Recommended by appropriate deans, recommended by the chancellor of the sector to the President. If the President supports the recommendation, the President will submit it to the Board of Trustees for action. Chancellors will consult with the Vice President for Research and Graduate Studies as part of the approval process.

3. Centers/institutes among colleges in more than one sector. Recommended by chancellors and recommended by the Vice President for Research and Graduate Studies to the President. If the President supports the recommendation, the President will submit it to Board of Trustees for action.

V. PROPOSAL PREPARATION AND EVALUATION

A. Proposal Format. A proposal for a new center/institute will contain the following information:

1. Goals and significance of proposed center/institute. The proposal should have a concise summary of what the center/institute hopes to achieve and why this activity is important.

2. Justification for creating a center/institute. The proposal should delineate the advantages of working together under the auspices of a "center/institute" rather than a "working group" or some other title.

3. Faculty leadership. No center/institute will succeed without the committed leadership of the faculty. The proposal should indicate the person who will act as the center/institute's spokesperson. The spokesperson may or may not ultimately become the center/institute's director. (See Section VIII for the appointment process)

4. Reporting relationships. The proposal should indicate the reporting relationships for the new center/institute according to the following guidelines.

a. Centers/institutes within a college. A center/institute involving faculty and resources from two or more departments within the same college may be established within the college. For the purposes of the research component of their activity, faculty involved in the center/institute shall report to a director. The director will report to the dean of the college.

b. Centers/institutes among colleges in the same sector. A center/institute involving faculty and resources from more than one college may be established within the sector. The director will report to a chancellor.

c. Centers/institutes among colleges in more than one sector. A center/institute involving faculty and resources from two or more colleges in different sectors may be established within the University. Faculty involved in such a center/institute shall report to a director typically chosen from one of the colleges. The director will report to the Vice President for Research and Graduate Studies. In cases where a multidisciplinary center/institute has other functions such as clinical services, it may be appropriate for the Vice President for Research and Graduate Studies to delegate management of the center/institute to the chancellor of the sector where the services are provided.

5. Staff and facilities requirements. The proposal should indicate whether additional staff and facilities will be needed, what they are needed for, and what interim measures would be workable if new staff or new facilities are not forthcoming. The proposal should focus on critical needs, not just needs that would be described as helpful.

6. Equipment or instrumentation, if any, that will be needed. The proposal should indicate if a new center/institute will result in the need for equipment that is not satisfied by the equipment currently available on campus.

7. Projected operating costs and proposed source of income. The proposal should provide a proposed three-year operating budget. Expenditure categories should include personnel, benefits, supplies, equipment, travel, and other needs (*e.g.,* consulting, etc.).

8. Potential for generating extramural funds. The proposal should indicate possible sources of support such as specific state and federal agencies as well as private-sector entities.

9. Other proposed benefits of the center/institute. The proposal should summarize other potential benefits of the center/institute (*e.g.,* training of students, service to the Commonwealth).

B. Proposal Evaluation

1. Centers/institutes within a college. A proposal for a center/institute involving faculty and resources from two or more departments within the same college should be circulated to other chairs or division directors within the college. A copy should be sent to the Vice President for Research and Graduate Studies who will circulate the proposal to any other centers and institutes that might have an interest in the proposal. Written comments regarding the proposal should be forwarded to the dean of the college.

2. Centers/institutes among colleges in the same sector. A proposal for a center/institute involving faculty and resources from departments in several colleges in the same sector should be circulated to all deans within that sector and to those appropriate chairs or division directors within the colleges. A copy should be sent to the Vice President for Research and Graduate Studies who will circulate the proposal to any other centers and institutes that might have an interest in the proposal. Written comments regarding the proposal should be forwarded to the chancellor of the appropriate sector.

3. Centers/institutes among colleges in more than one sector. A proposal for a center/institute involving faculty and resources from departments in several colleges in more than one sector should be circulated to all deans within those sectors and to those appropriate chairs or division directors within the colleges. A copy should be sent to the Vice President for Research and Graduate Studies who will circulate the proposal to any other centers and institutes that might have an interest in the proposal. Written comments regarding the proposal should be forwarded to the Vice President for Research and Graduate Studies.

VI. APPROVAL PROCESS FOR CHANGING A CENTER/INSTITUTE

A. From time to time, it may be necessary and desirable for a center/institute that has already been established to change its focus or expand its membership to include faculty from other colleges and/or sectors.

B. In some cases, these changes may be quite substantive; in others, the changes may be minor.

1. In cases where the director and the faculty associates deem the changes to be major (e.g., a college will withdraw from an intercollege center/institute), the procedures described in Sections III and IV will need to be repeated.

2. In cases where the director and the faculty associates deem the changes to be minor (e.g., a new faculty member from a college not previously associated with the center/institute seeks associate membership in the center/institute), the director should contact the appropriate chair and dean of the new faculty associate and seek their written permission.

3. In cases where it is not clear whether a change is minor or major, the director and faculty associates should meet with the Vice President for Research and Graduate Studies who will provide guidance on this decision.

VII. ROLE AND RESPONSIBILITIES OF A DIRECTOR OF A CENTER/INSTITUTE - See GR VII-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

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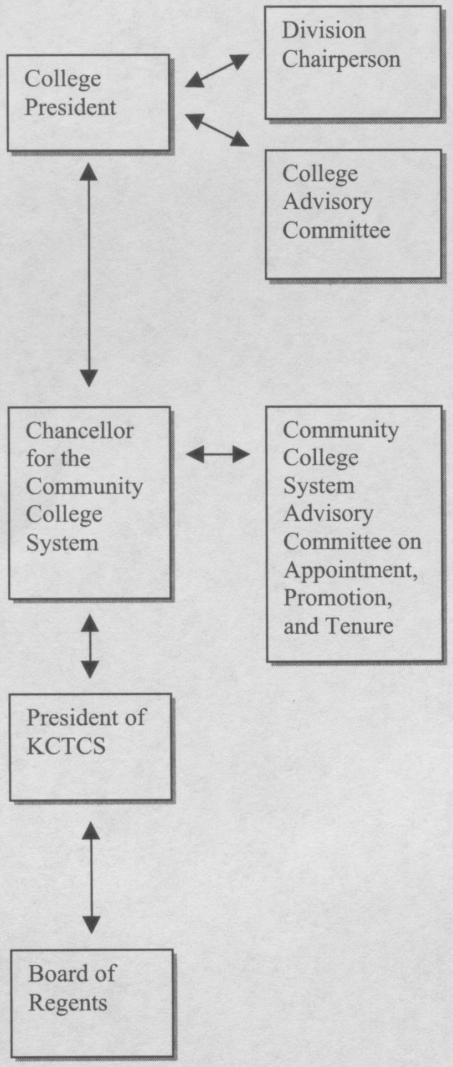
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PROCEDURAL FLOW CHART FOR PROMOTION AND GRANTING OF TENURE IN THE COMMUNITY COLLEGE SYSTEM



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.

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	DATE EFFECTIVE 10/20/87	SUPERSEDES REGULATION DATED 7/1/84

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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	DATE EFFECTIVE 6/30/07	SUPERSEDES REGULATION DATED AR II-4.0-5 8/1/77 AR II-7.0-5 7/1/83, 4/30/93 10/19/00

GRIEVANCE PROCEDURE FOR HOUSE OFFICERS

I. Introduction

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; Doctor of Pharmacy (Pharm.D.) and pastoral care residents; and others in training on the Graduate Medical Education rolls in the University of Kentucky College of Medicine, or other appropriate Colleges or in 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, in writing, any personal complaint to the program director of the program in which the house officer is contracted. This must be submitted within sixty (60) calendar days of the action the house officer is appealing.

2. The complaint shall be reported by the program director to the department chair.

3. 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 five (5) working days (Saturdays, Sundays, and holidays excluded) to resolve the matter satisfactorily. The decision of the program director shall be termed an answer for the aggrieved house officer.

4. The program director's answer shall be in writing.

5. A copy of the answer shall be forwarded to the department chair and to the Graduate Medical Education office for filing in the house officer's official Graduate Medical Education file.

B. Stage II

1. If the aggrieved house officer is not satisfied with the answer of the program director or if the answer is not received from the program director within the time allowance stated in Stage I, the house officer may appeal directly to the department chair.

2. The appeal shall be made, in writing, within five (5) working days (Saturdays, Sundays, and holidays excluded) after expiration of the program director's time allowance as stated in Stage I.

3. The decision of the department chair shall be given in writing to the house officer within five (5) working days (Saturdays, Sundays, and holidays excluded) after receipt of the appeal.

4. Copies of the appeal and the decision shall be forwarded to the appropriate dean, as well as to the appropriate program director and to the Graduate Medical Education office for filing in the house officer's official Graduate Medical Education file.

C. Stage III

1. If the aggrieved house officer is not satisfied with the decision of the department chair, 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, in writing, within five (5) working days (Saturdays, Sundays, and holidays excluded) after receiving the decision or, if no decision is received, within five (5) working days (Saturdays, Sundays, and holidays excluded) after expiration of the department chair's time allowance as stated in Stage II.

3. The dean or the dean's designee shall investigate the appeal and shall forward a decision in writing to the house officer within seven (7) working days (Saturdays, Sundays, and holidays excluded) after receipt of the appeal.

4. Copies of the appeal and the decision shall be forwarded to the Medical Staff Executive Committee of the UK Chandler Hospital, as well as to the appropriate department chair, program director, and to the Graduate Medical Education office for filing in the house officer's official Graduate Medical Education file.

D. Stage IV

1. If the aggrieved house officer is not satisfied with the decision of the dean, the house officer may appeal to the Medical Staff Executive Committee of the UK Chandler Hospital if the stated grievance is one of the following:

a. A charge of unfair termination of residency;

b. Non-renewal of agreement (contract);

c. Non-promotion to the next level of training;

d. A charge of discriminatory act in violation of University fair employment rules and regulations;

e. A charge of violation of pertinent basic University policies, including the University's sexual harassment policy(s);

f. A charge of violation of the Code of Professional Behavior;

2. The appeal shall be made, in writing, within five (5) working days (Saturdays, Sundays, and holidays excluded) after receiving the decision or, if no decision is received, within five (5) working days (Saturdays, Sundays, and holidays excluded) after expiration of the dean's time allowance as stated in Stage III.

3. The Chair of the Medical Staff Executive Committee of the UK Chandler Hospital shall appoint a grievance hearing committee and shall designate a chair. The grievance hearing committee shall be composed of at least three (3) impartial members who are members of units outside the house officer's department and are either department chairs, program directors, or associate program directors.

4. The grievance hearing committee shall investigate the grievance, accumulate and study the 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 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 to represent the house officer at a scheduled hearing. At the hearing, the house officer or the house officer's spokesman 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, 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. A member(s) of the grievance hearing committee may be in attendance to present the case, but shall then leave the room and shall not be in attendance for the rendering of a decision.

7. A copy of the grievance committee's report of findings and recommendations, together with a copy of the final decision of the Medical Staff Executive Committee shall be forwarded to the program director, the department chair, the appropriate dean, and to the Graduate Medical Education office for filing in the house officer's official Graduate Medical Education file. In any case involving sexual harassment, copies of the grievance committee's report and the Medical Staff Executive Committee's final decision also shall be forwarded to the Office of Institutional Equity.

DeMarcus, Nancy

From: President Lee T. Todd, Jr. [President.uk@email.uky.edu]
Sent: Friday, November 14, 2008 10:07 AM
To: DeMarcus, Nancy
Subject: New Administrative Regulations

The Office of the President is pleased to announce the issuance of the following new and revised Governing and Administrative Regulations.

GR X, REGULATIONS AFFECTING EMPLOYMENT: http://www.uky.edu/Regs/files/gr/gr10.pdf Governing Regulation X is revised at Section X.B.2(b) to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited, and establishes that exceptions may be granted in accordance with Administrative Regulation II-1.1-7. The policy change is effective for fiscal year 2008-2009. Section X.B.1(c) is revised to clarify that in a delay of probationary period the extension years are not counted toward eligibility for sabbatical leave. The revision also establishes the procedure by which events leading to an automatic or requested delay of a probationary period are reviewed and approved. Section X.B.2(d)(i) is revised to clarify that non-tenured faculty are ineligible for sabbatical leave.

AR II-1.1-7, FACULTY ASSIGNMENT AND VACATION LEAVE POLICY: http://www.uky.edu/Regs/files/ar/ar038.pdf This Administrative Regulation is revised in accordance with revisions to Governing Regulation X to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited. The revised Administrative Regulation provides the criteria and process whereby the provost may grant an exception to the policy when extraordinary business-related circumstances prevent a faculty employee from using his or her vacation leave. Circumstances warranting a decision to permit a faculty employee to carry forward unused vacation leave must be related to work demands placed on the faculty member by his or her chair, dean, or the institution. The policy change is effective for fiscal year 2008-2009, however any unused vacation from 2007-2008 may be carried over to 2008-2009.

AR II-1.3-2, PRORATION OF SALARY AND VACATION LEAVE FOR FACULTY MEMBERS WHOSE EMPLOYMENT TERMINATES PRIOR TO THE END OF AN ASSIGNMENT PERIOD: This Administrative Regulation is eliminated. Relevant content has been merged into Administrative Regulation II-1.1-7, Faculty Assignment and Vacation Leave Policy.

AR II-7.0-6, HEALTH SCIENCES STUDENT PROFESSIONAL BEHAVIORAL CODE: http://www.uky.edu/Regs/files/HCCcode.pdf This Administrative Regulation is ~~revised~~ eliminated to: a) more clearly articulate standards of professional conduct expected by the University and which are consistent with the expectations of the accreditation and licensing boards across the health care professions; b) more clearly delineate the jurisdictional boundaries of the HCC Code and the UK Code of Student Conduct; c) create an appeals process for sanctions imposed under the HCC Code consistent with the UK Student Code of Conduct; and d) adopt a process for amendment of the HCC code consistent with the UK Student Code of Conduct. The revision makes explicit that the policies and procedures on academic offenses delineated in the Selected Rules of the University Senate (SR 6.0, Section VI, Student Academic Affairs) shall be followed when a health care college student is charged with an academic offense. Administrative Regulation II-7.0-6, Health Sciences Student Professional Behavioral Code), is renamed as the Health Care Colleges Code of Student Professional Conduct; and, consistent with the UK Student Code of Conduct, the HCC Code is no longer categorized as an Administrative Regulation.

AR III-1.0-1, UNIVERSITY APPEALS BOARD: This Administrative Regulation is eliminated. Relevant content is now contained in Governing Regulation, Part XI, and University Senate Rules.

AR III-1.0-5, UNIVERSITY DISTANCE LEARNING COMMITTEE AND ADVISORY PANEL: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-8.2-5, STUDENT ADVISORY COMMITTEE ON THE UNIVERSITY OF KENTUCKY HOUSING AND DINING SYSTEM: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-1.0-4, ADVISORY COUNCIL TO THE SANDERS-BROWN CENTER ON AGING: This Administrative Regulation is eliminated. The Council is inactive.

AR III-4.0-8, CONFLICT OF INTEREST COMMITTEE: This Administrative Regulation is eliminated. Relevant content is now contained in Administrative Regulation II-4.0-4.

Please familiarize yourself with these revised regulations. If you are a supervisor, please communicate this information to all of your staff, especially those without computer access. The complete administrative regulation library, including the list of recently revised regulations, may be found at http://www.uky.edu/Regs/index.htm.

Questions about these or other regulations should be directed to the Office of Legal Counsel at (859) 257-2936, or mdeaton@email.uky.edu.

November 2008

HEALTH CARE COLLEGES
CODE OF STUDENT PROFESSIONAL CONDUCT
(APPROVED BY THE BOARD OF TRUSTEES)
(not an AR)

ARTICLE 1: INTRODUCTION

A. Rationale

The credibility of a health care professional is based, to a large extent, on maintaining a high degree of trust between the professional and the individuals he or she serves. Each health profession has a code of professional conduct administered by a professional organization or regulatory agency that prescribes and imposes high standards of conduct and principles of professionalism upon its members. Students must understand and adhere to these standards during their education in preparation for careers in which they must conduct themselves in the manner expected by their profession. Consequently, students in the health care colleges have a particular obligation to conduct themselves at all times in a manner that reflects appropriate professional moral and ethical character.

This Health Care Colleges Code of Student Professional Conduct (HCC Code) provides the standards of professional conduct and procedures to be followed when questions arise about the professional moral or ethical character of a student enrolled in courses or programs, including clinical programs, in the health care colleges. For guidance in matters of interpretation of standards or propriety of conduct in this HCC Code, the professional standards and interpretations of organizations representing the professions and bodies that grant licensure or certification were consulted and considered.

B. Applicability

The purpose of the HCC Code is to provide a professional behavior code that applies uniformly to all students enrolled in a degree program, leading ultimately to a profession requiring licensure or certification, offered by any of the health care colleges ("HCC students"). The health care colleges are: Dentistry, Health Sciences, Medicine, Nursing, Pharmacy, and Public Health.

This HCC Code shall also be applicable to students in professional or clinically-related programs for which there is joint responsibility between a health care college and the graduate school. Examples of such joint responsibility programs include, but are not limited to, Masters degrees in Clinical Laboratory Sciences, Communication Disorders, Dentistry, Nursing, Physician Assistant Studies, Public Health, Radiation Sciences, and Doctoral programs in Nursing and Rehabilitation Sciences.

Article II of the revised University of Kentucky Code of Student Conduct ("UKCSC") 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." The jurisdiction of this HCC Code

extends to the commissions of acts on- or off- campus that reflect adversely on the professional moral and ethical character of the enrolled HCC student, independent of whether or not such acts are judged to be violations of the UKCSC.

ARTICLE 2: STANDARDS

A HCC student shall be expected to adhere to accepted standards of professional practice.

All HCC students must possess the qualities of appropriate professional moral and ethical character. Each student must apply these standards to his or her academic career as well as his or her professional career. A student's continued enrollment shall depend 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 health care colleges of the University.

Violation of one or more of the standards shall be sufficient grounds for the dean of the appropriate health care college to initiate a review of the status of the student's continued enrollment in courses or programs of the college.

ARTICLE 3: PROHIBITED CONDUCT

This Article summarizes a representative, but non-comprehensive, list of violations of this HCC Code that are punishable, disciplinary offenses. The list includes items specific to the training programs of the health care colleges as well as those in the UKCSC. Some overlap among items is to be expected. At a minimum, health care college students shall not:

1. Commit any offenses enumerated under the UKCSC to the extent that the violation reflects adversely on the student's professional moral and ethical character;

2. Misappropriate or illegally use drugs or other pharmacologically active agents;

3. Engage in any behavior that may endanger clients, patients, or the public, including failure to carry out the appropriate or assigned duties, particularly when such failure may endanger the health or well-being of a patient or client, or treatment is dispensed without appropriate faculty supervision;

4. Engage in behavior or action that deceives, defrauds, or harms the public or the public's perception of the profession;

5. Falsify or, through negligence, make incorrect entries or failing to make essential entries in health records;

6. Deliberately deceive a patient or client through failure of the HCC student to disclose his or her student's status unequivocally to the patient;

7. Fail to maintain client or patient confidentiality including failure to follow the

Health Insurance Portability and Accountability Act (HIPAA) standards;

8. Obtain any fee or compensation by fraud or misrepresentation;

9. Engage in any course of conduct, act, or omission that would be considered unprofessional conduct as a basis for discipline under the professional standards recognized by the licensing, certifying, or professional association or agency of the health care college student's intended profession for which the health care college student is in training;

10. Fail to report a felony conviction pursuant to Article 4 in this HCC Code.

ARTICLE 4: STUDENT'S OBLIGATIONS

A student who is subject to the jurisdiction of this HCC Code shall report to the dean of the applicable health care college, prior to enrollment in classes for a semester, if the student has been convicted of a felony crime. Further, during the academic year, a student shall notify the dean of any felony conviction within ten days of such conviction. Failure to make a timely notification under this Article shall be a violation of the "Prohibited Conduct" section of this Code.

ARTICLE 5: JURISDICTION

A HCC student enrolled in a course or program in a health care college shall be subject to the jurisdiction of this HCC Code, the UKCSC, and the Selected Rules of the University Senate of the University of Kentucky (hereinafter Selected Rules). If a violation of the UKCSC 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 health care college in which the student is enrolled and the University's Dean of Students or Academic Ombud, as applicable, shall consult, investigate the circumstances at issue, and pursue the case in accordance with the appropriate procedure(s) and authorities. An investigation of an alleged academic offense (plagiarism, cheating, or the falsification or misuse of academic records) shall be conducted in accordance with the policies and procedures established in the Selected Rules of the University Senate (SR 6.0, Section VI, Student Academic Affairs). Any levy of sanctions resulting from a finding of responsibility in an academic offense shall also conform with the policies and procedures established in the Selected Rules of the University Senate (SR 6.0, Section VI, Student Academic Affairs).

A decision taken by a dean of a health care college under this HCC Code shall not preclude or be precluded by any action for which the health care college student may be liable for the same or a related offense under the UKCSC, the Selected Rules, or behavioral standards that may have been established in any specific course.

A decision taken by a dean of a health care college under this Code shall not preclude any action by legal authorities outside the University.

ARTICLE 6: ADMINISTRATIVE PROCESS AND SANCTIONS

A. Preliminary Meeting with the Dean

When a dean or authorized designee of a health care college, after an appropriate, preliminary investigation into an alleged violation of the standards, believes a HCC student has violated the standards or engaged in a violation of the HCC Code, the dean or authorized designee shall notify the student by first class mail that the student is charged with one or more specific violation(s). A student accused of violations of this HCC Code is subject to an informational meeting with the dean of the student's college or authorized designee. When a student fails to respond to proper notification of an informational meeting or fails to attend a scheduled meeting within the specified period, the dean or authorized designee may deem that the student has denied responsibility for the pending charges and refer the matter to the hearing committee chair to convene a hearing panel.

At the informational meeting with the dean or authorized designee, the accused student shall be asked to state whether he or she is "responsible" or "not responsible" for the alleged violation. The student shall not be compelled to give testimony that might tend to be incriminating and a student's refusal to do so shall not be considered evidence of guilt. Information obtained from the student during this informal meeting is confidential and inadmissible in any disciplinary hearing of the University except in cases where the student withdraws his or her admission of responsibility or refuses to comply with the sanction proposed by the dean.

When a student accepts responsibility for an alleged violation, the dean or authorized designee shall counsel the student and outline proposed disciplinary action as defined in the section on *Sanctions* below of this HCC Code. When a student denies responsibility for an alleged violation or withdraws from or refuses to comply with the proposed sanction, the dean or authorized designee shall forward the reports and evidence concerning the case to the hearing committee chair to convene a hearing panel.

B. Hearing Committee and Procedures

At the beginning of each academic year, the dean of each health care college shall appoint eighteen (18) members to serve on a college hearing committee, consisting of ten (10) college faculty members, at least six (6) of whom teach in patient-care settings and none of whom has an administrative appointment in the college, and eight (8) students in good standing who have completed at least one year of their professional or clinically-related degree program requirements and whose names are among those provided by the college's Student Advisory Council or equivalent body. In those health care colleges with smaller numbers of college faculty, the dean may appoint fewer faculty members to the college hearing committee. However, a hearing panel shall be of uniform size, as prescribed below, across all health care colleges. The dean shall designate a hearing committee chair and alternate chair from among the faculty appointees. The alternate chair shall serve in the absence of the chair.

1. The chair, or alternate chair in the chair's absence, shall appoint a hearing panel with representation from the following groups among the hearing committee

membership:

a. three faculty members, at least two (2) of whom teach in a patient-care setting, and none of whom has a current academic or supervisory relationship with the student;

b. two students.

2. The chair, or alternate chair in the chair's absence, shall:

a. convene the hearing panel within fifteen (15) working days of the dean's receiving the student's written request for a hearing;

b. obtain but not share the previous disciplinary record, if any, with the hearing panel before the conclusion of the hearing;

c. conduct the hearing but not participate as a voting member of the hearing panel except to cast a tie-breaking vote;

d. provide the dean with a report of the hearing panel's actions, findings and recommendations.

3. A meeting with at least four (4) members of the committee, excluding the chair, present shall constitute a quorum of the panel. The chair or the alternate chair must be present for the hearing panel to conduct its business.

4. The hearing committee chair shall establish procedural rules that shall ensure the orderly conduct of the panels' functions. The chair shall maintain a record of the hearing panel's proceedings and, at the appropriate time, forward the record to the University Dean of Students, who shall determine its proper disposition.

5. The standard of proof that shall be applied in all cases brought before a hearing panel is that a finding of responsibility requires that the preponderance of the evidence against the accused student in the majority opinion of a panel warrants the finding. The burden of proof in disciplinary cases rests with the college that initiated the investigation.

6. A student shall be guaranteed the following rights in all proceedings of a hearing panel:

a. The student shall have the right to a fair and impartial hearing in all proceedings of any hearing panel.

b. The student shall not be compelled to give testimony and refusal to do so shall not be considered evidence of responsibility for an alleged violation.

c. The student shall be informed in writing of the reasons for appearance before any hearing panel and given sufficient time to prepare for the appearance.

d. The student shall be entitled to receive, upon written request, a copy of all rules and procedures governing the hearing panel within a reasonable time prior to appearance before the panel.

e. The student shall have the right to hear and question all witnesses and present witnesses of the student's choice.

f. The student may be present, if he or she desires, to listen to all individuals called by the Committee as part of its proceedings. One advisor of the student's choosing may attend the hearing and assist the student. The advisor may be an attorney. The role of the advisor shall be limited to providing advice to the accused student. Even if accompanied by an advisor, an accused student shall personally respond to inquiries from the hearing panel chair or panel members. In consideration of the limited role of an advisor, and of the compelling interest of the college to seek an expeditious conclusion to the matter, a panel hearing shall not, as a general practice, be delayed due to the unavailability of an advisor.

g. The student may request that any member of a hearing panel be disqualified on the ground of personal bias. The hearing officer shall make the determination either to retain or to disqualify the member.

h. The student shall have access to the record of the hearing.

i. The student shall be notified by the chair of hearing panel's composition with sufficient time before the date of the hearing to permit the student to identify any member of the panel who in the opinion of the student has a conflict of interest and recommend the member be recused. The chair shall have the authority to exclude any hearing panel member whom the chair determines has a conflict of interest or the appearance of a conflict of interest in a case.

7. The hearing may be open or closed, according to the accused student's choice as specified in the student's request for a hearing.

8. The hearing panel shall reconvene in a supplemental proceeding, not attended by the student or his or her advisor, to discuss and determine whether or not a violation of this HCC Code has occurred and if so, to recommend sanction(s). The college's Office of Student Affairs or equivalent shall obtain past records of offenses from the University Registrar and the Dean of Students. The information obtained shall be shared with the hearing panel, if the student is found responsible for a violation of this HCC Code. Both the accused and the complainant may submit relevant evidence or make relevant statements regarding the appropriateness of a specific sanction.

9. The hearing panel's meeting(s), but not the supplemental proceedings, shall be recorded.

10. The student shall enjoy all other rights specified at the time of notification of charges, cited above.

C. Reporting Procedures

Written correspondence is the preferred form of formal communication between a hearing panel and other parties participating in a case. Informal email correspondence among members of a hearing panel or between hearing panel members and other involved parties regarding a case under consideration is discouraged.

D. Hearing Committee Report

At the conclusion of its deliberations, the hearing panel shall provide a written report to the dean within seven (7) working days that summarizes whether or not a violation of the standards has occurred. If the hearing panel determines that a violation has occurred, it shall recommend an appropriate sanction to the dean in its written report. If the hearing panel determines that insufficient evidence exists to conclude that a violation of the standards has occurred, it shall also notify the dean in writing of this finding.

E. Role of the Dean

The dean shall accept and shall not reverse the determination of the Hearing Committee as to whether or not a violation of the standards occurred. The dean may impose a sanction that is less than, the same as, or greater than that recommended by the Committee. The dean shall notify the student in writing by first class mail of the decision within seven (7) working days following the receipt of the Committee's report. The dean shall also inform the hearing committee chair. The dean's decision shall be final unless appealed by the student.

F. Sanctions

All disciplinary sanctions imposed upon students are cumulative in nature. All prior disciplinary actions noted in a student's file may be used in the punishment phase of subsequent cases of code violations committed by that student and may result in more severe consequences than would otherwise have been the case. A student's disciplinary record shall be housed in the Office of the Dean of Students.

Sanctions imposed by a dean for violation(s) under this Code shall include one or more of the following:

1. a written warning, including statements on expectations for future professional conduct and consequences if a subsequent violation of the HCC Code occurs;

2. a requirement that the student consent to sanctions such as, but not limited to, restriction of access to specific areas of campus, monetary reimbursement, public or community service, research projects, compulsory attendance at education programs, compulsory psychiatric or psychological evaluation and counseling, such as alcohol and drug counseling;

3. suspension from the college or suspension from that college's courses or programs for a defined period;

4. dismissal from the college with possible readmission under conditions specified at the time of dismissal and with specified approval of the appropriate college committee and dean at the time of readmission; and

5. termination as a student or candidate for professional degree or certificate without the possibility of readmission to that college.

ARTICLE 7: APPEAL

A. A student who is found responsible for a violation of this HCC Code and is sanctioned with suspension, dismissal or termination from the health care college in which the student is enrolled may appeal in writing to the chair of the HCC Code Appeals Board (herein HCCCAB). The written appeal shall be submitted to the chair or postmarked, if mailed to the chair, within ten (10) days of the receipt of the decision rendered by the college dean.

The written appeal shall clearly state the reason(s) for appeal. Acceptable reasons for an appeal are an assertion and evidence that:

1. Due process rights have been violated through the HCC Code hearing process;

2. The sanction is inappropriate for the infraction for which the student was found responsible; or

3. There is information that was unavailable at the time of the original hearing which would alter the determination of responsibility, or which would alter the sanction.

B. *Health Care College Code Appeals Board*

1. Jurisdiction

The HCCCAB shall hold appellate jurisdiction over student matters involving alleged violations of the HCC Code, except that if the HCCCAB hearing panel, by majority of those present, decides the student's rights have been substantially violated, the HCCCAB hearing panel has original jurisdiction on the issue of responsibility.

2. Composition of the Health Care College Code Appeals Board

a. The HCCCAB shall consist of twenty-five (25) members from the health care colleges, comprised of fifteen (15) faculty members, at least ten (10) of whom teach in patient-care settings and none of whom has an administrative appointment in the college, and ten (10) students in good standing who have completed at least one year of their professional or clinically-related degree requirements and whose names are among those provided by the Student Advisory Council or equivalent body in each of the six health care colleges, and a hearing officer who shall be the chair.

b. A hearing panel of the HCCCAB shall consist of nine (9) members, at least five (5) of whom are faculty members, at least one (1) of whom is a student, and a hearing officer, who shall be the chair. No member of an HCCCAB hearing panel may serve on the college hearing panel and the HCCCAB hearing panel in the same case.

c. A quorum of the hearing panel for the conduct of business shall be seven (7) members. A quorum shall include at least five (5) faculty members (exclusive of the hearing officer) and at least one (1) student. The hearing officer must be present for the hearing panel to conduct its business.

3. Appointments to the Health Care College Code Appeals Board

a. The Hearing Officer

The hearing officer shall be the chair of the hearing panel and shall be a person with training in the law appointed by the Provost for a three-year term, subject to reappointment. The term shall begin on September 1, and end August 31. If possible, a hearing officer shall preside in a case(s) that extends beyond the hearing officer's service until the case is concluded. Similarly, the hearing panel members shall be asked to continue on cases that extend beyond their terms of service whenever feasible. The hearing officer shall establish a written set of procedures for the conduct of HCCCAB hearings, which is consistent with the policies enumerated in Article I, Section 7 of the UKCSC. The hearing officer shall convene and preside at all meetings of the hearing panel, but does not vote as a member of the hearing panel except to cast a tie-breaking vote. All questions of the law, either substantive or procedural, and all procedural questions shall be addressed to and ruled upon by the hearing officer.

The student appellant may request that any member of a hearing panel be disqualified on the ground of personal bias. The hearing officer shall make the determination either to retain or to disqualify the member.

b. The Student Members

(i) The student membership of the HCCCAB shall be appointed to one-year terms, subject to reappointment. Their terms shall begin May 1 and end April 30.

(ii) The student membership shall consist of eight (8) professional students and two (2) graduate students in clinically-related programs. The student members must be full-time students currently enrolled in a health care college, have been in residence at least one year and be in good academic and disciplinary standing.

(iii) The Provost shall appoint ten (10) student members to the HCCCAB from the recommendations submitted by the Student Advisory Council or equivalent body in each of the six health care colleges. At least three (3) names shall be submitted from each of the six (6) health care colleges, and the preponderance of the names submitted shall be those of professional students.

c. The Faculty Members

Faculty members of the HCCCAB shall be appointed to staggered three-year terms by the Provost upon the recommendation of the Senate Council. All terms shall begin on September 1 and end on August 31. To minimize the possibility of a conflict of interest, faculty members with primary administrative appointments (more than fifty percent of their assignment allotted to administration) shall not be appointed to the HCCCAB.

4. Temporary Appointments

a. If a sufficient number of the members of the HCCCAB are not available or have been determined by the hearing officer to have a conflict of interest or the appearance of a conflict of interest at any time when that Board has duties to perform, the Provost or, in the Provost's absence, the Executive Vice President for Health Affairs, shall make such temporary appointments as are necessary to ensure that the required number of members are present. Such temporary appointments need not be preceded by the recommendations otherwise provided herein. However, in no case shall a faculty member replace a student member or a student member replace a faculty member.

b. If, at any time, in the judgment of the hearing officer, there are sufficient cases pending before HCCCAB that it is unlikely that the pending cases can be processed within the time prescribed, the hearing officer shall notify the Provost of that fact. The Provost may, in accordance with the above provisions of the HCC Code, activate additional boards and appoint a hearing officer for each such additional board, or appoint additional boards and hearing officers for designated cases and time periods.

c. The authority, jurisdiction, and range of possible actions of, and the guaranteed rights of an accused person before any special board or panel appointed or activated under the terms of (a) or (b) above shall be the same as those applicable to the regularly constituted board or panel.

5. Disposition of Cases – Authority

The HCCAB shall render a prompt decision after receipt of the appeal. The HCCAB may uphold the decision of the dean or modify the decision by reducing or increasing the level of sanctions imposed or modifying any terms and conditions of the initial sanctions. The imposition of sanctions shall be deferred during the review unless, in the discretion of the Vice President for Student Affairs or authorized designee, the continued presence of the student on the campus poses a substantial threat to himself or herself, or to others, or to the stability and continuance of normal University functions. Decisions of the HCCCAB are final.

ARTICLE 8: DISCIPLINARY FILES AND RECORDS

The record of disciplinary cases shall be maintained in the Office of the Dean of Students

The file of a HHC student charged with or found responsible for any violations of this Code shall be retained as a disciplinary record for seven (7) years following the incident or five (5) years after the last semester enrolled, whichever is longer.

ARTICLE 9: AMENDMENT OF THE HEALTH CARE COLLEGES CODE OF STUDENT PROFESSIONAL CONDUCT

The Health Care Colleges Code of Student Professional Conduct shall be amended only by the Board of Trustees. Responsibility for proposing revisions to the HCC Code is delegated to a committee consisting of students, faculty and administrators from the health care colleges. The exact composition and procedure of the committee shall be determined by the President of the University.

The Committee shall accept and review recommendations from students, faculty and administrators regarding revisions of the HCC Code. The Committee shall prepare proposed revisions, and after consultation with the University Senate, forward them to the President for approval and, after approval, for presentation to the Board of Trustees for its consideration.

Nothing included above shall be construed as a limitation upon the President to propose changes without reference to the Committee.

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.

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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).

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-8.3-2	PAGE 1
	DATE EFFECTIVE 7/1/83	SUPERSEDES REGULATION DATED AR II-7.0-2 9/21/70

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-8.3-3	PAGE 1
	DATE EFFECTIVE 5/22/00	SUPERSEDES REGULATION DATED 1/3/85 3/19/92 9/23/94

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 in World War I, and no program that is out of keeping with the memorial spirit shall be held in the building.

J. Applications for use of Memorial Hall or the amphitheater shall be made in writing in advance on forms which are available in the Office of the Director, Student Center.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR II-8.3-4	PAGE 1
	DATE EFFECTIVE 5/22/00	SUPERSEDES REGULATION DATED 7/1/83 1/3/85

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 staff, for extracurricular events related to their University duties; and

3. Official alumni groups and similar University-related organizations, and colleges, schools, departments, and other units of the University, for events directly related to their purposes and in keeping with the University's role as an educational institution.

The individual responsible for reserving a particular facility or area, or that individual's designee, must be present when the facility or area is being utilized pursuant to the reservation.

C. The following designations and accompanying regulations pertain to the use of specific categories of University facilities and areas for the purpose of conducting any demonstration, meeting, or assembly. All areas must be utilized in a lawful and orderly manner, and are subject to those restrictions contained in Section A.

1. Designated Unrestricted Areas. No reservation is required for utilization of the designated unrestricted areas listed below. However, in unusual circumstances, reservation of a designated unrestricted area may be granted by the Vice Chancellor for Student Affairs for the Lexington Campus at the Vice Chancellor's discretion.

a. Free Speech Area. The Free Speech Area is located west of the Student Center and Alumni Gymnasium and bounded by those two buildings, Administration Drive, Limestone Street, and Euclid Avenue.

The Free Speech Area is available 24 hours per day when the University is officially in session and shall be made available to organizations and groups as defined above, as well as to individual members of the University community. Sound amplification will be provided upon request during established operating hours of the Student Center, subject to 30 minutes prior notice necessary for proper hook-up and adjustment. The volume and direction of sound amplification equipment is under the supervision of the Director of the Student Center.

b. Student Center Patio. The Student Center Patio is available during the established operating hours of the Student Center and when not previously scheduled by the Student Activities Board. Sound amplification will be provided upon request, subject to 30 minutes prior notice necessary for proper hook-up and adjustment. The volume and direction of sound amplification equipment is under the supervision of the Director of the Student Center.

2. Restricted Areas. The following restricted areas may be utilized on a reservation-only basis:

a. Indoor facilities;

b. Intramural fields and other recreational areas;

c. Stadia and amphitheaters;

d. Parking lots;

e. Residential areas of the campus; and

f. Administration lawn.

A list of available University facilities and the offices responsible for reserving such facilities is appended hereto. Necessary forms for completion and specific procedures and regulations regarding the use of such facilities may differ from building to building or area to area; appropriate forms may be obtained from the person designated as responsible for reserving the specific facility or area listed.

3. Prohibited Areas. No unauthorized demonstration, meeting, or other assembly shall take place within or upon the following prohibited areas:

a. Chandler Medical Center and its adjacent grounds, sidewalks, and parking areas;

b. Maxwell Place and its adjacent grounds, sidewalks, and parking areas; and

c. All streets and driveways utilized for vehicular traffic.

D. Use or continued use of the above areas and facilities, as well as other areas and facilities not designated above, for demonstrations, meetings, or other assemblies and gatherings shall be subject to the "rule of reason" -- i.e., subject to the judgment that the manner of use of the area is what could be expected of a reasonably prudent person. Thus, the use or continued use of any such areas may be denied if, for example, the activity blocks doorways, causes noise which interferes with classroom, office, or other University activity, or presents an imminent threat of physical violence or destruction of property.

The responsibility for making such a determination and decision rests with the Dean of Students or the Dean's designated representative. If the Dean or the Dean's designated representative believes that an area or facility is being improperly used or believes the users of the area are acting imprudently, the Dean shall:

1. Warn the offending group or individuals that continued misuse will not be permitted;

2. Recommend alternative locations or means of expression;

3. Instruct the offending individuals or the assembled group to vacate the area;

4. Cite individuals or groups for violation of University regulations;

5. Request assistance of law enforcement officials; or

6. Any combination of D.1, D.2, D.3, D.4, and D.5.

Failure to comply with the directions of the Dean of Students or the Dean's designated representative may result in charges of violation of the Code of Student Conduct, or of other University regulations in the case of non-student members of the University community, being placed by the Dean against offending parties. Those failing to comply also are reminded that they may be found in violation of the law if so determined by a law enforcement official on the scene.

E. Where numbers in excess of 20 are involved, authorized organizations, individuals, or groups as provided under Section B may engage in parades and marches upon University property, provided a designated representative of the sponsoring organization, individuals, or group meets with the Dean of Students and the Director of Public Safety, or their authorized representatives, at least one hour prior to the commencement of the parade or march. This meeting shall be for the purpose of agreeing upon an appropriate route which will not interfere with, impede, or otherwise disrupt the normal functions and processes of the University, or otherwise interfere with the rights of others in their effective use of University facilities and property.

F. Other than that being utilized for University-authorized and scheduled academic activities or other University-sponsored activities and with the further exception of those provisions for use of sound amplification equipment in designated areas specified in Section C, the use of amplified sound equipment except bullhorns in any area of the University campus is prohibited unless a specific, written exception has been granted by the Dean of Students Office.

APPENDIX

UNIVERSITY FACILITIES AND RESPONSIBILITY FOR RESERVATION THEREOF

FACILITY	RESPONSIBLE OFFICE
Agricultural Science Auditorium	Management Operations Office
Alumni Gymnasium	Director, Campus Recreation
Amphitheatre	Director, Student Center
Buell Armory	ROTC Office
Carnahan House Conference Center 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

Part III – University of Kentucky Administrative Committees and Councils
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AR III 1.0-2- Student Code Committee
AR III 1.0-4- Advisory Council to the Sanders-Brown Center on Aging
AR III 1.0-5- University Distance Learning Committee
AR III 1.0-7- Continuing Education Council
AR III 1.1-1- Committee on Naming University Building
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.
AR III 1.1-5- Committee on Environmental Health and Safety
AR III 1.1-6- Equal Opportunity Panel
AR III 1.2-1- The Sullivan Awards Committee
AR III 1.2-2- The University Committee on Press, Radio and Television
AR III 1.2-3- Parking and Transportation Committee
AR III 1.2-4- Parking Violation Appeals Committee
AR III 1.6-1- Employee Benefits Committee
AR III 2.0-1- University Computing Advisory Committee
AR III 4.0-1- University Research Advisory Committee
AR III 4.0-2- Administrative Advisory Committee of the Tobacco and Health Research Institute
AR III 4.0-3- Technical Advisory Committee of the Tobacco and Health Research Institute
AR III 4.0-4- Intellectual Properties Committee
AR III 4.0-5- Institutional Animal Care and Use Committee
AR III 4.0-6- University of Kentucky Institutional Review Boards
AR III 4.0-7- Committee on Research and Policy of the Kentucky Water Resources Research Institute
AR III 4.0-8- Conflict of Interest Committee
AR III 7.0-1- Student Health Advisory Committee
AR III 8.0-1- The University of Kentucky Press Committee
AR III 8.0-2- The University of Kentucky Press Committee
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AR III 8.2-2- University Campus Safety Committee
AR III 8.2-5- Student Advisory Committee on the University of Kentucky Housing and Dining System
AR III 8.3-1- Board of Student Media
AR III 8.3-2- Committee on International Students
AR III 8.3-3- Committee on Student Financial Aid

DeMarcus, Nancy

From: President Lee T. Todd, Jr. [President.uk@email.uky.edu]
Sent: Friday, November 14, 2008 10:07 AM
To: DeMarcus, Nancy
Subject: New Administrative Regulations

The Office of the President is pleased to announce the issuance of the following new and revised Governing and Administrative Regulations.

GR X, REGULATIONS AFFECTING EMPLOYMENT: http://www.uky.edu/Regs/files/gr/gr10.pdf Governing Regulation X is revised at Section X.B.2(b) to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited, and establishes that exceptions may be granted in accordance with Administrative Regulation II-1.1-7. The policy change is effective for fiscal year 2008-2009. Section X.B.1(c) is revised to clarify that in a delay of probationary period the extension years are not counted toward eligibility for sabbatical leave. The revision also establishes the procedure by which events leading to an automatic or requested delay of a probationary period are reviewed and approved. Section X.B.2(d)(i) is revised to clarify that non-tenured faculty are ineligible for sabbatical leave.

AR II-1.1-7, FACULTY ASSIGNMENT AND VACATION LEAVE POLICY: http://www.uky.edu/Regs/files/ar/ar038.pdf This Administrative Regulation is revised in accordance with revisions to Governing Regulation X to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited. The revised Administrative Regulation provides the criteria and process whereby the provost may grant an exception to the policy when extraordinary business-related circumstances prevent a faculty employee from using his or her vacation leave. Circumstances warranting a decision to permit a faculty employee to carry forward unused vacation leave must be related to work demands placed on the faculty member by his or her chair, dean, or the institution. The policy change is effective for fiscal year 2008-2009, however any unused vacation from 2007-2008 may be carried over to 2008-2009.

AR II-1.3-2, PRORATION OF SALARY AND VACATION LEAVE FOR FACULTY MEMBERS WHOSE EMPLOYMENT TERMINATES PRIOR TO THE END OF AN ASSIGNMENT PERIOD: This Administrative Regulation is eliminated. Relevant content has been merged into Administrative Regulation II-1.1-7, Faculty Assignment and Vacation Leave Policy.

AR II-7.0-6, HEALTH SCIENCES STUDENT PROFESSIONAL BEHAVIORAL CODE: http://www.uky.edu/Regs/files/HCCcode.pdf This Administrative Regulation is revised to: a) more clearly articulate standards of professional conduct expected by the University and which are consistent with the expectations of the accreditation and licensing boards across the health care professions; b) more clearly delineate the jurisdictional boundaries of the HCC Code and the UK Code of Student Conduct; c) create an appeals process for sanctions imposed under the HCC Code consistent with the UK Student Code of Conduct; and d) adopt a process for amendment of the HCC code consistent with the UK Student Code of Conduct. The revision makes explicit that the policies and procedures on academic offenses delineated in the Selected Rules of the University Senate (SR 6.0, Section VI, Student Academic Affairs) shall be followed when a health care college student is charged with an academic offense. Administrative Regulation II-7.0-6, Health Sciences Student Professional Behavioral Code), is renamed as the Health Care Colleges Code of Student Professional Conduct; and, consistent with the UK Student Code of Conduct, the HCC Code is no longer categorized as an Administrative Regulation.

AR III-1.0-1, UNIVERSITY APPEALS BOARD: This Administrative Regulation is eliminated. Relevant content is now contained in Governing Regulation, Part XI, and University Senate Rules.

AR III-1.0-5, UNIVERSITY DISTANCE LEARNING COMMITTEE AND ADVISORY PANEL: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-8.2-5, STUDENT ADVISORY COMMITTEE ON THE UNIVERSITY OF KENTUCKY HOUSING AND DINING SYSTEM: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-1.0-4, ADVISORY COUNCIL TO THE SANDERS-BROWN CENTER ON AGING: This Administrative Regulation is eliminated. The Council is inactive.

AR III-4.0-8, CONFLICT OF INTEREST COMMITTEE: This Administrative Regulation is eliminated. Relevant content is now contained in Administrative Regulation II-4.0-4.

Please familiarize yourself with these revised regulations. If you are a supervisor, please communicate this information to all of your staff, especially those without computer access. The complete administrative regulation library, including the list of recently revised regulations, may be found at http://www.uky.edu/Regs/index.htm.

Questions about these or other regulations should be directed to the Office of Legal Counsel at (859) 257-2936, or mdeaton@email.uky.edu.

November 2008

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-1.0-2	PAGE 1
	DATE EFFECTIVE 7/1/83	SUPERSEDES REGULATION DATED 8/16/76

STUDENT CODE COMMITTEE

Responsibility for proposing revisions to the Code of Student Conduct is delegated by the Board of Trustees, through Article VII (Amendment) of Student Rights and Responsibilities -Part I - Code of Student Conduct to a committee consisting of students, faculty, and administrators. The exact composition, chairperson, and procedures of the committee are determined by the President of the University.

The Student Code Committee shall accept and review recommendations from students, faculty, and administrators regarding revisions of the Code of Student Conduct. The Committee shall prepare proposed revisions and forward these to the President for presentation to the Board of Trustees for its consideration.

Nothing included above, however, shall be construed as a limitation upon the President to propose changes without reference to the Committee.

DeMarcus, Nancy

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AR II-1.1-7, FACULTY ASSIGNMENT AND VACATION LEAVE POLICY: http://www.uky.edu/Regs/files/ar/ar038.pdf This Administrative Regulation is revised in accordance with revisions to Governing Regulation X to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited. The revised Administrative Regulation provides the criteria and process whereby the provost may grant an exception to the policy when extraordinary business-related circumstances prevent a faculty employee from using his or her vacation leave. Circumstances warranting a decision to permit a faculty employee to carry forward unused vacation leave must be related to work demands placed on the faculty member by his or her chair, dean, or the institution. The policy change is effective for fiscal year 2008-2009, however any unused vacation from 2007-2008 may be carried over to 2008-2009.

AR II-1.3-2, PRORATION OF SALARY AND VACATION LEAVE FOR FACULTY MEMBERS WHOSE EMPLOYMENT TERMINATES PRIOR TO THE END OF AN ASSIGNMENT PERIOD: This Administrative Regulation is eliminated. Relevant content has been merged into Administrative Regulation II-1.1-7, Faculty Assignment and Vacation Leave Policy.

AR II-7.0-6, HEALTH SCIENCES STUDENT PROFESSIONAL BEHAVIORAL CODE: http://www.uky.edu/Regs/files/HCCcode.pdf This Administrative Regulation is revised to: a) more clearly articulate standards of professional conduct expected by the University and which are consistent with the expectations of the accreditation and licensing boards across the health care professions; b) more clearly delineate the jurisdictional boundaries of the HCC Code and the UK Code of Student Conduct; c) create an appeals process for sanctions imposed under the HCC Code consistent with the UK Student Code of Conduct; and d) adopt a process for amendment of the HCC code consistent with the UK Student Code of Conduct. The revision makes explicit that the policies and procedures on academic offenses delineated in the Selected Rules of the University Senate (SR 6.0, Section VI, Student Academic Affairs) shall be followed when a health care college student is charged with an academic offense. Administrative Regulation II-7.0-6, Health Sciences Student Professional Behavioral Code), is renamed as the Health Care Colleges Code of Student Professional Conduct; and, consistent with the UK Student Code of Conduct, the HCC Code is no longer categorized as an Administrative Regulation.

AR III-1.0-1, UNIVERSITY APPEALS BOARD: This Administrative Regulation is eliminated. Relevant content is now contained in Governing Regulation, Part XI, and University Senate Rules.

AR III-1.0-5, UNIVERSITY DISTANCE LEARNING COMMITTEE AND ADVISORY PANEL: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-8.2-5, STUDENT ADVISORY COMMITTEE ON THE UNIVERSITY OF KENTUCKY HOUSING AND DINING SYSTEM: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-1.0-4, ADVISORY COUNCIL TO THE SANDERS-BROWN CENTER ON AGING: This Administrative Regulation is eliminated. The Council is inactive.

AR III-4.0-8, CONFLICT OF INTEREST COMMITTEE: This Administrative Regulation is eliminated. Relevant content is now contained in Administrative Regulation II-4.0-4.

Please familiarize yourself with these revised regulations. If you are a supervisor, please communicate this information to all of your staff, especially those without computer access. The complete administrative regulation library, including the list of recently revised regulations, may be found at http://www.uky.edu/Regs/index.htm.

Questions about these or other regulations should be directed to the Office of Legal Counsel at (859) 257-2936, or mdeaton@email.uky.edu.

November 2008

DeMarcus, Nancy

From: President Lee T. Todd, Jr. [President.uk@email.uky.edu]
Sent: Friday, November 14, 2008 10:07 AM
To: DeMarcus, Nancy
Subject: New Administrative Regulations

The Office of the President is pleased to announce the issuance of the following new and revised Governing and Administrative Regulations.

GR X, REGULATIONS AFFECTING EMPLOYMENT: http://www.uky.edu/Regs/files/gr/gr10.pdf Governing Regulation X is revised at Section X.B.2(b) to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited, and establishes that exceptions may be granted in accordance with Administrative Regulation II-1.1-7. The policy change is effective for fiscal year 2008-2009. Section X.B.1(c) is revised to clarify that in a delay of probationary period the extension years are not counted toward eligibility for sabbatical leave. The revision also establishes the procedure by which events leading to an automatic or requested delay of a probationary period are reviewed and approved. Section X.B.2(d)(i) is revised to clarify that non-tenured faculty are ineligible for sabbatical leave.

AR II-1.1-7, FACULTY ASSIGNMENT AND VACATION LEAVE POLICY: http://www.uky.edu/Regs/files/ar/ar038.pdf This Administrative Regulation is revised in accordance with revisions to Governing Regulation X to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited. The revised Administrative Regulation provides the criteria and process whereby the provost may grant an exception to the policy when extraordinary business-related circumstances prevent a faculty employee from using his or her vacation leave. Circumstances warranting a decision to permit a faculty employee to carry forward unused vacation leave must be related to work demands placed on the faculty member by his or her chair, dean, or the institution. The policy change is effective for fiscal year 2008-2009, however any unused vacation from 2007-2008 may be carried over to 2008-2009.

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November 2008

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 3:1

Responsible Office: Executive Vice President for Finance and Administration

Date Effective: 06/14/2011

Supersedes Version: 06/08/2010

University of Kentucky Retirement Plans
(Approved by the Board of Trustees)

Major Topics

Introduction - Retirement Plan Carriers
Retirement Groups
Contributions and Vesting
Omnibus Budget Reconciliation Act of 1993 (OBRA '93) Limits
Contribution and Investment Options
Termination of Contributions
Retirement Dates
Retirement Benefits
Contributions During Leave of Absense With Pay
Contributions during Scholarly Fellowship Leave, Entrepreneurial Leave, or Uniformed Services Leave
Employment Beyond Retirement
Loans and Hardship Withdrawals
Change in Retirement Plan Carriers
Plan Document Revisions

I. Introduction

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 multiple withdrawal options at the time of retirement. The policies governing the University of Kentucky Retirement Plan are set forth in this administrative regulation and in the respective plan documents. The Board of Trustees has authorized two retirement plan carriers (hereafter "carriers") to provide retirement plan administrative services for University of Kentucky employees: Teachers Insurance and Annuity Association/College Retirement Equities Fund (TIAA-CREF) and Fidelity Investment Tax-Exempt Services Company (Fidelity). These carriers may be modified from time to time by the Board of Trustees pursuant to section XI herein.

The University shall have plan documents for each retirement plan as required by law. In the event that language in this regulation and the plan document conflict as a result of changes in state or federal law, the plan document shall govern.

The policies governing insurance benefits for University retirees are a part of the *Human Resources Policy and Procedure Administrative Regulations* (HRP&P) and are found in Numbers 91.0, 93.0, and 94.0. Information on insurance programs is not included in this administrative regulation.

II. Entities Affected

This regulation applies to all employees of the University.

III. Retirement Groups

A. Eligibility

Eligibility to participate in the University retirement plan is conditioned upon:

1. University Participants

   (a) regular full-time employment, as defined by HRP&P #4.0, 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 not covered by the United States Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS).

2. Civil Service Retirement System (CSRS) Participants

   (a) regular full-time employment with the University;

   (b) occupation of a position covered by CSRS; and,

   (c) eligibility rights under CSRS.

3. Federal Employees Retirement System (FERS) Participants

   (a) regular full-time employment with the University;

   (b) occupation of a position covered by FERS; and,

   (c) participation rights under the FERS retirement plan.

B. Participation Requirements

Participation is mandatory upon attainment of age 30, unless the position is eligible for CSRP or FERS. Participation in the University retirement plan for employees eligible for CSRP or FERS is voluntary.

Participation is voluntary for all eligible participants in the University retirement plan prior to 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.

IV. Contributions and Vesting

A. Contribution Schedule

Individuals 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 that are required to be made by the participant according to the applicable contributions schedule contained herein. 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 shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

1. All eligible participants other than FERS:

By the Participant	By the Institution	Total
5%	10%	15%

2. FERS Participants:

By the Participant	By the Institution	Total
1%	2%	3%

B. Contribution for Faculty for Interim Assignment

In addition to contributions based on basic annual salary, contributions also shall be applied on compensation paid to faculty employees for service during an interim between regular assignment periods, provided the faculty 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 Administrative Regulation AR 3:6. 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 3:6.

C. University Contribution for Executives

Annual contributions to the Retirement Plan may be made on behalf of certain executives as identified and approved by the President, in an amount equal to the aggregate of employee and University contributions otherwise provided herein for employees identified in section III.A.

D. Plans for Excess Limits or Contributions

Employees who reach the Internal Revenue Code (IRC) 403(b) Plan compensation and contribution limits (employee and employer contributions) each year shall participate in the IRC 401(a) Plan. Employees who reach the IRC 401(a) Plan compensation and contribution limits (employee and employer contributions) each year shall participate in the IRC Supplemental 403(b) Plan and/or IRC 415(m) Plan.

In addition to the regular contributions referenced herein, excess contributions to the IRC Supplemental 403(b), 457(f), and/or the IRC 415(m) plans may be made to provide retention incentives to certain University employees.

E. Vesting

1. For employees who commenced employment with the University before Jan 1, 2010, retirement benefits purchased with the combined employee and University contributions shall become the

property of individual participants immediately upon purchase. The employee is 100% vested.

2. For employees who commence employment with the University after December 31, 2009, retirement benefits purchased by the employee with employee contributions shall become the property of individual participants immediately. Retirement benefits purchased with the employer contributions shall become the property of the employee after the employee has completed five (5) years of regular full-time service with the University.

3. After December 31, 2009, Retirement Plan participants who become employees of the University as the result of an acquisition of a company or institution shall receive service credit towards vesting in the University's retirement plans based on the employee's length of service with the acquired employer.

4. All benefits are primarily for the purpose of providing retirement and death benefits.

V. Omnibus Budget Reconciliation Act of 1993 (OBRA '93) Limits

A. The University of Kentucky Retirement Plan Year begins January 1 of a calendar year and end m December 31 of the same calendar year.

B. 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 adjusted by the Commissioner of the Internal Revenue Service (IRS) for increases in the cost of living in accordance with section 401(a)(17)(B) of the IRC. 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.

C. 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 IRC shall mean the OBRA '93 annual maximum includable compensation limit stated in this provision.

D. Not withstanding 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.

VI. Contribution and Investment Options

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 or change options by completing the appropriate documents. A participant may make changes in the allocations of contributions among the plan options by working directly with the retirement plan carrier.

VII. Termination of Contributions

Retirement plan contributions on behalf of employees shall terminate upon retirement or cessation of regular full-time employment.

VIII. Retirement Dates

A. Early Retirement

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 the appropriate senior administrator at least three months in advance of the desired retirement date. Early retirement may qualify eligible employees to continue participating in the University health plans as defined in HRP&P #93.0 and #94.0. Eligible staff employees may receive a payout of unused temporary disability leave upon early retirement as defined in HRP&P #87.

B. Normal Retirement

The normal retirement date for all employees is hereby established as the date on which the employe attains age 65.

C. Mandatory Retirement

With the exception of a mandatory retirement date for all law enforcement officers, no mandatory retirement date is applicable to employees of the University of Kentucky. The mandatory retirement date for all University law enforcement officers shall be at the date on 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, 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.

IX. Retirement Benefits

A. Benefits through Retirement Plan Carriers

Each participant is entitled, upon separation of service, at retirement or upon electing participation in the

Phased Retirement Program under AR II 3:2, 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 non-annuitized 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. 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.

X. 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.

XI. Contributions during Scholarly Fellowship Leave, Entrepreneurial Leave, or Uniformed Services Leave

A participant on Scholarly Fellowship Leave (Governing Regulation, Part X), or Entrepreneurial Leave (Governing Regulation, Part X), or Uniformed Services Leave (HRP&P #75) shall have the option to make up the missed employee contributions and receive the corresponding University contributions upon return from the leave. Such contributions shall be based on the employee's base salary at the time of the leave.

XII. 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 upon the specific prior action of the Board of Trustees granting approval of the appointment or to perform duties for which fee schedules have been approved. The Provost is authorized to establish fee schedules for faculty employees. Human Resources is authorized to establish fee schedules for all other employees (HRP&P #17)..Employees who have elected to retire and who have been reemployed under this provision are temporary employees.

XIII. Loans and Hardship Withdrawals

Employees may obtain loans or take hardship withdrawals from their retirement accounts to the extent permitted by the applicable plan document and in conformity with the rules established by the IRS.

XIV. Change in Retirement Plan Carriers

The Board of Trustees reserves the right in its sole discretion to remove, add, or otherwise modify the number of retirement plan carriers in any manner that it may determine by written notice to the affected carrier(s). In such event, the Board may direct that all accounts with the affected carrier shall be transferred to a carrier who is currently approved by the Board to accept contributions. In the event a change in the retirement plan carrier made by the University requires a participant to exchange one annuity

contract/custodial account for another within the Plan, or in the event a participant voluntarily elects to exchange an annuity contract/custodial account for another within the Plan, each of the following requirements must be satisfied:

A. The participant's accumulated benefit under the annuity contract/custodial account immediately after the exchange at least equals the participant's accumulated benefit under such contract/account immediately before the change;

B. To the extent the exchanged annuity contract/custodial account is subject to distribution restrictions under applicable sections of the IRC, as amended, the other annuity contract/custodial account imposes distribution restrictions no less stringent than those imposed by the exchanged annuity contract/custodial account; and

C. The University enters into an agreement with the issuer of the resultant contract under which the University and the issuer will from time to time in the future provide each other with information necessary for the resulting contract to satisfy the applicable section of the IRC or other federal tax requirements.

XV. Plan Document Revisions

The Executive Vice President for Finance and Administration is authorized to amend the plan documents as appropriate or necessary, to the extent that such amendments do not conflict with this administrative regulation.

XVI. References

KRS 164.220; 164.225

Revision History

8/21/90, 6/16/92, 12/12/95, 6/11/96, 3/4/97, 7/1/98, 9/19/00, 8/13/02, 3/1/03, 1/27/04, 9/21/04,10/10/06, 6/12/07, 12/11/07, 1/22/08, 10/27/09, 6/8/10

For questions, contact: Office of Legal Counsel

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-1.1-2	PAGE 1
	DATE EFFECTIVE 5/1/08	SUPERSEDES REGULATION DATED N/A

SUSTAINABILITY ADVISORY COMMITTEE

I. Introduction

Institutions of higher education have a crucial role in advancing the goal of a sustainable society because of their missions of research, education, and community engagement. The University of Kentucky is committed to developing and maintaining an environment that fosters and advances sustainability. This regulation establishes a campus-wide Sustainability Advisory Committee to focus and coordinate the University's activities within the broad meaning of sustainability.

II. Definition

Sustainability generally means meeting the needs of the present without compromising the ability of future generations to meet their own needs.* The concept of sustainability encompasses ideas, aspirations, and values intended to inspire public and private organizations to become better stewards of the environment and that promote positive economic growth and social objectives.* Sustainability involves specific measures aimed at lowering energy use and cost, reducing greenhouse gases from building systems and transportation, water and waste water management, improving recycling, hazardous waste reduction and disposal, and responsible materials procurement, among others.

III. Responsibilities

The Sustainability Advisory Committee shall:

A. Define, develop, and recommend to the President a "Statement on Sustainability Policy and Principles;"

B. Develop an annual set of committee goals and planned actions designed to further promote and advance an institutional culture of sustainability in the areas of campus business operations, education, research, and community engagement;

C. Publicize and communicate current University sustainability initiatives to the University community;

D. Develop indicators to measure progress and make suggestions and recommendations for improvements;

E. Conduct an annual review of University operations in terms of sustainability, including an assessment of the completeness and progress of University sustainability efforts as compared to national benchmark institutions;

F. Conduct and promote campus events, workshops, showcases, exhibits and symposia focused on enhancing sustainability efforts and practices so as to more fully engage faculty, staff, and students in this topic;

G. Promote and encourage sustainable best practices in University facility planning, design, and construction;

H. Prepare a guidance plan (including goals and action items) on how the University can achieve a reduction in campus greenhouse gas emissions and seek to become more climate neutral; and

I. Create and appoint such technical advisory task forces and committees as may be appropriate to advise the Committee and to foster increased opportunities for campus community involvement and input.

IV. Membership

A. The Committee shall be appointed by and report to the President.

B. The Committee shall be composed as follows:

1. Two members from University business operations;
2. Two faculty members;
3. Two student members;
4. One member from the College of Agriculture;
5. One member from Student Affairs;
6. One member representing the University research mission;
7. One member from the Lexington community (Non-UK);
8. Two members at Large; and
9. One Sustainability Coordinator (Ex Officio).

C. Members shall be appointed for staggered two-year terms. Initially one half of the committee shall be named to a one-year term. Two co-chairs shall be selected from the Committee membership by the Committee. One co-chair shall be a faculty member and one co-chair shall represent University business operations.

V. Meetings

The members of the Committee shall meet regularly during the academic year. Meeting agendas shall be distributed in advance to members, and shall be publicized on campus.

VI. Reporting

The Committee shall publish and present to the President an annual report each April on University sustainability activities and progress in meeting goals in campus business operations, education, research, and community engagement. The annual report shall also detail Committee goals and action items to be pursued in the following year.

* U.S. Environmental Protection Agency

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-1.2-2	PAGE 1
	DATE EFFECTIVE 6/4/08	SUPERSEDES REGULATION DATED AR III-5.0-1 6/15/89, 3/19/92 AR III-1.2-2 9/22/93, 6/1/01

UNIVERSITY COMMITTEE ON PRESS, RADIO, AND TELEVISION

I. Introduction

The University Committee on Press, Radio, and Television provides advice and counsel to the University on media-related matters and on broadcast contracts and publishing rights related to University athletic events. The Committee serves both the University and the University of Kentucky Athletic Association.

II. Membership

A. The Committee is appointed by the President and shall be comprised of members from the faculty and staff.

B. The Chair and ex officio members shall be designated by the President.

C. Members other than those with ex officio status shall have staggered three-year appointments.

III. Responsibilities

A. The Committee provides advice and counsel on media-related matters of the University. In this area, the Committee reports to the Executive Director of Public Relations and shall maintain written minutes of meetings and, on request, shall prepare special reports for the Executive Director of Public Relations.

B. The Committee provides advice and counsel to the Director of Athletics and the University of Kentucky Athletic Association Board of Directors in matters dealing with contracting broadcast and publishing rights for University 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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-1.1-4	PAGE 1
	DATE EFFECTIVE 3/6/07	SUPERSEDES REGULATION DATED 6/15/89 3/19/92 6/11/96 9/21/99 9/23/04 12/13/05

RESIDENCY REVIEW COMMITTEE
(Approved By the Board of Trustees)

I. Introduction

The University is required to determine, pursuant to criteria established by 13 KAR 2:045, each student's residency status for purposes of tuition. 13 KAR 2:045 also requires the University to provide for an administrative appeals process to consider student appeals of a residency determination, designate a residency appeals officer, and establish a residency review committee to consider appeals of residency determinations by the residency appeals officer.

II. Application for Change of Residency

A. Application for change of residency classification by a student enrolled in or an applicant to a program at the University shall be made in writing to the Residency Officer in the Office of the Assistant Provost for Enrollment Management for initial consideration.

B. The Residency Officer, a member of the Office of the Assistant Provost for Enrollment Management, is selected by the Assistant Provost for Enrollment Management and will serve as the Residency Officer as part of his or her job description.

C. Residency determinations shall be based on regulations promulgated by the Council on Postsecondary Education.

D. The Assistant Provost for Enrollment Management will not participate in the initial determination by the Residency Officer. The decision of the Residency Officer, if adverse to the applicant, may be appealed to the Residency Review Committee.

III. Residency Review Committee – Authority, Membership, and Quorum

A. The Residency Review Committee shall consider appeals from students whose requests for change in residency status have been denied by the Residency Officer.

B. The Committee shall have authority to establish procedural rules, consistent with Governing Regulations and approved by the Provost and to schedule meetings.

C. The Residency Review Committee is appointed by the President and reports to the Provost.

D. The Committee shall be comprised of four members:

1. Two members shall be recommended by the Provost from the faculty and staff, who may not be the Residency Officer.

2. One faculty member shall be recommended by the University Senate. The University Senate shall recommend three (3) faculty members to the President, who will select a member of the Committee from those named on this list.

3. One member shall be a student.

E. The chair shall be designated by the Provost from the Committee members. Faculty and staff members shall have three-year appointments. The student member shall have a one-year appointment. Members may serve consecutive terms.

F. Three members shall be necessary for Committee action, and three members shall constitute a quorum. A majority vote of the Committee members present shall be necessary for any decision.

IV. Residency Review Committee - Procedures

A. The Provost shall provide professional and administrative support for the Residency Review 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.

B. A student may be invited to attend or may request the opportunity to attend a meeting of the Residency Review Committee that is considering his or her case by contacting the Chair of the Committee.

C. The student may bring one advisor to the meeting. The role of the advisor shall be limited to providing advice to the student. Even if accompanied by an advisor, a student shall present his or her case and personally respond to inquiries from the Committee. In consideration of the limited role of an advisor and of the compelling interest of the University to expeditiously conclude the matter, a

Committee meeting shall not, as a general practice, be delayed due to the unavailability of an advisor.

D. The Residency Review Committee shall base its decision on regulations promulgated by the Council on Postsecondary Education. The applicant shall be notified in writing as to the Committee's decision on the applicant's appeal.

E. If the applicant considers the decision of the Committee to be unsatisfactory, the applicant may request a formal hearing by contacting the Chair of the Residency Review Committee in writing within fourteen (14) days after receipt of the written notification.

V. Formal Residency Appeals Hearings

A. The Provost is authorized to appoint or employ a hearing officer to preside over formal residency hearings and shall arrange a formal hearing on a timely basis. 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 Residency Office shall have the right to present information to the Hearing Officer.

B. The Hearing Officer shall make a recommendation to the Provost. The Provost shall decide the appeal and notify the student in writing.

C. The Office of Legal Counsel shall advise the Residency Officer and the Residency Review Committee on legal matters, including but not limited to interpretation of the regulations promulgated by the Council on Postsecondary Education, procedural questions, and applicable laws, cases, and regulations, and shall represent the University in formal hearings.

D. The Residency Review Committee shall submit an annual report on its activities to the Provost.

References: KRS 164.020(8); KRS 164.030; 13 KAR 2:045

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COMMITTEE ON SAFETY AND ENVIRONMENTAL HEALTH

I. Purpose

The Committee on Safety and Environmental Health exercises advisory and other stated responsibilities for the Biological, Chemical, Environmental, Fire, Accident, Industrial Hygiene, Occupational Health, and Radiation Safety programs of the University. 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 other hazardous materials. The Committee functions within the context of established external regulations, University policies, and recognized standards for the safe conduct of operations.

II. Membership

A. The Committee and its various subcommittees are appointed by the President, and the Committee reports to the Executive Vice President for Finance and Administration with an advisory relationship to the Director of Environmental Health and Safety.

B. Committee and subcommittee membership shall be composed of appointed and ex officio members to include faculty, staff, student, and external representation, and the chair of each shall be designated by the President.

C. Committee members, other than those with student or ex officio status, shall have staggered three-year appointments.

III. Responsibilities

A. The Committee shall function with subcommittees as necessary to satisfy regulatory and program needs.

B. The Committee shall :

1. Recommend to the Executive Vice President for Finance and Administration the establishment and charges for subcommittees (See section IV below).

2. Recommend policies and procedures for the Biological, Chemical, Environmental, Fire, Accident, Industrial Hygiene, Occupational Health, and Radiation Safety programs that shall provide for safety and health and shall comply with regulatory requirements.

3. Recommend educational and training programs that shall prepare members of the University community to comply with environmental and safety policies, procedures, and regulations.

4. 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.

5. 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.

6. 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 and recommend suggestions to correct hazardous conditions.

7. 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.

8. Maintain written minutes of meetings and, on request, shall prepare reports for the Executive Vice President for Finance and Administration.

IV. Required Subcommittees

A. A subcommittee, known as the Institutional Biosafety Committee, to carry out the functions required under National Institutes of Health (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. Maintain confidentiality as appropriate.

B. 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. Maintain confidentiality as appropriate.

C. 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 Occupational Safety and Health Administration (OSHA) regulation. Maintain confidentiality as appropriate.

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EQUAL OPPORTUNITY PANEL

I. Introduction

The Equal Opportunity Panel shall provide advice on all University-wide matters of equal opportunity.

II. Membership

A. The Panel is appointed by the President and reports to the Executive Vice President for Finance and Administration.

B. Panel membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chair and ex officio members shall be designated by the President.

C. 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.

III. Responsibilities

A. The specific responsibilities of the Equal Opportunity Panel are to:

1. Monitor plans and programs that ensure equal opportunity throughout the University;

2. Facilitate the development and implementation of diversity perspective in all University affairs; and

3. Design processes that can assist University officials in exercising their responsibility to assure equal opportunity and a supportive campus environment.

B. The Panel shall meet at regular intervals during the academic year or at the call of the chair. The Panel shall maintain written minutes of meetings and, on request, shall prepare reports to the Executive Vice President for Finance and Administration.

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RISK MANAGEMENT ADVISORY COMMITTEE

I. Introduction

The Risk Management Advisory Committee 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).

II. Membership

The Risk Management Advisory Committee shall be appointed by the President.

III. Responsibilities

The specific responsibilities of the Risk Management Advisory Committee are:

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

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

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

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

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

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-1.2-1	PAGE 1
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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 President's designee 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 President. 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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-1.2-2	PAGE 1
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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 Director of Public Relations. In this area, the Committee reports to the Director of Public Relations and is responsible for an annual report and, on request, special reports to the Director of Public Relations.

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PARKING AND TRANSPORTATION ADVISORY COMMITTEE

I. Introduction

The Parking and Transportation Advisory Committee shall act in an advisory capacity in matters related to campus parking and transportation.

II. Membership

A. The Committee is appointed by the President and reports to the Executive Vice President for Finance and Administration.

B. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chair and ex officio members shall be designated by the President.

C. The Committee members, other than those with student or ex officio status, shall have staggered three-year appointments.

III. Responsibilities

A. The Parking and Transportation Advisory Committee is charged with the responsibility to:

1. Formulate and recommend new policies and procedures on University parking and transportation;

2. Review and recommend, where appropriate, changes to the University Motor Vehicle, Parking and Permit Regulations;

3. Review and recommend, where appropriate, charges and fees for the use of parking spaces or facilities owned or occupied by the University;

4. Review and recommend, where appropriate, penalties for the violation of regulations, which may include the imposition of charges, the removing and impounding (at the expense of the violator) of vehicles which are operated or parked in violation of such regulations, and the denial of permission to operate a vehicle on University property;

5. Review and recommend, where appropriate, standard procedures for dealing with violators of University parking and permit regulations; and

6. Recommend long-range parking and transportation plans for the University.

B. The Committee shall maintain written minutes of meetings and, on request, shall prepare special reports for the Executive Vice President for Finance and Administration.

References: KRS 164.975, GR III-2

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PARKING VIOLATION APPEALS COMMITTEE

I. Introduction

The Parking Violation Appeals Committee shall adjudicate appeals of parking citations and vehicle impoundments for violations of University vehicle parking regulations.

II. Membership

A. The Committee is appointed by the President and reports to the Executive Vice President for Finance and Administration.

B. Committee membership shall be comprised of individuals from the faculty, staff, administration, and student body. The chair and ex officio members shall be designated by the President.

C. The Committee members, other than those with student and ex officio status, shall have staggered three-year appointments.

III. Responsibilities

A. The Parking Violations Appeals Committee is charged with the responsibility to:

1. Review, at regularly scheduled intervals, all written and oral appeals of University parking citations and vehicle impoundments;

2. Sustain or deny such appeals through interpretation of the parking rules and regulations as set forth in the vehicle, parking, and permit regulations, and give notification of the action taken to each appellant; and

3. Recommend to the Parking and Transportation Advisory Committee, when appropriate, changes in the current parking and permit regulations based on experience and knowledge gained through the functions of the Parking Violation Appeals Committee.

B. The Committee shall maintain written minutes of meetings and, on request, shall prepare special reports for the Executive Vice President for Finance and Administration.

References: KRS 164.975, GR III-2

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EMPLOYEE BENEFITS COMMITTEE

I. Introduction

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.

II. Membership

A. The Committee is appointed by the President and reports to the President through the Executive Vice President for Finance and Administration.

B. Committee membership shall be comprised of individuals from the faculty, staff, and administration. The chair and ex officio members shall be designated by the President. One of the faculty members on the Committee shall be designated to serve as liaison between the Committee and the University Senate Council. One of the staff members on the Committee shall be designated to serve as liaison between the Committee and the Staff Senate.

C. The Committee members other than those with ex officio status normally shall have staggered three-year appointments.

III. Responsibilities

The Committee may, in carrying out this responsibility, act upon its own initiative or at the direction of the President or the Executive Vice President for Finance and Administration and forward recommendations that revise, modify, add to, or delete from the existing employee benefit programs.

The Committee shall maintain written minutes of meetings and, on request, shall prepare reports to the Executive Vice President for Finance and Administration.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-4.0-4	PAGE 1
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INTELLECTUAL PROPERTIES COMMITTEE

The Intellectual Properties Committee (IPC) shall advise and make determination on matters related to the implementation of the Administrative Regulation (AR II-1.1-3) entitled "Intellectual Properties Policy and Procedures," which has been approved by the Board of Trustees. This standing committee is appointed by and reports to the Vice President for Research and Graduate Studies. Committee membership shall be comprised of members of the faculty and staff chosen to provide broad technical expertise across various disciplines. The Director of Intellectual Properties Development shall be an ex officio voting member of the Committee. Additional members may be chosen on an ad hoc basis by the Committee's Chairperson if further expertise is needed in the consideration of a particular intellectual property matter. The Chairperson and any additional ex officio members shall be designated by the Vice President for Research and Graduate Studies. Committee members other than those with ex officio status shall be appointed initially to approximately equally distributed terms of one, two, and three years; thereafter, members will be appointed for a term of three years.

The IPC shall be responsible for the following:

1. Determining the legal interests of the University and its staff, faculty, and students in any intellectual property matter, except traditional scholarly works as defined in Section V.A of AR II-1.1-3, in accord with the Intellectual Properties Policy and Procedures as approved by the Board of Trustees, and making related recommendations to the President of the University through the Vice President for Research and Graduate Studies;

2. Advising the Executive Director of UKRF and the Vice President for Research and Graduate Studies about the identification of various intellectual properties and the implementation of the University's broad policy covering all aspects of such properties; and

3. Advising the President, through the Vice President for Research and Graduate Studies, in the general aspects of the application of the intellectual properties policy and procedures statement on a University-wide basis and with respect to the needs for revision in this statement.

The Committee shall be responsible for an annual report and, on request, special reports to the Chancellor for the Lexington Campus and the Chancellor for the Medical Center through the Vice President for Research and Graduate Studies.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-4.0-5	PAGE 1
	DATE EFFECTIVE 5/22/90	SUPERSEDES REGULATION DATED AR III-4.0-5 6/5/89

This Administrative Regulation is eliminated. Relevant content is incorporated in AR II-4.0-3, Institutional Animal Care and Use Policy and Committee. 8/7/2007

~~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.~~

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-4.0-6	PAGE 1
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HUMAN RESEARCH SUBJECT PROTECTION AND INSTITUTIONAL REVIEW BOARDS

I. Introduction

The University is committed to the highest ethical standards in the conduct of research and specifically to its obligation to ensure the rights and welfare of human research subjects. Human research protection is a shared responsibility involving the University, the Institutional Review Boards (IRBs), investigators, and research staff.

Any undertaking, regardless of funding source, in which a University faculty member, staff member, or student conducts research involving human subjects or a clinical investigation requires IRB review and approval prior to initiation. The University applies the applicable federal definitions for "research", "human subjects", and "clinical investigation" in determining which activities require prior IRB review and approval.

II. Responsibilities of the Designated Human Research Protection Official

A. As authorized by the President, the Vice President for Research (VPR) is the designated human research protection official at the University and in the University's Federalwide Assurance of Compliance with Department of Health and Human Services' regulations for protection of human research subjects.

B. The VPR is authorized to act for the institution, specifically committing the University to compliance with all applicable state and federal regulations governing human research activity or clinical investigation.

C. The VPR is responsible for ensuring that the institution establishes and maintains an appropriate number of IRBs sufficient to meet institutional research needs.

III. Institutional Review Boards

A. The Medical IRBs have institutional responsibility for reviewing research from the Colleges of Dentistry, Health Sciences, Medicine, Nursing, Public Health, and Pharmacy.

B. The Nonmedical IRBs are responsible for research review for the Colleges of Agriculture, Arts and Sciences, Business and Economics, Communications and

Information Studies, Design, Education, Engineering, Fine Arts, Law, and Social Work, as well as for the Graduate School.

C. Depending on the nature of the research activity and the expertise of the membership, a research protocol may be transferred between Medical and Non-medical IRBs if necessary to ensure the reviewing IRB has the appropriate expertise to conduct the review.

D. The University grants the IRB the authority to act independently in conducting reviews of research. No University official, committee, or body may approve research involving human subjects or clinical investigation that has been disapproved by the appropriate IRB.

E. The IRB performs its duties as described in the University of Kentucky Human Research Protection Program Comprehensive Plan and IRB policies and procedures maintained by the Office of Research Integrity (ORI).

IV. Institutional Review Board Membership

A. After consultation with appropriate University administrators and review of scholarly, scientific, and other credentials, IRB chairs, vice chairs, and members are appointed by the VPR, as authorized by the President.

B. Membership shall be consistent with applicable federal regulations to ensure appropriate and diverse representation from multiple scientific and non-scientific professions, various ethnic backgrounds, and both genders, as well as sufficient expertise to meet institutional research needs.

C. One member, a "community member," shall not be affiliated with the University.

D. IRB members, other than those with ex officio status, serve staggered three-year appointments.

V. ORI Responsibilities

The ORI is responsible for managing protocol review; assisting the University in responding to federal initiatives affecting the ethical conduct of research, policy development, agency liaison, education, quality improvement, federal record keeping and reporting; and handling allegations of noncompliance.

VI. Institutional Review Board Responsibilities

Within the guidelines set forth by the applicable federal granting and regulatory agencies and University IRB policy, specific responsibilities and authority of the IRB are as follows:

A. Review, approve, require modifications to secure approval, or disapprove all University human research activity or clinical investigation;

B. Review proposed changes in previously approved research or clinical investigation and approve, require modifications to secure approval, or disapprove proposed changes;

C. Conduct continuing review of previously approved research or clinical investigation at intervals appropriate to the degree of risk, but not less than once per year;

D. Monitor, when appropriate, the informed consent process and the conduct of the research or clinical investigation;

E. Suspend or terminate approval of research or clinical investigation that is not conducted in accordance with IRB requirements or that has resulted in unexpected serious harm to subjects;

F. Handle reports of unanticipated problems and allegations of noncompliance with 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 published, disqualifying investigators from conducting research involving human subjects or clinical investigation at the University, and recommending further administrative action to University administration.

VII. Responsibilities of Investigators and Research Personnel

A. The investigator and research personnel engaged in human research activity or clinical investigations are directly responsible for ethical conduct of research involving human subjects and protection of human subjects. .

B. The investigator is responsible for obtaining IRB approval prior to initiating research activity; implementing research as approved by the IRB and in compliance with all IRB decisions, conditions and requirements; implementing research within sound study designs according to the standards of the discipline; and complying with all applicable federal and state regulations and laws and all University requirements for the conduct of human research.

VIII. Cooperative Project

When University human research or clinical investigation involves a cooperative project with another entity, the VPR has the authority to enter into a joint review arrangement with another entity, 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 agency and University IRB policy.

References:

45 Code of Federal Regulations 46
21 Code of Federal Regulations 50
21 Code of Federal Regulations 56
38 Code of Federal Regulations 16

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 3:7

Responsible Office: Provost / EVPFA

Date Effective: 05/06/2011

Supersedes Version: 3/13/1991

Faculty Salary Conversion Related to Change in Assignment Period

Major Topics

Salary Conversion Table

I. Introduction

This regulation establishes faculty salary conversions related to changes in faculty assignment periods. In justifiable cases, a faculty employee's assignment period (nine-month, ten-month, eleven-month, or twelve-month) may be changed from one basis to another. Such a change in the faculty assignment period requires a corresponding change in the assignment period salary.

II. Entities Affected

This regulation applies to all faculty employees appointed on a nine-month, ten-month, eleven-month, or twelve-month basis.

III. Policy

A. The following table shall be used for faculty salary conversions related to changes in faculty assignment periods:

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

11	10	FAPS-11	=	10/9 FAPS-10	=	1.11111 FAPS-10
11	12	FAPS-11	=	10/11 FAPS-12	=	0.90909 FAPS-12
12	9	FAPS-12	=	11/9 FAPS-9	=	1.22222 FAPS-9
12	10	FAPS-12	=	11/9 FAPS-10	=	1.22222 FAPS-10
12	11	FAPS-12	=	11/10 FAPS-11	=	1.10000 FAPS-11

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

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

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

IV. Exceptions

Any proposed exceptions to this conversion methodology shall be approved by the appropriate educational unit administrator, dean or director, and the Provost.

Revision History

7/1/90, 3/13/91

For questions, contact: Office of Legal Counsel

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 4:1

Responsible Office: Vice President Student Affairs

Date Effective: 05/06/2011

Supersedes Version: 5/22/2000

Registration of Student Organizations

Major Topics

Policy

Procedures for Registering

I. Introduction

Registered student organizations receive designated privileges which are not provided to other student groups. Privileges include, but are not limited to: reserving University facilities in accordance with *Administrative Regulation 9:2, Regulations Governing the Use of University Facilities by Registered Student Organization*; eligibility to apply for funding from student fees; utilizing campus mail services; public affiliation with the University; participation in designated University functions and events; and establishment of financial accounts (in accordance with Business Procedures Manual, E-17-14 and E-17-7. Other privileges may be granted in compliance with University procedures and standards.

In conformity with the Code of Student Conduct, any student group may seek the privilege of registration by applying to the designated member of the Student Affairs staff. This regulation establishes the privileges, rules, and procedures for registration of student organizations. Additional rules are outlined in the Code of Student Conduct and published by the designated Student Affairs staff member responsible for student organization registration.

II. Entities Affected

This regulation applies to all students and employees of the University.

III. Policy

A. The organization shall not discriminate against any person based on race, color, ethnic origin, national origin, creed, religion, political belief, sex, sexual orientation, marital status, age, uniform service, veteran status, or physical or mental disability, , except when the express and legitimate purposes of the organization require limitation as to sex or religious affiliation or belief.

B. The organization shall not adopt a name which is either the same as, or deceptively similar to, the name of an existing registered student organization, the University, or any division or department of the

University.

C. The organization shall be non-profit in nature. It shall not use its position as a registered organization to solicit or advertise for commercial purposes.

D. The purposes of the organization shall be consistent with the Vision, Mission, and Values of the University. *(Governing Regulation, Part I)*

E. Only current students, faculty, or staff of the University may be members of a registered student organization.

F. Although this section is not a comprehensive definition of the function and activities of members of an organization, the following functions and activities shall be reserved to student members:

   1. Holding any office in the organization;

   2. Presiding, officiating, or voting, 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. Any member of the registered student organization may serve at stations or distribute materials on behalf of the organization.

IV. Procedures for Registration as a Student Organization

A. The online registration application may be found on the Office of Student Involvement's website (http://getinvolved.uky.edu).

B. All local or national constitutions and by-laws governing the organization shall be submitted online as part of the application.

C. The Rights and Responsibilities Statement shall be agreed to via the online system by the student organization president. This agreement will certify that the organization will consistently comply with applicable University regulations including but not limited to:

   1. The Code of Student Conduct
      http://www.uky.edu/StudentAffairs/Code/part1.html

   2. Administrative Regulation 4:1, Registration of Student Organizations
      http://www.uky.edu/Regs/files/ar/ar4-1.pdf

   3. Administrative Regulation 9:2, Regulations Governing the Use of University Facilities by Registered Student Organizations
      http://www.uky.edu/Regs/files/ar/ar9-2.pdf, and

   4. Administrative Regulation 6:10, University of Kentucky Hazing Prevention Policy
      (ADD LINK HERE).

D. The registration of any student organization shall be at the discretion of a designated member of the Student Affairs staff and shall be dependent upon the completion of the required application form and compliance with the rules and additional criteria the staff member may set forth. Such criteria shall be established and published by the designated staff member and made uniform for all similar types of

organizations. The designated staff member may limit an organization's registration to a fixed period. The length may be determined at the staff member's discretion. *(Student Code of Conduct, Section 46)*

V. References

AR 9:2 Regulations Governing the Use of University Facilities by Registered Student Organizations

BPM E-17-7

BPM E-17-14

Code of Student Conduct

GR I The University of Kentucky (Definition)

AR 6:10 Hazing

Revision History

5/22/00, 7/1/83, 3/19/92

For questions, contact: Office of Legal Counsel

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 6:7

Responsible Office: EVPFA / Office of Emergency Management / UKPD

Date Effective: 05/06/2011

Supersedes Version: 8/3/2007

Policy on Disclosure of Campus Security and Crime Statistics

Major Topics

Crimes Which Shall be Reported by Campus Security Authorities

Definition of Campus

I. Introduction

The University is required by federal and state law to provide certain information to the public about campus crime. This Regulation implements the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the state Michael Minger Act (Minger Act), as amended from time to time. This Regulation reflects changes that became effective July 1, 2010.

II. Entities Affected

This Regulation applies to all employees and students of the University, the Office of Emergency Management, the University Police, designated "campus security authorities", and the general public.

III. Responsibilities

A. The Office of Emergency Management is designated as the Clery and Minger Compliance Office and is responsible for ensuring that the University maintains compliance with all requirements of these acts. The Office of Emergency Management is responsible for preparing and submitting annual reports pursuant to the Clery and Minger Acts. The Office of Emergency Management, working with the University Police Department, is responsible for making the daily crime log available to the public. http://iweb.uky.edu/crimelog/Default.asp

B. The University Fire Marshal, as part of the Office of Environmental Health and Safety, is responsible for reporting fires, threats of fire, and fire alarms to the State Fire Marshal's Office pursuant to the Minger Act. The University Fire Marshal also is responsible for making the daily fire log available to the public. http://ehs.uky.edu/ehs/WebSite11/fire_log_0001.aspx)

C. The Executive Vice President for Finance and Administration is responsible for overall coordination of campus-wide efforts to comply with the Clery and Minger Acts and this Administrative Regulation.

D. Each senior administrator shall fully cooperate with the Office of Emergency Management, University Police Department, University Fire Marshal, and the Executive Vice President for Finance and Administration to ensure that the employees in their respective areas comply with the requirements of this Regulation.

E. Federal and state laws require University employees that are defined as "campus security authorities" to report all campus crimes, fires, and threats of fires of which they become aware (complete list detailed below). For the purposes of this Regulation, a "campus security authority" is broadly defined as an individual having responsibility for campus security and officials having significant responsibility for student and campus activities. Campus security authorities include but are not limited to:

1. Officers and employees of the University Police Department;
2. Employees of Parking and Transportation Services;
3. Employees of the Office of the Vice President for Student Affairs;
4. Employees of Real Estate Services;
5. College employees who are designated as student affairs officers;
6. Employees and volunteers of the Athletics Department, including Committee of 101 volunteers;
7. Employees and students serving as advisors to registered student organizations; and
8. The following employees in University Housing:
   (a) Associate Auxiliary Services Director
   (b) Assistant Auxiliary Services Director
   (c) Housing Manager - Undergraduate Assignments
   (d) Apartment Housing Manager
   (e) Associate Vice President for Auxiliary Services;

F. Exceptions:

1. Maintenance, support, and clerical staff within the units listed above in Section III.E are not considered campus security authorities.
2. Pastoral counselors and professional counselors are not required to report when functioning within the scope of their official capacity. A "pastoral counselor" is defined as a person associated with a religious order or denomination and is recognized by that religious order or denomination as someone who provides confidential counseling. A "professional counselor" is defined as a person licensed or certified pursuant to Kentucky statute whose official responsibilities include providing mental health counseling to members of the University community. Pastoral counselor includes individuals who are not yet licensed or certified as a counselor but are acting under the supervision of a licensed or certified professional counselor. Medical professionals are not required to report under these acts.

IV. Crimes Which Shall be Reported by Campus Security Authorities

A. The following crimes shall be reported immediately to the Office of Emergency Management or the University Police Department:

1. Arson
2. Assault & Aggravated Assault
3. Burglary
4. Criminal Damage to Property
5. Criminal Homicide (Murder, Negligent and Non-negligent Manslaughter) 6. Menacing
7. Motor Vehicle Theft
8. Reckless Homicide
9. Robbery
10. Sex Offenses (Forcible and Non-forcible Sex Offenses)
11. Stalking
12. Terroristic Threatening
13. Theft
14. Wanton Endangerment
15. Weapons Possession
16. Criminal attempt of any of the above crimes
17. Arrests for Liquor Law, Drug Law, and Illegal Weapons Violations

B. Incidents where students are referred for campus disciplinary action related to liquor law, drug law, or illegal weapons violations shall be reported at least annually.

C. Hate Crimes - In addition to the above-referenced crimes, crimes of larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, or any other crime involving bodily injury that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability shall be reported at least annually.

V. Fires, Fire Alarms, and Threats of Fire Which Shall 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 the University Fire Marshal, which shall report to the State Fire Marshal. University Police shall also report all threats or actual alarms to the local fire department. The Physical Plant Division shall coordinate their fire alarm reporting activities with those of the University Police Department.

VI. Geographic Definitions for Reporting Requirements

For the purposes of this Regulation, the geographic areas for reporting are defined as:

A. All buildings or property owned, leased, controlled, or managed by the University in Fayette County, including residence halls;

B. All public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus, or immediately adjacent to the campus;

C. The Woodford County Farm;

D. Robinson Forest;

E. The Quicksand and Princeton Agricultural Experiment Stations;

F. Center of Excellence in Rural Health;

G. University-operated facilities on the campus of Paducah Community College;

H. All buildings or property owned, leased, or controlled by a registered student organization, including fraternities and sororities; and

I. Any other buildings or property owned, leased, or controlled by the University that are used in direct support of, or in relation to, the University's educational purposes and are frequently used by students.

VII. Cooperation with other Agencies

The Office of Emergency Management 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.

VIII. Reporting Requirements

A. Timely Warning Reports

The University Police Department or the Office of Emergency Management shall, within 24 hours after an incident is first reported, report the incident to the campus community if considered to represent a threat to students and employees. The report shall be made in a manner that aids in the prevention of similar crimes.

B. Crime Log

1. The University shall make available to the public, in written form and on the World Wide Web, an easily understood daily crime log that records by the date the crime was reported, any crime that occurred on campus. The log is maintained through a joint effort between the University Police Department and the Office of Emergency Management. The log must include the nature, date, time, and general location of each crime, and the disposition of the complaint, if known. http://iweb.uky.edu/crimelog/Default.asp

2. The University Police Department may withhold information required in the log only if there is clear and convincing evidence that the release of that specific information may 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. This information shall be disclosed once the adverse effect is no longer likely to occur.

C. Fire Log

1. The University shall make available to the public in written form and on the World Wide Web an easily understood daily fire log that records, by date the fire was reported, any fire that occurred in on-campus student housing facilities. The log shall include the nature, date, time and general location of each fire.
http://ehs.uky.edu/ehs/WebSite11/fire_log_0001.aspx

2. The University Fire Marshal shall complete the Annual Fire Report and provide the report to the Office of Emergency Management for inclusion in the University's annual reports pursuant to the Clery and Minger Acts.

IX. References

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092(f), 34 CFR Part 668.46)

Michael Minger Act (KRS 164.948 to 164.9489; KRS 164.993)

13 KAR 2:100

Revision History

12/20/00, 08/03/07

For questions, contact: Office of Legal Counsel

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 6:10

Responsible Office: VP Student Affairs

Date Effective: 05/06/2011

Supersedes Version: N/A

University of Kentucky Hazing Prevention Policy

Major Topics

Definitions

Policy

Rights of Those Who Report

How to Report

Additional Requirements for Registered Student Organizations

Corrective Action and Discipline

I. Introduction

The University is dedicated to promoting a safe and healthy campus environment for its students, faculty, staff, and visitors. In addition, the University is committed to cultivating a community that fosters respect for the dignity and rights of all its members. As such, the University does not tolerate hazing activities by any members of the University Community.

II. Authority

KRS 164.375 requires the University to adopt a policy prohibiting hazing activities that applies to the conduct of students, faculty and staff, as well as visitors and other licensees and invitees on campus. The purpose of this regulation is to establish the University's hazing prevention policy.

III. Entities Affected

This regulation applies to all Members of the University Community.

IV. Definitions

A. Hazing

1. Hazing means any action or situation created by a member of the University Community against another member of the University Community for the purpose of affiliation with a group or organization that:

   (a) Is negligent or reckless in nature;

   (b) Is humiliating or endangers an individual; or

   (c) Unreasonably interferes with scholastic or employment activities.

2. Hazing may occur regardless of the individual's willingness to participate.

3. This regulation applies to behavior that occurs on University property. It may also apply to off-campus behavior if the activity is sponsored, conducted, authorized, or recognized by the University, a registered University organization, or a group as defined below in Section C.

4. Actions and situations that may constitute hazing include, but are not limited to, the following:

   - Forced consumption of food, alcohol, or drugs
   - Paddling in any form
   - Creation of unnecessary fatigue
   - Personal servitude
   - Physical and/or psychological shocks
   - Forced wearing of apparel which is conspicuous and not normally in good taste
   - Degrading or humiliating games and activities
   - Sleep or food deprivation
   - Unreasonable exposure to the weather
   - Kidnapping or abandonment
   - Line-ups and berating
   - Undue interference with academic pursuits
   - Expectation of participation in activities that are illegal, lewd or in violation of University policy

B. "Members of the University Community" means its faculty, staff, students, volunteers, organizations, groups, vendors, patients, customers, alumni, and visitors.

C. "Organization" and "Group" are defined as follows:

1. "Organization" means a number of persons who are associated with each other and has registered with the University as a student organization under AR 4:1, Rules and Additional Criteria for Registration of Student Organizations.

2. "Group" means a number of persons who are associated with the University and each other, but who have not registered, or are not required to register, as a student organization (e.g. athletic teams, musical or theatrical ensembles, academic or administrative units, clubs).

D. "University Official" means any person (faculty or staff) who is employed by the University, and who performs assigned administrative or professional responsibilities. For the purposes of this policy, the "appropriate" official is defined as follows:

1. Students – Dean of Students or designee;

2. Faculty – Provost or designee; and

3. Staff – Associate Vice President for Human Resources or designee.

For other Members of the University Community (volunteers, organizations, groups, vendors, patients, customers, alumni, and visitors) the appropriate official is any of the above University Officials or the University Police. .

V. Policy

A. Hazing in any form is prohibited.

B. It is not a defense to a charge of hazing that:

1. The express or implied consent of the individual was obtained;

2. The conduct or activity was not part of an official organizational or group event or was not otherwise sanctioned or approved by the organization or group; or

3. The conduct or activity was not a condition of membership or affiliation with the organization or group.

C. Any faculty, staff, student, or volunteer Member of the University Community, with knowledge or suspicion of hazing is expected to report the activity to appropriate University Officials or the University Police.

Other Members of the University Community with knowledge or suspicion of hazing are strongly encouraged to report the activity to the appropriate University Officials or the University Police.

D. Retaliating in any manner against any individual who reports hazing or who participates in an investigation of a hazing report is prohibited.

E. Making an intentionally false accusation of hazing is prohibited.

F. All members of the University Community shall cooperate in an investigation of hazing.

G. Responsibility for any violations of this regulation may be attributed to the perpetrators, the organization or group, its members or its officers.

H. Any organization or group may be found responsible for any violations of this regulation upon satisfactory proof that the organization or group did not discourage or did not take reasonable steps to prevent hazing by its members or affiliates.

I. In addition to this policy, NCAA student athletes shall follow the policies and guidelines set forth by the NCAA, SEC, and University Athletics Compliance office.

VI. Rights of Those Who Report

A. Individuals who are victims of hazing and who truthfully report the activities shall not be individually charged with a violation of this regulation.

B. Individuals who have knowledge of a hazing incident, but who did not participate, and truthfully report the activities shall not be individually charged with a violation of this regulation in relation to that particular incident.

C. An organization or group that seeks assistance in preventing hazing from occurring within the organization or group, even if past behaviors have included hazing, shall not be charged with a past violation of this regulation.

D. Any organization or group that self-reports a hazing behavior to an appropriate University Official or the University Police shall be given the opportunity to change those behaviors without immediate threat of being charged with a violation of this regulation. An organization or group that self-reports shall identify those individuals responsible for the hazing behaviors. If evidence is presented in subsequent semesters that hazing behaviors have continued within the organization, that organization may be held responsible for past behaviors.

VII. Reporting

A. Complaints or reports of activities believed to be hazing should be reported to the appropriate University Official or the University Police at (859) 257-8573.

B. Any questions concerning the interpretation or application of this policy should be referred to the appropriate University official (see section IV.D.).

VIII. Additional Requirements for Registered Student Organizations

All elected or appointed student organization presidents or designee shall educate their respective organization members on an annual basis regarding the applicable University policies concerning hazing.

IX. Corrective Action and Discipline

A. Violation of this regulation may result in corrective action under the Student Code of Conduct, Human Resources Policies and Procedures, or other applicable University Regulations or Policies. Visitors refusing to comply may be reported to the University Police.

B. Possible sanctions for individual students resulting from the University disciplinary process range from a warning to disciplinary expulsion. Possible sanctions for student organizations or groups include suspension or restriction from University Property or revocation of Registered Student Organization status, if applicable. Possible sanctions for faculty and staff range from an oral warning to termination of employment.

C. Violations of this policy are subject to referral to appropriate law enforcement or University services, as well as to regional and national affiliated offices, for action or prosecution.

X. References

KRS 164.375

AR 4:1 Registration of Student Organizations

Revision History

This is a new regulation.

For questions, contact: Office of Legal Counsel

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UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-7.0-1	PAGE 1
	DATE EFFECTIVE 7/1/83	SUPERSEDES REGULATION DATED AR III-4.0-1 8/16/76

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.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-8.0-1	PAGE 1
	DATE EFFECTIVE 2/19/07	SUPERSEDES REGULATION DATED AR III-3.0-3, 8/16/76; AR III-8.0-2, 3/19/92; and, AR III-8.0-1, 7/1/83

THE UNIVERSITY OF KENTUCKY PRESS COMMITTEE

I. Introduction

The University Press of Kentucky is the book publishing facility for thirteen colleges and universities within the Commonwealth of Kentucky: Bellarmine University, Berea College, Centre College of Kentucky, Eastern Kentucky University, Georgetown College, Kentucky State University, Morehead State University, Murray State University, Northern Kentucky University, Transylvania University, the University of Kentucky, the University of Louisville, and Western Kentucky University. The Filson Historical Society and the Kentucky Historical Society are associate members of the consortium. 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.

Each of the participating institutions of the University Press of Kentucky maintains a Press Committee consisting of faculty members appointed by that institution's administration. The chief function of these committees is to recommend for or against publication of 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 and to recommend for publication those scholarly works which the Committee approves.

II. Membership

A. The Press Committee is appointed by the President and reports to the Provost.

B. Committee membership shall be comprised of individuals from the faculty who shall have staggered three-year appointments. The Chair and ex officio members shall be designated by the President.

C. The Chair of the University of Kentucky Press Committee is the Chair, ex officio, of the University Press of Kentucky Editorial Board.

III. Responsibilities

The specific responsibilities of the University of Kentucky Press Committee are to:

A. Review manuscripts submitted to the University Press of Kentucky by members of the University and to recommend for or against publication. No manuscripts originating in the University may be accepted for publication by the University Press of Kentucky Editorial Board without the favorable recommendation of the University of Kentucky Press Committee;

B. Review periodically the scholarly publishing activities and related policies of the University, and to submit to the Provost recommendations for the improvement, revision, or discontinuance of any such activity or policy.

C. Prepare reports, as requested by the Provost.

Reference:

KRS 164.165

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-8.0-4	PAGE 1
	DATE EFFECTIVE 7/1/83	SUPERSEDES REGULATION DATED AR III-7.0-4 8/16/76

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.

UNIVERSITY OF KENTUCKY ADMINISTRATIVE REGULATIONS	IDENTIFICATION AR III-8.2-2	PAGE 1
	DATE EFFECTIVE 6/11/96	SUPERSEDES REGULATION DATED 7/1/83 3/30/92 9/23/94

This Administrative Regulation has been merged into AR III-1.1-5, Committee on Safety and Environmental Health. 8/3/2007

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.

DeMarcus, Nancy

From: President Lee T. Todd, Jr. [President.uk@email.uky.edu]
Sent: Friday, November 14, 2008 10:07 AM
To: DeMarcus, Nancy
Subject: New Administrative Regulations

The Office of the President is pleased to announce the issuance of the following new and revised Governing and Administrative Regulations.

GR X, REGULATIONS AFFECTING EMPLOYMENT: http://www.uky.edu/Regs/files/gr/gr10.pdf Governing Regulation X is revised at Section X.B.2(b) to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited, and establishes that exceptions may be granted in accordance with Administrative Regulation II-1.1-7. The policy change is effective for fiscal year 2008-2009. Section X.B.1(c) is revised to clarify that in a delay of probationary period the extension years are not counted toward eligibility for sabbatical leave. The revision also establishes the procedure by which events leading to an automatic or requested delay of a probationary period are reviewed and approved. Section X.B.2(d)(i) is revised to clarify that non-tenured faculty are ineligible for sabbatical leave.

AR II-1.1-7, FACULTY ASSIGNMENT AND VACATION LEAVE POLICY: http://www.uky.edu/Regs/files/ar/ar038.pdf This Administrative Regulation is revised in accordance with revisions to Governing Regulation X to require 12-month faculty to use vacation leave within the fiscal year in which it is earned or it is forfeited. The revised Administrative Regulation provides the criteria and process whereby the provost may grant an exception to the policy when extraordinary business-related circumstances prevent a faculty employee from using his or her vacation leave. Circumstances warranting a decision to permit a faculty employee to carry forward unused vacation leave must be related to work demands placed on the faculty member by his or her chair, dean, or the institution. The policy change is effective for fiscal year 2008-2009, however any unused vacation from 2007-2008 may be carried over to 2008-2009.

AR II-1.3-2, PRORATION OF SALARY AND VACATION LEAVE FOR FACULTY MEMBERS WHOSE EMPLOYMENT TERMINATES PRIOR TO THE END OF AN ASSIGNMENT PERIOD: This Administrative Regulation is eliminated. Relevant content has been merged into Administrative Regulation II-1.1-7, Faculty Assignment and Vacation Leave Policy.

AR II-7.0-6, HEALTH SCIENCES STUDENT PROFESSIONAL BEHAVIORAL CODE: http://www.uky.edu/Regs/files/HCCcode.pdf This Administrative Regulation is revised to: a) more clearly articulate standards of professional conduct expected by the University and which are consistent with the expectations of the accreditation and licensing boards across the health care professions; b) more clearly delineate the jurisdictional boundaries of the HCC Code and the UK Code of Student Conduct; c) create an appeals process for sanctions imposed under the HCC Code consistent with the UK Student Code of Conduct; and d) adopt a process for amendment of the HCC code consistent with the UK Student Code of Conduct. The revision makes explicit that the policies and procedures on academic offenses delineated in the Selected Rules of the University Senate (SR 6.0, Section VI, Student Academic Affairs) shall be followed when a health care college student is charged with an academic offense. Administrative Regulation II-7.0-6, Health Sciences Student Professional Behavioral Code), is renamed as the Health Care Colleges Code of Student Professional Conduct; and, consistent with the UK Student Code of Conduct, the HCC Code is no longer categorized as an Administrative Regulation.

AR III-1.0-1, UNIVERSITY APPEALS BOARD: This Administrative Regulation is eliminated. Relevant content is now contained in Governing Regulation, Part XI, and University Senate Rules.

AR III-1.0-5, UNIVERSITY DISTANCE LEARNING COMMITTEE AND ADVISORY PANEL: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-8.2-5, STUDENT ADVISORY COMMITTEE ON THE UNIVERSITY OF KENTUCKY HOUSING AND DINING SYSTEM: This Administrative Regulation is eliminated. The Committee is inactive.

AR III-1.0-4, ADVISORY COUNCIL TO THE SANDERS-BROWN CENTER ON AGING: This Administrative Regulation is eliminated. The Council is inactive.

AR III-4.0-8, CONFLICT OF INTEREST COMMITTEE: This Administrative Regulation is eliminated. Relevant content is now contained in Administrative Regulation II-4.0-4.

Please familiarize yourself with these revised regulations. If you are a supervisor, please communicate this information to all of your staff, especially those without computer access. The complete administrative regulation library, including the list of recently revised regulations, may be found at http://www.uky.edu/Regs/index.htm.

Questions about these or other regulations should be directed to the Office of Legal Counsel at (859) 257-2936, or mdeaton@email.uky.edu.

November 2008

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-8.3-1	PAGE 1
	DATE EFFECTIVE 2/16/88	SUPERSEDES REGULATION DATED 7/1/83

BOARD OF STUDENT MEDIA

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

COMMITTEE ON INTERNATIONAL STUDENTS

I. Introduction

The Committee on International Students advises and, at the Provost's request, assists the Director of the Office of International Affairs in efforts to integrate international 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 Provost.

II. Membership

A. The Committee is appointed by and reports to the Provost.

B. Committee membership shall be comprised of faculty, staff, and students. The chair and ex officio members shall be designated by the Provost. The Committee members other than those with student or ex officio status normally shall have staggered three-year appointments.

III. Responsibilities

A. In carrying out its responsibilities, the Committee shall consult with and make recommendations to all units of the University that are involved in the issues related to international students.

B. The Committee, in accordance with criteria and guidelines proposed by the Committee and approved by the Provost, also shall recommend to the Director of the Office of International Affairs on recipients of University scholarships for international students.

C. Other concerns or matters on which the Committee may advise or make recommendations shall include, but not necessarily be limited to, the following:

1. The establishment of the organizational responsibility and operations of the Office of International Affairs;

2. The number, preparation, and origin of international students at the University, and related admissions policies and procedures;

3. The general welfare of international students and their integration into the University and larger community;

4. The assistantships, loans, and non-scholarship awards for international students; and

5. The systematic involvement of international students in communicating knowledge regarding their countries and cultures to other students, faculty, staff, and the community.

D. The Committee shall maintain written minutes of meetings and, on request, shall prepare reports for the Provost.

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR III-8.3-3	PAGE 1
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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.

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 4:9

Responsible Office: Provost

Date Effective: 06/06/2011

Supersedes Version: New Regulation

International Education Travel

Major Topics

Entities Affected
Categories of International Travel (Definitions)
Responsibilities
- Administration
- Faculty and Staff
- Students and Trainees

Credit Transfer and Grading
Insurance
Risk Management
Education Abroad Advisory Committee

I. Introduction

This regulation establishes the policies and procedures for international education travel approved or sponsored by the University, whether credit-bearing or non-credit-bearing.

All participants in University-approved or -sponsored international education travel experiences, as defined by this regulation, shall successfully apply or register their international education travel experience with the Office of International Affairs (OIA) and comply with all other requirements established by the regulation.

II. Entities Affected

All faculty, staff, and students of the University, as well as non-University individuals participating in University-sponsored or -approved group international education travel experiences or clinical international programs.

This regulation applies to the following University-approved or -sponsored international travel experiences:

1. International travel by individual students for educational purposes (e.g., education abroad programs, research, internship, international clinical programs, etc.); and

2. International travel by students led by a University employee with a purpose that is relevant to the University's academic mission. These travel experiences shall be approved by the appropriate University official(s).

III. Definitions

For purposes of this regulation, international education travel experiences include:

A. Education Abroad. International programs offered for academic credit exclusively outside the United States. This includes all full year, fall, spring, winter intersession or summer semester programs. All programs are administered by the OIA in collaboration with other University academic units and partner institutions located within the United States and abroad. Faculty-led and reciprocal exchange programs are included in this category.

B. Embedded Education Abroad. International programs offered for academic credit that include a brief experience abroad as a minor component of a course (one credit or less) for which most of the content is provided within the United States. This category generally includes short-term, usually faculty-led, group travel programs for which an international excursion is supplemental or embedded within an academic course.

C. Independent International Study and Research. This category generally includes all other credit-bearing international education travel, such as credit-bearing independent study, research, internship, or clinical rotations. This category does not include independent, non-credit-bearing international travel, as such travel is not considered University-sponsored.

   Graduate or professional students enrolled in independent research study (e.g. 767 credit) are encouraged to register with OIA for risk management purposes, but are only required to register if their international experience is University-funded or -required.

D. Non-credit International Programs. International group travel experiences sponsored by a University college or unit, offered outside the United States exclusively or in part, and for which participants do not earn academic credit. This category includes non-credit service-learning, UK-sponsored co-curricular international travel, and clinical international programs. This category also includes required Graduate Medical Education (GME) rotations that are pursued abroad, in accordance with GME's policy on international rotations.

IV. Responsibilities

A. Administration (Provost, Associate Provosts, Deans, Director of Education Abroad)

   The University administration is responsible for maintaining policies and procedures regarding international education travel experiences that:

   1. are consistent with national norms and best practices;
   2. are transparent to the all faculty, staff, and students;
   3. uphold the academic standards and expectations of professional conduct of the University and its employees; and
   4. support the Education Abroad Business Plan approved by the Provost Budget Office.

   These responsibilities include attention to student safety and the management of institutional risk, insofar as is consistent with national norms and feasible in the context of a public research university.

B. Faculty and Staff

   1. Faculty and staff participating in international education travel experiences shall register with the OIA for all categories of international travel defined by this regulation. Registration and review by the

OIA is required before any international education travel experience may be advertised or represented as approved by or sponsored by the University.

2. Faculty employees are responsible for appropriate advising and evaluation of credit-transfer equivalency, for course credits earned at international sites in accordance with University or college policies.

3. A faculty or staff employee who leads a group on an international education travel experience is responsible for the activity and shall act within the course and scope of his or her employment.

4. A faculty or staff employee who leads an international education travel experience shall:

   (a) observe cultural and local norms of conduct;

   (b) prepare and distribute course-appropriate syllabi, or itinerary;

   (c) maintain confidentiality of student records;

   (d) apply appropriate financial controls and standards of academic assessment;

   (e) attend required training sessions sponsored by the Education Abroad office;

   (f) maintain appropriate communication with the Education Abroad office; and

   (g) adhere to emergency management and risk management protocols.

C. Students and Trainees

1. Students participating in international education travel experiences shall:

   (a) register with the EAO for all categories of international education travel experiences defined in this regulation;

   (b) attend any required orientations, and pay applicable tuition, administrative and program fees;

   (c) comply with policies and procedures regarding academic advising and risk management;

   (d) obtain, as appropriate, academic advising in order to ascertain whether credits earned abroad will be accepted as transfer credit by the University of Kentucky; and

   (e) abide by applicable University regulations and policies, including but not limited to:
   - Student Rights and Responsibilities http://www.uky.edu/StudentAffairs/Code/#
   - Code of Student Conduct http://www.uky.edu/StudentAffairs/Code/index.html
   - University of Kentucky Alcohol Policy http://www.uky.edu/Regs/files/ar/ar6-4.pdf

2. Students from healthcare colleges are also responsible for abiding by the Healthcare Colleges Code of Conduct http://www.uky.edu/Regs/files/HCCcode.pdf, as well as by additional policies related to clinical professional education and adopted by individual colleges.

3. International travel by Graduate Medical Education trainees who travel abroad for an education experience relative to their residency or fellowship training program shall be approved in accordance with GME policy. Required paperwork (as outlined in GME policies and procedures) shall be submitted prior to the commencement of the international travel.

V. Credit Transfer and Grading

The University accepts collegiate-level degree credits earned abroad in accordance with the Kentucky Postsecondary Education Transfer Policy (http://www.uky.edu/Admission/policy.htm). Transfer work from institutions outside the United States is evaluated on an individual basis from official transcripts, processed through the Office of the Registrar. The Office of Undergraduate Admissions and University Registrar generally determine the transferability of completed course work. Then, the designated faculty member of the appropriate department or college determines how the transferred coursework applies toward degree requirements. Grade point averages (GPA's) from other institutions do not transfer to the University.

VI. Insurance

Participants in any University-approved or –sponsored international education travel experience, whether credit-bearing or non-credit-bearing, are required to purchase Travel Medical Insurance through the OIA. The OIA may grant exceptions in cases when participants have existing coverage that meets the minimum standards of the University or are participating in external programs that offer uniform coverage that meets the minimum standards of the University. No exceptions are granted to participants of international group travel experiences.

Students, faculty, staff, or non-University individuals, who provide patient care in clinical international programs sponsored by the University of Kentucky-, whether credit-bearing or non-credit bearing, shall also provide evidence of malpractice insurance that meets or exceeds the University coverage.

VII. Risk Management

The University does not sponsor or approve international travel for educational purposes in a country for which a U.S. Department of State Travel Warning is in effect. However, the University will consider exceptions on a case-by-case basis. Exceptions are based upon petitions submitted by each student, faculty, or staff employee proposing the travel, and are reviewed by the Education Abroad Advisory Committee. The Committee makes a recommendation to the Associate Provost for International Programs, who consults with the college dean, or designee, before making a final decision.

VIII. Education Abroad Advisory Committee

The International Advisory Council is comprised of representatives from each college or school, appointed by the dean. The Council has several standing advisory committees, one of which is the Education Abroad Advisory Committee. The Education Abroad Advisory Committee is a standing advisory committee comprised of members of the International Advisory Council, along with other relevant University employees (e.g. Legal Counsel, Risk Management). Among other responsibilities, the Committee is charged with reviewing petitions to pursue educational activity in a country where a U.S. Department of State Travel Warning is in effect and to serve in an advisory capacity to the director of Education Abroad at UK and the associate provost for International Programs on protocols for education abroad programming.

Revision History

This is a new AR, there are no previous versions.

For questions, contact: Office of Legal Counsel

place in Book

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR 7:9	PAGE 1
	DATE EFFECTIVE 10/01/09	SUPERSEDES REGULATION DATED N/A

INSTITUTIONAL CONFLICTS OF INTEREST INVOLVING RESEARCH

I. Introduction

The University often enters into relationships with external business entities that help it carry out its mission. Due to financial interests of the University or its officials, such business relationships and commercial activities may create inherent conflicts of interest between the University and its external partners. The University has a responsibility to the residents of the Commonwealth and the public at-large to conduct its research activities with the utmost integrity. The University must be vigilant to segregate decisions involving its research programs, particularly research involving human subjects, from decisions involving the management of its financial interests and the solicitation of contributions.

This administrative regulation is intended to provide clear guidance and procedures for the disclosure and management, or elimination, of institutional conflicts of interest, whether real or perceived, that may otherwise compromise processes for the review or oversight of research.

II. Application

This administrative regulation applies to two different types of interests: interests held by University Officials that may appear to influence their institutional decisions, and interests held directly by the University itself that may also appear to influence institutional decisions.

Note: This policy is distinct from AR 7:2 ("Research Conflict of Interest and Financial Disclosure Policy"), which provides for the management of conflicts of interest of individuals that are personal rather than institutional in scope.

III. Policy

It is the policy of the University to ensure that its research programs are conducted with integrity and free from any real or perceived institutional conflict of interest.

Each significant financial interest that represents a potential institutional conflict of interest, whether real or perceived, shall be fully disclosed to the Institutional Conflict of Interest Official (ICOI Official). Once disclosed, the conflict or perceived conflict shall be managed, or eliminated, before any sponsored or contractual agreement is executed, or any research activity is undertaken that may be influenced by or appear to be influenced by the conflict.

For the purpose of this policy, two types of financial interests are of concern. The first category includes direct financial holdings of the University or any of its affiliated corporations. The

second category includes personal financial holdings of a University Official who, by virtue of his or her institutional authority, may affect or reasonably appear to affect institutional processes for the conduct, review or oversight of research. This policy mandates that both types of financial interests be disclosed subject to certain thresholds that are stipulated below.

This policy does not preclude the University from conducting business with entities that have a financial relationship with the University. However, in such instances potential institutional conflicts of interest shall be identified promptly and resolved appropriately to preclude any real or perceived compromise of the integrity of the research or the safety of human research participants.

In the case of human subjects research, the University shall be governed by a rebuttable presumption against conducting research when certain types of institutional conflict of interest exist. The University shall not ordinarily participate in any clinical trial of a therapeutic strategy, product or device if: (i) the University has entered into a license agreement or acquired equity in a company sponsoring such trial; or (ii) if the University or University Official, or both, hold equity in a sponsoring company. The presumption may be overcome if the University is also the preferred or only feasible site for the research, going forward is recommended by the Institutional Conflict of Interest Committee (ICOI Committee), and the project and any recommended management plan has the joint approval of the Vice President for Research and the Executive Vice President for Health Affairs.

IV. Definitions

A. *Business Entity*: Any entity recognized by law through which business for profit is conducted, including a sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership or trust.

B. *Human Subjects Research:* Research involving human subjects and that pursuant to applicable law or regulation shall be reviewed by an Institutional Review Board.

C. *Institutional Conflict of Interest* (ICOI)*:* The University may have an institutional conflict of interest in research whenever the financial interests either of the University or of a University Official acting within his or her authority on behalf of the University may affect or reasonably appear to affect institutional processes for the review or oversight of research.

D. *Significant Financial Interest:* The following financial interests of the University, its affiliated corporations or University Officials (including spouse and dependent children) in any business entity that sponsors research at the University are defined as significant.

1. "Significant Financial Interest" for University Officials includes:

(a) Equity and ownership interests worth more than $10,000 in the aggregate in any publicly traded, for-profit organization. Excluded are equity interests held in publicly-traded mutual funds or retirement programs the investment of which is not under control of the University Official; and

(b) Any equity interest of any amount in any for-profit organization that is not publicly traded.

(c) Service as a member of the board of directors or other governing board of a for-profit organization, including a trustee or scientific advisory board member, service as an officer of the organization (whether paid or unpaid) or service as an employee.

(d) Payments, including royalty payments, resulting from technology transfer, licensing or any outside business activities that, for each arrangement, exceed $10,000 in the aggregate per year. Clinical care income and tuition income are excluded.

2. "Significant Financial Interest" for the University includes:

(a) Equity and ownership interests worth more than $500,000 in any publicly traded, for-profit organization. Excluded are investments in funds, whether public or private, that are managed by an independent investment manager.

(b) Receipt or pledge of a gift or gifts to the University exceeding $500,000 in annual aggregate value from a for-profit organization or the philanthropic unit affiliated with a for-profit organization.

(c) Payments, including royalty payments, resulting from technology transfer, licensing and similar business activities that, for each arrangement, exceed $500,000 per year. Clinical care income and tuition income are excluded.

E. *University Official:* An individual who, because of his or her position within the University, has the capacity to affect, or can reasonably appear to affect, University processes for the review or oversight of research or the capacity to allocate institutional resources used for research. Such officials include:

President
Provost, vice provosts, and associate provosts
Executive vice presidents, vice presidents, and associate vice presidents

Treasurer and Controller
General Counsel, associate and assistant general counsels
Deans and associate deans for research
Center and institute directors

V. Roles and Responsibilities

A. Institutional Conflict of Interest Official

1. The Vice President for Research shall be the Institutional Conflict of Interest Official (ICOI Official) with authority and responsibility for overseeing the implementation of this policy and ensuring that credible and effective decisions for resolving and monitoring institutional conflicts of interest are made.

The ICOI Official shall obtain at least annually, for the most current fiscal year:

(a) A list of the University's equity holdings that are Significant Financial Interests;

(b) A list of the University of Kentucky Research Foundation's (UKRF) licensees, optionees and royalty payments; and

(c) A list of gifts or donations from for-profit organizations and philanthropic units affiliated with for-profit organizations that exceed $500,000 in aggregate.

2. The ICOI Official shall review these holdings against a list of UKRF sponsored research agreements to determine if a potential conflict of interest exists in any areas, and shall notify the heads of those areas thus affected as to the existence of potential conflicts. Additionally, the ICOI Official shall provide a "watch list" to the Director of the Office of Sponsored Project Administration (OSPA) to assist in the identification of potential institutional conflicts of interest.

3. The ICOI Official shall advise University Officials, on an annual basis, of their obligation to disclose any Significant Financial Interest in any transaction in which the official:

(a) Participates; or

(b) Has actual knowledge that the University is negotiating an agreement that would be covered under this regulation.

4. On a case-by-case basis, when research sponsored by a private company involves the use of human research participants, the ICOI Official shall provide

information on the Significant Financial Interest to the relevant University offices, including but not limited to OSPA and the Office of Research Integrity.

5. When a University Official determines that she or he holds a Significant Financial Interest relevant to a pending transaction, she or he shall complete and submit a disclosure form and submit it to the ICOI Official. This includes situations where the University Official has any type of direct participation in the transaction or has actual knowledge that the University is negotiating an agreement with such an entity.

6. Once identified by the ICOI Official, all potential conflicts shall be disclosed to the ICOI Committee, which shall review the disclosures and recommend to the ICOI Official the proper management, if any.

7. If the ICOI Official has a real or perceived conflict of interest in any matter under review, he or she shall so report to the President, and the President shall name an alternate to serve in place of the ICOI Official.

B. Institutional Conflict of Interest Committee

1. The ICOI Committee is appointed by the President, and shall include:

(a) One senior university administrator;

(b) Three faculty members, at least one of whom shall be from the health care colleges (i.e., Medicine, Pharmacy, Nursing, Dentistry, Public Health and Health Sciences);

(c) One staff member;

(d) One public member who has no affiliation with the University;

(e) A member of the Office of General Counsel (non-voting ex officio); and

(f) A representative from the OSPA (non-voting *ex officio*).

2. The committee shall be chaired by a designee of the Vice President for Research.

3. A committee member shall not participate in a review whenever he or she has a real or perceived conflict of interest with any matter under review. At least three participating committee members shall review disclosures and make recommendations. If needed, the President shall name one or more alternate

members to serve in place of those members who have recused themselves from the review.

4. The ICOI Committee is responsible for:

(a) Reviewing disclosures that present or appear to present an Institutional Conflict of Interest due to a Significant Financial Interest;

(b) Developing specific plans to manage instances of Institutional Conflict of Interest due to a Significant Financial Interest;

(c) Providing oversight of projects that are being managed in accordance with this regulation;

(d) Documenting the committee's findings and the basis for the approval of conflict management plans, including steps to be taken to manage the conflict or minimize the potential for conflict of interest by reducing or eliminating the interest; and

(e) Making recommendations to the ICOI Official for prohibiting those activities for which a conflict management plan is not reasonably achievable.

5. Due to the complex nature of an ICOI, the committee may, at its discretion, consult additional internal or external consultants, or may appoint an *ad hoc* review team to work on specific issues. If appointed, *ad hoc* teams will make recommendations to the ICOI Committee.

6. The ICOI Committee shall consider whether the financial or fiduciary interests disclosed in accordance with this policy have the potential to affect or appear to affect any of the following: safety of human research subjects; integrity of research or scholarship; appropriate allocation of University resources to research projects; objectivity and independence of sponsored educational activities, including undergraduate, graduate, professional, post-graduate and continuing education; or objectivity in business and contracting decisions.

7. The ICOI Committee review of a specific case may result in one of three types of recommendations to the ICOI Official:

(a) The arrangement does not represent a significant real, potential, or perceived Institutional Conflict of Interest that needs to be managed ("type-one");

(b) The arrangement represents a significant real, potential, or perceived Institutional Conflict of Interest, but can be managed and recommended management activities, if any ("type-two"); or

(c) The arrangement represents a significant real, potential, or perceived Institutional Conflict of Interest and is not manageable and either the activity may not proceed or the financial interest must be eliminated ("type-three").

In type-one recommendations, the committee concludes no additional action is needed.

In type-two recommendations, the committee shall recommend to the ICOI Official one or more management measures. These may include, but are not limited to: (1) effective recusal from decision-making regarding the proposed arrangement by the financially interested University Official; (2) reduction in the magnitude of the financial interest by divestiture to below the threshold values noted above; (3) disclosure of the financial interest in relevant publications, presentations, educational materials, human subject consent forms, clinical procedure or other consent forms; (4) oversight by a disinterested senior individual or committee; and/or (5) other measures deemed appropriate by the committee.

In type-three recommendations, the committee shall report its recommendation to the ICOI Official. In cases judged to involve unmanageable ICOI, it is expected that the committee should most often recommend the elimination or reduction of the financial interest rather than prohibition of the proposed research or sponsored activity. The committee should generally give precedence to activities that carry out institutional mission over conflicting financial interests.

7. Upon receiving the committee's decision, the ICOI Official shall accept the Committee's recommendation, return the matter for further consideration, or reject the recommendation. If rejected, the reasons for that rejection shall be documented and shared with the committee. The ICOI Official shall then notify all interested parties of the determination, including (if applicable) the University Official whose interest was at issue. The decision of the ICOI Official may be appealed to the President.

8. ICOI in human subjects research is a particularly sensitive subject. If human subjects research is involved, the University shall take particular care with respect to the review, management, or elimination of any potential institutional conflict of interest to assure that the welfare of human research subjects and the integrity of the research are not compromised.

9. In all cases, the committee and the ICOI Official shall retain documentation of their respective review and determination in accord with the University's records retention schedule. The ICOI Official shall be the custodian of those documents.

VI. Violations and Sanctions

A. Whenever there is an allegation that a University Official has violated this policy, the ICOI Official shall refer the allegation to the ICOI Committee for investigation. The ICOI Committee shall first determine if the alleged violation involves matters outside the scope of this administrative regulation, and whether the investigation should more appropriately be referred to other areas or other officials. If so, it shall so advise the ICOI Official, who shall refer the matter to the appropriate office.

B. The ICOI Committee shall conclude whether it is more likely than not that a violation of this regulation occurred, based upon a preponderance of evidence.

C. If the ICOI Committee concludes that a violation occurred, it shall so report and shall recommend to the ICOI Official sanctions, which may include disciplinary action ranging from a public letter of reprimand to dismissal and termination of University employment. Upon receiving the ICOI Committee's decision, the ICOI Official shall accept the Committee's recommendation, reject some or all of the recommendation, or impose additional sanctions. Any disciplinary action outside of the scope of the ICOI Official's authority shall be referred to the appropriate individual(s) and shall proceed as outlined in applicable sections of the University's *Governing Regulations* or *Administrative Regulations* or, if a staff employee is involved, applicable sections of Human Resources Policies and Procedures. In a case in which the accused party is the President, the matter shall be referred to the Board of Trustees.

D. In cases that might impact federal funding of sponsored projects, the University shall follow federal regulations, if any, regarding the notification of the sponsoring agency in the event an individual has failed to comply with this policy.

References:

Association of American Medical Colleges, 2008 Task Force Report, *Protecting Patients, Preserving Integrity, Advancing Health: Accelerating the Implementation of COI Policies in Human Subjects Research*

UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 8:4

Responsible Office: Provost / EVPFA / Development

Date Effective: 6/28/2011

Supersedes Version: 1/14/1998

Endowment and Naming Policies for Academic Positions, Undergraduate Scholarships, Faculty and Graduate Fellowships, Programs, Units, and Property

Major Topics

Endowment Policies for Academic Positions
Endowment Policies for Undergraduate Scholarships and Graduate Fellowships
Endowment Policies for University Programs and Units
Gift Policies for Naming University Property

I. Introduction

This regulation establishes the minimum gift amounts and other endowment requirements for private funding of academic positions, undergraduate scholarships, and faculty and graduate fellowships. This regulation also establishes minimum gift amounts and requirements for naming University programs, units, and properties.

II. Entities Affected

This regulation applies to all employees and units of the University.

III. Endowment Policies for Academic Positions

A. In accordance with Governing Regulation II.A.6(g), private gifts and pledges of $400,000 or more shall be accepted by the Board of Trustees prior to the establishment of, or support of, an endowed academic position. In addition, private gifts and pledges in any amount that qualify for matching funds from the Kentucky Research Challenge Trust Fund ("Bucks for Brains") shall be accepted by the Board of Trustees.

B. Prior approval by the Board of Trustees is required for an appointment made to an endowed academic position.

C. Negotiations, solicitation of private funds, or commitments related to the establishment or support of an endowed academic position shall not be undertaken by any faculty employee or officer of the University until a proposal for these has been approved by the appropriate dean, the Vice President for

Development, and the Provost.

D. All solicitation of gifts for support of academic positions and the handling of these gifts shall be done in accordance with the Business Procedures Manual E-22, Policies and Procedures for Soliciting, Receiving, Recording, and Acknowledging Gifts, and applicable Office of Development policies and procedures.

E. The maximum pledge period to fully fund an endowment shall not exceed five (5) years and the endowment agreement shall contain a description of the pledge payment schedule. Additionally, for pledges of $1,000,000 and above, the endowment agreement shall contain a provision to ensure that the pledge is legally binding on the donor's estate.

F. Subject to the approval of the President and the Board of Trustees, positions supported with private funds shall 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 shall be made in accordance with the provisions concerning academic employment as set forth in the Governing Regulations and the Administrative Regulations of the University.

H. Colleges and Programs may, by written policy, establish minimum gift amounts for academic positions higher than those defined in this Administrative Regulation.

I. Privately-funded academic positions shall be established with the following minimum gifts and conditions:

1. Deanship - $4,000,000. The University may provide from University funds such supplemental amounts as are necessary to set the salary of the holder of the deanship at a level commensurate with the individual's record, experience, and position in the faculty. Income from the gift shall be used for both salary and other professional support of the holder of the deanship, including assistance for research.

2. Named Chair - $2,000,000. 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 may be used for both salary and other professional support of the holder of the chair, including assistance for research.

3. Distinguished Scholar - $300,000. A distinguished scholar shall be considered a temporary appointment, usually given to a visiting scholar during temporary residence at the University. Other compensation may be provided for the visiting scholar through regular budgetary procedures, but no visiting scholar shall be compensated from two or more distinguished scholar endowments or gift accounts.

4. Professorship - $250,000. Income from the gift shall be used primarily to supplement the salary of the holder of the professorship but shall 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.

5. Named Faculty Support Fund - $250,000. Income from the gift shall be used for faculty professional support in areas other than salary or salary supplement, including but not limited to

research support, travel, equipment, and other expenditures that support excellence in the academic or research area. Permissible uses for such funds shall be established in the gift agreement.

6. Lectureship - $100,000. The lectureship shall be considered a temporary appointment, usually given to a visiting scholar during temporary residence at the University. Other compensation may be provided for the visiting scholar through regular budgetary procedures, but no visiting scholar shall be compensated from two or more lectureship endowments or gift accounts.

7. Faculty Fellowship - $100,000. Other compensation may be provided for the faculty fellowship through regular budgetary procedures, but no holder of a faculty fellowship shall be compensated from two or more fellowship endowments or gift accounts.

IV. Endowment Policies for Undergraduate Scholarships and Graduate Fellowships

A. Prior approval by the Office of Development, the Office of Legal Counsel, and the Office of the Treasurer is required for the establishment of undergraduate scholarships and graduate fellowships.

B. Negotiations, solicitation of private funds, or commitments related to the establishment of an undergraduate scholarship or graduate fellowship shall not be undertaken by any employee of the University until a proposal for these has been approved by the appropriate dean, the Office of Development, and the Provost.

C. All solicitation of gifts for support of undergraduate scholarships and graduate fellowships and the handling of these gifts shall be in accordance with the Business Procedures Manual E-22, Policies and Procedures for Soliciting, Receiving, Recording, and Acknowledging Gifts and applicable Office of Development policies and procedures.

D. Colleges and Programs may, by written policy, establish minimum gift amounts for undergraduate scholarships and graduate fellowships higher than those defined in this Administrative Regulation.

E. The maximum pledge period to fully fund a scholarship or fellowship shall not exceed five (5) years and the endowment agreement shall contain a description of the pledge payment schedule. Additionally, for pledges of $1,000,000 and above, the endowment agreement shall contain a provision to ensure that the pledge is legally binding on the donor's estate.

F. The selection of students for undergraduate scholarships and graduate fellowships funded fully or in part from private gifts shall be made in accordance with the gift agreement, to the extent possible and consistent with state and federal law and applicable University regulations and policies.

G. Privately-funded undergraduate scholarships and graduate fellowships shall be established with the following minimum gifts:

1. Undergraduate Scholarship - $25,000
2. Undergraduate Provost Scholarship - $100,000
3. Undergraduate Presidential Scholarship - $250,000
4. Singletary Scholarship - $350,000
5. Graduate-level Fellowship - $100,000

V. Endowment Policies for University Programs and Units

Privately-funded University programs (e.g. programs, institutes, centers, etc.) and units (e.g. departments, colleges, etc.) shall be established and named only upon the following terms and conditions:

A. The endowment's annual earnings shall provide 20% more expendable budget than available over the immediate past three-year average;

B. The gift agreement shall be legally binding on the donor's estate;

C. At least 50% of the commitment shall be received prior to naming; and

D. At least 2% of endowment shall be earmarked for maintenance, which shall be added into the initial request.

VI. Gift Policies for Naming University Property

Privately-funded University property (e.g. structures, playing fields, plazas, etc.) shall be named only upon the following terms and conditions:

A. The private funding shall constitute 50% of the fundraising goal for the property, or 15% of the cost to construct a facility or purchase the property;

B. The gift agreement shall be legally binding on the donor's estate;

C At least 50% of the commitment shall be received prior to construction or purchase;

D. At least 2% of endowment shall be earmarked for maintenance, which shall be added into the initial request; and

E. Subject to the requirements and guidelines established in *Administrative Regulation 9:5, "Policy Statement and Advisory Committee on Naming University Property"*, and upon recommendation of the Committee on Naming University Property and the approval of the President and the Board of Trustees, property supported with private funds shall be in the area of the donor's choice and shall bear the donor's name or a name of the donor's selection.

VII. References

KRS 164.160, GR II, AR 9:5, BPM E-22-1.

Revision History

AR II-1.2-2: 3/15/89, 3/28/91, 9/23/93; AR II-1.2-3: 1/14/98

For questions, contact: Office of Legal Counsel

place in book

UNIVERSITY OF KENTUCKY **ADMINISTRATIVE REGULATIONS**	IDENTIFICATION AR 8:8	PAGE 1
	DATE EFFECTIVE 9/15/09	SUPERSEDES REGULATION DATED N/A

IDENTITY THEFT PREVENTION PROGRAM
(APPROVED BY THE BOARD OF TRUSTEES)

I. Introduction

The Federal Trade Commission (FTC) and the federal banking agencies issued regulations (the "Red Flags Rules"), as part of the Fair and Accurate Credit Transactions (FACT) Act of 2003, requiring financial institutions and creditors to develop and implement written identity theft prevention programs.

This Administrative Regulation establishes the University's identity theft prevention program (the "Program") in accordance with the federal regulations. The Program is designed to: detect, prevent, and mitigate identity theft in connection with new or existing covered accounts; help protect students, faculty, staff, other constituents, and the University from damages related to the fraudulent activity of identity theft; provide for continued administration of the Program; and promote compliance with state and federal laws and regulations regarding identity theft protection.

II. Definitions

A. "Identity theft" means an attempted or committed fraud using the identifying information of another person without authority.

B. A "Red Flag" means a pattern, practice, or specific activity that indicates the possible existence of identity theft.

C. A "Covered Account" includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing account maintained by the University for its students, faculty, staff, patients, and other constituents that meets the following criteria is covered by this Program:

1. Accounts for which there is a reasonably foreseeable risk of identity theft; and

2. Accounts for which there is a reasonably foreseeable risk to the safety or soundness of the University from identity theft, including financial, operational, compliance, reputation, or litigation.

D. "Identifying information" means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including but not limited to: name, address, telephone number, Social Security number, date of birth, government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number, patient account number, health insurance number, student identification number, computer's Internet Protocol address, credit card number, or routing code.

III. Red Flags

Any time a Red Flag, or a situation closely resembling a Red Flag, is apparent, it should be investigated for verification. The following Red Flags are potential indicators of fraud:

A. Suspicious Documents

1. Documents provided for identification appear altered, forged, or inauthentic;

2. The photograph or physical description on identification provided is not consistent with the appearance of the individual presenting the identification; or

3. Other information on the identification provided is not consistent with information provided by the person presenting the identification or is not consistent with readily accessible information on file (such as a signature).

B. Suspicious Personal Identifying Information

1. Personal identifying information provided is inconsistent when compared against external information sources used by the University. For example, the Social Security number (SSN) has not been issued or is listed on the Social Security Administration's Death Master File;

2. Personal identifying information provided by the individual is not consistent with other personal identifying information provided by the individual. For example, there is a lack of correlation between the SSN range and date of birth;

3. The individual fails to provide all required personal identifying information;

4. When using security questions (mother's maiden name, pet's name, etc.), the individual cannot provide authenticating information beyond that which generally would be available; or

5. Personal identifying information provided is not consistent with personal identifying information that is on file with the University.

C. Unusual Use of, or Suspicious Activity Related to, a Covered Account

1. The University is notified of unauthorized charges or transactions in connection with an individual's Covered Account;

2. The University receives notice from victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with Covered Accounts held by the University;

3. A breach in the University's computer system security; or

4. Mail sent to the individual is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the Covered Account.

D. Other Information Commonly Used in Identity Theft

The following information, even though it may otherwise be considered public or proprietary, is often used in conjunction with Confidential Information to commit fraudulent activity such as identity theft:

1. Payroll information, including but not limited to: paychecks, pay stubs, or flexible benefits plan check requests and associated paperwork;

2. Medical information for any employee or customer, including but not limited to: health care provider names and claims, insurance claims, prescriptions, and any related personal medical information; or

3. Other personal information belonging to students, faculty, staff, patients, and other constituents, including but not limited to: name, date of birth, address, phone numbers, maiden name, customer number, bank routing number, credit card number, or account number.

VII. Detecting Red Flags

A. New Covered Accounts

In order to detect Red Flags, University employees should verify the identity of the person(s) opening a new account by requiring certain identifying information such as name, date of birth, academic records, residential or business address, or other identification as appropriate; and by verifying the person's identity (for instance, review of driver's license or other government-issued photo identification card).

B. Existing Covered Accounts

In order to detect Red Flags for an existing account, University employees should verify the identification of person(s) who request information (in person, via telephone, via facsimile, or via email); and verify the validity of requests to change billing addresses and changes in banking information given for billing and payment purposes.

Any time a credit report is sought in connection with covered accounts, University employees should require written verification from any applicant that the address provided by the applicant is accurate at the time the request for the credit report is made to the consumer reporting agency. In the event of notice of an address discrepancy in a credit report, University employees should verify whether the report pertains to the individual for whom the report was requested. If it is determined that the address provided by the credit reporting agency is inaccurate, University employees should report to the credit reporting agency an address that the University has confirmed is accurate.

VIII. Responding to Red Flags

Once a Red Flag, or potential Red Flag, is detected, University officials should act quickly to protect students, faculty, staff, patients, and other constituents and the University from damages and loss. When fraudulent activity is detected, University officials shall act in accordance with the facts known; actions may include one or more of the following:

- Monitor the account for evidence of identity theft;
- Contact the individual;
- Change any passwords, security codes, or other security devices that permit access to an account;
- Not attempt to collect on a Covered Account or otherwise place into debt collection;
- Not open a new Covered Account;
- Notify and cooperate with appropriate law enforcement authorities;
- Close a Covered Account and/or reopen a Covered Account with a new account number;
- Determine that no response is warranted under the particular circumstances;
- Cancel the transaction; and/or
- Determine the extent of liability of the University.

X. Program Administration

A. Delegation

Establishment of the initial Identity Theft Prevention Program is the responsibility of the University's Board of Trustees. Thereafter, the President is authorized to make amendments to this regulation, upon recommendation by the Executive Vice President

for Finance and Administration, and as will conform to current law and to reflect risks to covered accounts.

Operational responsibility for the Program, including but not limited to oversight, development, implementation, ongoing administration, recommendation of needed changes, and implementation of needed changes, is delegated through the President to the Executive Vice President for Finance and Administration, or designee.

B. Employee training

Training shall be conducted for all employees for whom it is reasonably foreseeable, as determined by the Executive Vice President for Finance and Administration, or designee, that the employee may come into contact with Covered Accounts or personally identifiable information that may constitute a risk to the University or its students, faculty, staff, patients, and other constituents. Employees shall receive training, as necessary, in all elements of the Program. Human Resources, in coordination with other appropriate units, is responsible for providing training for all employees for whom it is required. To ensure maximum effectiveness, employees shall continue to receive additional training as changes to the Program are made.

C. Oversight of Service Provider Arrangements

The University shall endeavor to ensure that the activities of all service providers are conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. The University shall require, by contract, that service providers who perform an activity in connection with one or more Covered Accounts ensure that such activity shall be conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. A service provider that maintains its own identity theft prevention program, consistent with the guidance of the Red Flag Rules and validated by appropriate due diligence, may be considered to be meeting these requirements. Any specific requirements should be specifically addressed in the appropriate contract arrangements.

D. Covered Accounts Identified by the University

Each unit identified by the University as having a Covered Account shall submit its most recent written **"Red Flag Compliance" Identity Theft Prevention Program** to the Office of the Treasurer. Units identified by the University as having covered accounts are listed in *Appendix A,* which may be supplemented from time to time, as needed. The written **"Red Flag Compliance" Identity Theft Prevention Program** of each unit having a Covered Account(s) shall specifically identify the Covered Account(s), and describe the:

1. Policies and procedures to detect potential indications of identity theft with regard to new and existing accounts;

2. Policies and procedures to respond to potential or actual incidents of identity theft;

3. Employee training and internal reports the unit uses to mitigate risks associated with identity theft; and

4. Steps taken to ensure a service provider complies with identity theft standards, if any Covered Account data is shared with a service provider.

D. Reporting

Each unit identified as having a Covered Account(s) shall report incidents of identity theft and the effectiveness of the unit's Program to the Executive Vice President for Finance and Administration, or designee. In addition, units having Covered Account(s) in clinical areas shall also report incidents related to health information privacy or security to the appropriate UKHealthCare unit (e.g., Corporate Compliance/Privacy, IT Security). The Executive Vice President for Finance and Administration shall annually report to the President on the operations and effectiveness of the Program.

IX. Periodic Review and Updates to the Program

The Program shall be reviewed periodically as may be deemed prudent based on current law; changes in technology; the type of accounts established by the University; the University's experience with identity theft activities; changes in identity theft methods; changes in identity theft detection, mitigation, and prevention methods; changes in types of accounts the University maintains; changes in the University's business arrangements with other entities; and any changes in legal requirements in the area of identity theft. Periodic reviews shall include an assessment of which accounts are covered under the policy and changes to Red Flags. Appropriate action to be taken in the event that fraudulent activity is discovered also may require revision to reduce damage to the University and the individuals within the University community. The Executive Vice President for Finance and Administration shall present any recommended changes to the President for approval.

XI. Securing Identifying Information

A. Hard Copy

All identifying information concerning Covered Accounts shall be secured by the following means:

1. File cabinets, desk drawers, overhead cabinets, and any other storage space containing documents with Identifying Information must be locked when not in use.

2. Storage rooms containing documents with Identifying Information and record retention areas must be locked at the end of each workday or when unsupervised.

3. Desks, workstations, work areas, printers and fax machines, and common shared work areas must be cleared of all documents containing Identifying Information when not in use.

4. Whiteboards, dry-erase boards, writing tablets, etc. containing Identifying Information and located in common shared work areas must be erased, removed, or shredded when not in use. Whiteboards, dry-erase board, etc., located in clinical areas shall also adhere to University privacy policies with regard to patient information.

5. University records may only be destroyed in accordance with the University's records retention policy and applicable law.

6. Documents containing Identifying Information must be destroyed in a secure manner, and in accordance with applicable University policy and procedure.

B. Electronic

All University employees are expected to be familiar with and follow the University's *Policy Governing Access to and Use of University Information Technology Resources* (AR 10:1) (http://www.uky.edu/Regs/files/ar/ar064.pdf) and other applicable electronic data security policies (http://www.uky.edu/UKIT/policies.htm).

XII. Application of Other Laws and University Policies

University personnel should make reasonable efforts to secure identifying information. Furthermore, this regulation should be applied in conjunction with the Family Education Rights and Privacy Act (FERPA), the Health Insurance Portability and Accountability Act (HIPAA), the Kentucky Open Records Act, and other applicable laws and University policies. If an employee is uncertain of the confidentiality of a particular piece of information, he or she should contact the University's Office of Legal Counsel, or for clinical areas the Office of Corporate Compliance/Privacy.

References:

- Fair and Accurate Credit Transactions (FACT) Act of 2003
- Red Flag Rules (16 C.F.R. 681 – Federal Trade Commission)
- Family Education Rights and Privacy Act (FERPA)
- Health Insurance Portability and Accountability Act (HIPAA)
- Kentucky Revised Statutes, Chapter 61 (Kentucky Open Records Act)
- *AR II-1.7-2, Policy Governing Access to and Use of University Information Technology Resources*

- University Information Technology Security Policies

APPENDIX "A"

University of Kentucky units identified as having covered accounts:

1. Student Billing Services/Student Financial Aid – Student Accounts and Loan Accounts
2. Dining and Plus Account Office – Plus Accounts
3. Hospital – Hospital Patient Accounts
4. University Health Service – Student Health Patient Accounts
5. College of Dentistry – Dentistry Patient Accounts
6. Central Kentucky Management Services, Inc. (CKMS) – Active Patient Accounts and Bad Debt Accounts
7. Kentucky Medical Services Foundation (KMSF) – KMSF Patient Accounts

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UNIVERSITY OF KENTUCKY®
Regulations

Administrative Regulation 10:4

Responsible Office: Information Technology / Public Relations and Marketing

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Social Media Policies and Guidelines

Major Topics

Definition of Social Media

Best Practices

Policies for All Social Media

University Social Media

I. Introduction

Social media are powerful communications tools that have a significant impact on organizational and professional reputations. Because the use of social media may blur the lines between personal voice and institutional voice, the University of Kentucky ("University" or "UK") has established the following policies to clarify how best to enhance and protect the University, as well as personal and professional reputations, when participating in social media.

Both in professional and institutional roles, employees are expected to follow the same behavioral standards online as they would in the real world. The same laws, professional expectations, and guidelines for interacting with students, parents, patients, alumni, donors, media, and other University constituents apply. Employees are accountable for any institutionally related content they post to social media sites.

II. Entities Affected

This regulation applies to all employees and units of the University.

III. Definition

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques online. Examples include but are not limited to: LinkedIn, Facebook, Twitter, YouTube, Flickr, iTunes U, Second Life, and MySpace.

IV. Best Practices

These guidelines apply to individuals posting on behalf of the University or an official University unit, though they may be helpful for anyone posting on social media in any capacity.

A. Think twice before posting. Privacy does not exist in the world of social media. Consider what could happen if a post becomes widely known and how that may reflect both on the poster and the University. Search engines can turn up posts years after they are created, and comments can be forwarded or copied. If you would not say it at a conference or to a member of the media, consider whether you should post it online. If you are unsure about posting something or responding to a comment, ask your supervisor for input or contact the Office of Public Relations and Marketing.

B. Strive for accuracy. Check your facts before posting them on social media. Review content for grammatical and spelling errors. This is especially important if posting on behalf of the University in any capacity. (See Section IV: Institutional Social Media)

C. Be respectful. Understand that content contributed to a social media site could encourage comments or discussion of opposing ideas. Responses should be considered carefully in light of how they would reflect on the poster and/or the University and its institutional voice.

D. Be active. Social media presences require diligent care and attention. An effective social media site requires regular updates and fresh or engaging content.

E. Consider your audience and its potential reaction to your content. Be aware that a presence in the social media world is or easily can be made available to the public at large. This includes prospective students, current students, patients, current employers and colleagues, and peers. Consider this before publishing to ensure the post will not alienate, harm, or provoke any of these groups.

F. On personal sites, identify your views as your own. If you identify yourself as a UK faculty or staff employee online, it should be clear that the views expressed are not necessarily those of the institution.

V. Policies for All Social Media Sites

A. Protect institutional confidential and proprietary information

Do not post confidential or proprietary information about the University, its students, employees, patients, or alumni (see *Governing Regulation Part I:* sections D.2(b,c)). Employees must follow applicable federal requirements, including but not limited to:

- FERPA
- HIPAA

Employees who share confidential information do so at the risk of disciplinary action or termination.

B. Adhere to all applicable University regulations, policies, and procedures

Use Social Media in a manner that complies with University regulations, policies, and procedures, including but not limited to:

- Governing Regulations
- Administrative Regulations
- Human Resource Policies and Procedures
- Ethical Principles and Code of Conduct;
- Policy Governing Access to and Use of University Information Technology Resources

- Policy on Discrimination and Harassment.
- UK HealthCare Code of Ethics
- Behavioral Standards in Patient Care
- UK Hospital Policy on Photography and video of patients and employees

C. Adhere to copyright and fair use law

When posting, be aware of the copyright and intellectual property rights of others and of the University. Questions about fair use or copyrighted material should be directed to the Office of Legal Counsel.

D. Do not use University logos or trademarks without permission

Any use of UK logos, trademarks or other images must have prior approval. Do not use official logos, trademarks, or any other University images or iconography on personal social media sites. Do not use UK's name to promote a product, cause, or political party or candidate.

- UK Web Graphic Standards: http://www.uky.edu/Graphics/WebGraphicStandards.pdf
- Official UK Graphic Standards Manual: http://www.uky.edu/Graphics/GraphicStandards.pdf

Questions should be directed to the Office of Public Relations and Marketing.

E. Do not announce University news

Do not be the first to announce University or departmental news on a social media site unless pre-approved by the Office of Public Relations. The Director of Public Relations is the official spokesperson for the University (See *Administrative Regulation 1:1*, University of Kentucky Administrative Organization). Only WUKY is authorized to announce University news without prior approval from the Office of Public Relations.

F. Respect University time and property

University computers and time on the job are reserved for University-related business as approved by supervisors and in accordance with *Governing Regulation Part I;* section D.2(d), University Resources and *Administrative Regulation 10:1*, Policy Governing Access to and Use of University Information Technology Resources.

G. Be aware of terms of service

Comply with the Terms of Service of any social media platform used.

Note: Posting of University-related content to personal accounts on social media sites may also be subject to this policy.

VI. Institutional Social Media Policies

If you post on behalf of an official University unit, the following policies apply, in addition to all policies and best practices listed above:

A. Notify the University

Departments or University units that have a social media page or would like to start one should contact the Office of Public Relations and Marketing to ensure all institutional social media sites coordinate with

other UK sites and their content. All institutional pages must have a full-time appointed employee who is identified as being responsible for content. Ideally, this should be the unit head of the department.

B. Acknowledge who you are

If you are representing UK when posting on a social media platform, acknowledge this.

C. Use approved photos and University logos

Your University social media presence must use photos that accurately depict your department or unit, and approved logos for your area of the University. Public Relations and Marketing provides approved photos and logos for various areas of the University. To receive logos in a downloadable format, contact UK Public Relations and Marketing.

D. Have a plan

Departments should consider their messages, audiences, and goals, as well as a strategy for keeping information on social media sites up-to-date. The Office of Public Relations and Marketing can assist and advise you with your social media planning.

E. Link back to the University

Whenever possible, link back to the UK website. Ideally, posts should be very brief; redirecting a visitor to content that resides within the UK Web environment. When linking to a news article about the University, check first to see whether you can link to a release on UKNow, the official UK news website instead of to an external publication or other media outlet. (http://uknow.uky.edu/)

F. Protect the institutional voice

Posts on social media sites should protect the University's institutional voice by remaining professional in tone and in good taste. No individual unit should construe its social media site as representing the University as a whole. Consider this when naming pages or accounts, selecting a profile picture or icon, and selecting content to post. Names, profile images, and posts should all be clearly linked to the particular department or unit rather than to the institution as a whole.

VII. Non-Compliance

Non-compliance with this policy may result in any or all of the following:

A. Limitation or revocation of individual or unit rights to use or participate in University-related social media;

B. Removal of posts or social media accounts; or

C. Corrective or disciplinary actions and sanctions, as defined in the Human Resources Policy and Procedures, Governing Regulations, Administrative and Governing Regulations, Rules of the University Senate, or Code of Student Conduct.

VIII. References and Related Materials

Governing Regulation: Part I

Administrative Regulations: 1:1; 10:1

Revision History

This is a new regulation

For questions, contact: Office of Legal Counsel