

MINUTES

**Meeting of the Board of Trustees
University of Kentucky
3:00 P.M.
September 18, 2001
18th Floor Patterson Office Tower**

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Minutes

Accompanying Materials:

PR 2 Personnel Actions

PR 3A Proposed Amendments to the Governing Regulations

PR 3B Approval of New Policy Regarding Retiring Staff

Academic Affairs Committee Report

AACR 1 Change in Name of an Educational Unit (Consent)

Finance Committee Report

FCR 1 Acceptance of Audit Report for the University of Kentucky for 2000-01

FCR 2 Capital Construction Report

FCR 3 University of Kentucky Eye Foundation, Inc.

FCR 4 Cardiology Associates of Kentucky Pledge

FCR 5 George Strawbridge, Jr. Gift and Pledge

FCR 6 Gift and Pledges to Violet Irene Eads Endowment

FCR 7 Merck & Co., Inc. Pledge

FCR 8 Michael D. Rankin, M.D., Pledge

FCR 9 Gifts and Pledges to Zantker Professorship in Judaic Studies

FCR 10 Richard K. and Anne Brautigam Pledge

FCR 11 Cornerstone Care, L.L.C. Pledge

FCR 12 Gifts and Pledge to Establish Breckinridge Professorship

FCR 13 Baxter Healthcare Corporation Gift

FCR 14 Dr. Emler A. Neuman and Alexander M. Neuman Pledge

FCR 15 Michael F. Meinze Gift and Pledge

FCR 16 Roger E. Mick Family Pledge

FCR 17 Shirley A. Cunningham Gift

FCR 18 William J. Gallion Gift

FCR 19 Proposed 2002-03 and 2003-04 Tuition Schedule

FCR 19 Amendment

FCR 20 Capital Request 2002-2004

Enrollment presentation by Provost Mike Nietzel

Tuition presentation by Provost Mike Nietzel

Minutes of the Meeting of the Board of Trustees of the University of Kentucky,
Tuesday, September 18, 2001.

The Board of Trustees of the University of Kentucky met at 3:00 p.m. (Lexington time) on Tuesday, September 18, 2001 in the Board Room on the 18th Floor of Patterson Office Tower.

A. Meeting Opened

Billy Joe Miles, Chairperson, called the meeting to order at 3:07 p.m., and the invocation was pronounced by Dr. Elissa Plattner.

B. Roll Call

The following members of the Board of Trustees answered the call of the roll: Mr. Paul W. Chellgren, Ms. Marianne Smith Edge, Mr. John "Jack" Guthrie, Dr. Loys Mather, Ms. Pamela May, Dr. Robert P. Meriwether, Mr. Billy Joe Miles (Chairman), Dr. Elissa Plattner, Dr. Claire Pomeroy, Mr. Steven S. Reed, Mr. Tim Robinson, Ms. Marian Sims, Ms. Alice Sparks, Dr. Grady Stumbo, Ms. JoEtta Wickliffe, Mr. Billy Wilcoxson, Mr. Russ Williams, Ms. Elaine Wilson, and Ms. Barbara Young. Absent from the meeting was Mr. Frank Shoop. The University administration was represented by President Lee T. Todd, Jr.; Acting Senior Vice President Jack C. Blanton; Senior Vice President and Chancellor of the Medical Center James W. Holsinger, Jr.; Acting Provost Michael Nietzel; Acting Vice President for Research James Boling, and Mr. Richard E. Plymale, General Counsel.

Members of the various news media were also in attendance. A quorum being present, the Chairperson declared the meeting officially open for the conduct of business at 3:09 p.m.

C. Consent Agenda

Mr. Miles said that the Consent Agenda consisted of two items:

Approval of Minutes
AACR 1 - Change in Name of an Educational Unit

Ms. Sims moved approval of the Consent Agenda. Her motion, seconded by Ms. Wilson, passed. (See AACR 1 at the end of the Minutes.)

D. Nomination of Officers and Executive Committee

Dr. Plattner, Chairperson of the Nominating Committee, asked Mr. Miles to step aside as Chairperson and appoint a Chairperson to receive the Nominating Committee's report. Mr. Miles appointed Mr. Wilcoxson to serve as Chairperson and receive the Nominating Committee report.

Dr. Plattner thanked the Board members who returned their recommendations to the Nominating Committee. She said their recommendations guided the Committee in making their decisions and stated that the process worked. She explained the Committee's process to the new Board members.

She said the Nominating Committee members who served this year were Frank Shoop, Alice Sparks, Jack Guthrie, Loys Mather, Marianne Smith Edge, Russ Williams and herself.

Dr. Plattner commented on shared governance. She read the following statement about shared governance that was a topic at the recent Council on Postsecondary Education meeting:

A collegial system is based upon the participation of all the stakeholders. It both sustains and extends the mission of the University and the larger community it engages. It shows respect for the many and varied roles of the academic community. Shared governance is exactly what it says. It is sharing talents and expertise. It is sharing leadership. It is the willingness to devote and dedicate oneself to two years of service in a leadership position and rotate off so that others may share their leadership and their talent, too.

Dr. Plattner said this is not in the regulation. It is a practice, and it has served the Board well for two years. The Board suggested that all leadership rotate every two years so that all members may share. She said, from her own point of view, she hopes the next person who is the Chairperson of the Nominating Committee will honor the practice of keeping himself or herself at arms length from the Committee and neither accept a nomination for any office or make a recommendation for any office. In her opinion, it is a way to give some strength to the Committee so that all the members may be considered to serve, but the Chairperson of the Committee remain neutral.

She stated that the Nominating Committee has had the great privilege of seeking out diversity and representation. Some of the Board members are elected, some are appointed, and some are elected and then appointed. The Board represents different constituents. The Committee is very hopeful that the slate that they introduce reflects the diversity that they seek, that this Board must seek, that this University must seek and that our community must seek. She called upon Mr. Russ Williams, a member of the Nominating Committee, to present the slate of officers to the Board.

Mr. Williams moved that the following members of the Board of Trustees serve in the following positions for next year:

Mr. Billy Joe Miles, Chair
Mr. Steven S. Reed, Vice Chair
Ms. JoEtta Wickliffe, Secretary

Ms. Sparks seconded the motion, and it carried.

Mr. Miles returned to the Chairperson role and asked for the nominations for the Executive Committee.

Dr. Plattner called upon Mr. Jack Guthrie to present the Nominating Committee's recommendation.

Mr. Guthrie said the Nominating Committee is pleased to recommend the following Trustees for service on the Executive Committee of the Board. He stated that all of the individuals have agreed to serve, if so elected, and moved that the following individuals be named:

Mr. Paul Chellgren
Ms. Marianne Smith Edge
Dr. Loys Mather, Chairperson
Dr. Robert Meriwether
Mr. Steven Reed
Ms. JoEtta Wickliffe, ex officio

Mr. Miles asked for any nominations from the floor.

The motion made by Mr. Guthrie and seconded by Ms. Wilson carried.

Ms. Plattner thanked Ms. Marian Sims, Ms. Alice Sparks and Ms. Elaine Wilson, who have served for two years very capably as members of the Executive Committee. She expressed appreciation for their leadership.

Ms. May said she has watched the Board struggle with a period of growth and change and apparently a tremendous opening and transparency which appears to be serving the organization very well. The Board has heard about shared governance and read about it in the newspaper, but if they went back and looked at the Minutes, there would be no official commitment of the Board that would be legally there for anyone to see that says that this is a concept that has been adopted by the Board and will govern the organization, henceforth, until the Board adopts something else.

She said that Dr. Todd has his mission that is driving the University, but, in her opinion, it is also important for the Board to have some kind of official statement stating the Board does believe in shared governance. The Board does believe it is important that all Board members be involved and that the officers work together as a unit. Everybody should be involved. She stated that she was concerned that the Board has not officially taken that position. In her opinion, this is an important message, and the message is too important to be lost.

Mr. Miles said Ms. May's point is well taken, and it really centers on his commitment last year to serve two years. He said that everyone has read enough about

this in the paper, and he and Mr. Reed did not need to comment. He said it really gives one a guilty feeling to say that and then do something else. He reminded the Board that they talked about that last year in the Bylaws.

Mr. Miles said that Peggy Way would be sending out a letter regarding the Board members preference for serving on Board committees. He said that he thought they were able to appoint everyone to their preferred committees last year. He noted that the President appoints Board members to various boards, such as the Athletic Association Board of Directors and the University of Kentucky Hospital Board of Directors. In the letter that Ms. Way sends out, Board members will have an opportunity to indicate their interests in serving on these boards as well as other boards.

Mr. Miles asked Ms. May to prepare a recommendation regarding shared governance for the next Board meeting.

Ms. Sparks reminded the Board members that they did formally ratify that by changing the Governing Regulations to have term limits. That was done about a year and a half ago. There were no term limits prior to that, and it was saying quite a bit when the Board did that. She added that the terms are four years.

Mr. Guthrie reminded the Board that they determined at the Board workshop that the Board should take a look at the committee structure since they have had it for a couple of years and determine whether it needs any adjustment.

Mr. Miles appointed Dr. Mather to be in charge of reviewing the committee structure.

President Todd thanked Dr. Plattner and the Nominating Committee and expressed appreciation to them for their hard work. He also expressed appreciation to those willing to serve in the appointed positions. He noted that the positions are important and thanked them for their willingness to serve.

E. Assistant Secretary to the Board of Trustees Appointed

Mr. Miles noted that the position of Assistant Secretary to the Board was inadvertently omitted. He asked Mr. Dick Plymale to continue serving as the Assistant Secretary to the Board.

F. Comments about the University

President Todd commented about the behavior of the University community during the tragic situation with the World Trade Center a week ago. He said everyone should be extremely proud of the way that the institution handled the situation. People of diverse backgrounds came together in time of a crisis. When President George Bush called for a day of prayer last Friday, President Todd said that he asked a few people to put together a very meaningful service on Friday where many of our students

participated. The newspaper recorded that there were 6,000 people in attendance, and it was truly an impressive occurrence. He said he could not be prouder of how everybody responded to the event at this point in time.

G. Commission on the Status of Women Announcement

President Todd reminded the Board of the July 5, 2001 Executive Committee meeting. At that meeting, he announced the new organizational structure and mentioned one of the commissions that he would be establishing, the Commission on the Status of Women. He announced that Professor Carolyn Bratt will chair the Commission. She has been with the University for 27 years and has been a real leader in women's efforts around the campus in an unpaid position gathering information, making recommendations, and chairing committees. In his opinion, this assignment is appropriate.

He reported that he had the good fortune of speaking to several women candidates who had been pointed out to him as potential leaders on campus, and the interviewing process was a very fruitful part of the exercise. He said he had asked Professor Bratt to attend the Board meeting to be recognized in her role as chairperson and to make any comments she would like to make.

Professor Bratt stated that this is a very, very important day for the University of Kentucky. She made the following statement:

“President Todd's decision to appoint a presidential Commission on Women is a powerful statement that there is now an institutional commitment to making UK women employees and students full and equal members of the University community. I know that I speak for all the women on campus when I say to you, thank you. Thank you for your willingness to recognize that there is a problem and thank you for your willingness to commit your office and the resources of the University to the task of eradicating that problem.”

Professor Bratt recognized the individuals in the audience for their selfless work and tireless commitment to this task. She said these were just a few of more than the 50 people who have served over the past 12 years on the Senate Council Ad Hoc Committee on the Status of Women that is probably on record as being the longest standing Ad Hoc Committee at the University. Professor Bratt introduced the Chair of that Ad Hoc Committee, Dr. Susan Scollay; a graduate student member, Jenny Hoobler, who is a doctoral candidate in the College of Business and Economics; Dr. Gretchen LaGodna, who is now retired but has continued to serve on the Committee; and Board of Trustees member Loys Mather, who was Senate Council chair who appointed the original Ad Hoc Committee. Professor Bratt recognized their work and thanked them for being supportive through the years. She particularly thanked President Todd for appointing the Commission. She noted that the most recent report of the Ad Hoc Committee is on line and distributed cards with the www address. She invited the Board to log on and see

what the Ad Hoc Committee found when they updated their 10-year report this past spring.

H. President's Report to the Board of Trustees (PR 1)

President Todd said he would highlight a few things in PR 1. He called attention to the following items:

1. The first item is the record number of students coming to UK for the 2001-2002 academic year. He called upon Provost Nietzel to present the profile of the university's enrollment report. He noted that the numbers have just been gathered and said he is quite pleased with them.

Provost Nietzel provided a PowerPoint presentation summarizing this year's fall figures and a comparison to the prior five years. He, also, provided a written summary of his presentation to each of the Board members. A summary of the major points made by Provost Nietzel in his presentation of preliminary fall enrollment statistics follows:

- From Fall 2000 to Fall 2001, total enrollment for the University System and LCC is up by approximately 4.8 percent;
- University System enrollment, excluding LCC, has shown a good increase over the last two years;
- Nonresident enrollment has shown gains over the last two years, reversing the recent decline;
- Undergraduate enrollment is approximately 17,311, the largest total in the five-year period;
- Graduate enrollment, including postdoctoral scholars, is over 5,500. This is nearly a 10 percent increase over the prior year and is believed to be a record high;
- First professional enrollment remains fairly stable, although the first-year pharmacy class is the largest ever in the University's history;
- LCC enrollment has increased by approximately 9 percent, an indication that they are responding very well to access expectations;
- There is an overall increase in African-American enrollment, with much of the increase at the graduate level;
- Enrollment of transfer students is up, and this has reversed a decline that many state institutions have also been experiencing;
- Although there are fewer National Merit Scholars in the freshman class, the number of Governor's Scholars and the number of high school valedictorians has increased significantly; and
- A comparison of entering freshmen ACT scores to state and national ACT scores shows that the University is capturing a very well qualified group of students.

He said he would be pleased to answer any questions. (See PowerPoint presentation at the end of the Minutes.)

President Todd reported that last year Provost Nietzel was Dean of the Graduate School. One of the innovative programs that he put in place was called the GIFT program where people who were not enrolled previously in Graduate School or were not a part of a degree program could take one three-hour class for free. Approximately 600 people took advantage of that program. This year 30% have returned to the University and are paying for their work. President Todd praised Provost Nietzel and stated that more employees of the University need to be more entrepreneurial in other efforts.

2. President Shumaker, President Todd and Governor Patton held a press conference announcing an agreement to increase cooperation and collaboration between the state's two research universities. President Todd noted that the University of Kentucky and the University of Louisville recently had their annual joint Board meeting and had received some very favorable press.
3. UK research productivity reached \$181 million, a 16.6% increase over the previous year. That is certainly to be an indicator of the quality of the research faculty.
4. The College of Medicine is ranked 26th among public medical schools and 53rd among all medical schools for NIH funding. Six research areas are ranked in the top 20 for NIH funding among all categories of public institutions. This is another real bragging point.
5. UK licensing revenue of \$2.3 million has been the result of 66 license agreements. Twelve licenses were granted last year, an area of focus we need to continue to increase.
6. UK biomedical engineering student, Letetia Richardson, was awarded a Role Model Citation by Minority Access, Inc. She represents UK extremely well.
7. The Southern Association of Colleges and Schools has reaffirmed the accreditation of Lexington Community College.

He asked the Board to review the significant activities of the students, faculty, and staff in the report and congratulate those people if they saw them.

I. Personnel Actions (PR 2)

President Todd said that PR 2 had been circulated with the Board packets. He recommended approval of the personnel actions listed in PR 2 and said he would be pleased to answer any questions. On motion made by Ms. Wilson, seconded by Ms. Sims and carried, PR 2 was approved. (See PR 2 at the end of the Minutes.)

J. Proposed Amendments to the Governing Regulations (PR 3A)

President Todd said the proposed amendments to the Government Regulations are circulated at this time so the Board will be able to read them, think about them, and get back with any questions or clarifications they may have. He pointed out some of the reasons for these amendments:

Titles have been changed to reflect the organizational changes that the Board approved in August of 2001.

The role of this Board in relation to Community College System is revised consistent with earlier agreements between the Board of Trustees and the Kentucky Community and Technical College System.

These agreements were prompted by certain requirements of the Southern Association of Colleges and Schools, the accreditation authority for both institutions. That is something that had not been done previously so we took the opportunity to go ahead and make those changes in this revision.

Part XV is removed as a Governing Regulation. It remains as a Kentucky Revised Statute and is not within the authority of this Board to change.

Because some of these revisions may affect academic policies, we have asked the University Senate to review these revisions. Bill Fortune will be getting their feedback.

While PR 3A is not an action item, it must remain upon the table for thirty days so the Board will have plenty of time to consider the amendments. After the proposed amendments are final, the Governing Regulations will be revised consistent with the changes.

K. Approval of New Policy Regarding Retiring Staff (PR 3B)

President Todd said that PR 3B is recommending approval of a new policy regarding retiring staff members, a policy that the University has had in position for retiring faculty. The recommendation is that the Board approve a policy allowing the University to confer the status of Emeritus Staff. This policy does not cost the University anything. It is a new way to recognize people who have made tremendous contributions

to the University. He said he thinks the policy will be extremely well received by the staff.

The description of the background is in the action item. The new policy would grant this title to a member of staff who has at least 15 years of continuous University service; is serving, at the time of retirement, in a staff position requiring a level of expertise that can only be gained through prolonged period of outstanding University service; evidences extraordinary and meritorious contributions to the fulfillment of the mission of the goals of the University; and has made noteworthy contributions to the nominee's professional field. President Todd said he would like to have the policy approved in honor of the staff.

Mr. Williams said he is enthusiastically supportive of this policy. It is an opportunity to send a message to the long-term staff of the institution. Particularly, we care about you, and we appreciate the work that you do. Not surprisingly, we do not talk about it often enough. We have staff members who devote their entire careers to the institution. It is not unusual to have people with 25, 30, 35 or 40 years of service. This is a fine way to acknowledge that service and to thank the long-term employees. He said he appreciated President Todd bringing this policy forward. He moved its passage. Mr. Reed seconded the motion and it carried.

L. Change in Name of an Educational Unit (AACR 1)

Ms. Sparks reminded the Board that AACR 1 was on the Consent Agenda. She reported that the Academic Affairs Committee had a lengthy discussion regarding the name change. It passed unanimously and without any problems.

M. Acceptance of Audit Report for the University of Kentucky for 2000-01 (FCR 1)

Mr. Chellgren, Chairman of the Finance Committee, reported that the Audit Subcommittee of the Finance Committee had met quite extensively with the engagement partner of Deloitte & Touche, the university's external auditors. The Subcommittee reviewed the nature of the external audit and would like to bring a number of matters to the Board's attention.

He reported that the outside auditors have issued a clean, unqualified opinion on the financial statements of the University for the fiscal year that ended June 30, 2001. There are no exceptions that have been noted and brought to the Finance Committee and the Board's attention. The external auditors issued two additional letters. One of them is called a SAS 61 letter which covers about 10 to 12 items regarding (1) the responsibilities of the external auditors under generally accepted auditing standards, (2) changes and significant accounting policies, both retroactively for this past fiscal year and prospectively for the current fiscal year, that have been made, (3) an emphasis on the management judgments and accounting estimates that are included in the financial statements, that is various allowances and estimates of accrual and reserves, highlighting

any audit adjustments and highlighting any disagreements with management, (4) complications with other accountants, and (5) difficulties in performing the audit management advisory services.

Again, the auditors made reference to the point that, as always, an external audit does include certain sampling and testing procedures. They are not duplicating the accounts and records of the institution or testing all the transactions that an organization of this or any other institution would actually conduct. The financial statements are the responsibility of management and that is something that needs to be kept in mind. There are no material audit adjustments. Actually, the financial statements are prepared somewhat more conservatively than they would really need to be to be consistent with both generally accepted accounting principles and government accounting standards.

The auditors also gave their letter on internal control, and this letter did indicate they were not aware of any issues of compliance with laws, regulation contracts and grants that would have any material effect on the consulted financial statements of the University nor were they aware of any breaches or weaknesses of the internal control over financial reporting that could effect the books and records of the financial statements of the University. With that, the Audit Subcommittee felt very comfortable when recommending FCR 1 to the Finance Committee, and the Finance Committee feels very comfortable in recommending the acceptance of FCR 1 to the Board.

Mr. Chellgren reported that the other item the Audit Subcommittee dealt with was to approve the administration moving forward with the expiration of the contract after six years of excellent performance with Deloitte & Touche who have been the external auditors for six years. Under proper procedure, it is time to issue a Request for Proposal (RFP) to similarly qualified, nationally recognized certified public accounting firms to consider the audit for the forthcoming fiscal year of the University. The Audit Subcommittee approved the administration moving forward to issue an RFP. Upon the recommendation of the Subcommittee and the Finance Committee, Mr. Chellgren moved the Acceptance of the Audit Report for the University of Kentucky for the fiscal year that ended June 30, 2001. Mr. Guthrie seconded the motion, and it carried.

N. Capital Construction Report (FCR 2)

Mr. Chellgren said that FCR 2 is the recurring quarterly review of the capital construction projects. The capital budget is quite significant, and the Board receives a quarterly report in detail by project that is submitted to the Finance Committee and reviewed in detail with particular focus on the exceptions and the overrun major contract change notices. He moved the approval of FCR 2. His motion, seconded by Mr. Reed, passed. (See FCR 2 at the end of the Minutes.)

O. University of Kentucky Eye Foundation, Inc. (FCR 3)

Mr. Chellgren reported that FCR 3 was withdrawn from the Finance Committee and will be dealt with at a subsequent meeting.

P. Gifts and Pledges (FCR 4-18)

Mr. Chellgren said that FCR 4-18 were a continuation of a very regular and enjoyable practice of receiving gifts to the University. He said he would deal with them as a group, 4-18 inclusively, rather than having individual motions for each of the items. He mentioned each of the following items for the record:

- FCR 4 - a pledge of \$250,000 from Cardiology Associates of Kentucky of Lexington, Kentucky, to establish and endow the Cardiology Associates of Kentucky Fellowships for the Division of Cardiology in the College of Medicine. This pledge is eligible for matching funds for the Research Challenge Trust Fund (RCTF).
- FCR 5 - a gift of \$100,000 and a pledge of \$200,000 from George Strawbridge of Wilmington, Delaware, to the Lucille P. Markey Cancer Center in the College of Medicine
- FCR 6 - a gift of \$35,000 and a pledge of \$6,000 from the estate of Violet Irene Eads of Lexington, Kentucky, and a pledge of \$15,000 from the Lexington Lions Club, to establish the Eads Endowment for Eye Tissue Research in the UK Lions Eye Bank in the College of Medicine's Department of Ophthalmology.
- FCR 7 - a pledge of \$50,000 from Merck & Co. to be added to the endowed Merck Professorship in Pulmonary Medicine in the College of Medicine.
- FCR 8 - a pledge of \$200,000 from Michael D. Rankin, a physician from Harrodsburg, Kentucky. Dr. Rankin is a graduate of the University. This will be used to support the community college endowments for medical students from Boyle, Casey, Garrard, Lincoln and Mercer counties in the College of Medicine.
- FCR 9 - gifts of almost \$19,650 and pledges of almost \$53,700 from 11 donors to the Zantker Professorship in Judaic Studies in the College of Arts and Sciences. This is also to be matched by the Research Challenge Trust Fund.
- FCR 10 - a pledge of \$50,000 from Richard K. and Anne Brautigam of Brunswick, Maine to create and endow the Richard K. Brautigam Professorship in Juvenile, Criminal and Social Justice in the College of Social Work.
- FCR 11 - a pledge of \$50,000 from the Cornerstone Care, L.L.C., of Lexington, Kentucky to establish and endow the Rebecca

Cunningham Van Meter Graduate Fellowship in the Graduate School.

- FCR 12 - gifts of \$12,415 from Mrs. Jefferson Patterson of Washington, DC and others and a pledge of \$40,000 from Mrs. Patterson to create and endow the Scott D. Breckinridge, Jr. Professorship in Intelligence Education in the Patterson School of Diplomacy and International Commerce. This gift is subject to matching funds from RCTF.
- FCR 13 - gifts of \$101,500 from Baxter Healthcare Corporation of Deerfield, Illinois, to support the artificial kidney research of Dr. Dayong Gao, associate professor in the Department of Mechanical Engineering in the College of Engineering.

Mr. Chellgren stated that FCR 14, 15, 16, 17 and 18 are a little different. An additional 28 seats are being put on the floor at Rupp Arena. The Athletics Department and the Development Office are looking forward to endowing those seats and give the individuals who create those endowments the right to purchase tickets similar to people who contribute to the Blue/White Fund to purchase tickets to our athletic events. This is very creative and clearly front-end capital. It creates on-going income to endow the scholarships.

- FCR 14 - a pledge of \$328,651 from Dr. Emler Neuman and Alexander Neuman of Lexington, Kentucky, to create a Neuman Family Endowed Basketball Scholarship.
- FCR 15 - a gift of \$125,000 and a pledge of \$216,220 from Michael Meinze of Shelbyville, Kentucky to endow the Meinze basketball scholarship.
- FCR 16 - a pledge of \$313,060 from the Roger E. Mick family of Brentwood, Tennessee to create and endow the Mick Family basketball scholarship.
- FCR 17 - a gift of \$313,060 from Shirley A. Cunningham to create and endow the Shirley Cunningham basketball scholarship.
- FCR 18 - a gift of \$313,060 from William J. Gallion to create and endow the William J. Gallion Endowed Basketball Scholarship in the Department of Athletics.

Mr. Chellgren moved the acceptance of FCR 4 through 18. Ms. Edge seconded the motion, and it carried. (See FCR 4 through 18 at the end of the Minutes.)

Professor Mather commented about FCR 10 and 17. FCR 10 is a pledge from Richard and Anne Brautigam, who are two very fine people. Dr. Brautigam was a professor in Social Work. Both of them have committed countless hours to the University of Kentucky as well as the public services in the Lexington area in early childhood education. He said this pledge comes as no surprise to him in terms of the kind of the generosity of these people and their willingness to share.

Secondly, FCR 17 is a gift from Shirley Cunningham, who was a colleague of his in his department. He was teaching Agricultural Law in the Agriculture Economics Department. He had an extension appointment and had a tremendous program of offering service to and information to farmers in estate and tax planning. The problem was the University could not pay him enough. Mr. Cunningham has done very well. Professor Mather commended him for his success and thanked him.

Mr. Chellgren said that there is a wonderful, generous story behind each case.

Q. Proposed 2002-03 and 2003-04 Tuition Schedule (FCR 19)

Mr. Chellgren said that FCR 19 is the Finance Committee and Board's annual review of proposed tuition for the next two academic years. He called upon Provost Nietzel to make a detailed presentation to the Board.

A summary of the tuition presentation made by Provost Mike Nietzel is as follows:

- The Council on Postsecondary Education (CPE) has established tuition-setting guidelines that provide the overall context for our tuition recommendations, and as part of those guidelines, CPE will be monitoring Kentucky's postsecondary education tuition rates in relation to per capita personal income as an index of affordability;
- Currently, the University differentiates tuition rates on the basis of residency and program level (undergraduate vs. undergraduate), but does not differentiate based on specific degree programs. UK's 19 benchmark institutions differentiate on the basis of residency and program level (with a few exceptions), but they also tend to differentiate based on degree program (the MBA);
- UK's undergraduate tuition and fees (excluding LCC) for the current academic year total \$3,735; whereas, undergraduate tuition and fees at the benchmark institutions range from \$2,490 to \$7,574. Compared to its benchmarks, UK is ranked at the top of the bottom third in the total amount of tuition and fees;
- Kentucky ranks at the bottom of states where our benchmark institutions are located in terms of per capita personal income, and this was an important factor with respect to the tuition increase recommendations;
- Other factors important to the tuition increase recommendations were 1) trying to be more competitive with respect to nonresident students, 2) implementing steady, consistent increases for the next two years -- rather than erratic, reactive increases -- to make it easier for families to manage, and 3) deriving summer and part-time rates from the full-time tuition rates;

- The majority of the recommended tuition increases for the next two years fall within a fairly tight range of 5 to 7 percent; two notable exceptions include increases of 8.1 and 8.2 percent for LCC, and increases of 15.2 percent for two years for the MBA program. The increases for LCC are the first increases in nine years. The increases for the MBA program bring UK in line with the majority of its benchmarks that charge a differentiated tuition rate for this program; and
- UK's recommended tuition increase on a percentage basis for 2002-03 is among the lowest in the state, and across the two years, the University's recommended increase is the lowest of all public institutions.

Mr. Miles asked about the tuition compared to the other colleges, such as law, medicine, and dentistry.

Provost Nietzel said he did not have a slide that he could present to the Board at this time; however, he could provide that information at a later date.

Mr. Miles said that he bet everyone on the Board has call-after-call from people that cannot get in those colleges, and money is not a factor to them.

President Todd pointed out that one of the things showed in the presentation is the affordability picture. The University has an access role as well as a cost role to the student body. He mentioned the MBA program and stated the University had some market justification for changing their tuition. That is the university's first experiment with that. He said, in his opinion, the University is well justified in not going up the same percentage on out-of-state students but the University has paid a price in lower enrollment from the out-of-state students. This is an opportunity to try to regain some of that population. He thanked Provost Nietzel, Dr. Connie Ray and others who put the time in looking through all of the data to try to make this a very serious recommendation. He said they could certainly look at the professional programs as well.

Mr. Wilcoxson said he assumed that these increases are tied in with the budget, and the dollars coming in tie in with the money needed to operate.

Provost Nietzel replied, yes. The overall picture, of course, includes tuition, and the state appropriations are not known at this point, although there are some expectations that there will be very, very little growth in that figure or perhaps no growth in that figure for the period of time.

Mr. Wilcoxson asked if this is a projection to fit within the budget structure.

Provost Nietzel replied, yes. The requirement is for the University to make these recommendations for the two-year period, partly to provide students and their families some clear expectations about what it is going to cost to get an education.

Upon the recommendation of the Finance Committee, Mr. Chellgren moved the adoption of FCR 19. Mr. Wilcoxson seconded the motion, and it passed.

Mr. Robinson said he really appreciated the President and the Provost including him in this process and meeting with him to talk about the students' concerns. Some of the students' concerns discussed with him are scholarships, especially the merit scholarships increasing at the same rate as tuition. The other main concern is making sure that some things that directly impact students' lives are included, if this is coming out of the students' pockets. He urged the Board to amend FCR 19 and to add this commitment to students showing that the Board of Trustees supports improving the educational resources and opportunities for students at the University of Kentucky. He stated that the tuition schedules for 2002-03 and 2003 -04 attempt to maintain as priorities the following two objectives: (1) enhance future academic, student support, and campus life initiatives of primary importance to students, and (2) increase all merit scholarships commensurate with the tuition schedule. He made a motion to amend FCR 19.

Mr. Chellgren asked if anyone tried to price this out.

President Todd explained that they actually could tell how much has to be taken away from the new tuition in order to equate the scholarships to the present value.

Ms. Sims asked if that had been figured.

President Todd replied that it had already been done.

He explained that point number two in the amendment is to make sure that the University does not allow the buying power of the scholarships to be diminished as a result of the increase in tuition. He said they would increase all of those scholarships up to the new tuition rate. That is something that the University is committed to doing. Secondly, money will be spent in student areas where the students consider them to be priorities (classrooms, living space, and other campus areas). There are no mandatory stated expenditures, but it is just the fact that priorities will be put on the areas that affect students. He stated that he is comfortable with that.

Mr. Miles called for a vote on the amendment, and it was approved. He then called for a vote on FCR 19 as amended. On motion made by Mr. Chellgren, seconded by Mr. Wilcoxson, FCR 19 was approved. Mr. Robinson voted "nay." (See FCR 19 and the PowerPoint presentation at the end of the Minutes.)

Mr. Robinson asked to explain his vote. He said there are a lot of times when you are in an elected position that being a trustee or being an agent conflicts with those two roles. This is one case where he has to be an agent and vote with the way that he knows the student body would want him vote.

Mr. Miles said the Board understood that and asked that the record show the vote was eighteen to one.

R. Capital Request 2002-2004 (FCR 20)

Mr. Chellgren said that FCR 20 is the Capital Request to be submitted to the State. He moved the acceptance of FCR 20 and said President Todd has a few comments he would like to make to this specific item.

President Todd suggested that the Board go to the introductory section on the second page. He reported that he was in Frankfort two weeks ago speaking to the Capital Committee about the university's priorities. The Capital Request booklet contains renovations and enhancements, but the primary focus that he would speak about are the top five capital requests.

He said the university's top priority is the Morgan School of Biology. It has the largest undergraduate enrollment. It feeds agricultural, biotech and all of the pre-health professionals as well as just pure biology majors. This request is for a proposed addition to the Morgan Building that will provide instructional space, research space as well as offices for faculty, graduate students and other research personnel.

The number two priority is the College of Pharmacy. He reminded the Board that the College of Pharmacy is ranked third among all schools of Pharmacy in the United States, and the priority at this institution is to drive the research agenda forward. However, there is a major training mission in Pharmacy. They train 88 pharmacists per year, but that number must increase to at least 130 in order to meet the demands and even go beyond that. This space is not only going to allow them to meet that demand but in addition, to look at the pharmaceutical sciences where they have competitive areas of drug discovery and design. Several of the new areas coming out of NIH bring quite a bit of funding to this space. One of the unique things in this state is the combination between Biology, Pharmacy and Agriculture. Biology and Pharmacy are two areas that need renovation and additional space.

The third priority is the building complex for the Gatton College of Business and Economics. A large part of this purpose is to accommodate the enrollment increase that the College has experienced, a 25-30 percent increase over the last few years that really put a strain on that facility. They also need some space for their Research Challenge Trust Fund labs and for the service programs that they offer. They have some major programs of service that they offer throughout the State. The building would be a complex that would sit by Memorial Coliseum if it gets funded. It would be an approach for the University to begin moving toward downtown Lexington with a business function that would be attractive to some of the people who are downtown. It would give space back in the existing Gatton College of Business and Economics Building where some of the leading programs, such as the Patterson School and the Martin School, could be housed. Those programs are in need of additional space. They are already top ranked programs that could move forward. This is unique in that the proposal is asking the State for only half of the funding for that complex. The other half would be raised from donors. Discussions with Mr. Terry Mobley and Dean Richard Furst have begun about the process of raising funds from donors.

The fourth priority is the new building for the College of Law. That existing building is quantitatively as well as qualitatively insufficient to support the present needs. They have up-graded some classrooms, but they just need some new space that can address the present way of teaching modern techniques of law. If you look at the request, the University has \$13,000,000.00 from other sources, and these are funds that could be raised to support the construction of that building.

The fifth request on the capital list is the new building for Lexington Community College (LCC). Their enrollment is up to almost 8,000 students, and the buildings that they presently occupy are under stress with their classes. Some things are being done to help offset some of that pressure now. A new facility will open in Winchester. Last year, the College occupied some space on Regency Road that allowed them to accommodate an additional 1,000 students. Some other things are being considered in the short-term to give them the ability to meet the needs that they presently have. He informed the Board that when he inherited the capital list, the Lexington Community College was the number one priority, and he had the "pleasure" of telling the LCC faculty last Friday that it is now number five. He said that he feels strongly that in order for the University to achieve its mission, the University has to have Biology and Pharmacy on the top of the list. President Todd said that he is working closely with Dr. James Kerley.

President Todd noted that he and Dr. Blanton are looking at the facilities to see what things can be shared and done with space that will give some flexibility at this point in time.

He said the only other specific item he would mention is the Early Childhood Education Lab. He is moving the Early Childhood Lab up into the top ten category for a couple of reasons. One is because it is needed. It is in the basement of the Human Environmental Sciences building, and it is not conducive to real good training for young children or the professionals who are learning to teach the early childhood programs. In addition, this is a priority for the Governor. Some of the tobacco settlement money has specifically been set aside for this purpose and there is a chance that the University could get it funded. In order to enhance that chance, he has moved it up into the top ten category.

He stated that the Capital Request document will be reprinted by October 1, and it will be taken back to Frankfort to make the University's official request.

He said, in his opinion, the funding for capital requests is going to be pretty challenging. He also said that he wanted to look at some alternative funding mechanism in the event the University does not get the capital requests approved this time so that the University can be positioned to move aggressively when the capital requests are approved. President Todd requested approval of the Capital Request document.

Ms. Sims seconded the motion and said that President Todd did not mention that the Law School is in the top tier of Law Schools.

Dr. Stumbo said that there is one thing that is really important to folks at his end of the state. It is the new patient tower complex. A lot of people in East Kentucky come to the University of Kentucky to these facilities that are really outdated for patient care. When the University gets this modern patient tower, it will free up other space for research. He said he would like to at least put that out on the table, and in his opinion, that is something that we want to get done.

President Todd thanked Dr. Stumbo and said that has been a subject of conversation. He asked Dr. Holsinger to address that concern.

Dr. Holsinger said that the University is requesting, in the 2002-2004 General Assembly, authorization for the University to expend up to ten million dollars to do the study to determine the location of the building and to do its design work so that the University can come back to the 2004 General Assembly for the final approval for the funds for the construction. It is in the hospital list of capital projects.

Mr. Miles asked when it would be completed.

Dr. Holsinger said it would take two years to do the study and the design. The design is about a twelve to fifteen month process for this size and complexity of facility. He stated that the University does not need to ask for authorization for the expenditure of all of the money in the 2002-2004 Biennium because it will be the summer of 2004 before the drawings are finished. That would allow the University to begin immediate construction in the late summer or fall of 2004. It'll take approximately 24 to 30 months to complete it; therefore, it would be open sometime at the end of 2006.

President Todd stated that it would be a major project.

The motion previously made by Mr. Chellgren and seconded by Ms. Sims passed. (See FCR 20 at the end of the Minutes.)

S. Investment Committee Report

Mr. Miles called upon Ms. Wickliffe for the Investment Committee report.

Ms. Wickliffe thanked Mr. Henry Clay Owen and his staff. She reported that Mr. Owen filled in at the meeting when Cambridge and Associates, one of the University's consultants, could not get to the meeting. She said that Mr. Owen did a great job and expressed appreciation to him and his staff.

She reported that the endowment investment assets had a market value at June 30, 2001 of \$440 million compared to June 30, 2000 of \$378 million which is an increase of \$62 million.

The fiscal year 2001 was a good year for the endowment investments, relative to the market, with UK's domestic equity managers producing a total return of minus 5.7%, compared to the S&P 500 market index of minus 14.8%. The international equity portfolio returned minus 17.5% compared to the MSCI EAFE index return of minus 23.6%. The fixed income portfolio returned 10.7% compared to the Lehman Brothers Government/Credit Bond index return of 11.1%.

Overall, the endowment posted an average total return of minus 1.2% for the year ending June 30, 2001, compared to minus 4.2% for a blended market index of allocated assets, an out-performance of 3% over the capital market indexes. Preliminary data from Cambridge Associates, who are the consultants to the Investment Committee, indicate that the UK endowment was in line with the endowment median return for the same period, which was minus 1%.

In summary, the University of Kentucky endowment has performed very well over the last several years in relation to both the capital markets and the peer institutions.

Mr. Miles asked for any questions or comments about the Investment Committee's report. There were no questions or comment.

T. Comment by Dr. Loys Mather

Dr. Mather said he would like to return very briefly to some comments that Dr. Plattner made earlier in the meeting and in particular, to offer thanks on behalf of himself, the other UK Trustees, and the faculty and staff for the spirit of inclusiveness and the team approach that exists on the Board.

He reminded the members who were on the Board two years ago, when Mr. Miles was elected Chairman of this Board, that Mr. Miles said, "you may have elected me Chair but all of you are going to share in the operation of this Board." He said Mr. Miles has carried out his promise.

During the presidential interviews last January, President Todd very clearly came across during his interview as someone who was a team builder and had the spirit of a team approach.

He explained that the reason he is pointing this out is there are a couple of actions that were taken at this meeting that are kind of out of the ordinary. One is selection of the emeritus staff status that, in his opinion, is highly significant. The other is the election of a faculty member to the Executive Committee and Chair of that Committee. This is a bit out of the ordinary. These are two steps that will not go unnoticed on campus. They are steps that this Board has taken that shows that the Board not only talks and advocates team building and team inclusiveness, but they also practice it.

From his standpoint, he thanked the Board for the confidence they have put in him. He assured everyone that it is not something that he sought. He offered other

suggestions for the Executive Committee and found he was quite ineffective. He ran up against some stronger wills than his own. He said he appreciated the confidence, and he will do his best not to disappoint the Board.

U. Meeting Adjourned

With no further business to come before the Board, Mr. Miles adjourned the meeting at 4:40 p.m.

Respectfully submitted,

JoEtta Wickliffe
Secretary, Board of Trustees

(PR 2, 3A, 3B; AACR 1; FCR 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and PowerPoint presentations which follow are official parts of the Minutes of the meeting.)

PR 2

Office of the President
September 18, 2001

Members, Board of Trustees:

PERSONNEL ACTIONS

Recommendation: that approval be given to the attached appointments, actions and/or other staff changes which require Board action; and that the report relative to appointments and/or changes already approved by the administration be accepted.

Background: The attached recommended appointments and/or other staff changes require approval by the Board of Trustees in accordance with Part VIII-B of the Governing Regulations of the University. These recommendations are transmitted to the Board by the appropriate Provost/Vice President through the President and have the President's concurrence.

Under the Governing Regulations, the authority to make certain appointments and/or other staff changes is delegated to the President or other administrators who are required to report their actions to the Board. These items of report follow the recommendations requiring Board approval.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

UNIVERSITY OF KENTUCKY

I. BOARD ACTION

A. ACADEMIC APPOINTMENTS

Bada-Ellzey, Henrietta S., College of Medicine, Professor (with tenure), Pediatrics, joint appointment as Professor (without tenure), Kentucky School of Public Health, effective 10/1/01; also named to the Mary Florence Jones Professorship in Neonatology, 10/1/01 through 9/30/06.

Connors, Terrance E., College of Agriculture, Assistant Extension Professor, Forestry, 8/1/01 through 6/30/02.

Crystal, Ralph, College of Education, Professor (with tenure), Special Education and Rehabilitation Counseling, appointed to the Wallace Charles Hill Professorship in Rehabilitation Counseling, 8/16/01 through 6/30/05.

Greenberg, Richard N., College of Medicine, Professor (with tenure), Internal Medicine, named to the Belinda Mason Carden and Paul Mason Professorship in HIV/AIDS Research, 10/1/01 through 9/30/06.

Hadley, Robert D., College of Allied Health Professions, Associate Professor (without tenure), Clinical Sciences, 8/1/01 through 6/30/02.

Hirsch, Charles S., College of Medicine, Professor (voluntary), Pathology and Laboratory Medicine, 9/19/01 through 6/30/03.

Jayasekera, Kenewala, College of Medicine, Associate Professor (voluntary), Psychiatry, 9/19/01 through 6/30/03.

Marshall, Robert C., College of Allied Health Professions, Professor (with tenure), Rehabilitation Sciences, effective 7/1/01.

Melvin, David B., College of Medicine, Adjunct Professor, Internal Medicine, 9/19/01 through 6/30/02.

Stevens, James D., College of Engineering, Associate Professor (part-time), Civil Engineering, 7/1/01 through 6/30/02.

Stone, Charles K., College of Medicine, Associate Professor* (with tenure), Emergency Medicine, named to the William Jack Carey, M.D. Professorship in Emergency Medicine, 10/1/01 through 9/30/06.

Toborek, Michal, College of Medicine, Associate Professor (with tenure), Surgery, named to the Endowed Professorship in Neurosurgery, 10/1/01 through 9/30/06.

B. ADMINISTRATIVE APPOINTMENTS

Kwolek, Deborah G., College of Medicine, Associate Professor* (with tenure), Internal Medicine, named Director, University of Kentucky Chandler Medical Center Women's Health Center, effective 9/1/01.

Page, Judith L., College of Allied Health Professions, Associate Professor (with tenure), Rehabilitation Sciences, named Chair, Department of Rehabilitation Sciences, 9/19/01 through 9/18/05.

*Special Title Series

Scutchfield, F. D., College of Medicine, Professor (with tenure), Preventive Medicine and Environmental Health, joint appointments as Professor (without tenure), Family Practice and Professor (without tenure), College of Allied Health Professions, Department of Health Services, named Chair, Department of Health Services, 9/19/01 through 9/18/05.

Stempel, John D., Graduate School, Professor* (with tenure), Patterson School of Diplomacy and International Commerce, and Director, Patterson School of Diplomacy and International Commerce, reappointed Director, Patterson School of Diplomacy and International Commerce, 7/1/01 through 6/30/02.

C. REAPPOINTMENTS

Eardley, Anthony, College of Architecture, Professor (part-time), Architecture, 7/1/01 through 6/30/02.

Gallman, Vanessa, College of Communications and Information Studies, Visiting Professor, Journalism and Telecommunications, 8/22/01 through 12/31/01.

Hamblin, Pierce W., College of Law, Professor (part-time), Law, 8/16/01 through 5/15/02.

Larson, Raymond W., College of Law, Professor (part-time), Law, 8/16/01 through 5/15/02.

Molenda, Marek, College of Agriculture, Visiting Professor, Biosystems and Agricultural Engineering, 9/1/01 through 11/30/01.

Shahidain, Abunasar, College of Engineering, Associate Professor (part-time), Electrical and Computer Engineering, 8/16/01 through 12/31/01.

D. TENURE

Brown, Raeford E., College of Medicine, Professor* (without tenure), Anesthesiology, to Professor* (with tenure), Anesthesiology, effective 11/1/01.

E. PROMOTIONS

Jennings, Patricia R., College of Allied Health Professions, Assistant Professor*, Clinical Sciences, joint appointment as Assistant Professor*, College of Pharmacy, to Associate Professor* (with tenure), Clinical Sciences, joint appointment as Associate Professor* (without tenure), College of Pharmacy, effective 7/1/01.

Main, Karen A., College of Allied Health Professions, Assistant Research Professor, Health Services, to Associate Research Professor, Health Services, 7/1/01 through 6/30/02.

F. CHANGES

- Butler, Frank A., University Hospital, from Hospital Director and Vice Chancellor for Health Systems and Planning, to Vice President for Medical Center Operations, effective 9/18/01.
- Cheever, Todd R., College of Medicine, Associate Professor* (with tenure), Psychiatry, from named Assistant Dean for Student Affairs, effective 8/15/01, to named Assistant Dean for Student Affairs, effective 9/1/01.
- Claypool, Joseph, University Hospital, from Director of Hospital Operations, to Hospital Director, effective 9/18/01.
- Collins, Delwood C., College of Medicine, Professor (with tenure), Obstetrics and Gynecology, from Vice Chancellor for Research and Graduate Studies, Medical Center, to Associate Vice President for Research and Graduate Studies, Medical Center, effective 7/5/01.
- Day, Zed E., Medical Center, from Vice Chancellor for Information Technology, to Associate Vice President for Information Technology, effective 7/5/01.
- Elam, Carol L., College of Medicine, Associate Professor* (with tenure), Behavioral Science, from being named Assistant Dean for Admissions and Research in Medical Education, effective 8/15/01, to being named Assistant Dean for Admissions and Research in Medical Education, effective 9/1/01.
- Grigsby, Donna G., College of Medicine, Associate Professor* (with tenure), Pediatrics, from being named Assistant Dean for Curriculum, effective 8/15/01, to being named Assistant Dean for Curriculum, effective 9/1/01.
- Knight, Judson M., College of Dentistry, from Instructor (voluntary), Oral Health Science, to Associate Professor (part time), Oral Health Science, 9/19/01 through 6/30/02.
- Nash, Phyllis P., College of Medicine, Professor* (with tenure), Behavioral Science, joint appointments as Professor* (without tenure), Psychiatry and Surgery, from Vice Chancellor for Academic and Student Affairs, Medical Center, to Associate Vice President for Academic and Student Affairs, Medical Center, effective 7/5/01.
- Wilson, Emery A., College of Medicine, Professor (with tenure), Obstetrics and Gynecology, and Dean, College of Medicine, from Vice Chancellor for Clinical Services, Medical Center, to Associate Vice President for Clinical Services, Medical Center, effective 7/5/01.

G. RETIREMENTS

- Dugan, Claude H., NMR Spectroscopist, Employee Benefits, after 15 years of consecutive service, under AR II-1.6-1 Section III.B, effective 8/31/01.
- Hersey, Charles E., Auxiliary and Campus Services, Custodial Worker II, Physical Plant Division, after 15 years and 1 month of consecutive service, under AR II-1.6-1 Section III.B, effective 8/10/01.

Manns, Syham Y., Office of International Affairs, Student Affairs Officer II, International Affairs, after 28 years and 1 month of consecutive service, under Section III.B of AR II-1.6-1, effective 8/31/01.

McDowell, Jean E., Food Service Worker III, Employee Benefits, after 29 years of consecutive service, under AR II-1.6-1 Section III.B, effective 8/31/01.

H. EARLY RETIREMENTS

Carpenter, Sheila R., College of Agriculture, Program Assistant (EFNEP), CES/Family and Consumer Sciences, after 20 years and 10 months of consecutive service, under Section III.A.2 of AR II-1.6-1, effective 9/28/01.

Chesnut, Donald R., Research, Geologist V, Kentucky Geological Survey, after 22 years, 2 months, under AR II-1.6-1, Section III.A.2, effective 10/11/01.

Dahlman, Douglas L., College of Agriculture, Professor (with tenure), Entomology, after 35 years and 9 months of consecutive service, under Section III.A.2 of AR II-1.6-1, effective 8/31/01.

Foreman, Flora, Auxiliary and Campus Services, Cook-Baker I, Auxiliary Services, after 25 years and 1 month of consecutive service, under AR II-1.6-1 Section III.A.2, effective 9/18/01.

Preston, Mallou, Maintenance Mechanic Supervisor, Employee Benefits, after 29 years of consecutive service, under AR II-1.6-1 Section III.A.2, effective 8/1/01.

Rose, Shirley J., College of Communications and Information Studies, Student Affairs Officer III, Administration, after 39 years and 2 months of consecutive service, under Section III.A.2 of AR II-1.6-1, effective 12/31/01.

Stone, Emma B., College of Nursing, Data Coordinator Sr., after 15 years, 1 month of consecutive service, under AR II-1.6-1, Section III.A.2, effective 11/2/01.

Thomas, Lincoln, Auxiliary and Campus Services, Custodial Worker II, Physical Plant Division, after 23 years and 8 months of consecutive service, under AR II-1.6-1 Section III.A.2, effective 9/18/01

Tolliver, Sharon C., College of Agriculture, Research Analyst Senior, Veterinary Science, after 26 years and 1 month of consecutive service and a total of 35 years of service, under Section III.A.2 of AR II-1.6-1, effective 8/31/01.

I. POST-RETIREMENT APPOINTMENTS

Hall, Betty J., College of Agriculture, County Secretary (part-time), Cooperative Extension Service, 7/1/01 through 6/30/02.

II. ADMINISTRATIVE ACTION

A. ACADEMIC APPOINTMENTS

Akhlaghi, Laila A., College of Pharmacy, Assistant Professor (voluntary), 9/19/01 through 6/30/03.

Allard, Suzanne, College of Communications and Information Studies, Instructor (part-time), Communication, 8/16/01 through 12/31/01.

Bartlett, Marvin, College of Communications and Information Studies, Instructor (part-time), Journalism and Telecommunications, 8/22/01 through 12/31/01.

Baruti, Aminata C., College of Social Work, Instructor (part-time), Social Work, 8/16/01 through 5/15/02.

Berry, Kathryn, College of Fine Arts, Instructor (part-time), Art, 8/1/01 through 12/31/01.

Bryant, Jesse T., College of Medicine, Assistant Professor (part time), Diagnostic Radiology, 8/20/01 through 6/30/02.

Bussey, Judy S., College of Communications and Information Studies, Instructor (temporary), Communication, 8/16/01 through 12/31/01.

Caise, William, College of Fine Arts, Instructor (temporary), Theatre, 8/1/01 through 6/30/02.

Carlin, Patricia, College of Education, Instructor (part-time), Curriculum and Instruction, 8/16/01 through 12/31/01.

Carvalho, Cletus, College of Medicine, Assistant Professor (voluntary), Family Practice, 9/19/01 through 6/30/03.

Chesire, J.D., College of Social Work, Assistant Professor, Social Work, 8/16/01 through 6/30/02.

Chirwa, Robert M., Lexington Community College, Instructor (voluntary), Lexington Community College, 8/22/01 through 9/14/01.

Connell, Robert B., College of Fine Arts, Instructor (part-time), Art, 8/1/01 through 12/31/01.

Cooper, Michael A., Lexington Community College, Instructor, Lexington Community College, 8/1/01 through 6/30/02.

Corman, Elizabeth B., College of Social Work, Clinical Instructor, Social Work, 8/1/01 through 6/30/02.

Coyle, Elizabeth A., College of Pharmacy, Assistant Professor (voluntary), 9/19/01 through 6/30/03.

Crothers, George, College of Arts and Sciences, Visiting Assistant Professor, Anthropology, 8/16/01 through 6/30/02.

Cummins, Karen M., College of Human Environmental Sciences, Instructor (temporary), Merchandising, Apparel and Textiles, 8/16/01 through 5/15/02.

Dailey, Raleigh, College of Fine Arts, Lecturer, Music, 8/1/01 through 6/30/02.

Daugherty, Deborah, College of Communications and Information Studies, Instructor (part-time), Communication, 8/16/01 through 12/31/01.

Devi, Maya, College of Medicine, Assistant Professor (voluntary), Family Practice, 9/19/01 through 6/30/03.

Diener, Mary Beth, College of Arts and Sciences, Instructor (temporary), Psychology, 8/16/01 through 6/30/02.

Eckman, Alyssa, College of Communications and Information Studies, Instructor (part-time), Journalism and Telecommunications, 8/16/01 through 12/31/01.

Ferrier, Alma, College of Arts and Sciences, Instructor (temporary), Biological Sciences, 8/16/01 through 6/30/02.

Firey, Abigail, College of Arts and Sciences, Assistant Professor, History, 8/16/01 through 6/30/03, and joint appointment as Assistant Professor, Honors, 8/16/01 through 6/30/03.

Gater, Denise, College of Education, Instructor (part-time), Kinesiology and Health Promotion, 8/16/01 through 12/31/01.

Gore, David R., College of Dentistry, Assistant Professor (part time), Oral Health Practice, 9/19/01 through 6/30/02.

Hameed, Ajmal, College of Medicine, Assistant Professor (voluntary), Family Practice, 9/19/01 through 6/30/03.

Harley, John P., College of Nursing, Assistant Professor (part time), 9/23/01 through 6/30/02.

Haven, Robert W., College of Fine Arts, Assistant Professor, Theatre, 8/1/01 through 6/30/02.

Hornsby, Jeorg Ellen, College of Arts and Sciences, Lecturer, French, 7/1/01 through 6/30/02.

Johnson, Steven D., College of Social Work, Instructor (part-time), Social Work, 8/16/01 through 5/15/02.

Jones, Oscar L. Jr., Lexington Community College, Instructor (temporary), Lexington Community College, 8/16/01 through 12/31/01.

Lauber, David, College of Medicine, Assistant Professor (voluntary), Family Practice, 9/19/01 through 6/30/03.

Liu, Chaoyuan, College of Arts and Sciences, Instructor (temporary), Mathematics, 7/16/01 through 6/30/02.

Marksbury, Thomas A., Lexington Community College, Instructor (temporary), Lexington Community College, 8/16/01 through 12/31/01.

Mason, Carlton W., College of Business and Economics, Lecturer, Accountancy, 8/16/01 through 5/15/02.

Masse, Gerard J., College of Fine Arts, Instructor (part-time), Art, 8/1/01 through 12/31/01.

McCrary, Nancye, College of Fine Arts, Assistant Professor, Art, 8/1/01 through 6/30/02.

McDermott, James, College of Fine Arts, Instructor (temporary), Theatre, 7/1/01 through 6/30/02.

McGuire, Russell C., College of Nursing, Instructor (part time), 9/23/01 through 6/30/02.

Milbourne, Karen, College of Fine Arts, Assistant Professor, Art, 8/1/01 through 6/30/02.

Minkova, Milena, College of Arts and Sciences, Assistant Professor (temporary), Classics, 8/16/01 through 6/30/02.

Morgan, Jessie, College of Pharmacy, Assistant Professor (voluntary), 9/19/01 through 6/30/03.

Mueller, J. Michael, College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

Nelson, Barbara J., College of Pharmacy, Assistant Professor (voluntary), 9/19/01 through 6/30/03.

Olson, Carole J., Lecturer, College of Social Work, Social Work, 8/16/01 through 5/15/02.

Otieno, Iddah, Lexington Community College, Instructor, Lexington Community College, 8/1/01 through 6/30/02.

Oyuela-Caycedo, Augusto, College of Arts and Sciences, Visiting Assistant Professor, Anthropology, 8/16/01 through 6/30/02.

Paul, Mark, College of Communications and Information Studies, Instructor (part-time), Library and Information Science, 8/16/01 through 12/20/01.

Payne, Connie Michelle, College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

Paz, Yanira, College of Arts and Sciences, Assistant Professor, Spanish and Italian, 8/1/01 through 6/30/03.

Perry, Carla J., College of Communications and Information Studies, Instructor (part-time), Communication, 8/16/01 through 12/31/01.

Pezzi, James S., College of Medicine, Assistant Professor (voluntary), Family Practice, 9/19/01 through 6/30/03.

Phelps, Anthony R., College of Fine Arts, Assistant Professor (temporary), Theatre, 8/1/01 through 6/30/02.

Phillips, Lynn, College of Arts and Sciences, Instructor (temporary), Geography, 8/16/01 through 12/31/01.

Piowowski, Paul E., College of Engineering, Lecturer, Computer Science, 8/16/01 through 6/30/02.

Polo, Juan G., College of Medicine, Assistant Professor (voluntary), Family Practice, 9/19/01 through 6/30/03.

Ratliff, Darian, College of Medicine, Assistant Professor (voluntary), Family Practice, 9/19/01 through 6/30/03.

Reid, Caroline E., College of Social Work, Instructor (part-time), Social Work, 8/16/01 through 5/15/02.

Robertson, William Craig, College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

Saucier, Donald, College of Arts and Sciences, Instructor (temporary), Psychology, 8/16/01 through 6/30/02.

Simpson, Diedra, College of Pharmacy, Assistant Professor (voluntary), 9/19/01 through 6/30/03.

Slusarek, Maciej, College of Engineering, Visiting Assistant Professor, Computer Science, 8/16/01 through 5/15/02.

Smoot, John R., College of Dentistry, Assistant Professor (part time), Oral Health Practice, 9/18/01 through 6/30/02.

Stamatiadis, Anne Marie, College of Arts and Sciences, Lecturer, English, 8/1/01 through 6/30/02.

Swanson, Elizabeth A., College of Architecture, Lecturer, Architecture, 7/1/01 through 6/30/02.

Thomas, Sidney, College of Business and Economics, Lecturer, Management, 8/16/01 through 5/15/02.

Wainwright, Mark A., College of Medicine, Assistant Professor (part time), Obstetrics and Gynecology, 9/19/01 through 6/30/02.

Wolfgang, James Steven, College of Communications and Information Studies, Instructor (part-time), Journalism and Telecommunications, 8/16/01 through 5/15/02.

Woodrum, Kim R., College of Arts and Sciences, Instructor (temporary), Chemistry, 8/16/01 through 6/30/02.

Zhai, Tongguang, College of Engineering, Assistant Professor, Chemical and Materials Engineering, 8/17/01 through 6/30/03.

B. ADMINISTRATIVE APPOINTMENTS

Braun, Janet L., College of Nursing, Assistant Adjunct Professor, named Associate Director, University of Kentucky Chandler Medical Center Women's Health Center, effective 9/1/01.

Li, Baochun, Research, Scientist III, Tobacco and Health Research Institute, effective 8/13/01.

Smith, Courtney, University Hospital, Clinical Staff Pharmacist II, Pharmacy Services, effective 8/1/01.

Smith, Michael D., Medical Center, Associate Director, Sanders Brown Center on Aging, effective 8/1/01.

C. REAPPOINTMENTS

Armendarez, Jennifer L., College of Communications and Information Studies, Lecturer, Communication, 7/1/01 through 6/30/02.

Badger, Karen S., College of Social Work, Instructor (part-time), Social Work, 8/16/01 through 5/15/02.

Barry, Michael P., College of Architecture, Instructor (part-time), Architecture, 8/1/01 through 12/31/01.

Batson, William J. Jr., College of Agriculture, Instructor (part-time), Landscape Architecture, 9/1/01 through 12/31/01.

Bellamy, Janet Lynn, Lexington Community College, Instructor (temporary), Lexington Community College, 8/13/01 through 12/31/01.

Biagi, David M., College of Architecture, Instructor (part-time), Architecture, 8/1/01 through 12/31/01.

Bryant, Rosemary, College of Communications and Information Studies, Lecturer, Communication, 7/1/01 through 6/30/02.

Carlisle, Gregory J., College of Fine Arts, Instructor (part-time), Theatre, 8/1/01 through 12/31/01.

Cheser, Karen, College of Communications and Information Studies, Instructor (part-time), Library and Information Science, 8/16/01 through 12/20/01.

Crittenden, Roger, College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

DeHart, John D., College of Architecture, Instructor (part-time), Architecture, 8/1/01 through 12/31/01.

Duff, Janet, Lexington Community College, Instructor (temporary), Lexington Community College, 8/1/01 through 12/31/01.

Garrison, Lynn, College of Agriculture, Instructor (part-time), Forestry, 8/15/01 through 12/15/01.

Gibson, James L., College of Architecture, Instructor (part-time), Architecture, 7/1/01 through 6/30/02.

Glass-Lamb, Tracey, College of Human Environmental Sciences, Instructor (part-time), Family Studies, 8/16/01 through 5/15/02.

Goss, Clifford, College of Human Environmental Sciences, Instructor (part-time), Interior Design, 8/16/01 through 12/31/01.

Grise, Jane Bloom, College of Law, Instructor (part-time), College of Law, 10/1/01 through 2/28/02.

Hall, Jennifer L., College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

Hardwick, Theodore H., College of Agriculture, Instructor (part-time), Landscape Architecture, 9/1/01 through 12/31/01.

Hayes, Allison, College of Fine Arts, Instructor (part-time), Art, 8/1/01 through 12/31/01.

Hunter, Pauline, College of Human Environmental Sciences, Instructor (part-time), Nutrition and Food Science, 8/16/01 through 12/31/01.

Kamlager, Carolee, College of Social Work, Instructor (part-time), Social Work, 8/16/01 through 5/15/02.

Lockhart, Daniel E., College of Business and Economics, Lecturer, Management, 7/1/01 through 6/30/02.

Masters, Jane B., College of Social Work, Instructor (part-time), Social Work, 8/16/01 through 5/15/02.

Miller, Cynthia H., College of Communications and Information Studies, Instructor (part-time), Communication, 8/16/01 through 12/31/01.

Miller, Robert O., College of Communications and Information Studies, Instructor (part-time), Communication, 8/16/01 through 12/31/01.

Mullaney, Sean T., Lexington Community College, Instructor (temporary), Lexington Community College, 8/1/01 through 12/31/01.

O'Connor, Sandra, College of Communications and Information Studies, Instructor (part-time), Communication, 8/16/01 through 12/31/01.

Oaks, Janice, College of Arts and Sciences, Lecturer, Women's Studies, 7/1/01 through 6/30/02.

Osborne, Duane F., College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

Parker, John M., College of Engineering, Assistant Professor, Mechanical Engineering, 8/16/01 through 10/20/02.

Redford, Carroll M. III, College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

Slade, Susan, College of Fine Arts, Instructor (part-time), Art, 8/1/01 through 12/31/01.

Underwood, Virginia H., College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

Vivian, Beverly, College of Human Environmental Sciences, Adjunct Instructor, Nutrition and Food Science, 8/16/01 through 5/15/02.

Welch, John Kevin, College of Law, Instructor (part-time), Law, 10/1/01 through 2/28/02.

White, David L., College of Agriculture, Instructor (part-time), Landscape Architecture, 9/1/01 through 12/31/01.

D. CHANGES

Aggarwal, Ashim, College of Medicine, from Instructor (part time), Ophthalmology, 7/7/01 through 6/30/02, to Instructor (part time), Ophthalmology, 7/23/01 through 6/30/02.

Blackburn, Peter J., College of Medicine, Instructor (part time), Ophthalmology, 7/7/01 through 6/30/02, to Instructor (part time), Ophthalmology, 7/9/01 through 6/30/02.

Fink, Joseph, Vice President for Corporate Relations and Economics Outreach from Acting Vice President for Corporate Relations and Economics, effective 9/18/01.

McBeath, Mary, College of Engineering, from Administrative Staff Officer II, EPSCoR, Vice President for Research, to Administrative Staff Officer III, Administration, College of Engineering, effective 9/4/01.

Musick, David W., College of Medicine, Assistant Research Professor, Physical Medicine and Rehabilitation, from being named Assistant Dean for Student Assessment and Program Evaluation, effective 8/15/01, to being named Assistant Dean for Student Assessment and Program Evaluation, effective 9/1/01.

Pena, Elpidio d., College of Medicine, from Assistant Professor*, Pathology and Laboratory Medicine, joint appointment as Assistant Professor*, Internal Medicine, 8/15/01 through 6/30/02, to Assistant Professor*, Pathology and Laboratory Medicine, joint appointment as Assistant Professor*, Internal Medicine, 8/20/01 through 6/30/02.

Pulmano, Calixto, College of Medicine, from Assistant Adjunct Professor, Diagnostic Radiology, joint appointment as Assistant Adjunct Professor, Neurology, to Assistant Professor (part time), Diagnostic Radiology, joint appointment as Assistant Professor (part time), Neurology, 9/19/01 through 6/30/02.

Wojtowicz, GERALYN M., College of Allied Health Professions, from Clinical Assistant Professor, Rehabilitation Sciences, to Assistant Professor*, Rehabilitation Sciences, 7/1/01 through 6/30/02.

E. LEAVES OF ABSENCE

Cummins, Gail, College of Arts and Sciences, Associate Professor* (with tenure), English, to change from Sabbatical leave with half salary, 7/1/01 through 6/30/02, to Sabbatical leave with full salary, 7/1/01 through 12/31/01.

Dominici, John T., College of Dentistry, Associate Professor* (with tenure), Oral Health Practice, educational leave without pay, 8/28/01 through 8/27/02.

Grove, John, College of Agriculture, Associate Professor (with tenure),
Agronomy, Sabbatical leave with full salary, 9/1/01 through 2/28/02.

Kifer, Edward, College of Education, Professor (with tenure), Educational Policy
Studies and Evaluation, Sabbatical leave with half salary, 7/1/02 through
6/30/03.

Nash, David A., College of Dentistry, Professor (with tenure), Oral Health
Science, joint appointment as Professor (without tenure), College of Medicine,
Department of Behavioral Science, sabbatical leave at full salary, 5/12/02
through 8/17/02 and 5/11/03 through 8/16/03.

Stockbridge, Richard, College of Arts and Sciences, Associate Professor (with
tenure), Statistics, Leave without pay, 7/1/01 through 6/30/02.

PR 3A

Office of the President
September 18, 2001

Members, Board of Trustees:

PROPOSED AMENDMENTS TO THE GOVERNING REGULATIONS

Recommendation: that the following proposed amendments to the Governing Regulations of the University of Kentucky be received for preliminary consideration and, at the next regular meeting of the Board of Trustees provided at least one month has elapsed, be included on the agenda for action.

Background: These changes reflect the organization changes presented to the Executive Committee of the Board of Trustees on July 5, 2001, and approved by the Board of Trustees at its meeting on August 14, 2001, and reflect the changes in titles and delegations of the reorganization.

Note: The locations of proposed changes are indicated by a vertical mark in the margin. Proposed additions are underlined; proposed deletions are lined through.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

PART II

GOVERNANCE OF THE UNIVERSITY OF KENTUCKY

The governance of the University of Kentucky is vested by law in the Board of Trustees. (KRS 164.131) Within the limits set by the State Constitution and the federal and state laws,* the Board of Trustees is the final authority in all matters affecting the institution, and it exercises jurisdiction over the institution's financial, educational, and other policies and its relation with the state and federal governments. The Board has the same powers with respect to the community colleges that it has to the University of Kentucky in general. (KRS 164.595)

These Governing Regulations of the University of Kentucky describe the composition, powers, and duties of the Board of Trustees of the University of Kentucky, as defined by Kentucky Statutes, and establish policies and procedures for the performance of its functions. In the Governing Regulations, the Board of Trustees has delegated certain responsibilities to the President and the University Senate in order to provide for the responsible and efficient administration of the University System and the accomplishment of its goals. As the chief administrative officer of the University, the President is authorized by the Board to promulgate the Administrative Regulations and the Human Resources Policy and Procedure Manual which provide interpretation and implementation of these Governing Regulations and of the Minutes of the Board and which delineate policies within the sphere of delegated responsibility. The University Senate is authorized to issue rules implementing the responsibility delegated to it in these Governing Regulations. Likewise, the Senate of the Community College System is authorized to issue rules implementing the responsibility delegated to it in these Governing Regulations.

Where appropriate, the detailed rules and regulations appearing in the Administrative Regulations, the Human Resources Policy and Procedure Manual, the Rules of the University Senate, and the Rules of the Senate of the Community College System should refer to the source or sources in the Governing Regulations or Minutes of the Board, so that interested persons seeking guidance will find it necessary to consult only the Administrative Regulations, the Human Resources Policy and Procedure Manual, and the Rules of the University Senate or the Rules of the Senate of the Community College System.

* The Council on Postsecondary Education in Kentucky (KRS 164.020) has powers and duties that relate to the governance of the University of Kentucky. These powers and duties are listed in the Appendix to these regulations.

A. Board of Trustees

1. Definition

The Board of Trustees is a body corporate, under the name of Board of Trustees of the University of Kentucky, with the usual corporate powers, and possesses all the immunities, rights, privileges, and franchises usually attaching to the governing bodies of educational institutions. It may receive, hold, and administer, on behalf of the University, subject to the conditions attached, all revenues accruing from endowments, appropriations, allotments, grants or bequests, and all types of property. (KRS 164.160)

No member of the administrative staff of the University shall be directly or indirectly interested in any contract with the University for the sale of property, materials, supplies, equipment, or services, with the exception of compensation to the two faculty members. (KRS 164.131)

No member of a board of trustees shall have an interest in any contract with a state university unless such contract shall have been subjected to competitive bidding in compliance with KRS Chapter 45A, unless such trustee shall have been the lowest bidder and unless such trustee shall have first notified in writing the remaining members of the board, and to the newspaper having the largest circulation in the county in which the state university is located, of his intention to bid on such contract. (45A.340(7))

No member of the Board of Trustees may be held to be a public officer by reason of membership on the Board except as provided in KRS 45A.335 for the purpose of KRS 45A.340. (KRS 164.150)

All necessary expenses incurred by the Trustees in traveling to and from and while attending meetings of the Board of Trustees are designated to be paid out of the funds of the University. (KRS 164.170)

2. Membership

The Board of Trustees of the University of Kentucky consists of sixteen members appointed by the Governor, two members of the faculty of the University System who shall have the right to vote on all matters except that of faculty compensation, one member of the University System nonteaching personnel, and one member of the student body of the University of Kentucky. The terms of the appointed members shall be for six years and until their successors are appointed and qualified, except the initial appointments shall be as follows: two members shall serve one-year terms; two shall serve two-year terms, one of whom shall be a graduate of the University; three shall serve three-year terms; three shall serve four-year terms, one of whom shall be a graduate of the University; three shall serve five-year terms and three shall serve six-year terms, one of whom shall be a graduate of the University. Three of the appointments shall be graduates of the University and may include one graduate of the institution who resides outside the Commonwealth; three shall be representative of agricultural interests; and ten shall be other distinguished citizens representative of the learned professions. The Governor shall make the appointments so as to reflect proportional representation on the Board of the two leading political parties of the Commonwealth based on the state's voter registration and to reflect no less than

proportional representation of the minority racial composition of the Commonwealth. Appointments to fill vacancies shall be made for any unexpired terms in the same manner as provided for the original appointments. (KRS 164.131)

Each graduate member is appointed by the Governor from a list of three names submitted by the alumni of the University according to rules established by the Board of Trustees. (KRS 164.131; KRS 164.140)

The two faculty members representing the University System of the University of Kentucky shall be members of the faculty of the University System of the rank of assistant professor or above, elected by secret ballot by all faculty members of the rank of assistant professor or above in the University System. Faculty members shall serve for terms of three years and until their successors are elected and qualified. They are eligible for re-election but are ineligible to continue to serve as members of the Board if they cease to be members of the faculty of the University System. Elections to fill vacancies for any unexpired terms shall be held in the same manner as for the original elections. The authority to develop procedures for the election of faculty members of the University System to serve as members of the Board in accordance with the provisions of KRS 164.131 is hereby delegated to the University Senate.

Staff members eligible to vote and eligible to serve as an elected member of the Board of Trustees shall be those regular, full-time staff of the University of Kentucky, as defined in Staff Personnel Policy and Procedure Administrative Regulations, Number 4.0: Employee Status, excluding the president, vice presidents, academic deans and academic department chairpersons. The staff member shall represent all nonteaching university employees. The staff member shall be elected by secret ballot by the nonteaching employees. The staff member shall serve a term of three (3) years and until a successor is elected and qualified. The staff member shall be eligible for reelection, but a staff member who ceases being an employee of the university shall not be eligible to continue to serve as a member of the board. Elections to fill vacancies shall be for the unexpired term and shall be held in the same manner as provided for the original election. The authority to develop procedures for the election of a staff member of the University System to serve as a member of the Board in accordance with the provisions of KRS 164.131 is hereby delegated to the ~~Vice President for Fiscal Affairs~~Senior Vice President for Administration.

The student member shall be the president of the student body of the University during the appropriate academic year and may be an out-of-state resident if applicable. If the student member does not maintain the position as student body president or the status of a full-time student at any time during that academic year, a special election shall be held to select a full-time student. The student member shall serve for a term of one year beginning with the first meeting of the fiscal year which contains that academic year. (KRS 164.131)

The number of student and employee members elected to the University of Kentucky Board of Trustees shall not exceed four. (KRS 164.131)

3. Meetings

The Board of Trustees must hold at least four regular meetings per year. Dates designated by law are: the Tuesday preceding the regular annual Commencement of the University; the third Tuesday in September; the second Tuesday in December; and the first Tuesday in April. Special meetings may be called by the chairperson or by any three members upon giving ten days' written notice to each member of the Board. The business to be transacted at special meetings shall be specified in the notice of the meeting. All meetings are to be held on the campus of the University unless otherwise specified by a majority vote of the Board. A majority of the voting members of the Board constitutes a quorum. (KRS 164.170)

The Board of Trustees may adjourn any regular or called meeting to any date that it may set for such adjournment. Any meeting of the Board, if a quorum is not present, may be adjourned by the members attending to a time when a quorum shall be present.

The meetings of the Board of Trustees are required to be open to the public. The Board is required to arrange for a stenographic transcript of each of its meetings to be prepared and filed, to send an agenda for each of the meetings to each member of the Board, and to make a copy available to the press. (KRS 164.170)

The President of the University shall attend all meetings of the Board of Trustees and of its Executive Committee.

4. Officers

The chairperson, vice chairperson, secretary, and assistant secretary of the Board of Trustees shall be elected annually at the September meeting of the Board. The Chairperson of the Board of Trustees shall be limited to no more than four consecutive terms as Chair. In the absence of the chairperson, the vice chairperson presides. The secretary keeps the Minutes of all meetings, issues notices of meetings, and provides for the publication and distribution of the Minutes in accordance with instructions from the Board. The secretary is responsible for the maintenance of an official revised copy of these Governing Regulations and for the publication of revisions from time to time. The assistant secretary is empowered to perform the duties of the secretary when the secretary is not present on the Lexington campus of the University and at such other place or places as are required for the efficient performance of the secretary's duties. The assistant secretary need not be a member of the Board of Trustees.

5. Committees

STANDING COMMITTEES:

The purpose of standing and special committees is to assist the Board in its oversight role by gathering information, discussing, and providing advice on policy proposals prior to their

coming before the entire Board. Membership of standing committees shall include at least five members of the Board including the committee chair and shall be appointed by the Chairperson of the Board soon after the election of officers in September. The Academic Affairs, Student Affairs, and Human Resources committees shall not be chaired by faculty, staff, or student trustees.

A. EXECUTIVE COMMITTEE

The Board of Trustees annually elects an Executive Committee of five members, which has the powers that the Board delegates to it as spelled out in KRS 164.190. This election shall be held at the September meeting of the Board. Vacancies may be filled at any meeting of the Board. The Board designates one member of the Committee to serve as its chairperson. In general, the Committee exercises oversight of the financial and business interests of the University and possesses the same powers as the Board during the periods between meetings of the full Board.

Meetings may be held as necessary at the call of the chairperson. The secretary of the Board of Trustees acts as secretary, *ex officio*, of the Executive Committee. The President of the University shall attend all meetings.

The Executive Committee is required to submit to the Board of Trustees at each meeting, for the latter's consideration and approval, a complete record of the proceedings of the Executive Committee. The authority of the Board to amend the action of the Executive Committee does not extend to the rejection of any valid or authenticated expenditure of money by the Executive Committee. (KRS 164.190)

B. ACADEMIC AFFAIRS

Shall review recommendations to the Board from the President on policy matters pertaining to the academic mission of the University in teaching, research, and public service as well as academic freedom and tenure and shared governance. Will review proposals from the President to ensure the academic programs are consistent with the University's mission, that resources are available to achieve academic priorities as set forth in the Strategic Plan, that academic programs are appropriate for its student needs and that the University has a system in place for assessing the effectiveness of its academic programs. Will review new program proposals and changes in the academic units to ensure the program proposals and changes will effectively carry out the academic mission and provide information to the Board if needed when new programs or changes in academic units are recommended to the Board for approval. Shall review the list of candidates for academic degrees and provide information to the Board if needed when degree candidates are recommended for approval.

C. STUDENT AFFAIRS

Shall accept and review recommendations from students, faculty and administrators which the President submits regarding revisions of the Code of Student Conduct. Shall review recommendations from the President concerning the general welfare of students and the adoption of rules, procedures, rights, and responsibilities governing non academic relationships between the University and its students.

D. HUMAN RESOURCES

Shall review recommendations from the President to the Board regarding policies pertaining to employee benefits, rights and privileges requiring Board approval. Shall serve as a hearing panel in the event of a faculty, student or employee appeal coming to the Board.

E. UNIVERSITY RELATIONS

Shall review recommendations from the President relating to the economic, social, and public policy environments within which the University operates that directly affect the University. Shall review policies or policy proposals from the President regarding marketing and development as well as public, governmental, and alumni relations.

F. INVESTMENT

Under delegation from the Board and consistent with KRS 164A.550 through 164A.630, the Investment Committee shall be responsible for review and oversight of the endowment investment programs of the University and its affiliated corporations. This responsibility includes: formulating and reviewing investment policies; appointing, monitoring and evaluating investment managers and consultants; and reviewing and approving plans for the general management of the endowment funds of the University.

The Investment Committee Chairperson will report to the Board at least annually on the performance results of endowment investments. Policies of the Committee are implemented by the Office of Controller and Treasurer in carrying out the day-to-day operations of the University's endowment funds.

G. FINANCE

Shall ensure the financial stability and long-term economic health of the University by monitoring the financial operations of the University and its affiliated corporations and making appropriate recommendations to the Board to ensure achievement of the University's mission. Consistent with KRS 164A.550 through 164A.630, the Committee maintains oversight responsibility for the financial management of the University in the areas of accounting, auditing, payroll, purchasing, capital construction, real property and affiliated corporations. In particular, the Committee shall: oversee the budgets of the University, reviewing and recommending to the Board on the annual Operating and Capital Budgets; ensure that accurate and complete financial records are maintained by reviewing and recommending to the Board on annual financial reports and related recommendations from the Audit Subcommittee, interim financial reports, capital construction reports, long-term debt obligations, gifts to the University of \$100,000 or more, leases over \$30,000 per year, disposition of property, sale of assets, and financial transactions not provided for in the annual operating budget.

The Audit Subcommittee shall recommend to the Finance Committee on the appointment of the external auditors, receive and review the annual reports from the external auditors and make recommendations to the Finance Committee concerning these reports.

H. NOMINATING

_____ Shall nominate officers of the Board and members of the Executive Committee. Shall review recommendations from the President concerning the appointment of Trustees to the boards and committees of the University and its affiliated entities which require Board approval.

I. SPECIAL COMMITTEES

Special committees may be established and appointed at any time by the Chairperson of the Board and with such charge as the Board Chair may determine. They shall carry out their duties as specified and report to the Board. They will function until discharged. Membership will include Trustees and may also include persons who are not Board members.

6. Powers and Responsibilities

The powers and responsibilities of the Board of Trustees include the following:

It may establish proper regulations for the governance of the University and the physical training, military or otherwise, of the students. It may authorize the suspension and dismissal of students for neglect or violation of the regulations or for other conduct prejudicial to the character and welfare of the University. (KRS 164.200)

It may determine from time to time the colleges, schools, divisions, departments, bureaus, and offices which shall comprise the University within the scope of the Acts of Congress approved July 2, 1862, and Acts supplementary thereto, and the relation which each division shall sustain to each other division and to the whole. It may devise, allot, and arrange the distribution of divisions with the designation appropriate for each, and devise the means required for their effective instruction, administration, and governance. (KRS 164.210)

It may appoint a president, professors, assistants, tutors and other personnel and determine the compensation, duties, and official relations of each. In appointments of presidents, professors and instructors no preference may be shown to any religious denomination.* It is required to provide compensation for all positions created and filled by the Board. It may provide for employee retirement benefits and such other employee benefits as are related to the respective employments and services furnished. Retirement plans may include, but without limitation, the retirement ages, the benefits of employees including group insurance, annuities, establishment of a trust fund or funds, and, the amounts to be paid or contributed by employees and the amounts to be paid or contributed by the University of Kentucky, and other appropriate terms and provisions with respect thereto. (KRS 164.220) It is further designated as an independent agency and instrumentality of the Commonwealth and given exclusive jurisdiction of the appointments, qualifications, salaries and compensation payable out of the State Treasury or otherwise, promotions, and retirement programs described. (KRS 164.225)

It has full power to suspend or remove any of the officers, teachers, professors, or agents that it is authorized to appoint, except that no president, professor, or teacher may be removed except for incompetence, neglect of or refusal to perform duties, or for immoral conduct, and then only after ten days' notice in writing stating the nature of the charges preferred, and after the individual has been given an opportunity to make defense before the Board by counsel or otherwise and to introduce testimony which shall be heard and determined by the Board. (KRS 164.230)

It may grant degrees to graduates of the University, prescribe conditions upon which postgraduate honors may be obtained, and confer such honorary degrees upon the recommendation of the faculty of the University as it deems proper. (KRS 164.240)

It is required to make a full report to the General Assembly, within the first month of each regular session, of the condition and operation of the University since the date of the previous report, with such recommendations concerning the University as are deemed necessary. (KRS 164.250)

It may acquire additional lands or other property or material for the purpose of expanding its plant and extending its usefulness. When unable to contract with the owner of land or other property or material necessary for the purposes of the University, it may acquire the same by condemnation proceedings in the manner provided in KRS 416.010 to 416.080. (KRS 164.260)

* See Parts X.A and XII.A

It may dispose of real estate held by the Commonwealth for the use or benefit of the University or the Kentucky Agricultural Experiment Station as authorized in KRS 164.270 and KRS 45.360.

~~—————The Board approves the establishment of associate degree and certificate programs in the Community College System together with the requirements for the degrees and certificates. It awards associate degrees and certificates upon the recommendation of the Senate of the Community College System.~~

7. Order of Business

The order of business at meetings of the Board of Trustees shall be as follows:

- Call to Order
- Invocation
- Roll Call
- Reading and Approval of Minutes with Necessary Modifications
- Report of the President
- Consideration of President's Recommendations for Action

Consideration of President's Discussion Items
Reports of Committees
Other Business
Adjournment

General parliamentary rules shall be observed in conducting the business of the Board of Trustees except as these may be modified by rules and regulations adopted by the Board.

B. Community College Board of Directors

(1) There shall be a board of directors for each community college under the Kentucky Community and Technical College System, except as provided in KRS 165.160.

PART III

THE PRESIDENT OF THE UNIVERSITY

The President is the chief executive officer of the University and has full authority and responsibility over the administration of the academic, business, and fiscal operations of the University. It is the duty of the President to make recommendations relating to the general policies of the institution and to the maintenance of coordination among its several functions. It is also the President's duty, directly or through the various University officers, to supervise and administer all phases of the University's operations, both business and academic, including all departments, divisions, and colleges, and to perform all other administrative functions, whether expressly enumerated herein or not, necessary or appropriate for the effective operation of the University.

The President is responsible for the preparation of the biennial budget request and the annual budget for approval by the Board of Trustees and for the administration of the annual budget after approval by the Board. In the administration of the annual budget, the President shall exercise authority delegated by the Board for the transfer of funds within major fund groups, provided that all such transfers of funds shall be reported to the Board.

The President may delegate any of the President's assigned authorities or responsibilities to another person in the Office of the President, or to any other member of the administrative staff or faculty of the University. The President shall, however, have the prior consent of the Board of Trustees before delegating major areas of authority or responsibility.

The ~~chancellors~~ Provost, vice presidents, deans, directors, and all other subordinate administrative officers shall be subject to the supervision and direction of the President.

Subject to the regulations of the Board of Trustees, the President officially speaks for the University before all federal, state, and local government offices, boards, and agencies and is the non-voting representative of the University on the Council on Postsecondary Education.

The President is chairperson of the University Senate and an ex officio member of the various college faculties and may call meetings of the University Senate, the University Assembly, and any college faculty.

The President is responsible for fostering and promoting instruction, research, and service as the primary functions of the University. In this connection the President may make policy recommendations to the Board of Trustees, and the University Senate, ~~and the Senate of the Community College System~~, which are recognized as the primary educational policy-forming agencies of the University. The President must, of necessity, in the day-by-day direction of University affairs, interpret existing policies and, in some degree, establish new policy with respect to both educational and business and financial matters. Such policy determination shall be within the scope of the President's authority.

While responsible for the enforcement of the rules and regulations of the Board of Trustees and the University Senate, the President also shall provide for the application of these rules and regulations to individual cases. Under extraordinary circumstances, the President may suspend a rule of the University Senate in a particular case. ~~Under extraordinary circumstances, the President may suspend a rule of the University Senate, however, under no circumstance may the President suspend except rules concerning admission and the number of credits and quality points required for graduation.~~

The President shall serve as the official medium of communication between the Board of Trustees, on the one hand, and the University Senate, ~~the Senate of the Community College System,~~ administrative officers, individual members of the faculty and staff, student organizations, and students on the other hand. In this connection it shall be the President's responsibility to transmit to the Board all formal communications from the University Senate, ~~the Senate of the Community College System,~~ and the Student Government Association along with the viewpoints of the body submitting a communication, including any minority opinions, and the President's own recommendations for action.

Incident to the administration of the University, the President may utilize subordinate administrative officers as appropriate. The President may appoint, or have appointed, temporary or standing advisory or administrative committees and, with the approval of the Board of Trustees, may establish academic and/or administrative councils.

In the event of a vacancy in the office of President or disability of the President, ~~the Vice President for Administration~~ Provost shall exercise the functions of the President in the absence of the appointment of an Interim President by the Board of Trustees. If the Board finds it desirable to appoint an Interim President, it shall seek advice from a joint Board-Faculty committee if such has been constituted to recommend the appointment of a President or, if the committee has not been constituted, from the University Senate Council.

PART IV

THE UNIVERSITY SENATE (UNIVERSITY SYSTEM)

The University Senate shall be composed of both elected and ex officio membership.

The elected membership shall number 114, of which 94 members shall represent the faculty, one member shall represent the emeriti faculty, and 19 members shall represent the student body.

The 94 elected faculty seats shall be apportioned each spring among the colleges and the University Libraries according to the following two equally weighted factors based on data for the preceding fall semester: (1) the number of the following individuals all of whom shall be considered "faculty" for purposes of this Rule: (a) full-time faculty in the regular and special title series with the rank of assistant professor or higher, (b) full-time faculty appointed in the extension, librarian, research and clinical title series, and (c) full-time lecturers and instructors; and (2) the number of full-time students enrolled in the college, computed so that students enrolled in the Graduate School shall be assigned to the college in which they are pursuing their studies. Each elected faculty member shall serve for a term of three years and shall be eligible for re-election for a second consecutive term but ineligible for further re-election until one year has elapsed. If a faculty member of the Senate should at any time during a term become ineligible to serve (e.g., by reason of assuming an administrative title, resigning, or taking official leave which precludes attendance), the administrative head of the group represented shall declare a vacancy and designate that member from the eligible faculty who at the last election received the next highest vote to serve for the duration of the elected faculty member's ineligibility.

The one elected emeritus faculty member shall represent the University of Kentucky Association of Emeriti Faculty. The Association shall elect one senator for a term of three years and an alternate from its membership through an election process approved by the Senate Council. If the elected emeritus faculty member of the Senate at any time during a term becomes ineligible or unable to serve, the elected alternate shall serve the remainder of the term.

The 19 elected student membership shall consist of the President of the Student Government Association and representatives of the full-time student body in the various colleges and the Graduate School of the University System. The colleges and the Graduate School each shall have one student representative. Students with no declared major shall be represented through the College of Arts and Sciences. Each elected college representative shall be a junior, senior, or graduate or professional student, or in the case of the Lexington Community College a sophomore student, shall not be on either academic or disciplinary probation, shall serve for a term of one year, and shall be eligible for re-election as often as the individual remains a full-time undergraduate, graduate, or professional student in the University System. If a student should at any time become ineligible to serve (e.g., by relinquishing status as a full-time student, being placed on academic probation, or violating the Senate attendance regulations), the administrative head of the group represented shall declare a vacancy and designate that member from the eligible

student body who at the last election received the next highest vote to serve for the duration of the elected student member's ineligibility.

The ex officio voting members shall number 13 or 14. In academic years beginning with an even number (e.g., 1984-1985, 1986-1987), this group In even numbered academic years, the ex officio voting members of the Senate shall be composed of the following: Provost, Vice President for Research, Senior Vice President and Chancellor ~~offer~~ the Medical Center, Vice President for Research and Graduate Studies, Director of Libraries, Director of Teaching Learning Center and Deans of the Colleges of Allied Health Professions, Architecture, Communications and Information Studies, Dentistry, Education, Engineering, Law, and Social Work. In odd numbered academic years, ~~beginning with an odd number~~, the ex officio voting members shall be the following: Chancellor for the Lexington Campus, Provost, President of the Lexington Community College, Associate Vice Chancellor ~~President~~ for Academic Affairs for the Medical Center, Dean of the Graduate School, Dean of Undergraduate Studies and Deans of the Colleges of Agriculture, Arts and Sciences, Business and Economics, Fine Arts, Human Environmental Sciences, Medicine, Nursing, and Pharmacy.

The ex officio non-voting membership shall include the President, ~~the Special Assistant to the President for Academic Affairs~~, all other vice presidents, Vice Chancellor ~~Associate Provost for Minority Affairs, University System Registrar, Associate Vice Chancellor for Academic Affairs~~ Provost for Undergraduate Education for the Lexington Campus and Director of Admissions, ~~Executive Director~~ Dean of University Extension, Dean of Students, Professor of Military Science, Professor of Aerospace Studies, Director of the University Studies Program, and, if they are not already elected members of the Senate, the University System faculty members of the Board of Trustees, the Academic Ombud, the Director of the Honors Program, and the chairpersons of the University Senate Committees, including University Senate Advisory Committees. All officials mentioned in the preceding paragraph who are not ex officio voting members in any year shall be considered ex officio non-voting members. Other ex officio non-voting members may be added by the University Senate Council for the purpose of supplying information and viewpoints on problems considered by the Senate. Ex officio non-voting members shall enjoy all privileges of the elected membership except the right to vote.

The Senate is authorized to develop rules for the conduct of its functions, copies of these rules being furnished to the President and the Board of Trustees. It may perform its functions directly, through the Senate Council*, through standing or special committees which it may appoint or authorize for appointment, or through delegation of authority and responsibility to the faculties of the Graduate School or the colleges. Standing committees of the Senate, responsible to the

* Members of the Senate Council will remain members of the Senate until the end of their terms on the Council. They will not be counted as a part of the quota of the administrative unit that they have represented nor of the maximum membership of the Senate after the expiration of their elected memberships.

Senate, shall be appointed by the Senate Council unless other methods of appointment have been authorized by the Senate.

The Senate also may establish Senate advisory committees which shall be responsible, in an advisory capacity, to the President or other administrative officer(s) or administrative unit(s). These committees also shall be responsible to the Senate for reporting upon issues which bear upon the functions of the Senate and for making recommendations for action. Senate advisory committees shall be appointed by the President from nominations made by the Senate Council or following consultation with the Council.

The President shall be the chairperson of the Senate and shall be the presiding officer except as the President may delegate this function. The University Registrar shall serve as ex officio secretary. A member of the University faculty (not necessarily a member of the Senate), appointed by the Senate Council, shall serve as parliamentarian. The two sergeants-at-arms, appointed by the Senate Council, shall be members of the University System faculty and/or staff.

The Senate shall hold regular monthly meetings during the academic year when classes are in session and, after adequate notice by its secretary, special meetings on the call of the President or the Senate Council or on the written request of ten (10) members.

Any member of the administrative, instructional, or research staff may attend a meeting of the Senate as a visitor and request the privilege of the floor.

The functions of the University Senate shall include the following:

Determine the broad academic policies of the University System and make regulations to implement these policies.

Approve all new academic programs, curricula, and courses offered in the University System.

Adopt policies for the University System academic calendar and approve the annual calendar as prepared by the University Registrar.

Recommend to the ~~President~~ Provost on the establishment, alteration, and abolition of educational units in the University System.

Advise the President or the President's designated officer on the planning for physical facilities and staff when these may affect the attainment of education objectives of the University System.

Advise the President or the President's designated officer, through appropriate committees, on criteria for appointments, reappointments, promotions, and granting of tenure in the University System.

Determine the conditions for admission and for degrees, other than honorary degrees, in the University System.

Recommend to the President all candidates for degrees in the University System.

Beyond those listed in the above, the Senate shall have no management or administrative functions either in itself or through the instrumentality of its committees.

The University Senate may address the President or, through the President, the Board of Trustees, regarding any University matter.

PART VII

UNIVERSITY ORGANIZATION

For the purpose of administering the various programs of the University, there shall be established educational and administrative units within the University. All units of the University shall be established, altered, or abolished only on vote of the Board of Trustees. For matters having to do with the organization of the University as it affects academic policies, the Board relies upon the advice of the University Senate along with that of the President. It relies upon the advice of the President concerning administrative organization and powers and responsibilities of the officers of the University.

The educational-administrative organization of the University shall be such as to minimize duplication of effort and to enable the University to operate as a single, closely integrated institution, not as a loose association of colleges and departments. Barriers between educational and administrative units shall not be allowed to interfere with the academic purposes of the institution.

A. Educational Organization

1. Definition

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 unit of the University System for instruction, research, and extension in a defined field of learning is the department, school, or college. All courses shall be given by the regular instructional units. However, interdisciplinary instructional programs may be established to utilize courses and faculty from different departments, schools, and colleges. The chief administrative officer of a department or interdisciplinary instructional program is a chairperson.

The term "school" is used to refer to: (1) the Graduate School; and (2) an administrative unit within a college which is under the general direction of the faculty of that college. The chief administrative officer of a school that is an administrative unit within a college is an associate dean or director.

The Honors Program is an educational unit which is equivalent to a department. Its chief administrative officer is a director who is equivalent to a department chairperson.

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. It is associated exclusively with graduate programs and their attendant courses and research. Its faculty have primary appointments within a college or, in some cases, within the center.

A multidisciplinary research center or institute is an educational unit established for the administration of multidisciplinary programs which are primarily research in nature. Such an educational unit is administratively responsible to the Vice President for Research and Graduate Studies unless the administrative responsibility specifically has been delegated otherwise. The chief administrative officer of a multidisciplinary research center or institute is a director.

In some cases, the terms "bureau" and "office" may be used for units with some research functions, especially when these are not intercollege or interschool in nature.

A college is a major educational unit of the University. Its chief administrative officer is a dean.

The basic organization of the educational units of the Community College System shall be divisions and colleges.

The unit of the Community College System for instruction and community service in related fields of learning is the division. The chief administrative officer of a division is a chairperson.

The individual community colleges are the major educational units of the Community College System. Lexington Community College is a unit of the Community College System; however, it is managed as a unit in the University System of the University of Kentucky and shall be represented in the University Senate. The chief administrative officer of a community college is a president.

2. Academic Ranks

Academic ranks in the University System shall consist of instructor, assistant professor, associate professor, professor, and other ranks that are fully or partially equivalent to these recognized ranks.

Academic ranks in the Community College System shall include Instructor in the Community College System, Assistant Professor in the Community College System, Associate Professor in the Community College System, Professor in the Community College System, and other ranks that are fully or partially equivalent to these recognized ranks.

Ranks and special titles and a description of the qualifications for each shall be established by the President after consultation with appropriate administrative and faculty groups, including the Senate Council and/or the Community College Council. Likewise, emeritus ranks for retired administrative and academic personnel and the rights of holders of emeritus titles shall be established by the President after consultation with the Senate Council and/or the Community College Council. The establishment of new ranks and major changes in criteria for ranks shall have the approval of the Board of Trustees.

3. The Graduate Faculty (University System)

The Graduate Faculty shall consist of the Dean of the Graduate School, associate and/or assistant deans of the Graduate School, members, and associate members.

Graduate Faculty members must possess the following qualifications:

A doctor's degree or its equivalent in scholarly reputation;

The rank of assistant professor (or equivalent) or higher;

Scholarly maturity and professional productivity as demonstrated by publications, editorial services, research surveys, creative work, patents, and research in progress at the time of appointment; and

Definite interest in graduate work and the willingness to participate in the graduate program.

Membership in the Graduate Faculty is conferred ~~upon recommendations of~~ by the Dean of the Graduate School, ~~and the Vice President for Research and Graduate Studies/appropriate chancellor and approval of the President.~~ The ~~recommendations of the Dean~~ appointments are made following review by the Graduate Council of the qualifications of the persons proposed for membership by the college deans, department chairpersons, and directors of graduate study.

Associate and other classes of members in the Graduate Faculty or in other faculty bodies or councils of the Graduate School may be appointed by the Dean of the Graduate School or elected, with appropriate duties and privileges as provided by the rules of the Graduate School and approved by the University Senate.

Members of the Graduate Faculty shall have assignments of duties that take into account the time necessary for graduate teaching, productive research, and service in the direction of graduate research and preparation of theses.

The Graduate Faculty shall have jurisdiction over all programs leading to graduate degrees within the limits established by the Board of Trustees and the policies and rules of the University Senate. It is the responsibility of the Graduate Faculty to safeguard, promote, and assist in the development of research in all fields. The Graduate Faculty shall make recommendations to the University Senate on academic matters and to the President or an officer designated by the President on administrative matters.

The Graduate Faculty may perform its functions directly, through the Graduate Council, or through standing or special committees which it may appoint or authorize for appointment. The Graduate Council shall have the authority and responsibilities delegated to it by the Dean of the Graduate School, the Graduate Faculty, and the University Senate.

4. Faculties of Colleges (University System)

The faculty of a college shall consist of its dean, assistant and/or associate deans, and full-time faculty personnel having the rank of assistant professor, associate professor or professor in the regular, special title, or extension series. Membership, with or without voting privileges, also may be extended by a college faculty to any other person assigned to it for administrative work, teaching or research. An individual may be assigned to more than one faculty; in this instance, one assignment shall be designated by the ~~appropriate—chancellor(s)/vice president(s)~~ Provost or dean (Part X.B.1) as the primary one.

The faculty shall hold regularly scheduled meetings. In addition, it shall meet in special session on the call of the President of the University, the Provost, the ~~chancellor/vice~~ Senior Vice President and Chancellor of the Medical Center/vice president sector, or the dean of the college, or at the request of a prescribed number of its membership. Each college faculty shall establish the quorum for the transaction of business. Copies of minutes of college faculty meetings shall be made available to all members of the faculty of the college.

Consistent with the Governing Regulations, the Administrative Regulations, and the Rules of the University Senate, the faculty of each college shall establish its own rules, including a committee or council structure necessary for the performance of the faculty's functions. After approval of these rules by the Provost or the Senior Vice President and Chancellor of the Medical Center as ~~appropriate chancellor/vice president~~, copies of the rules of the faculty and a description of the committee or council structure shall be made available to its members and copies filed with the dean of the college, the Provost and the Senior Vice President and Chancellor of the Medical Center ~~appropriate chancellor/vice president~~, the secretary of the University Senate and the Senate Council Office.

Within the limits established by the regulations of the University and the policies and rules of the University Senate, the faculty of a college shall determine the educational policies of that college. It shall make recommendations to the University Senate on such matters as require the final approval of that body, and it may make recommendations on other matters to the University Senate, to the President, or to other administrative officials. The academic or scholastic requirements of a college may exceed, but not be lower than, those established for the University System as a whole by the University Senate or the Graduate Faculty. Any such differences in standards must be approved by the University Senate.

The faculty of a college may delegate by rule a defined part of the determination of its educational policies to an assembly of the college, which shall consist of the faculty and designated student representatives. The number of students voting and the method of selecting these students shall be determined by the rules of the college.

In addition to the functions and responsibilities described above, the faculty of a college without departments shall have any other functions and responsibilities which are delegated to a departmental faculty as set forth in Part VII.A.6.

5. Faculties of Schools (University System)

The faculty of a school shall consist of the dean of the college of which it is an administrative unit, the associate dean or director who is the chief administrative officer of the school, and the members of the faculty of the college who have been assigned duties in the school. It also shall include members of the faculties of other colleges who have joint appointments in the school or departments of the school. (The faculty of a college is defined in Part VII.A.4 of these regulations.) In addition, membership, with or without voting privileges, may be extended by the school faculty to any other person assigned to the school for administrative work, teaching or research.

Within the limits established by the regulations of the Board of Trustees, the policies and rules of the University Senate, and the policies and rules of the faculty of the college of which it is a unit, the faculty of a school shall determine the educational policies of the school. It shall be responsible for functions and duties assigned to it by the faculty of the college. For these purposes, it shall establish its own rules and determine its own committee structure. After approval of these by the dean of the college and the ~~chancellor/vice president~~, Provost or the Senior Vice President and Chancellor of the Medical Center, copies of the rules and a description of its committee structure shall be made available to its members and a copy filed with the director of the school, the dean of the college of which it is a unit, the ~~appropriate chancellor/vice president~~ Provost, the secretary of the University Senate and the Senate Council Office. It shall make recommendations to the faculty of the college on matters which require the approval of that body. It may make recommendations on other matters to the dean or other administrative officers of the college. The academic or scholastic requirements of a school may exceed, but not be lower than, those established by the college faculty. Any such differences in standards must be approved by the University Senate.

Copies of the minutes of school faculty meetings shall be made available to all members of the faculty of the school.

In addition to the functions and responsibilities described above, the faculty of a school without departments shall have any other functions and responsibilities which are delegated to a department faculty as set forth in Part VII.A.6.

6. Faculties of Departments (University System)

The faculty of a department shall consist of a chairperson and the members of the department who are members of the faculty of the school and/or college of which the department is a part. (The faculties of a college and a school are defined in Parts VII.A.4 and VII.A.5, respectively.) In addition, membership, with or without voting privileges, may be extended by the department faculty to any other member of the department faculty or staff or to any person assigned to it for administrative work, teaching, research or service.

The departmental faculty has jurisdiction over matters concerning its internal educational policies, insofar as these policies do not conflict with those of other departments or with the rules of the University Senate or the faculties of the school or college of which the department is a part. It should hold regularly scheduled meetings and shall establish rules of procedure and a committee structure to deal with matters over which it has jurisdiction. The proposed rules of procedure and

committee structure shall be submitted to the director of the school (if appropriate), the dean of the college, and the ~~appropriate chancellor/vice president~~Provost or the Senior Vice President and Chancellor of the Medical Center for approval. Copies of the approved rules of procedure and committee structure shall be made available to the members of the departmental faculty and shall be filed with the director of the school, (if appropriate) the dean of the college of which the department is a member, the ~~appropriate chancellor/vice president~~Provost, the secretary of the University Senate, and the Senate Council Office. It has primary responsibility for the development of policies on such matters as academic requirements, courses of study, class schedules, graduate and research programs, and service functions. Jointly with the department chairperson, it should establish procedures to be used within the department in (1) making 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; (2) the faculty performance evaluations and (3) the preparation of budget requests. The procedures in (1) and (2) shall include consultation with directors of multidisciplinary research centers and institutes for those faculty who are or will be associated with such centers or institutes.

The department chairperson shall preside over all departmental faculty meetings, except as the chairperson may delegate this function, and shall be an ex officio member of all departmental committees. Copies of minutes of departmental faculty meetings shall be made available to all members of the faculty of the department.

The academic or scholastic requirements of a department may exceed, but not be lower than, those of the school and/or college of which the department is a part. Any such differences in standards must be approved by the University Senate.

7. Staffs of Multidisciplinary Research Centers and Institutes
(University System)

The staff of a multidisciplinary research center or institute shall consist of: (1) a director who also shall be a faculty member of a department, school, or college; (2) faculty members on a joint appointment basis; (3) faculty members on a faculty associate basis (each such faculty associate appointed, on recommendations of both the director of the center or institute and the appropriate educational unit administrator, by the Vice President for Research and Graduate Studies or other administrator who has administrative responsibility for the center or institute); and (4) non-faculty employees appointed for the duration of a specific project.

Academic rank shall not be conferred by a multidisciplinary research center or institute nor tenure acquired solely through service in such a unit.

A multidisciplinary research center or institute shall be administratively responsible to the Vice President for Research and Graduate Studies unless specifically designated otherwise. A faculty advisory committee shall be appointed for each research center or institute by the officer to whom the unit is administratively responsible.

8. Faculty Organization in the Community College System and Lexington

Community College

a. Faculties of Colleges

The faculty of a community college shall consist of all professional, instructional, library, and administrative personnel. An individual may have appointments to more than one faculty; in such instance, one appointment shall be designated by the appropriate administrative officer (X.B.1) as the primary one. The president of the college shall serve as chairperson of the faculty.

The faculty shall hold regularly scheduled meetings. In addition, it shall meet in special session on the call of the President of the Kentucky Community and Technical College System, the Chancellor for the Community College System, or the president of the college, or at the request of a prescribed number of its membership. Each college faculty shall establish the quorum for the transaction of business. Copies of minutes of college faculty meetings shall be made available to all members of the faculty of the college.

Consistent with the Governing Regulations, the Administrative Regulations, and the Rules of the Senate of the Community College System, the faculty of each community college shall establish its own rules, including an organizational structure necessary for the performance of the faculty's functions. After approval of these by the Chancellor for the Community College System, copies of the rules of the faculty and a description of the faculty's committee structure shall be made available to faculty members and a copy filed with the Office of the Chancellor of the Community College System.

Within the limits established by the regulations of the University and the Rules of the Senate of the Community College System, the faculty of a college shall determine the educational policies of that college. It shall make recommendations to the Senate of the Community College System on matters which require the approval of that body, and it may make recommendations on other matters to the Senate of the Community College System, to the Chancellor for the Community College System, or to the President of the Kentucky Community and Technical College System.

b. Faculty Assemblies

The faculty of a community college may organize a Faculty Assembly for the purpose of making recommendations relating to the professional welfare of its members. It shall prepare a set of rules which shall describe its organization and procedures for the performance of its functions. Full-time faculty members devoting more than fifty percent of their effort to teaching, librarianship, and counseling are eligible for membership in the Faculty Assembly. Other members of the faculty may become members upon invitation of a majority of the members of the Assembly.

The rules of the Faculty Assembly of a community college shall be consistent with the Governing Regulations, the Administrative Regulations, and the Rules of the Senate of the Community College System and shall be adequate to allow the Assembly to perform its

responsibilities. Copies of the rules shall be submitted to the president of the college, the Community College Council, and the Chancellor for the Community College System for review and approval before being made operational.

c. Faculties of Divisions

The faculty of a division shall consist of a chairperson and the members of the division who are members of the faculty of the community college.

The division faculty has the responsibility for the internal policies of the division, insofar as these policies do not conflict with those of other divisions, with the rules of the faculty of the college of which it is a part, or with the Rules of the Senate of the Community College System. It should hold regularly scheduled meetings and is authorized, with the approval of the president of the college and the Chancellor for the Community College System, to establish rules for procedure and a committee structure to deal with matters for which it has responsibility. It should establish with the division chairperson and the president of the college procedures to be used within the division in advising on the appointment of new members of the division, promotions, reappointments, terminal appointments, decisions not to reappoint, post-retirement appointments, and the granting of tenure, and the procedures to be used on the division level in faculty performance evaluations and in the preparation of budget requests.

The division chairperson shall preside over all division faculty meetings, except as the division chairperson may delegate this function, and shall be an ex officio member of all division committees. Copies of minutes of division faculty meetings shall be made available to all members of the faculty of the division and the president of the college.

d. Lexington Community College

Faculty organization in the Lexington Community College shall be consistent with paragraphs a, b, and c of this section with the exception that the faculty shall meet on call of the President of the University; the ~~Chancellor of the Lexington Campus~~ Provost shall fulfill the roles of the Chancellor of the Community College System; the Rules of the University Senate rather than the Rules of the Senate of the Community College System are applicable, and the Community College Council shall have no role in the review of the rules of the Faculty Assembly for the Lexington Community College.

9. Student Participation

Rules of procedure in educational units of the University shall provide for participation of students in the development of educational policies.

B. Administrative Organization

1. Definition

The administrative organization of the University is determined by the educational organization of the University and the teaching, research, service, and other functions of the University. Each administrative officer, other than the President, shall be responsible to the President, directly or through one or more superior officers, for the efficient operation of the organizational unit or functions for which the administrative officer is responsible. The administrative organization is established by the President with the approval of the Board of Trustees. It may be expected to change with increasing size and diversity in functions of the University. The duties of administrative officers reporting directly to the President shall be those delegated by the President and described in the Administrative Regulations. Each administrative officer is expected to recommend to the appropriate next superior officer the administrative organization necessary to carry out assigned duties. The positions of deans and presidents of colleges, directors, and department and division chairpersons, with descriptions of major duties assigned, are described in these Governing Regulations. Major changes in administrative organization must be approved by the Board of Trustees.

Each administrative officer is authorized to establish administrative and/or advisory committees to aid in the performance of assigned functions.

2. Dean of the Graduate School

The Dean of the Graduate School is chairperson of the Graduate Faculty and the Graduate Council. Under the broad direction of the President, ~~and the Vice President for Research and Graduate Studies, the Chancellor for the Lexington Campus, and the Chancellor for the Medical Center~~ Provost, the Dean provides general planning, guidance, review, and coordination for all of the University's endeavors in graduate education. The Dean appoints regular and associate members of the Graduate Faculty ~~and recommends to the Vice President for Research and Graduate Studies/appropriate chancellor on the appointment of regular members requiring the approval of the President.~~ The Dean recommends to the ~~Vice President for Research and Graduate Studies/appropriate chancellor~~ Provost and the Senior Vice President and Chancellor of the Medical Center on the following actions affecting faculty members who are or may be involved in research or graduate programs of the University: initial appointments of associate professors and professors; promotions of assistant professors and associate professors; and granting of tenure. The Dean also recommends on budgets as these may affect graduate education and shall have the same authority and responsibilities as those of a dean of a college in the administration of educational units that might be transferred to or developed under the Office of the Dean of the Graduate School.

The President, the Provost, ~~the Vice President for Research and Graduate Studies,~~ and the Dean of the Graduate School shall be ex officio members of all committees of the Graduate School. ~~The Chancellor for the Lexington Campus and the Chancellor for the Medical Center are ex officio members of all committees of the Graduate School which affect their respective sectors.~~ The Senior Vice President and Chancellor of the Medical Center shall be an ex officio member of all committees affecting the Medical Center.

3. Deans of the Colleges (University System)

A dean is the executive officer of a college. It is the dean's function to see that the Governing Regulations, the Administrative Regulations, the Rules of the University Senate, and the rules of the college faculty are enforced. The dean is the chairperson of the college faculty and an ex officio member of all college committees. The dean is charged with overseeing the educational work of the college and its efficient conduct and management in all matters not specifically charged elsewhere. The dean is responsible for the curricula of the college, for the quality of instruction given therein, for the assignment of duties to all personnel, and for the service provided by the faculty of the college, individually and as a whole. The dean shall review faculty performance evaluations submitted by the department chairpersons and shall be responsible for recommendations on salaries, salary changes, appointments, reappointments, terminal appointments, decisions not to reappoint, post-retirement appointments, promotions, and granting of tenure for members of the college or for ultimate action thereon when such authority has been delegated by the ~~chancellor/vice president to whom the dean reports~~ Provost or the Senior Vice President and Chancellor of the Medical Center, as appropriate, or by the President. The dean shall submit the budget request for the college and administer the budget when it is approved.

Further administrative responsibilities may be delegated to the dean by the ~~chancellor/vice president to whom the dean reports~~ Provost or the Senior Vice President and Chancellor of the Medical Center, as appropriate, or by the President. These responsibilities may vary from college to college.

The dean shall speak for the college. In the event that the dean believes it necessary to depart from recommendations of the college faculty, the dean shall communicate the college faculty's recommendation as well as the dean's recommendation and notify the faculty of such action.

In addition to the roles and responsibilities described above, the dean of a college without departments shall have any other roles and responsibilities which are delegated to a department chairperson as set forth in Part VII.B.6.

4. Directors of Schools (University System)

The director (or associate dean) of a school serves as chairperson of the faculty of the school in the performance of its assigned functions and is an ex officio member of all committees of the school.

The director's administrative responsibilities shall be those delegated by the dean of the college of which the school is a part.

The director shall speak for the school. In the event that the director believes it necessary to depart from the recommendations of the school faculty, the director shall communicate the school faculty's recommendation as well as the director's recommendation and notify the faculty of such action.

In addition to the roles and responsibilities described above, the director of a school without departments shall have any other roles and responsibilities which are delegated to a department chairperson as set forth in Part VII.B.5.

5. Department Chairpersons (University System)

The department chairperson serves as chairperson of the department faculty in the development by the department of policies on such matters as academic requirements, courses of study, class schedules, graduate and research programs, and service functions. The chairperson presides at all department meetings, except as the chairperson may delegate this function, and is an ex officio member of all department committees. The chairperson has administrative responsibility for implementing the department's program within the limits established by the regulations of the University, the policies of the University Senate, and the rules of the college and of any school of which it is a part.

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 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, Medical Center 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 Medical Center 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 Medical Center 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~~ Provost or Senior Vice President and Chancellor of the Medical Center, as appropriate, consultation with faculty members may be

restricted to those associated with the concerned, previously-defined academic division or program area in the department.

The department chairperson is responsible for the periodic evaluation of department members by procedures and criteria established by the University, the college, and the department faculty.

The department chairperson submits the budget request for the department and administers the budget after its approval. The chairperson also is responsible for making recommendations on salaries and salary changes.

In connection with the above major administrative functions, the chairperson shall seek the advice of members of the department, individually or as a group, or of advisory committees that the chairperson may appoint.

The chairperson shall speak for the department. In the event that the chairperson believes it necessary to depart from the opinion of the department faculty, the chairperson shall communicate the department faculty opinion as well as the chairperson's recommendation, stating reasons for differing from the department faculty opinion, and notify the department faculty of such action.

6. Directors of Multidisciplinary Research Centers and Institutes
(University System)

The administrative officer of a multidisciplinary research center or institute is a director, who also shall be a faculty member in a department, school, or college.

The director of a multidisciplinary research center or institute is charged with the planning, implementation, coordination, and efficient management of the program and activities of the center or institute. The director shall have the same responsibilities as those of a department chairperson relative to faculty with joint appointments and non-faculty personnel in the center or institute. The director shall provide recommendations and advice to appropriate educational unit administrators concerning space, financial, and other resources, as well as the identification and appointment of faculty associates in the center or institute. The director shall submit the core budget request for the center or institute and administer this budget after its approval. In addition, the director may have other responsibilities delegated by the Vice President for Research and Graduate Studies or other specific administrator to whom the center or institute is administratively responsible.

In connection with the above major administrative functions, the director shall seek the advice of the staff of the center or institute, individually or as a group, or of advisory committees that may be appointed by the director of the center or institute or by the administrator to whom the center or institute is administratively responsible. The director shall speak for the center or institute and be an ex officio member of all of its committees.

7. Chairpersons of Interdisciplinary Instructional Programs

(University System)

The chairperson of an interdisciplinary instructional program shall be a member of one of the academic departments participating in the program.

The chairperson shall be responsible to the dean(s) of the college(s) in which the program is located and advise the dean(s) on staff and other needs of the program in connection with budget planning. The chairperson shall rely upon the advice of a committee of interested faculty drawn from the departments offering the courses composing the curriculum.

8. Presidents of Community Colleges

The president of a community college is the chief administrative officer of the college. Under the general direction of the Chancellor for the Community College System, or in the case of the Lexington Community College under the general direction of the ~~Chancellor of the Lexington Campus~~ Provost, the president is charged with general responsibility for the overall administration of the college. It is the president's function to see that the applicable University of Kentucky Governing Regulations, the Administrative Regulations, and the Rules of the Senate of the Community College System are enforced, and in the case of the Lexington Community College, that the Rules of the University Senate are enforced. The president is the chairperson of the college faculty and an ex officio member of all college committees. Along with the college faculty, the president is responsible for the development and implementation of an instructional program commensurate with the purposes of a comprehensive community college. The president is responsible for the curricula of the college, for the quality of instruction given therein, for the assignment of duties to all persons, and for the service provided by the faculty of the college, individually and as a whole. The president shall utilize, through the Office of the Chancellor for the Community College System or in the case of the Lexington Community College, through the Office of the ~~Chancellor of the Lexington Campus~~ Provost, the provisions for liaison with colleges and departments of the University System for advisory assistance and services relating to the instructional program.

The president shall review and finalize the performance evaluations recommended by the division chairpersons or other administrative personnel of the college.

The president shall be responsible without delegation for recommendations on salaries, salary changes, appointments, reappointments, terminal appointments, decisions not to reappoint, post-retirement appointments, promotions, and granting of tenure for members of the college or for ultimate action thereon when such authority has been delegated to the president by the Chancellor for the Community College System or by the President of the Kentucky Community and Technical College System, and in the case of the Lexington Community College, the ~~Chancellor of the Lexington Campus~~ Provost, or by the President of the University.

With regard to students, the president is charged with administering the requirements and regulations of the community college concerning the admission, probation, and dismissal of students.

The president shall be responsible for the preparation of the budget request for the college, for the business and financial operation of the college, either assumed or delegated, and for the maintenance and operation of the physical plant of the college.

It is the president's responsibility to relate the college program to the community through relationships with an advisory board or board of directors through appropriate use of public information media, and by appropriate relationships with community groups and individuals. The president personifies the University in the community and shall endeavor to further constructive relations between college and community.

9. Division Chairpersons (Community College System)

The division chairperson serves as chairperson of the division faculty in the development by the division of policies in regard to such matters as the implementation and revision of programs and courses. The division chairperson assists the president, or the president's designee, in the preparation of the class and teaching schedule for the division. The division chairperson presides over all division meetings, except as the division chairperson may delegate this function, and is an ex officio member of all division committees. The division chairperson has administrative responsibility for implementing the division's program within the limits established by the regulations of the University and the Community College System, the policies of the Senate of the Community College System, in the case of the Lexington Community College the policies of the University Senate, and the rules and regulations of the community college.

The division chairperson shall be responsible for advising the president on the appointment of new members of the division, promotions, reappointments, terminal appointments, decisions not to reappoint, post-retirement appointments, and the granting of tenure, after consultation with the tenured faculty of the division.

The division chairperson shall be responsible for the periodic evaluation of members of the division by procedures and criteria established by the University, the Community College System, and the community college and division faculties. The division chairperson shall make recommendations to the president, who shall make final decisions about such evaluations.

The division chairperson shall be responsible for preparing for the president, or the president's designee, the budget request for the division. The division chairperson also is responsible for advising the president, or the president's designee, as to salaries and salary changes for members of the division.

In connection with the division chairperson's major administrative functions, the chairperson shall seek the advice of members of the division, individually or as a group, or of advisory committees that the chairperson may appoint.

The division chairperson speaks for the division. In the event that the chairperson believes it necessary to depart from the opinion of the divisional faculty, the chairperson must communicate the divisional faculty opinion as well as the chairperson's recommendation or

advice, stating reasons for differing from the divisional faculty opinion, and notify the divisional faculty of such action.

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PART VIII

UNIVERSITY SYSTEM APPOINTMENTS

A. Administrative Appointments

1. Regular Appointments

The President of the University is appointed by the Board of Trustees with the advice of a joint committee of the Board, faculty, staff, student body, and alumni. The committee shall consist of six members of the Board, at least one of whom shall be from among the three alumni trustees, appointed by its chairperson; three members of the full-time teaching and/or research faculty of the University System, selected by a procedure determined by the University Senate; one member of the full-time staff of the University appointed by the Chairperson of the Board from a list of three staff members elected by the staff of the University; two full-time students of the University, one undergraduate and one graduate or professional student, appointed by the Chairperson of the Board from a list of three undergraduate students and three graduate or professional students selected by a procedure determined by the Student Government Association; and one member of the alumni of the University appointed by the Chairperson of the Board from a list of three alumni selected by the Board of Directors or the Executive Committee of the University of Kentucky Alumni Association. The committee shall provide opportunity for discussion between representatives of administration, faculty, staff, student and alumni groups and prospective presidential candidates.

The ~~chancellors~~Provost, vice presidents, chief administrative officers of educational units (deans, directors, and chairpersons), and every administrative and professional employee of the University who is to report directly to the President or whose position is at Level 50 or above in the Administrative and Professional Classification System shall be appointed by the Board of Trustees, acting upon recommendation of the President. Except in the cases of those individuals who report directly to the President, a recommendation from an appointee's superior officer shall be obtained prior to recommending an appointment or reappointment by the Board of Trustees. Non-faculty employees other than those described above may be appointed by the President, ~~or, if their employment is to be in a chancellor/vice president sector, by the appropriate chancellor/Provost, or appropriate senior vice president/vice president upon recommendation of the appropriate person or persons superior in rank to the appointees.~~ The President shall report all appointments at Levels 47 through 49 in the Administrative and Professional Classification System to the Board of Trustees. The President ~~and the appropriate senior vice president or~~ and the ~~chancellors/Provost/vice presidents~~ may delegate the power to appoint personnel whose appointments are not made by the Board of Trustees to other appropriate administrative officers.

If the Board does not accept the recommendation of the President with respect to an appointment, it shall call upon the President to make another recommendation. Likewise, the President may refuse to approve a recommendation but, in each such case, the President shall ask for a new recommendation. The same principle shall apply at all levels of the administrative organization.

2. Acting Appointments

When vacancies occur in administrative positions other than the presidency, the President or, ~~if the officer is on appointment in a chancellor/vice president sector, the appropriate chancellor/~~Provost or the appropriate senior vice president may appoint acting officers to fill the positions until it is possible to make regular appointments by the established procedure. When the officer is one who does not report directly to the President, the President or ~~the Provost or a chancellor/~~ senior vice president, as appropriate, shall request a recommendation from that officer's superior. If the officer administers a college, school, department, or a community college the appropriate chancellor/vice president also shall request a recommendation from a committee which includes faculty representation from that unit. Acting appointments shall be for a maximum term of one year; however, reappointment may be made after a satisfactory review. All appointments of acting officers shall be reported to the Board of Trustees.

With the approval of the next higher administrative level, a regular administrative officer may designate a temporary officer to serve in an acting capacity for a period not to exceed four months while the regular officer is away from campus on University business or approved leave.

3. Search Committees

Recommendations on the appointment of the chief administrative officers of all educational units of the University shall be made after advice from search committees.

When vacancies in administrative positions are anticipated, search committees shall be appointed sufficiently in advance of the vacancy to avoid the appointment of an acting administrator. When unanticipated vacancies occur, search committees shall be appointed as soon as the established procedures for appointment can be carried out.

Search committees for deans of colleges shall be appointed by the appropriate ~~chancellor/~~Provost or Senior Vice President and Chancellor of the Medical Center after consultation with the Senate Council.

Search committees for directors of schools shall be appointed by the deans of the colleges after consultation with the appropriate faculty bodies within the colleges.

Search committees for chairpersons of academic departments shall be appointed by the deans of the colleges after consultation with (1) the associate dean or director of the school within the college if the department is in such a school; (2) the faculty of the department; and (3) the Dean of the Graduate School if the department is involved in a graduate program.

Search committees for directors of interdisciplinary institutes shall be appointed, after consultation with the Graduate Council, by the Vice President for Research, ~~and Graduate Studies~~ or other ~~specific~~ officer to whom administrative responsibility has been delegated.

A search committee for a president of the Lexington Community College shall be appointed by the ~~Chancellor of the Lexington Campus~~Provost after consultation with the faculty of the College.

Search committees for chairpersons in the Lexington Community College shall be appointed by the President of the College after consultation with at least the tenured faculty members of the appropriate divisions.

Search committees shall operate under procedures prescribed by the President after consultation with the Senate Council.

Recommendations of the search committee shall be transmitted to the President through the normal administrative channels, along with the recommendation of the administrative officer responsible for the appointment. Recommendations on the appointment or reappointment of a chairperson of an academic department or division shall be accompanied by written statements from at least the tenured members of the department or division.

4. Terms of Chairpersons and Directors

a. Department Chairpersons

The term of a department chairperson's appointment shall be four years, except in the Colleges of Agriculture, Dentistry, Human Environmental Sciences, Medicine, Nursing, and Pharmacy where it shall be six years. Ordinarily, a department member will be asked to serve as chairperson for only one term. A chairperson may be reappointed, however, when the faculty advisory committee appointed to review the work of the department (AR II-1.0-6) finds that the particular circumstances and needs of the department make such a reappointment desirable. Reappointment beyond the second term may occur under exceptional circumstances when it is deemed to be in the best interests of the University. This practice may vary from discipline to discipline.

b. Chairpersons of Interdisciplinary Instructional Programs

Insofar as applicable, the rules for the appointment and reappointment of a department chairperson shall apply also to the appointment and reappointment of a chairperson of an interdisciplinary instructional program.

c. Division Chairpersons (Lexington Community College)

The division chairperson shall be appointed for a term of three years and normally shall serve for no more than three consecutive terms. Reappointment beyond the third term may occur under exceptional circumstances when it is deemed to be in the best interest of the community college and has been recommended by a faculty advisory committee.

d. Directors of Multidisciplinary Research Centers and Institutes

The director of a multidisciplinary research center or institute shall be appointed for a term of six years. A director may be reappointed, however, when an ad hoc committee appointed

to review and evaluate the center or institute (AR II-1.0-6) finds that the particular circumstances and needs of the center or institute make such a reappointment desirable.

B. Academic Appointments, Reappointments, Promotions, and Granting of Tenure

All appointments and promotions of faculty to positions which involve (1) an actual or equivalent academic rank of associate professor or professor, (2) tenure, or (3) an initial salary above \$60,000 shall be made by the Board of Trustees, acting upon recommendation of the President. Appointments and promotions of faculty to positions which involve an actual or equivalent academic rank below associate professor and an initial salary not exceeding \$60,000 may be finally approved by the President who shall report such actions (except those relating to graduate teaching and research assistants) to the Board of Trustees. The President may delegate the power to make appointments and promotions that do not require approval by the Board. The President, following consultation with the Senate Council shall establish such review systems as are appropriate to assist the President, or other appropriate administrative officers designated by the President, in making informed judgments concerning academic appointments, promotions, and granting of tenure.

PART X

REGULATIONS AFFECTING ACADEMIC EMPLOYMENT

A. Merit As the Basis for Appointment

All appointments shall be made strictly on the basis of merit. An applicant for a position shall not be discriminated against because of sex, race, ethnic origin, national origin, sexual orientation, color, creed, religion, age, or political belief. Additionally, the University shall not discriminate against any applicant for employment because of Vietnam-era veteran status, disabled veteran status, or physical or mental handicap in regard to any position for which the applicant for employment is qualified.

Members of the Board of Trustees, except those elected to the Board as faculty, staff, or student representatives, and relatives of any member of the Board of Trustees are ineligible for employment at the University. "Relatives", as used above, include 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. Employment includes regular and temporary full- and part-time employment, including student work-study and graduate assistant programs.

No relative of the President shall be employed in a position at the University. Similarly, no relative of ~~a chancellor/the Provost, or any Vice President, or any Associate Provost or Associate Vice President or any vice chancellor in a sector~~ shall be employed in a position in that ~~sector or Central Administration officer's administrative area, as appropriate~~. Waiver of the above regulation may be permitted by the Board of Trustees on a stated temporary basis, not to exceed two years, when it is otherwise impossible practicably to fill a position with a fully qualified person. The same individual shall not be eligible for reappointment under the terms of this exception unless approval is given by the Board of Trustees. No relative of any administrative officer of the University, or of any member of the University faculty, may be appointed to any position in the University over which the related officer or staff member exercises supervisory or line authority. Employment of relatives within the same department or division shall be approved specifically by the ~~chancellor/Provost or senior vice president~~, as appropriate. "Relatives," as used above, include 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. The employment of relatives of University employees, as described in this paragraph, whose relationship was not a violation of this section of the Governing Regulations prior to its amendment on April 10, 1984, does not constitute a violation of the amended policy provided the relatives are regular employees of the University and remain in the University employment positions which they held on April 10, 1984. However, the transfer of any such employees described in this paragraph (whose employment relationship was not a violation of policy prior to its amendment on April 10, 1984) to any other regular University position shall require approval of the President.

B. Tenure

1. Types of Appointment

Faculty appointments shall be of three basic types: (1) non-tenured appointments; (2) tenured appointments; and (3) post-retirement appointments.

There are two types of non-tenured appointments. One type of non-tenured appointment is that in which a faculty member is ineligible for tenure as a consequence of having been appointed: (1) in the research, clinical, adjunct, visiting, or voluntary series of academic ranks and titles; or (2) on a part-time or temporary basis. An appointment on a temporary basis involves an individual who has assigned duties and responsibilities which should be completed within one year or less.

A second type of non-tenured appointment is that in which a faculty member is appointed on a full-time, year-to-year basis in the regular, special title, extension, or librarian series of academic ranks and titles. In such an appointment, the faculty member does not have tenure but may be considered for tenure if recommended for such by the appropriate University administrators.

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

The term "joint appointment" shall apply in any case in which an individual holds two or more intra-University faculty appointments. In such an instance, one of the appointments shall be designated as the primary appointment by the dean of the college if the individual's appointments are associated with educational units in the same college, by the ~~appropriate chancellor/Provost or Senior Vice President and Chancellor of the Medical Center, as appropriate,~~ if the appointments are with educational units in different colleges ~~but in the same chancellor/vice president sector (i.e., Lexington Campus, Medical Center, Research and Graduate Studies, or Information Systems), or by the mutual agreement of the appropriate chancellors/vice presidents if the appointments are with educational units in different chancellor/vice president sectors.~~ The constituent appointments relating to a joint appointment may be processed simultaneously or at different times; however, each appointment should be processed independently and considered on its own merits. An individual's academic rank, though usually the same, may differ in the constituent appointments. The possibility of tenure applies only to the primary appointment. In case of termination of the non-primary appointment(s) leaving only the primary appointment for a full-time faculty member, the individual's assignment associated with the primary appointment shall become full-time.

Post-retirement appointments are of two types. One type is that in which retired employees may be appointed to perform duties for which fee schedules have been established and approved by the ~~appropriate chancellor/Provost or Senior Vice President and Chancellor of the Medical Center.~~

A second type of post-retirement appointment may be used in a very limited number of

cases, when it is essential to a University program or office or when it is otherwise impossible practicably to fill a position with a fully qualified person. Such a part-time or full-time appointment is restricted to former employees who have elected to retire, requires specific prior approval by the Board of Trustees, and is made for a period not to exceed one year.

More detailed information on the various types of appointments is provided in the Administrative Regulations (AR II-1.0-1, AR II-5.0-2, and AR II-1.6-1).

2. Probationary Periods

Probationary periods (or maximum non-tenure periods) are not applicable in cases where faculty members are appointed (1) in the research, clinical, adjunct, visiting, or voluntary series of academic ranks and titles, or (2) on a part-time or temporary basis. In all such appointments, faculty members are ineligible for tenure.

Probationary periods are applicable to non-tenured appointments of faculty members on a full-time year-to-year basis in the regular, special title, extension, or librarian series of academic ranks and titles. Such non-tenured appointments may be for one year or for other stated periods, subject to renewal. The total non-tenure period, however, shall not exceed seven years unless one of the following provisions applies: AR II-1.1-12 (Family Medical Leave); GR X.C.7. (leave for duration of an election or term of office); GR X.C.5.d. (educational leave); or for other leaves of absence where the University, in granting the leave, and the individual, in accepting it, agree that time spent on the leave of absence shall not count as probationary period service. Except as provided in Part X.C.5.d. and X.C.7., time spent on leave of absence shall count as probationary period service unless the University in granting the leave and the individual in accepting it agree to the contrary. An individual initially appointed to the rank of full professor may be given non-tenure status for a period not to exceed one year. An individual shall not remain at the rank of instructor in the University for more than three years. If after that period, promotion to a higher rank cannot be justified, the individual's appointment in the University System or the Community College System of the University of Kentucky shall not be renewed.

Following appropriate probationary periods not exceeding in duration those described above, all persons of associate professor or higher rank shall be given tenure or their appointments shall not be renewed; all persons of assistant professor rank (or equivalent as adjudged by the President) shall be promoted to associate professor with tenure or their appointments shall not be renewed. Established appointment, promotion, and review procedures shall be followed in making these decisions.

Existing tenure appointments are not affected by any of the foregoing regulations.

3. Appointment Record

The precise terms and conditions, excepting salary, covering each appointment shall be stated in writing on an official appointment record. Notice of reappointment shall be in the possession of the appropriate administrative officers and the appointee at least three months before

the renewed appointment begins, when possible, or at the earliest date feasible in view of budget considerations. It shall be the responsibility of the ~~appropriate chancellor/vice president~~ Provost or Senior Vice President and Chancellor of the Medical Center to insure compliance with this regulation.

4. Notification of Non-Renewal of Appointment: Non-Tenured 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 not later than March 1 if the appointment expires at the end of that year or three months in advance if the one-year appointment terminates during the academic year. Notification of non-renewal of appointment at the end of the second year of service shall be given no later than December 15 if the appointment expires at the end of the year or six months in advance if the appointment expires during the year. Notification of non-renewal of appointment after more than two years of service shall be given at least 12 months before expiration of appointment.

Any related appeal(s) to the ~~appropriate~~ Provost or the Senior Vice President and Chancellor of the Medical Center ~~chancellor/vice president~~ concerning procedural matters or privilege and/or to the Advisory Committee on Privilege and Tenure of the University Senate or the Senate of the Community College System 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 or president of the college about non-renewal of appointment.

5. Termination of Appointment

a. 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.

In a case of termination because of a financial emergency, the faculty member may have the issues reviewed by the Advisory Committee on Privilege and Tenure of the University Senate or the Senate of the Community College System with the right of appeal to the President and the Board of Trustees for the University System faculty member and to the President of the Kentucky Community and Technical College System for the University of Kentucky Community College System faculty member. 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.

b. 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 settlement, the ~~appropriate chancellor/vice president~~ Provost shall be responsible for the preparation of a reasonably particularized statement of charges which shall be furnished to the faculty member and the Advisory Committee on Privilege and Tenure of the University Senate or the Senate of the Community College System. The committee shall make an informal investigation for the purpose of attempting to effect an adjustment and, in the case of failure, shall recommend to the President of the University of Kentucky for University System faculty or the President of the Kentucky Community and Technical College System for Community College faculty whether, in its opinion, dismissal proceedings should be undertaken. Its opinion shall not be binding upon the President of the University of Kentucky for University System faculty or the President of the Kentucky Community and Technical College System for Community College faculty.

If the President of the University of Kentucky for University System faculty or the President of the Kentucky Community and Technical College System for Community College faculty initiates dismissal proceedings, the concerned individual shall have the right to be heard initially by the Hearing Committee (Privilege and Tenure) of the University Senate or the Senate of the Community College System.

The faculty member shall be informed in writing by the President of the University of Kentucky for University System faculty or the President of the Kentucky Community and Technical College System for Community College faculty 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 of the University of Kentucky for University System faculty or the President of the Kentucky Community and Technical College System for Community College faculty 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 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 of the University of Kentucky for University System faculty or the President of the Kentucky Community and Technical College System for Community College faculty that adequate cause for dismissal has or has not been established by the evidence in the record. It may, in addition, recommend that, although adequate cause for dismissal has been established, an academic penalty less than dismissal would be more appropriate, giving supporting reasons for the recommendation. If the President of the University of Kentucky for University System faculty or the President of the Kentucky Community and Technical College System for Community College faculty 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 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 the final decision after a study of the Hearing Committee's reconsideration.

c. 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 Advisory Committee on Privilege and Tenure of the University Senate or the Senate of the Community College System. Salary shall be continued during the period of suspension.

6. 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 must present their allegations in writing to the Advisory Committee on Privilege and Tenure of the University Senate or the Senate of the Community College System within 60 days after being notified in writing by their respective deans or presidents of colleges of the decisions not to reappoint. Allegations so presented shall be given preliminary consideration by the appropriate 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 5-b 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.

7. 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.

8. 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 have alleged violation of academic freedom.

9. 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).

10. 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 Advisory Committee on Privilege and Tenure of the University Senate or the Senate of the Community College System.

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 Hearing Committee (Privilege and Tenure) of the University Senate or the Senate of the Community College System.

11. 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 a change of assignment being regarded as a violation of the individual's tenure rights.

C. Conditions of Employment

1. Terms of Assignment

Academic assignments are made on academic year, ten-month, eleven-month, and twelve-month bases.

2. Vacation Leave

All full-time faculty members on a ten-month, eleven-month, or twelve-month assignment basis shall be entitled to 22 working days of vacation leave with pay per assignment period. With prior administrative approval, faculty members may take vacation leave at appropriate times during the period in which they are eligible to take such leave; however, each member of the teaching faculty shall be in actual attendance at least until after Commencement and until all reports have been made, and at least three days prior to the first day of registration for the fall semester, unless for special reasons leave is approved. Vacation leave normally cannot be accumulated from one assignment period to another, except that a faculty member on a twelve-month assignment basis may take vacation leave either during the assignment period in which the vacation leave is earned or during the subsequent assignment period. Under unusual circumstances, provided it is in the best interest of the University and has advance approval by the ~~appropriate chancellor/vice president~~, Provost or Senior Vice President and Chancellor of the Medical Center, a faculty member on a ten-month or an eleven-month assignment basis also may take unused vacation leave during the assignment period following that in which the vacation leave was earned. Pay for unused vacation leave shall be limited to a maximum of 22 days at the end of employment.

3. Professional Practices

a. General Policies

During their annual assignment period (whether academic year, ten months, eleven-months, or twelve months) faculty and research staff members are expected to serve the

University full-time. It is expected that they will be interested primarily in the work of their particular educational unit, giving their chief effort to the promotion of its needs.

A member of the University's academic staff shall, under certain conditions, be permitted to engage, as an expert, in professional employment (consulting or professional practice) outside the University for pay. 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. Conditions under which such employment may be undertaken are as follows:

(1) Such employment should not interfere with the fundamental responsibility of the faculty member to meet regularly assigned duties and inherent obligations to teaching and research, including being regularly available to students and colleagues, which are normally expected of a full-time faculty member and for which the faculty member receives compensation from the University.

(2) Such employment requires prior approval in writing by the appropriate University official.

All proposals to undertake outside employment shall be made in writing to the chairpersons whose recommendations shall be forwarded to the respective deans or presidents of colleges and thence, unless specified otherwise in the Administrative Regulations (AR II-1.1-1), to the ~~appropriate chancellor/vice president~~ Provost or Senior Vice President and Chancellor of the Medical Center for final action. Such proposals shall indicate the nature of the work to be performed, the estimated amount of time involved, the duration of the employment, and the scale of compensation. These proposals shall become a matter of record by the ~~appropriate chancellor/vice president~~ Provost or Senior Vice President and Chancellor of the Medical Center who shall transmit quarterly to the President of the University full information about those that have received approval and those that have been denied. The President, in turn, shall report periodically to the Board of Trustees.

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 reasons for the decision.

Requests should be specific. Approvals shall not be granted for blanket authorizations to consult or to engage in professional practice.

(3) Such employment shall be governed by time limitations stated in the Administrative Regulations (AR II-1.1-1).

(4) Such employment must avoid creating a conflict of interest. Each faculty member shall be expected to exercise sound judgment in requesting approval of outside employment, keeping in mind with utmost care the matter of conflict of interest.

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. Interpretations as to conflicts of interest in particular factual situations are to be made by the President of the University with the proviso that an adverse decision can be appealed to the Hearing Committee of the Board of Trustees.

b. Services Plans

Documents detailing the administration Services Plans approved by the Board of Trustees appear as a part of the Administrative Regulations.

4. Intellectual Property

As a general policy, 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 shall be owned and controlled by the University. Any member of the faculty, staff, or student body of the University who produces such intellectual property using University funds, facilities, or other resources shall assign personal rights to the property to the University, or its designate, but shall have an interest in and a right to share in any financial returns from the commercialization of the property. Notwithstanding, it is a specific policy of the University that the traditional products of scholarly activity, such as journal articles, textbooks, reviews, monographs, works of art, sculpture, music, and course materials, shall be the unrestricted property of the author. The University will exert no ownership claim of such works. A Standing Committee on Intellectual Property appointed by the President will administer the policy and oversee implementation of the procedures, both as detailed in the Administrative Regulation on intellectual property (AR II-1.1-3).

5. Leaves of Absence

a. Sabbatical Leave

The purpose of sabbatical leave is to provide opportunities for study, research, creative effort, improvement of teaching capabilities and methods, and related travel in order that the quality of each recipient's service to the University may be enhanced.

Faculty members who have full-time non-tenured or tenured appointments in the regular, special title, extension, or librarian series with the rank of assistant professor or higher, or of equivalent rank for this purpose as determined by the President, are eligible for leaves of absence after six years of continuous service in the rank of instructor or higher at the University, or for leaves of absence under a different option after three years of continuous service. All such leaves of absence shall be approved by the President or the President's designated representative.

After six years of continuous eligible service, an individual may apply for one year's leave (academic year for appointees on academic year, ten-month, or eleven-month assignments) at one-half salary or six months' leave (academic semester for appointees on academic year, ten-month, or eleven-month assignments) at full salary. After three years of continuous eligible service, an appointee may apply for six months' leave (academic semester for appointees on academic year, ten-month, or eleven-month assignments) at one-half salary. Normally "continuous service" is interrupted by a sabbatical leave; that is, no service prior to a sabbatical leave may be credited toward eligibility for future sabbatical leave. However, in the event that it becomes necessary for an individual to postpone a sabbatical leave at the request of and/or for the benefit of the University or one of its educational units, the period of postponement shall be counted as part of the six years of service necessary for the individual to again become eligible for sabbatical leave. The request for and/or agreement that the sabbatical leave be postponed must be made in writing by the dean or president of the individual's college and be approved by the ~~appropriate chancellor/vice president~~ Provost or Senior Vice President and Chancellor of the Medical Center. The request or agreement must specify the period of postponement and the reason for it. In no case shall cumulative sabbatical leave be granted for a single period longer than one full year at full salary. Leaves of absence without pay are not normally credited toward eligibility for sabbatical leave. However, exception may be made when the leave enhances the value of the individual to the University, e.g., a leave to accept a fellowship or a grant, service for professional organizations, and so forth. In no case shall the leave of absence without pay be considered as an interruption of continuous service.

Sabbatical leave shall not be used as a means of augmenting personal income. A recipient may not accept gainful employment during a sabbatical leave (for an individual on an academic year assignment basis, this does not include the period of May 16 through August 15; for an individual on a ten-month or eleven-month assignment basis, this does not include the period of vacation and the one or two months outside the assignment period each fiscal year; for an individual on a twelve-month assignment basis, this does not include the one-month vacation period) except as follows:

A fellowship, grant-in-aid, or government-sponsored exchange lectureship may be accepted for the period of the leave if acceptance will promote the purpose of the leave and is approved by the President or the President's designated representative.

For those on one-year leave, additional salary not to exceed one-half of the regular academic salary may be accepted for (1) work performed during the sabbatical leave on research projects administered by the University with funds from government or private grants or contracts when the terms of the grant or contract authorize the usage of such funds, and when the work to be performed is significantly related to the studies planned for the leave; (2) work on a research grant at another university; (3) research work in a government laboratory; or (4) work as a research professor or associate in another university. Any arrangements pursuant to this paragraph must be approved by the President or the President's representative.

In neither of the above instances shall a recipient's total income attributable to a sabbatical leave project exceed the individual's regular academic salary. Sabbatical leave shall

be granted with the understanding that the recipient, following the leave of absence, will continue service at the University for at least one academic year.

b. Other Leaves with Pay

(1) Sick Leave for Faculty

Sick leave may be granted to faculty by the ~~appropriate chancellor/vice president~~ Provost or Senior Vice President and Chancellor of the Medical Center. Eligible faculty who are totally disabled are entitled to six months' sick leave with pay after which the Long Term Disability Plan, for which the University pays the full cost, becomes operative. Sick leave with pay for more than six months requires approval by the Board of Trustees.

(2) Miscellaneous

The ~~President~~ Senior Vice President for Administration or, for individuals ~~on appointment in an academic sector~~ on an academic appointment, the ~~appropriate chancellor/vice president~~ Provost or the Senior Vice President and Chancellor of the Medical Center may grant leaves of absence with pay for a period not to exceed thirty days for the purpose of permitting an appointee to attend a professional meeting, serve temporarily with an outside agency, serve in the military forces of the United States, or for other good cause. Such leaves of absence with pay for more than thirty days require approval of the Board of Trustees.

c. Leave Without Pay

Upon the recommendation of the appropriate administrative officers and approval of the ~~President, Provost, the Senior Vice President and Chancellor of the Medical Center or the Senior Vice President for Administration or, for individuals on appointment in a chancellor/vice president sector, the appropriate chancellor/vice president~~, a member of the faculty or staff may be given a leave of absence without pay. Ordinarily such leave shall not be granted for a period in excess of one year (12 months). However, such leave may be extended on application and approval by the appropriate administrative officers. The best interests of the University shall be a major consideration in granting an extension of any such leave.

d. Educational Leave

To pursue an advanced degree at the University of Kentucky in accordance with Part X.C.6 of these Governing Regulations, faculty members may request half-time or more leave, with proportional reduction in salary. If such educational leave for faculty development is recommended by the dean or president of the college and approved by the ~~appropriate chancellor/vice president~~ Provost, or the Senior Vice President and Chancellor of the Medical Center, as appropriate, the faculty members shall be entitled to normal faculty benefits and privileges during the period of temporary change in status. Although a period of educational leave shall not be credited toward eligibility for sabbatical leave, it shall not be considered as an interruption of continuous service. Also, for non-tenured faculty members, such a period of

educational leave shall not be counted as probationary period service.

e. Scholarly Fellowship Leave

To accept a scholarly fellowship which allows a faculty member to pursue a program of research, and which the funding agency will not process through the University, faculty members may request leave with partial pay. If such leave is recommended by the dean or president of the college and approved by the ~~appropriate chancellor/vice president~~ Provost or Senior Vice President and Chancellor of the Medical Center, as appropriate, the faculty member shall be entitled to normal faculty benefits and privileges during the period of temporary change in status. Time spent on scholarly fellowship leave shall count as probationary period service unless the University in granting the leave and the individual accepting it agree to the contrary.

6. Faculty Members As Candidates for Degrees

Members of the faculty, except those in the Community College System, having a rank higher than that of instructor may not be considered as candidates for degrees in the discipline in which they are employed and hold academic rank. Faculty members pursuing degrees above the master's degree at the University of Kentucky may not hold more than a half-time work assignment either during the two full-time, consecutive resident semesters preceding the qualifying examination or during the two semesters of full-time dissertation study immediately following the qualifying examination.

7. Faculty Members As Scholars and Citizens

It is the policy of the University to maintain and encourage within the law full freedom of inquiry, discourse, teaching, research, and publication and to protect members of the academic staff against influences, from inside or outside the University, which will restrict them in the exercise of these freedoms in their areas of scholarly interest. Teachers and students shall be permitted and encouraged to investigate any theory, challenge any premise, engage in political and social debate, and to express their dissent, without jeopardy to their academic careers, provided their behavior is not in violation of the law and does not interfere with the normal operation of the educational programs of the University.

In their roles as citizens, faculty members have the same freedoms as other citizens, without institutional censorship or discipline, although they should be mindful that accuracy, forthrightness, and dignity befit their association with the University and their positions as scholars. When faculty members speak or write as citizens, they should indicate that they are not speaking for the University.

Like other citizens, faculty members are free to engage in political activities so far as they are able to do so within the law consistent with their obligations as teachers and scholars. When necessary, leaves of absence without pay may be given for the duration of an election campaign or a term of office, provided that there has been timely application for leave and that the requested leave is limited to a reasonable period of time. The terms of a leave of absence for this purpose

shall be set forth in writing. The leave shall not affect unfavorably the tenure status of a faculty member, except that the time spent on such leave from academic duties will not count as probationary service unless agreed to otherwise.

Elective and appointive part-time services on boards and commissions to which members of the University staff are prepared to provide exceptional services shall be governed by policies on professional practice (X.C.3).

8. Retirement

The University of Kentucky Retirement Plan represents a consolidation of the original Retirement Resolution (April 7, 1964) and its numerous subsequent amendments into a unified statement of University policy and guidelines on retirement of employees in Groups I, II, III, IV, and V. The University of Kentucky Retirement Plan, which has been adopted by the Board of Trustees and may be amended only by that body, is presented in its entirety in the Administrative Regulations (AR II-1.6-1).

9. Social Security

All employees of the University of Kentucky except those in Civil Service are covered by the Old-Age and Survivors Insurance of the National Social Security Program and are thus eligible for benefits in accordance with the governing legislation. Each eligible employee of the University must, if the employee has not previously done so, secure a Social Security card and supply to the Office of the Controller and Treasurer a completed Treasury Form W-4 with the employee's Social Security number and other information necessary for withholding insurance contributions.

10. Group Insurance

Regular full-time faculty and staff who are employed by the University are insured under the Basic Life Insurance Program. This insurance may be increased optionally to a total of one, two, or three times the employee's basic annual salary. The premium for the basic insurance is paid by the University, whereas that for the optional increase in insurance is paid by the employee.

In addition, all regular full-time employees are encouraged to participate in the University's basic hospital-medical and accident insurance programs which also may include coverage for dependents.

11. Workers' Compensation

A University employee sustaining an on-the-job injury or developing a job-related illness is covered by provisions of the Kentucky Workers' Compensation Act.

12. Employee Disability Program

Regular full-time faculty and staff, other than those covered by Civil Service or the

Federal Employee Retirement System, are covered by the Long Term Disability Program. Coverage commences after the completion of one year of employment unless the eligible employee, at the time of hire, satisfies the exception condition as outlined in the plan document in which case there is immediate coverage. This program provides income protection through a Long Term Disability Plan and, in some cases, supplemental benefits by the University. The University pays the full cost of this program.

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PART XI
STUDENT AFFAIRS

A. University of Kentucky Student Government Association

The University of Kentucky Student Government Association is recognized by the Board of Trustees, administration, and the University Senate as the official student body authority in University matters to insure a maximum of self-government and to create mutual respect and liaison between students and the faculty and administration. It shall provide services to the students, faculty, and administration of the University and represent student opinion to the faculty, administration, and Board of Trustees. It may have responsibilities delegated to it by the President, the Office of the ~~Vice Chancellor~~Associate Provost for Student Affairs for the ~~Lexington Campus~~, and/or the University Senate.

The President of the University of Kentucky Student Government Association shall be considered to be the president of the student body of the University specified in KRS 164.130.

The University of Kentucky Student Government Association shall be representative of the student body of the University System of the University of Kentucky. It is authorized to develop rules for its composition and procedures which are consistent with rules and regulations of the University. Copies of these rules shall be supplied to all members of the student body of the University System, the Secretary of the University Senate, the ~~Vice~~Associate Provost for Student Affairs for the ~~Lexington Campus~~, the President of the University, and the Secretary of the Board of Trustees.

For purposes of budget and other matters relating to finance, the University of Kentucky Student Government Association is responsible to an administrative officer designated by the President.

The student government in the University shall adhere to all rules and regulations adopted by the Board of Trustees.

B. Student-University Relationships

The non-academic relationships between University System students on the Lexington campus and Lexington Community College students and the University are covered in the document entitled, Student Rights and Responsibilities. Part I. Code of Student Conduct: Rules, Procedures, Rights and Responsibilities Governing Non-Academic Relationships, which has been adopted by the Board of Trustees and may be amended only by that body.

The academic relationships between University System students and the University are incorporated in the document entitled, Student Rights and Responsibilities. Part II. Selected Rules of the University Senate Governing Academic Relationships. The rules in Part II have been adopted and may be amended by the University Senate.

Copies of the document, Student Rights and Responsibilities: Parts I and II, shall be made available to all students in the University System and the Lexington Community College. Registration by the student constitutes acceptance of these student-University relationships. In no case, however, shall this preclude legitimate efforts to obtain amendments to this basic document covering these relationships.

The non-academic relationships between Community College System students, excepting Lexington Community College students, and the University are covered in the document entitled, Code of Student Conduct: Rules, Procedures, and Responsibilities, which has been adopted by the Board of Trustees and may be amended only by that body. The academic relationships between Community College System students, including Lexington Community College students, and the University are defined in the Rules of the Senate of the Community College System (Section I, Student Academic Affairs). These rules have been adopted and may be amended by the Senate of the Community College System.

Copies of the documents discussed in the preceding paragraph shall be made available to all Community College System students, including Lexington Community College students. Registration by the student constitutes acceptance of these student-University relationships. In no case, however, shall this preclude legitimate efforts to obtain amendments to these documents covering these relationships.

Maximum efforts should be made by administrative officers, student government organizations, and the University Senate to maintain liaison through advisory and coordinating committees concerning student-University relationships.

PART XV

APPENDIX: POWERS AND DUTIES
OF THE COUNCIL ON POSTSECONDARY EDUCATION

~~164.020. POWERS AND DUTIES OF COUNCIL. The Council on Postsecondary Education in Kentucky shall:~~

~~(1) — Develop and implement the strategic agenda with the advice and counsel of the Strategic Committee on Postsecondary Education. The council shall provide for and direct the planning process and subsequent strategic implementation plans based on the strategic agenda as provided in Section 6 of this Act;~~

~~(2) — Revise the strategic agenda and strategic implementation plan with the advice and counsel of the committee as set forth in Section 4 of this Act;~~

~~(3) — Develop a system of public accountability related to the strategic agenda by evaluating the performance and effectiveness of the state's postsecondary system. The council shall prepare a report in conjunction with the accountability reporting described in Section 84 of this Act, which shall be submitted to the committee, the Governor, and the General Assembly by December 1 annually. This report shall include a description of contributions by postsecondary institutions to the quality of elementary and secondary education in the Commonwealth;~~

~~(4) — Review, revise, and approve the missions of the state's universities and the Kentucky Community and Technical College System. The Council on Postsecondary Education shall have final authority to determine the compliance of postsecondary institutions with their academic, service, and research missions;~~

~~(5) — Establish and ensure that all postsecondary institutions in Kentucky cooperatively provide for an integrated system of postsecondary education. The council shall guard against inappropriate and unnecessary conflict and duplication by promoting transferability of credits and easy access of information among institutions;~~

~~(6) — Engage in analyses and research to determine the overall needs of postsecondary education in the Commonwealth.~~

~~(7) — Develop plans that may be required for federal legislation. The Council shall for all purposes of federal legislation relating to planning be considered the "single state agency" as that term may be used in such federal legislation; provided, however, that when such federal legislation requires additional representation on any such "single state agency" the Council on Postsecondary Education shall establish such advisory groups as may be necessary to satisfy such federal legislative or regulatory guidelines.~~

~~(8) — Determine tuition and approve the minimum qualifications for admission to the state the postsecondary educational system. In determining the tuition for non-Kentucky residents, the~~

~~Council shall consider the fees required of Kentucky students by institutions in adjoining states, the resident fees charged by other states, the total actual per student cost of training in the institutions for which the fees are being determined, and the ratios of Kentucky students to non-Kentucky students comprising the enrollments of the respective institutions, and such other factors as the Council may in its sole discretion deem pertinent.~~

~~(9) — Devise, establish, and periodically review and revise policies to be used in making recommendations to the Governor for consideration in developing recommendations to the General Assembly for appropriations to the universities and the Kentucky Community and Technical College System. The council has sole discretion, with advice of the Strategic Committee on Postsecondary Education and the executive officers of the postsecondary education system, to devise policies that provide for allocation of funds among the universities and the Kentucky Community and Technical College System.~~

~~(10) — Lead and provide staff support for the biennial budget process as provided under KRS Chapter 48, in cooperation with the committee.~~

~~(11a) — Except as provided in paragraph b of this subsection, review and approve all capital construction projects covered by KRS 45.750(1)(f), including real property acquisitions, and regardless of the source of funding for projects or acquisitions.. Approval of capital projects and real property acquisitions shall be on a basis consistent with the strategic agenda and the mission of the respective universities and the Kentucky Community and Technical College System.~~

~~(11b) — The organized groups that are establishing community college satellites as branches of existing community colleges in the counties of Laurel, Leslie, and Muhlenburg, and that have substantially obtained cash, pledges, real property, or other commitments to build the satellite at no cost to the Commonwealth, other than operating costs that shall be paid as part of the operating budget of the main community college of which the satellite is a branch, are authorized to begin construction of the satellite on or after January 1, 1998.~~

~~(12) — Require reports from the executive officer of each institution it deems necessary for the effectual performance of its duties;~~

~~(13) — Develop a university track program within the Kentucky Community and Technical College System consisting of sixty (60) hours of instruction that can be transferred and applied toward the requirements for a bachelor's degree at the public universities. The track shall consist of general education courses and pre-major courses as prescribed by the council. Courses in the university track program shall transfer and apply toward the requirements for graduation with a bachelor's degree at all public universities. Successful completion of the university track program shall meet the academic requirement for transfer to a public university as a junior. By fall semester of 1997, requirements for track programs shall be established for all majors and baccalaureate degree programs;~~

~~(14) — Define and approve the offering of all postsecondary education, technical associate, baccalaureate, graduate, and professional degree, certificate, or diploma programs in the public postsecondary education institutions. The council shall expedite wherever possible the approval~~

~~of requests from the Kentucky Community and Technical College System board of regents relating to new certificate, diploma, technical, or associate degree programs of a vocational-technical and occupational nature. Without the consent of the General Assembly, the council shall not abolish or limit the total enrollment of the general program offered at any community college to meet the goal of reasonable access throughout the Commonwealth to a two (2) year course of general studies designed for transfer to a baccalaureate program. This does not restrict or limit the authority of the council, as set forth in this section, to eliminate or make changes in individual programs within that general program.~~

~~(15) — Eliminate, in its discretion, existing programs or make any changes in existing academic programs at the state's postsecondary educational institutions, taking into consideration these criteria:~~

- ~~—— (a) — Consistency with the institution's mission and the strategic agenda;~~
- ~~—— (b) — Alignment with the priorities in the strategic implementation plan for achieving the strategic agenda;~~
- ~~—— (c) — Elimination of unnecessary duplication of programs within and among institutions; and~~
- ~~—— (d) — Efforts to create cooperative programs with other institutions through traditional means, or by use of distance learning technology and electronic resources, to achieve effective and efficient program delivery;~~

~~(16) — Ensure the governing board and faculty of all postsecondary education institutions are committed to providing instruction free of discrimination against students who hold political views and opinions contrary to those of the governing board and faculty;~~

~~(17) — Review proposals and make recommendations to the Governor regarding the establishment of new public community colleges, technical institutions, and new four-year colleges;~~

~~(18) — Postpone the approval of any new program at a state postsecondary educational institution, unless the institution has met its equal educational opportunity goals, as established by the council. In accordance with administrative regulations promulgated by the council, those institutions not meeting the goals shall be able to obtain a temporary waiver, if the institution has made substantial progress toward meeting its equal educational opportunity goals;~~

~~(19) — Ensure the coordination, transferability, and connectivity of technology among postsecondary institutions in the Commonwealth including the development and implementation of a technology plan as a component of the strategic agenda;~~

~~(20) — Approve the teacher education programs in the public institutions that comply with standards established by the Education Professional Standards Board pursuant to Section 66 of this Act;~~

~~(21) — Constitute the representative agency of the Commonwealth in all matters of postsecondary education of a general and statewide nature which are not otherwise delegated to one or more~~

institutions of postsecondary learning. Such responsibility may be exercised through appropriate contractual relationships with individuals or agencies located within or without the Commonwealth. The authority includes but is not limited to contractual arrangements for programs of research, specialized training, and cultural enrichment;

(22) — Maintain procedures for the approval of a designated receiver to provide for the maintenance of student records of the public institutions of higher education and the colleges as defined in KRS 164.945, and institutions operating pursuant to KRS 165A.310 which offer collegiate level courses for academic credit, which cease to operate. Procedures shall include assurances that, upon proper request, subject to federal and state laws and regulations, copies of student records shall be made available within a reasonable length of time for a minimum fee;

(23) — Monitor and transmit a report on compliance with KRS 164.351 to the director of the Legislative Research Commission for distribution to the Health and Welfare Committee;

(24) — Develop in cooperation with each state postsecondary educational institution a comprehensive orientation program for new members of the council and the governing boards. The orientation program shall include, but not be limited to, the information concerning the roles of the council, the strategic agenda and the strategic implementation plan, and the respective institution's mission, budget, plans, policies, strengths, and weaknesses;

(25) — Develop a financial reporting procedure to be used by all state postsecondary education institutions to ensure uniformity of financial information available to state agencies and the public;

(26) — Select and appoint a president of the council under Section 5 of this Act;

(27) — Employ consultants and other persons and employees as may be required for the council's operations, functions, and responsibilities;

(28) — Promulgate administrative regulations, in accordance with KRS Chapter 13A, governing its powers, duties, and responsibilities as described in this section;

(29) — Prepare and present by January 31 of each year an annual status report on postsecondary education in the Commonwealth to the Governor, the Strategic Committee on Postsecondary Education, and the Legislative Research Commission;

(30) — Ensure that the state postsecondary system does not unnecessarily duplicate services and programs provided by private postsecondary institutions and shall promote maximum cooperation between the state postsecondary system and private postsecondary institutions;

(31) — Create advisory groups representing the presidents, faculty, nonteaching staff, and students the public postsecondary education system and the independent colleges and universities;

(32) — Develop a statewide policy to promote employee and faculty development in all postsecondary institutions through the waiver of tuition for college credit course work in the public postsecondary education system. Any regular full-time employee of a postsecondary public

~~institution may, with prior administrative approval of the course offering institution, take a maximum of six (6) credit hours per term at any public postsecondary institution. The institution shall waive the tuition up to a maximum of six (6) credit hours per term; and~~

~~(33) — Exercise any other powers, duties, and responsibilities necessary to carry out the purpose of this chapter. Nothing in this chapter shall be construed to grant the Council on Postsecondary Education authority to disestablish or eliminate any college of law which became a part of the state system of higher education through merger with a state college.~~

PR 3B

Office of the President
September 18, 2001

Members, Board of Trustees:

APPROVAL OF NEW POLICY REGARDING RETIRING STAFF

Recommendation: that the Board of Trustees approves a new policy permitting the conferral of Emeritus Staff Status.

Background: The University has a policy that permits tenured faculty to retire with the title “Emeritus.” The new policy permits, in a limited number of cases, a staff employee to retire with the title “Emeritus Staff” for a particular position. The policy permits, upon recommendation of the Provost, the Senior Vice President for Administration, Senior Vice President and Chancellor of the Medical Center, the President to forward to the Board for approval of the Emeritus Staff title to a retiring staff member who has provided outstanding and honorable service to the University. The recommendation would grant the Emeritus Staff title to a staff member who (a) has at least fifteen years of continuous University Service; (b) is serving, at the time of retirement, in a staff position requiring a level of expertise that can only be gained through prolonged period of outstanding University service; (c) evidences extraordinary and meritorious contributions to the fulfillment of the mission of the goals of the University; and (d) has made noteworthy contributions to the nominee's professional field.

The policy is a staff relation policy that rewards particularly outstanding staff, has no fiscal ramifications, and can create excellent relations with a long-term staff member who becomes a retiree.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

AACR 1

Office of the President
September 18, 2001

Members, Board of Trustees:

CHANGE IN NAME OF AN EDUCATIONAL UNIT

Recommendation: that the Board of Trustees approve the change in the name of the Department of Classical Languages and Literatures to the Department of Classics.

Background: When the Department was separated from German in 1969, the name Department of Classical Languages and Literatures was used in order to reflect the fact that the Department was almost exclusively concerned with the teaching of the Latin and Greek languages and literatures. Since that time, this department, and the field of Classics in general, has undergone a revolution in the nature of the courses taught. Classical civilization courses now comprise the bulk of department enrollments. None of the University's benchmarks has a Department of Classical Languages and Literatures. The preferred designation for Classics Departments today is either "Department of Classics" or "Department of Classical Studies." The name change brings the name of the Department into conformity with current usage within the university and within the academic community at large.

The proposed change has been approved by the faculty in the Department and the College of Arts and Sciences; reviewed and recommended by the Senate Committee on Academic Organization and Structure and the Senate Council; and approved by the University Senate. The Provost of the University supports this recommendation.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 1

Office of the President
September 18, 2001

Members, Board of Trustees:

ACCEPTANCE OF AUDIT REPORT
FOR THE UNIVERSITY OF KENTUCKY FOR 2000-01

Recommendation: that the Board of Trustees accept the University of Kentucky Consolidated Financial Statements for the year ended June 30, 2001, consisting of the Consolidated Balance Sheet, Consolidated Statement of Changes in Fund Balances, Consolidated Statement of Current Funds Revenues, Expenditures and Other Changes, Summary of Significant Accounting Policies, and Notes to Financial Statements.

Background: The Audit Subcommittee of the Finance Committee of the University of Kentucky has reviewed the Consolidated Financial Statements for the year ended June 30, 2001, that have been audited by Deloitte & Touche LLP, Certified Public Accountants. The Consolidated Financial Statements are presented on a comparative basis for fiscal years ended June 30, 2000 and 2001. The Consolidated Financial Statements include the financial operations of the University of Kentucky and its nine affiliated corporations, consisting of the University of Kentucky Research Foundation, The Fund for Advancement of Education and Research in the University of Kentucky Medical Center, University of Kentucky Athletic Association, University of Kentucky Mining Engineering Foundation, Inc., University of Kentucky Business Partnership Foundation, Inc., University of Kentucky Humanities Foundation, Inc., University of Kentucky Equine Research Foundation, Inc., University of Kentucky Center on Aging Foundation, Inc., and Health Care Collection Service, Inc.

NOTE: This FCR contains additional documentation. To obtain a complete copy, please contact
Office of Controller and Treasurer
301 Peterson Service Building
UK Campus 0005
859-257-4758

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 2

Office of the President
September 18, 2001

Members, Board of Trustees:

CAPITAL CONSTRUCTION REPORT

Recommendation: that the capital construction report for the three months ending June 30, 2001, be accepted. This report refers only to projects that had activity within this quarter.

Background: Under House Bill 622 enacted in the 1982 session of the Kentucky General Assembly, the University is authorized to enter into architectural, engineering, and related consultant contracts for the purpose of accomplishing capital construction at the University of Kentucky.

NOTE: This FCR contains additional documentation. To obtain a complete copy, please contact
Pam Lowery
Capital Project Management
225 Peterson Service Building
UK Campus 0005
859-257-5911

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 3

Office of the President
September 18, 2001

Members, Board of Trustees:

UNIVERSITY OF KENTUCKY EYE FOUNDATION, INC.

Recommendation: that the Board of Trustees approve the incorporation of the University of Kentucky Eye Foundation under the Articles of Incorporation attached hereto.

Background: The University of Kentucky Eye Foundation is incorporated as a non-profit corporation under the provisions of Chapter 273 of the Kentucky Revised Statutes for the purposes of supporting the education, research and care programs of the Department of Ophthalmology and the College of Medicine for the benefit of the people of the Commonwealth of Kentucky. The Eye Foundation will solicit and receive gifts, bequests and devises for the support of eye care, research and education. The Foundation will assist in raising funds to be used to construct an eye institute facility and other facilities to support eye care, research and education. The Foundation will build an endowment fund and other funds from which will be disbursed such monies as its Board of Directors determines are necessary and appropriate to support the aforementioned purposes of the Foundation.

Action taken: ☐ Approved ☐ Disapproved ☒ Other Withdrawn

**ARTICLES OF INCORPORATION
OF
UNIVERSITY OF KENTUCKY EYE FOUNDATION, INC.**

KNOW ALL MEN BY THESE PRESENTS THAT:

We, James W. Holsinger, Jr., M.D., Ph.D.; Emery A. Wilson, M.D.; Richard P. Mills, M.D., M.P.H.; William N. Offutt, M.D.; Micheal B. Minix, Sr., M.D.; and John W. Collins, M.D. the undersigned, acting as incorporators of a non-profit corporation under the provisions of Chapter 273 of the Kentucky Revised Statutes, do hereby adopt the following Articles of Incorporation.

ARTICLE I

The name of the corporation shall be the University of Kentucky Eye Foundation, Inc.

ARTICLE II

The period of duration of the corporation shall be perpetual unless terminated pursuant to law.

ARTICLE III

The corporation is organized to support excellence in eye care, research, and education for the people of the Commonwealth of Kentucky. To that end, the purposes of the corporation shall include, but not be limited to, the following:

(1) To solicit and receive gifts, bequests, and devises of things of value and accept the same (subject to such conditions and trusts as may be imposed thereon) for the support of eye care, research, and education.

(2) To build an endowment fund and such other funds as may be desirable; and further, to advise as to the creative management of said funds; and further, to disburse therefrom, from time to time, such monies as may be determined by the hereinafter named Board of

Directors, all in accordance with the limitations of any gifts, bequests, or devises which may come to the corporation.

(3) To assist in raising and holding the funds necessary to construct an eye institute facility or other facilities deemed necessary and appropriate for the support of eye care, research, and education.

(4) To foster and support educational, research, and clinical activities in, but not limited to, the following areas: prevention, causes, diagnosis, and treatment of eye diseases and related disorders.

(5) To conduct any and all activities related or appurtenant to the above purposes through any and all necessary means within the lawful provisions of the Kentucky Revised Statutes.

(6) To support the education, scientific, and care programs of the Department of Ophthalmology and the College of Medicine.

ARTICLE IV

1) The University of Kentucky shall serve as the fiscal agent for the corporation and, as such, receive and hold in an agency account all monies received by and on behalf of the corporation and expend therefrom such monies as may be authorized by the corporation.

ARTICLE V

The corporation shall have all powers granted by the laws of the Commonwealth of Kentucky so long as such powers are consistent with the qualifying provisions of Section 501 (c) (3) of the Internal Revenue Code for such corporations.

ARTICLE VI

In the event of dissolution of the corporation, the assets of the corporation shall be distributed to the University of Kentucky College of Medicine for the support of eye care, research, and education, to be held and administered in accordance with any restrictions, conditions, or limitations imposed thereon; provided, however, if the University of Kentucky at the time of dissolution is not qualified, not in existence, or unwilling or unable to accept said assets, then the assets shall go to the Commonwealth of Kentucky for exclusively public purposes.

ARTICLE VII

The address of the initial registered and principal office of the corporation is: Dean's Office, MN-150, University of Kentucky Chandler Medical Center, Lexington, Kentucky, 40536-0298 and the name of its initial registered agent is: Emery A. Wilson, M.D., whose address is Dean's Office, MN 150, University of Kentucky Chandler Medical Center, Lexington, Kentucky, 40536-0298.

ARTICLE VIII

The affairs of the corporation shall be regulated, managed, controlled, and conducted by a Board of Directors appointed by the President of the University. The number of Directors shall be specified in the By-Laws. Members shall include the Chancellor of the Chandler Medical Center, University of Kentucky; the Dean of the College of Medicine, University of Kentucky, the Chair of the Department of Ophthalmology, University of Kentucky, and at least three ophthalmologists in private practice in the Commonwealth of Kentucky. The remaining members of the Board of Directors shall be appointed from the public at large.

The terms of the members of the Board of Directors shall be as stated in the By-Laws of the corporation.

ARTICLE IX

The number of directors constituting the initial board shall be six and the names and addresses of the initial directors who are to serve until their successors are duly appointed and qualified are: James W. Holsinger Jr., M.D., Ph.D., A301 Kentucky Clinic, University of Kentucky, Lexington, Kentucky 40536-0284; Emery A. Wilson, M.D., Dean's Office, MN-150 University of Kentucky Chandler Medical Center, Lexington, Kentucky, 40536-0298; Richard P. Mills, M.D., Ph.D., Department of Ophthalmology, E-310 Kentucky Clinic, Lexington, Kentucky 40536-0284; William N. Offutt, IV, M.D., 1140 Lexington Rd., Georgetown, Kentucky 40324; Micheal B. Minix, Sr., M.D., P.O. Box 910725, Lexington, Kentucky 40591, and John W Collins, M.D., 100 N. Eagle Creek Drive, Lexington, KY 40509.

ARTICLE X

The officers of the corporation shall consist of a president, one or more vice presidents, a secretary, a treasurer, and such other officers (and assistant officers) as may be deemed necessary by the Board of Directors and specified in the By-Laws. The officers shall be elected or appointed at such time and in such manner and for such terms as may be prescribed in the By-Laws. Any two of the offices of vice-president, secretary, and treasurer may be combined in one person. The officers of the corporation may be designated by such additional titles as may be provided in the By-Laws.

ARTICLE XI

The names and addresses of the incorporators are: James W. Holsinger, Jr., M.D., Ph.D., A301 Kentucky Clinic, University of Kentucky, Lexington, Kentucky 40536-0284; Emery A.

Wilson, M.D., Dean's Office, MN-150 University of Kentucky Chandler Medical Center, Lexington, Kentucky, 40536-0298; Richard P. Mills, M.D., Department of Ophthalmology, E-310 Kentucky Clinic, Lexington, Kentucky 40536-0284; William N. Offutt, IV, M.D., 1140 Lexington Rd., Georgetown, Kentucky 40324; Micheal B. Minix, Sr., M.D., P.O. Box 910725, Lexington, Kentucky 40591, and John W. Collins, M.D., 100 N. Eagle Creek Drive, Lexington, KY 40509.

ARTICLE XII

No part of the funds or assets of the corporation shall inure to the benefit of, or be distributable to, officers or directors of the corporation, or other private persons. Officers, directors or other private persons may be reimbursed for actual expenses incurred on behalf of the corporation. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE XIII

Directors, officers and members of the corporation shall not be liable for any act performed by them during the course of service for and on behalf of the corporation provided that liability shall not be limited or eliminated:

- (1) For any transaction in which the director's, officer's or member's personal financial interest is in conflict with the financial interests of the corporation;
- (2) For acts or omissions not in good faith or which involve intentional misconduct or are known to the director, officer, or member to be a violation of law; or
- (3) For any transaction from which the director, officer or member derived an improper personal benefit.

ARTICLE XIV

These Articles of Incorporation shall be amended by the adoption of an amendment at a meeting of the Board of Directors upon receiving the vote of two-thirds (2/3) of the directors in office and approval of the Board of Trustees of the University of Kentucky.

IN TESTIMONY WHEREOF, the undersigned have hereunto subscribed their hands this the 12th day of July, 2001.

Richard P. Mills, M.D., M.P.H.

James W. Holsinger, Jr., M.D, Ph.D.

Emery A. Wilson, M.D.

William N. Offutt, IV, M.D.

Micheal B. Minix, Sr., M.D.

John W. Collins, M.D.

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Articles of Incorporation of the University of Kentucky Eye Foundation, Inc., were acknowledged before me by Richard P. Mills, M.D., M.P.H., on this the 12th day of July, 2001.

My commission expires: August 28, 2004

Linda M. Asher, Notary Public
State at Large

Lexington, KY

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Articles of Incorporation of the University of Kentucky Eye Foundation, Inc., were acknowledged before me by James W. Holsinger, Jr., M.D., Ph.D., on this the 12th day of July, 2001.

My commission expires: August 28, 2004

Linda M. Asher, Notary Public
State at Large

Lexington, KY

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Articles of Incorporation of the University of Kentucky Eye Foundation, Inc., were acknowledged before me by Emery A. Wilson, M.D., on this the 12th day of July, 2001.

My commission expires: August 28, 2004

Linda M. Asher, Notary Public
State at Large

Lexington, KY

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Articles of Incorporation of the University of Kentucky Eye Foundation, Inc., were acknowledged before me by William N. Offutt, IV, M.D., on this the 12th day of July, 2001.

My commission expires: August 28, 2004

Linda M. Asher, Notary Public
State at Large

Lexington, KY

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Articles of Incorporation of the University of Kentucky Eye Foundation, Inc., were acknowledged before me by Micheal B. Minix, Sr., M.D., on this the 12th day of July, 2001.

My commission expires: August 28, 2004

Linda M. Asher, Notary Public
State at Large

Lexington, KY

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Articles of Incorporation of the University of Kentucky Eye Foundation, Inc., were acknowledged before me by John W. Collins, M.D., on this the 12th day of July, 2001.

My commission expires: August 28, 2004

Linda M. Asher, Notary Public
State at Large

Lexington, KY

FCR 4

Office of the President
September 18, 2001

Members, Board of Trustees:

CARDIOLOGY ASSOCIATES OF KENTUCKY PLEDGE

Recommendation: that the Board of Trustees accept a pledge of \$250,000 from Cardiology Associates of Kentucky of Lexington, Kentucky, to establish and endow the Cardiology Associates of Kentucky Fellowships for the Division of Cardiology in the College of Medicine.

Background: Cardiology Associates of Kentucky is making a pledge to establish an endowed fellowship fund in the Division of Cardiology. Fellows in the Division of Cardiology rotate through the Cardiology Associates of Kentucky group practice and physicians in the practice have been impressed by the competence of fellows trained at UK. Cardiology Associates is interested in helping sustain the fellowship program. Cardiology Associates will pay the pledge at \$50,000 a year for five years beginning in fiscal year 2001-02 and ending in fiscal year 2005-06. This pledge is eligible for matching funds from the state's Research Challenge Trust Fund.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 5

Office of the President
September 18, 2001

Members, Board of Trustees:

GEORGE STRAWBRIDGE, JR. GIFT AND PLEDGE

Recommendation: that the Board of Trustees accept a gift of \$100,000 and a pledge of \$200,000 from George Strawbridge of Wilmington, Delaware, to the Lucille P. Markey Cancer Center in the College of Medicine.

Background: Mr. Strawbridge, a patient of Lucille P. Markey Cancer Center's Director Alfred M. Cohen, M.D., is making the gift to buy medical equipment and fund projects associated with the startup of the Marylou Whitney and John Hendrickson Cancer Facility for Women at UK. Mr. Strawbridge has given \$100,000 and is pledging \$100,000 a year in 2002 and 2003 for a total gift of \$300,000.

Mr. Strawbridge is making the gift to the program because of his appreciation for Dr. Cohen's expertise in successfully treating his illness, and because he shares Dr. Cohen's vision of the new opportunity to develop innovative programs for the Markey Cancer Center.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 6

Office of the President
September 18, 2001

Members, Board of Trustees:

GIFT AND PLEDGES TO VIOLET IRENE EADS ENDOWMENT

Recommendation: that the Board of Trustees accept a gift of \$35,000 and a pledge of \$6,000 from the estate of Violet Irene Eads of Lexington, Kentucky, and a pledge of \$15,000 from the Lexington Lions Club, to establish the Violet Irene Eads Endowment for Eye Tissue Research in the UK Lions Eye Bank in the College of Medicine's Department of Ophthalmology.

Background: Violet Irene Eads, who passed away at the age of 90 in May, 1999, included the Department of Ophthalmology's Lions Eye Bank in her Will. The University has received \$35,000 from the estate and \$6,000 more is expected in October, 2001. The Lexington Lions Club is pledging \$15,000 to be combined with Mrs. Eads' gift and pledge to establish a \$56,000 endowment to support eye tissue research. The \$56,000 in gifts and pledges is eligible for matching funds from the state's Research Challenge Trust Fund. The \$15,000 Lions Club pledge will be paid in \$3,000 annual installments beginning in December, 2001.

Mrs. Eads was a community volunteer with a special concern for vision and hearing impairments. She included the UK Lions Eye Bank in her Will because of these concerns and an association with the Lexington Lions Club to which she often donated used eyeglasses for the club's vision programs. She also had a brother who was blind from a childhood illness.

The Lexington Lions Club is a major supporter of the Lions Eye Bank. Affiliated with the UK Department of Ophthalmology, the Lions Eye Bank supports cornea tissue research and provides corneas for transplantation programs across the nation and around the world.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 7

Office of the President
September 18, 2001

Members, Board of Trustees:

MERCK & CO., INC. PLEDGE

Recommendation: that the Board of Trustees accept a pledge of \$50,000 from Merck & Co., Inc., of North Wales, Pennsylvania, to be added to the endowed Merck Professorship in Pulmonary Medicine in the College of Medicine.

Background: Merck & Co. made a gift and pledge in March, 1999 to establish a professorship to support lung diseases research in the College of Medicine. The gift was matched by the state's Research Challenge Trust Fund (RCTF). Merck & Co., Inc. is making this new pledge, which is also eligible for RCTF matching funds, to augment the professorship endowment. The company will fulfill the pledge with payments of \$10,000 a year for five fiscal years beginning in 2001-02 and ending in 2005-06.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 8

Office of the President
September 18, 2001

Members, Board of Trustees:

MICHAEL D. RANKIN, M.D., PLEDGE

Recommendation: that the Board of Trustees accept a pledge of \$200,000 from Michael D. Rankin, M.D., of Harrodsburg, Kentucky, to establish the Michael D. Rankin, M.D., Community Scholarship Endowments for Medical Students from Boyle, Casey, Garrard, Lincoln and Mercer Counties in the College of Medicine.

Background: Dr. Rankin, a 1980 graduate of the College of Medicine, is making the pledge to provide scholarships for medical students from Boyle, Casey, Garrard, Lincoln and Mercer Counties. Dr. Rankin is making the gift as a challenge to alumni and non-alumni physicians and residents of the five counties to build a \$1,000,000 endowment. The gift is contingent on the University receiving matching funds from the state's Research Challenge Trust Fund.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 9

Office of the President
September 18, 2001

Members, Board of Trustees:

GIFTS AND PLEDGES TO ZANTKER PROFESSORSHIP IN JUDAIC STUDIES

Recommendation: that the Board of Trustees accept gifts of \$19,650 and pledges of \$53,700 from 11 donors to the Zantker Professorship in Judaic Studies in the College of Arts and Sciences.

Background: The Zantker Charitable Foundation and Jewish leaders in Lexington have been raising funds for the Zantker Professorship in Judaic Studies with a goal of reaching \$1,000,000, the amount required to fund a chair. This \$73,350, when matched by the state's Research Challenge Trust Fund, will bring the total gifts and pledges to the professorship to \$946,700.

The gifts and pledges being accepted today include: a pledge of \$10,000 from Mr. Alan F. Bloomfield; a gift of \$1,000 and a pledge of \$5,000 from Mr. Harold J. and Anita R. Baker; a pledge of \$10,000 from Mr. Steve Caller; a gift of \$50 from Dr. Larry H. Kagan of Virginia Beach, Virginia; a gift of \$5,000 and a pledge of \$5,000 from Mr. Erle L. and Sara A. Levy; a gift of \$100 and a pledge of \$200 from Dr. Lloyd D. Mayer; a gift of \$1,000 from Mr. Joseph H. Miller; a gift of \$500 from Dr. Richard L. Munich of Lawrence, Kansas; a gift of \$500 from Dr. Harriett A. Rose; a gift of \$2,500 and a pledge of \$7,500 from the Rosenstein Family Charitable Foundation, Inc.; and a gift of \$9,000 and a pledge of \$16,000 from Mr. Warren W. Rosenthal. All of the pledges will be paid within five years. The donors are from Lexington unless otherwise noted.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 10

Office of the President
September 18, 2001

Members, Board of Trustees:

RICHARD K. AND ANNE BRAUTIGAM PLEDGE

Recommendation: that the Board of Trustees accept a pledge of \$50,000 from Richard K. and Anne Brautigam of Brunswick, Maine, to create and endow the Richard K. Brautigam Professorship in Juvenile, Criminal and Social Justice in the College of Social Work.

Background: Richard Brautigam was a UK College of Social Work professor for 24 years prior to his retirement in 1995. The title of his professorship reflects his academic interests. The pledge will be paid in annual installments of \$10,000 beginning in December, 2001. The pledge is contingent on the University receiving matching funds from the state's Research Challenge Trust Fund.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 11

Office of the President
September 18, 2001

Members, Board of Trustees:

CORNERSTONE CARE, L.L.C. PLEDGE

Recommendation: that the Board of Trustees accept a pledge of \$50,000 from Cornerstone Care, L.L.C., of Lexington, Kentucky, to establish and endow the Rebecca Cunningham Van Meter Graduate Fellowship in the Graduate School.

Background: Cornerstone Care is owned by Lexington businessman and UK alumnus Solomon Van Meter. Mr. Van Meter worked closely with the Sanders-Brown Center on Aging personnel in designing The Breckenridge, an early-stage assisted living residence in Lexington for people with Alzheimer's disease. The Rebecca Cunningham Van Meter Graduate Fellowship will support a doctoral student in gerontology. The fellowship is named in honor of the donor's great aunt who is a 1932 UK graduate. Mr. Van Meter's pledge is contingent on the University receiving matching funds from the state's Research Challenge Trust Fund. The pledge will be paid in five annual installments of \$10,000 beginning in December, 2001.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 12

Office of the President
September 18, 2001

Members, Board of Trustees:

GIFTS AND PLEDGE TO ESTABLISH BRECKINRIDGE PROFESSORSHIP

Recommendation: that the Board of Trustees accept gifts of \$12,415 from Mrs. Jefferson Patterson of Washington, D.C., and others and a pledge of \$40,000 from Mrs. Patterson to create and endow the Scott D. Breckinridge, Jr. Professorship in Intelligence Education in the Patterson School of Diplomacy and International Commerce.

Background: Mrs. Patterson is a cousin of the late Mr. Breckinridge, who held two degrees from the University and had a 25-year career with the Central Intelligence Agency. He was considered a pioneer in teaching intelligence in an academic environment and a textbook he wrote on the intelligence system received a national award. After his retirement from the CIA, Mr. Breckinridge taught courses in the Patterson School until the late 1980s and was a guest lecturer until his death in 2000. Mrs. Patterson, a respected photojournalist, spent time in Kentucky as a young woman volunteering with the Frontier Nursing Service, which was founded by another cousin, Mary Breckinridge. Her pledge will be fulfilled with \$10,000 annual payments in 2002 through 2005. Mrs. Patterson contributed \$10,000 of the \$12,415 in gifts received. The remaining \$2,415 was given by friends and family in memory of Mr. Breckinridge. The \$12,415 in gifts and the \$40,000 pledge are eligible for matching funds from the state's Research Challenge Trust Fund.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 13

Office of the President
September 18, 2001

Members, Board of Trustees:

BAXTER HEALTHCARE CORPORATION GIFT

Recommendation: that the Board of Trustees accept a gift of \$101,500 from Baxter Healthcare Corporation of Deerfield, Illinois, to support the artificial kidney research of Dr. Dayong Gao, associate professor in the Department of Mechanical Engineering in the College of Engineering.

Background: Baxter Healthcare has a longstanding relationship with the University, including gifts of over \$576,000 to the Colleges of Engineering, Medicine, Pharmacy and the UK Hospital. Baxter Healthcare is the distribution subsidiary of Baxter International, a medical technology manufacturer specializing in biotechnology, cardiovascular, intravenous and renal therapy products and equipment.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 14

Office of the President
September 18, 2001

Members, Board of Trustees:

DR. EMLER A NEUMAN AND ALEXANDER M. NEUMAN PLEDGE

Recommendation: that the Board of Trustees accept a pledge of \$328,651 from Dr. Emler A. Neuman and Alexander M. Neuman, both of Lexington, Kentucky, to create and establish the Neuman Family Endowed Basketball Scholarship in the Department of Athletics.

Background: Dr. Neuman is a 1972 graduate of the UK College of Dentistry. His son, Alex, is also a UK alumnus. Both are longtime UK basketball fans. When fully funded, the endowment will support one basketball scholarship each year. As a result of their pledge, the Neumans will receive two floor-level seats in Rupp Arena. One half of the pledge will be paid before December, 2001, and the balance will be paid before December 2002.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 15

Office of the President
September 18, 2001

Members, Board of Trustees:

MICHAEL F. MEINZE GIFT AND PLEDGE

Recommendation: that the Board of Trustees accept a gift of \$125,000 and a pledge of \$216,220 from Michael F. Meinze of Shelbyville, Kentucky, to create and endow the Michael F. Meinze Endowed Basketball Scholarship in the Department of Athletics.

Background: Mr. Meinze is a Shelbyville developer and a longtime fan of the UK basketball program. When fully funded, the endowment will support one basketball scholarship each year. As a result of his gift, Mr. Meinze will receive two floor-level seats in Rupp Arena. His pledge will be paid before December, 2006.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 16

Office of the President
September 18, 2001

Members, Board of Trustees:

ROGER E. MICK FAMILY PLEDGE

Recommendation: that the Board of Trustees accept a pledge of \$313,060 from the Roger E. Mick Family of Brentwood, Tennessee, to create and endow the Mick Family Endowed Basketball Scholarship in the Department of Athletics.

Background: Mr. Mick is a 1968 UK graduate and a retired healthcare executive. He and his wife, Barbara, and children, John and Jennifer, are avid UK basketball fans. The endowment will support one basketball scholarship each year. As a result of this pledge, the Mick family will receive two floor-level seats in Rupp Arena. The pledge will be paid before December, 2001.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 17

Office of the President
September 18, 2001

Members, Board of Trustees:

SHIRLEY A. CUNNINGHAM GIFT

Recommendation: that the Board of Trustees accept a gift of \$313,060 from Shirley A. Cunningham of Lexington, Kentucky, to create and endow the Shirley A. Cunningham Endowed Basketball Scholarship in the Department of Athletics.

Background: Mr. Cunningham is a 1980 law graduate of the UK College of Law. His endowment will support one basketball scholarship each year. As a result of his gift, Mr. Cunningham will receive two floor-level seats in Rupp Arena.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 18

Office of the President
September 18, 2001

Members, Board of Trustees:

WILLIAM J. GALLION GIFT

Recommendation: that the Board of Trustees accept a gift of \$313,060 from William J. Gallion of Lexington, Kentucky, to create and endow the William J. Gallion Endowed Basketball Scholarship in the Department of Athletics.

Background: Mr. Gallion is a 1976 graduate of the UK College of Law. His endowment will support one basketball scholarship each year. As a result of his gift, Mr. Gallion will receive two floor-level seats in Rupp Arena.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 19

Office of the President
September 18, 2001

Members, Board of Trustees:

PROPOSED 2002-03 AND 2003-04 TUITION SCHEDULE

Recommendation: that the Board of Trustees (1) adopt a tuition schedule for the 2002-04 biennium consistent with the guidelines of the Council on Postsecondary Education, and (2) establish corresponding part-time and summer school rates.

Background: Under KRS 164.020 (8), the Council on Postsecondary Education is empowered and charged with the responsibility to determine the tuition for attendance at public institutions of higher education in the Commonwealth. At the May 21, 2001 meeting of the Council on Postsecondary Education approval was given to tuition setting guidelines to be used by the institutions in setting tuition rates for 2002-2004. Institutions are responsible for setting their own tuition rates consistent with the guidelines approved by the Council.

The proposed tuition rates are in compliance with the Council's guidelines, respond to the public funds distribution objective and relate to the set of benchmark institutions.

The rates proposed for adoption by the Board of Trustees are designed to move various resident rates to or toward the median of the benchmarks, increase most non-resident rates by approximately the same dollar amount as the resident rate increase, meet the public funds distribution objective of the Council, and maintain a reasonable level of increase on an annual basis.

Rates for part-time and summer school students are derived from the semester rate, using the institution's definition of what constitutes a full-time load for each level and program area.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

2002-2003 TUITION SCHEDULE
(Effective Fall 2002)

	Semester Full-Time Fee ¹		Eight-Week Summer Session Full-Time Fee ²		Part-Time and Four-Week Intersession Fee Per Credit Hour	
	2001-2002	2002-2003	2001-2002	2002-2003	2001-2002	2002-2003
Undergraduate						
Resident	\$ 1,635	\$ 1,740	\$ 816	\$ 870	\$136	\$145
Non-Resident	4,905	5,016	2,454	2,508	409	418
Lexington Community College						
Resident	810	876	408	438	68	73
Non-Resident	2,685	2,904	1,344	1,452	224	242
Graduate						
Resident	1,805	1,926	1,005	1,070	201	214
Non-Resident	5,415	5,535	3,010	3,075	602	615
MBA						
Resident	1,805	2,079	1,005	1,155	201	231
Non-Resident	5,415	5,697	3,010	3,165	602	633
Law						
Resident	3,125	3,290	1,565	1,645	313	329
Non-Resident	8,032	8,040	4,015	4,020	803	804
Pharm.D. ³						
Resident	2,670	2,857	-	-	223	239
Non-Resident	7,887	8,074	-	-	658	673
Medicine ⁴						
Resident	10,566	10,882	-	-	-	-
Non-Resident	25,280	25,596	-	-	-	-
Dentistry ⁴						
Resident	8,978	9,516	-	-	-	-
Non-Resident	22,272	22,810	-	-	-	-
Professional Doctoral						
Resident	2,500	2,655	1,390	1,475	278	295
Non-Resident	7,500	7,659	4,170	4,255	834	851

- For tuition purposes, twelve credit hours or its equivalent constitutes a full load for undergraduate and pharmacy students, nine hours for graduate students, and ten hours for law students.
- For tuition purposes, six credit hours or its equivalent constitutes a full load for undergraduate students and five hours for graduate, MBA, professional doctoral and law students.
- Students first enrolled in the Pharm.D. program in fall 1995 and thereafter are subject to this tuition rate, beginning with the fall semester 1996. Students first enrolled in the pharmacy program prior to fall 1995 are subject to the undergraduate tuition rate.

4 Annual tuition. A half-time tuition rate of \$5,441 for resident students and \$12,798 for non-residents is established for those medical students who have been approved by the College of Medicine Student Progress and Promotion Committee to take a reduced curriculum load. A half-time tuition rate of \$4,758 for resident students and \$11,405 for non-resident students is established for those dental students who have been approved by the Dean of the College of Dentistry to take a reduced curriculum load.

2003-2004 TUITION SCHEDULE
(Effective Fall 2003)

	Semester Full-Time		Eight-Week Summer Session		Part-Time and Four-Week Intersession	
	Fee ¹		Fee ²		Hour	
	2002-2003	2003-2004	2002-2003	2003-2004	2002-2003	2003-2004
Undergraduate						
Resident	\$ 1,740	\$ 1,836	\$ 870	\$ 918	\$145	\$153
Non-Resident	5,016	5,112	2,508	2,556	418	426
Lexington Community College						
Resident	876	948	438	474	73	79
Non-Resident	2,904	3,144	1,452	1,572	242	262
Graduate						
Resident	1,926	2,034	1,070	1,130	214	226
Non-Resident	5,535	5,643	3,075	3,135	615	627
MBA						
Resident	2,079	2,394	1,155	1,330	231	266
Non-Resident	5,697	6,012	3,165	3,340	633	668
Law						
Resident	3,290	3,460	1,645	1,730	329	346
Non-Resident	8,040	8,040	4,020	4,020	804	804
Pharm.D. ³						
Resident	2,857	3,057	-	-	239	255
Non-Resident	8,074	8,274	-	-	673	690
Medicine ⁴						
Resident	10,882	11,208	-	-	-	-
Non-Resident	25,596	25,922	-	-	-	-
Dentistry ⁴						
Resident	9,516	10,086	-	-	-	-
Non-Resident	22,810	23,380	-	-	-	-
Professional Doctoral						
Resident	2,655	2,808	1,475	1,560	295	312
Non-Resident	7,659	7,812	4,255	4,340	851	868

- 1 For tuition purposes, twelve credit hours or its equivalent constitutes a full load for undergraduate and pharmacy students, nine hours for graduate students, and ten hours for law students.
- 2 For tuition purposes, six credit hours or its equivalent constitutes a full load for undergraduate students and five hours for graduate, MBA, professional doctoral and law students.
- 3 Students first enrolled in the Pharm.D. program in fall 1995 and thereafter are subject to this tuition rate, beginning with the fall semester 1996. Students first enrolled in the pharmacy program prior to fall 1995 are subject to the undergraduate tuition rate.

4 Annual tuition. A half-time tuition rate of \$5,604 for resident students and \$12,961 for non-residents is established for those medical students who have been approved by the College of Medicine Student Progress and Promotion Committee to take a reduced curriculum load. A half-time tuition rate of \$5,403 for resident students and \$11,690 for non-resident students is established for those dental students who have been approved by the Dean of the College of Dentistry to take a reduced curriculum load.

FCR 19

Amendment

Office of the Student Body President
September 18, 2001

Members, Board of Trustees:

PROPOSED AMENDMENT FOR FCR 19

ACTION: amend FCR 19 to include the following provision:

Commitment to Students: The Board of Trustees supports improving the educational resources and opportunities for students at the University of Kentucky, and recommends that the tuition schedule recommendations for 2002-03 and 2003-04 attempt to maintain as priorities the following two objectives:

- 1) Enhancing future academic, student support, and campus life initiatives of primary importance to students,
- 2) Increasing all merit scholarships commensurate with tuition schedule.

Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

FCR 20

Office of the President
September 18, 2001

Members, Board of Trustees:

CAPITAL REQUEST 2002-2004

Recommendation: that the 2002-2004 capital requests for the University of Kentucky and Lexington Community College be approved for submission to the Council on Postsecondary Education.

Background: The 2002-2004 Capital Request has been developed consistent with the goals and objectives established within the University Strategic Plan. Separate requests are included for the University System, the University Hospital, and Lexington Community College.

NOTE: This FCR contains additional documentation. To obtain a complete copy, please contact

Brenda Rice
Planning, Budget, and Policy Analysis
128 McVey Hall
UK Campus 0045
859-257-5701

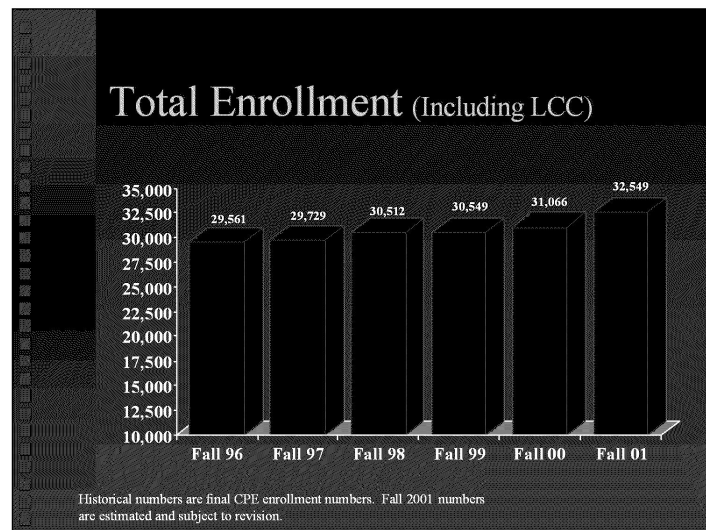
Action taken: ☒ Approved ☐ Disapproved ☐ Other _____

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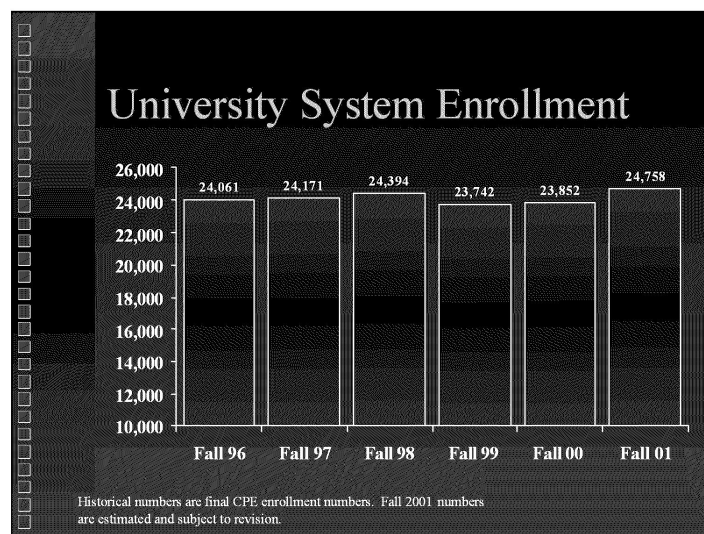
University of Kentucky

Fall 2001 Enrollment Five Year Historical Comparison

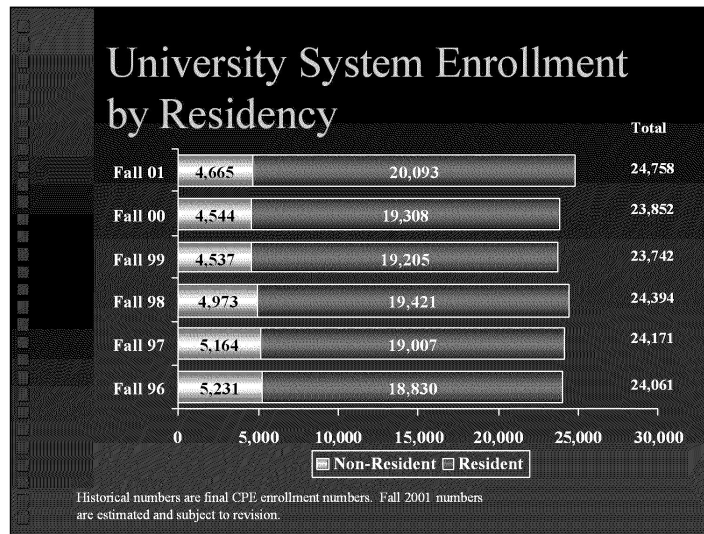
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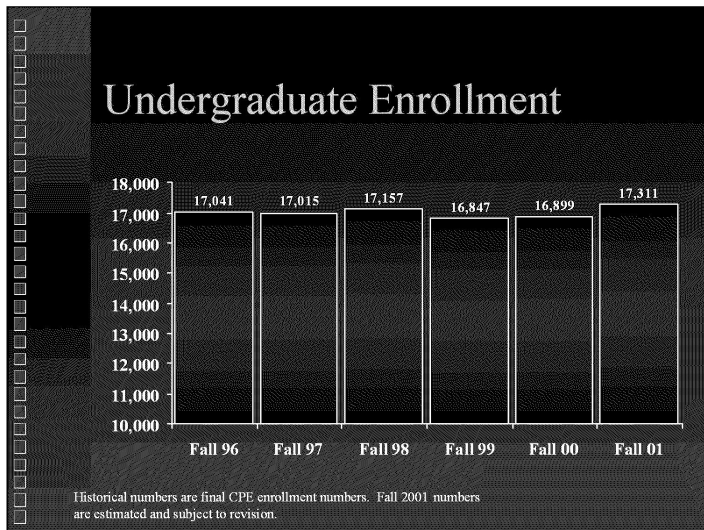
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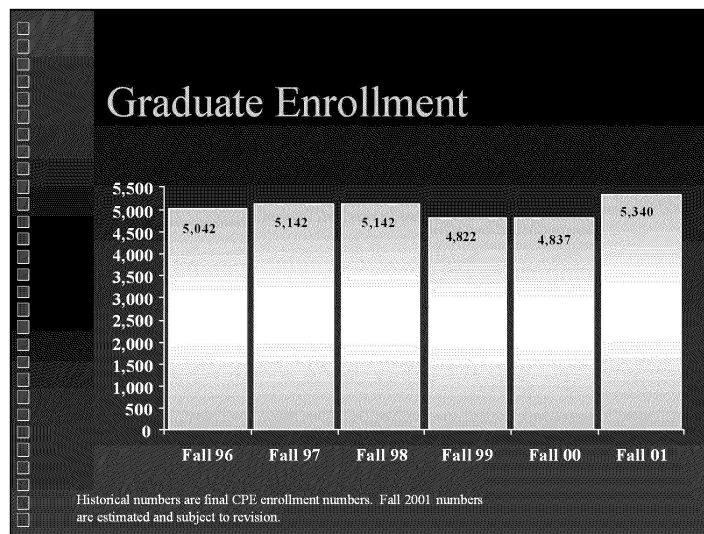
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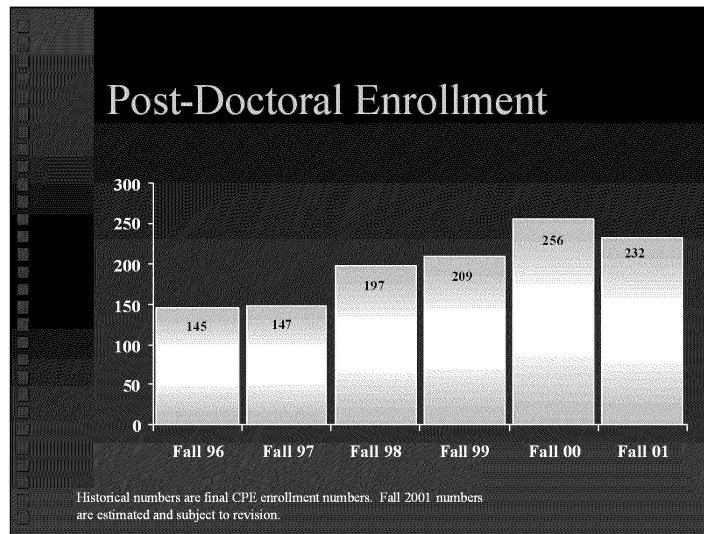
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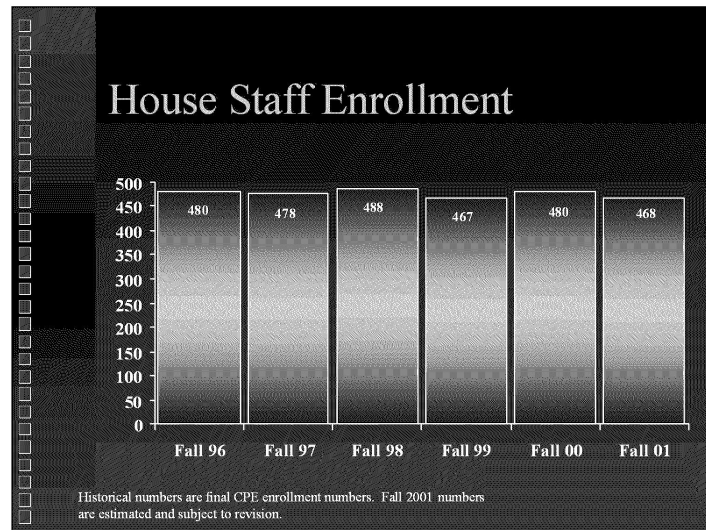
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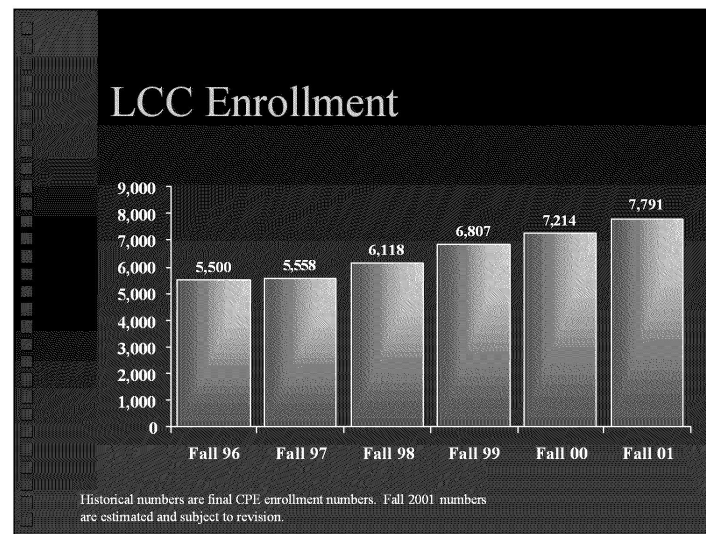
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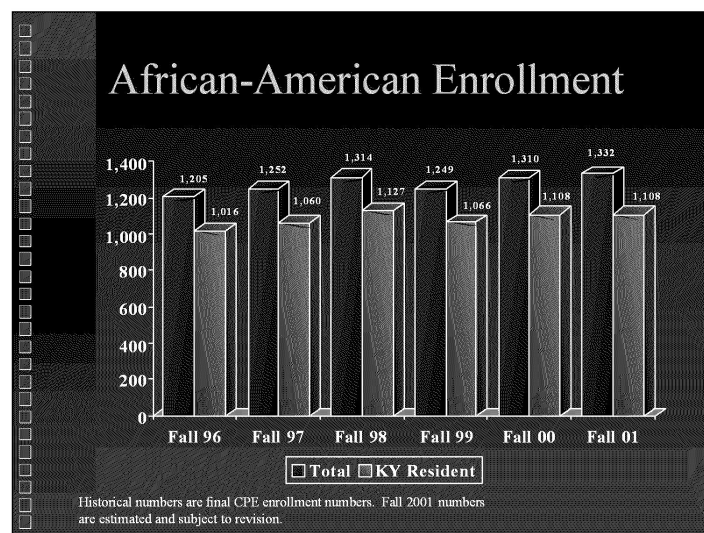
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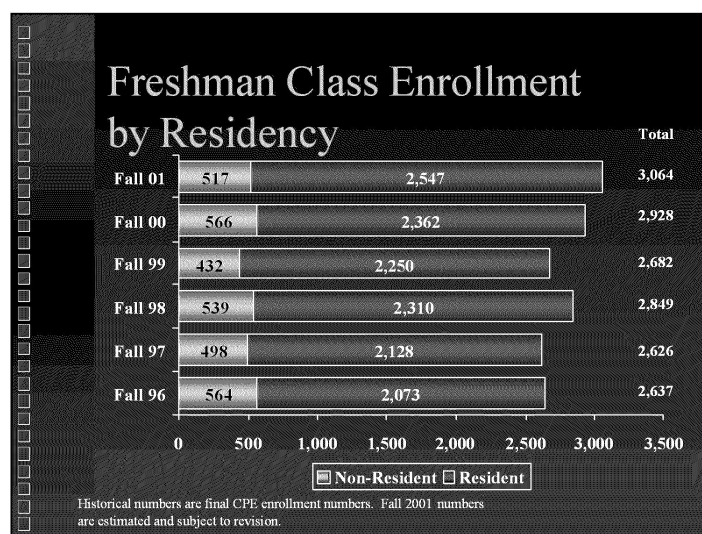
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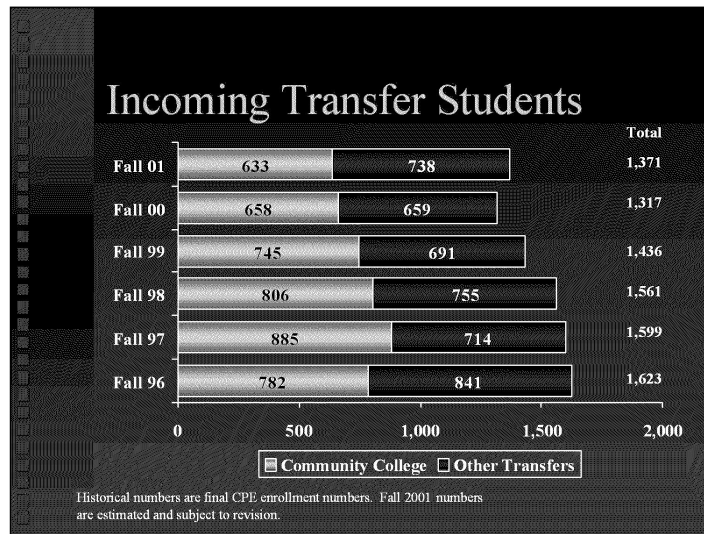
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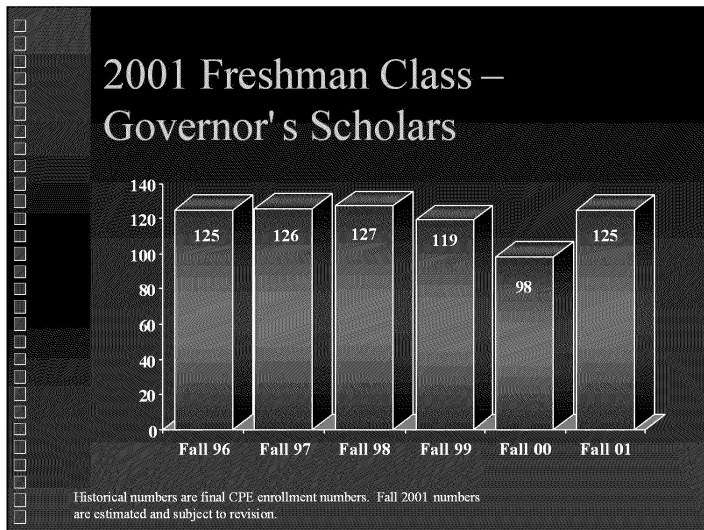
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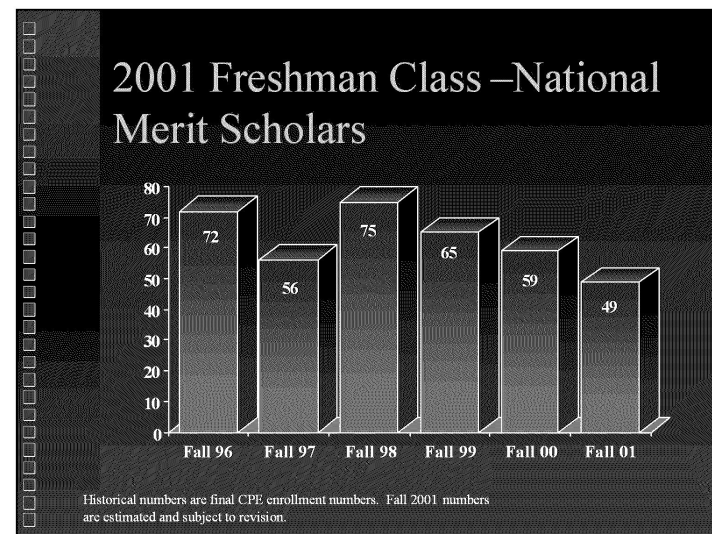
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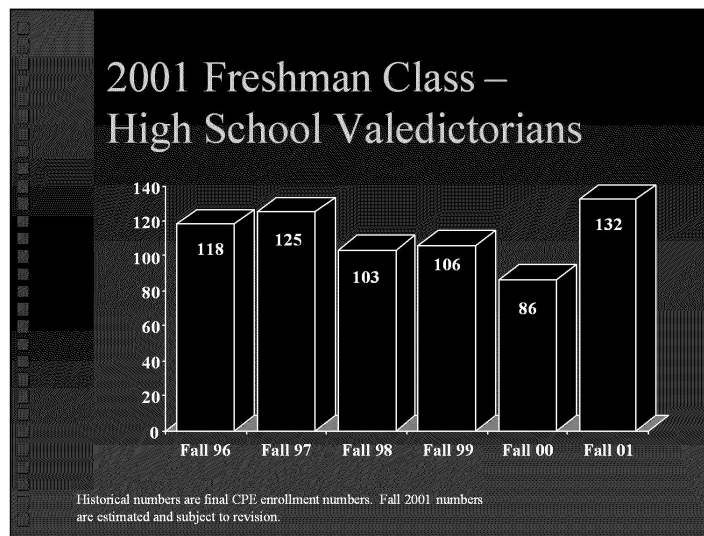
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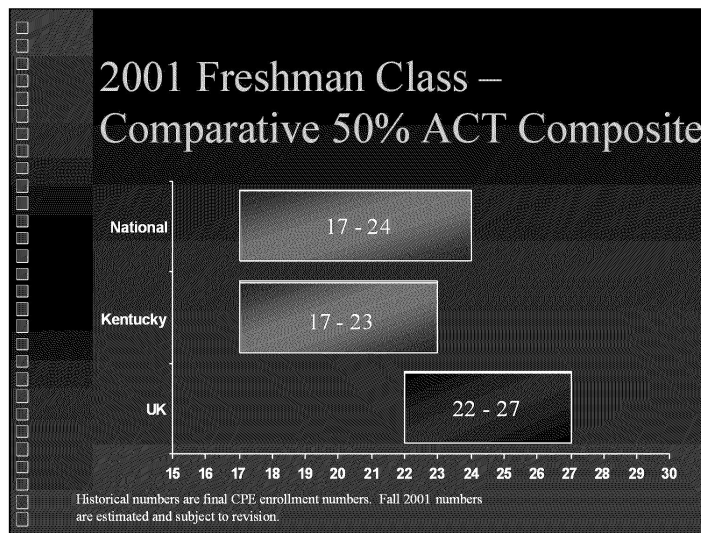
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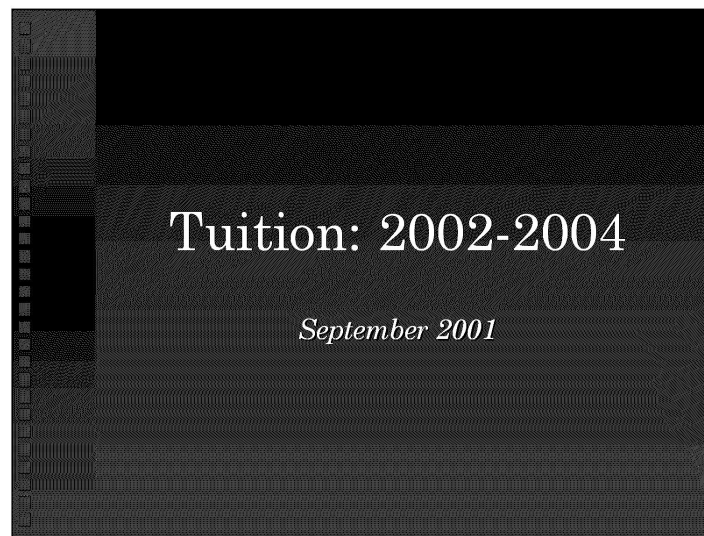
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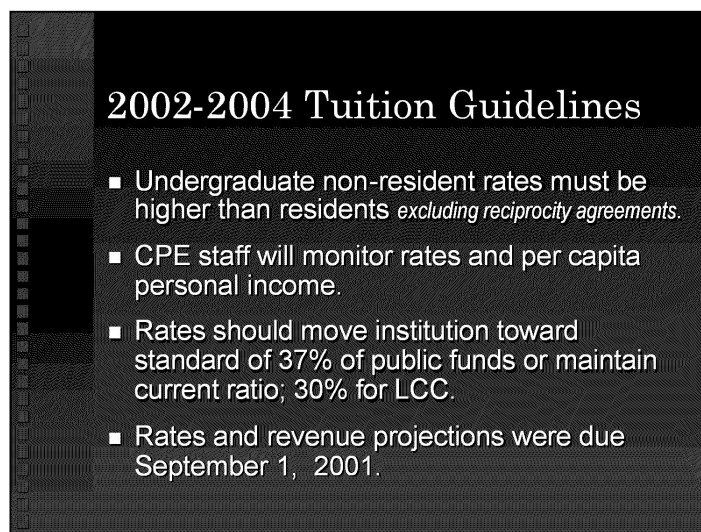
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How does UK currently charge tuition?

- UG Resident Tuition and Fees: **\$3,735**
(Tuition: \$3,270 -- Fees: \$465)
- Differentiate based on:
 - ◆ Residency
 - ◆ Level
- ~~Do not~~ differentiate based on program with exception of first-professional programs
- ~~Do not~~ differentiate based on *lower* and *upper*
- Charge by the credit hour with a flat rate at full-time status

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What do our benchmarks do now?

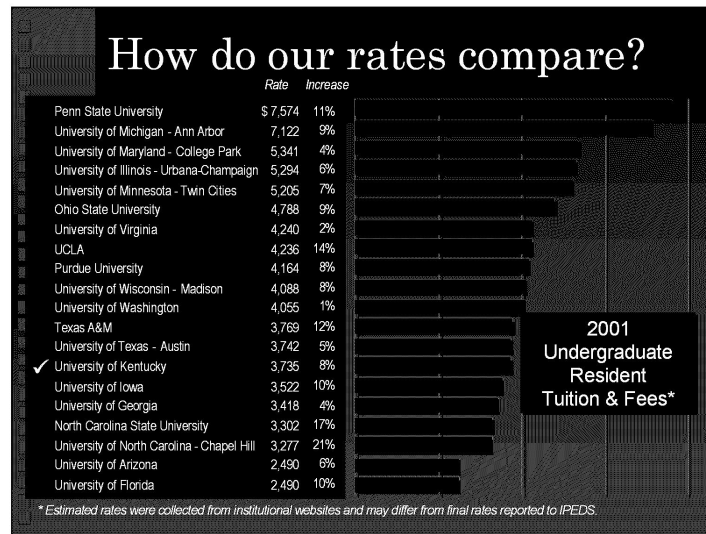
- Average UG Resident Tuition & Fees: **\$4,322**
- Median UG Resident Tuition & Fees: **\$4,038**
- ~~7~~ differentiate in some way by program other than the MBA Program
- ~~13~~ have a differing MBA rate
- ~~All but one~~ (*Purdue*) differentiate by level – UG vs. Grad

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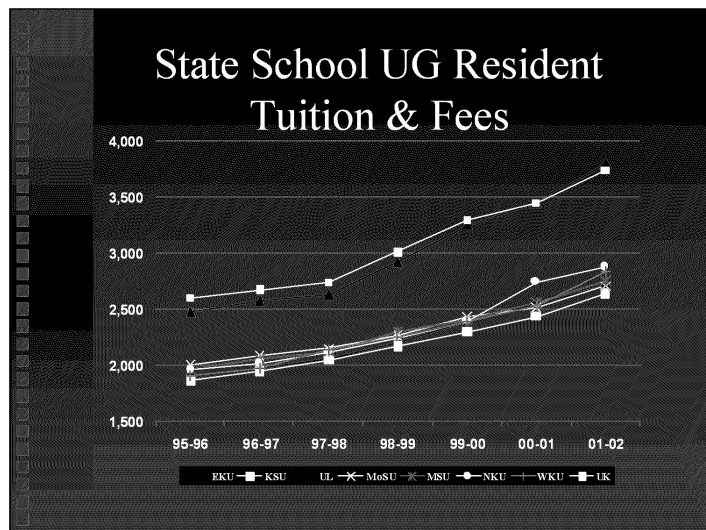
What else do our benchmarks do?

- ~~All~~ differentiate by residency – U. Arizona medical students pay the same
- ~~14~~ charge per credit with a flat rate
- ~~3~~ charge per credit only
- ~~5~~ charge differently for lower and upper

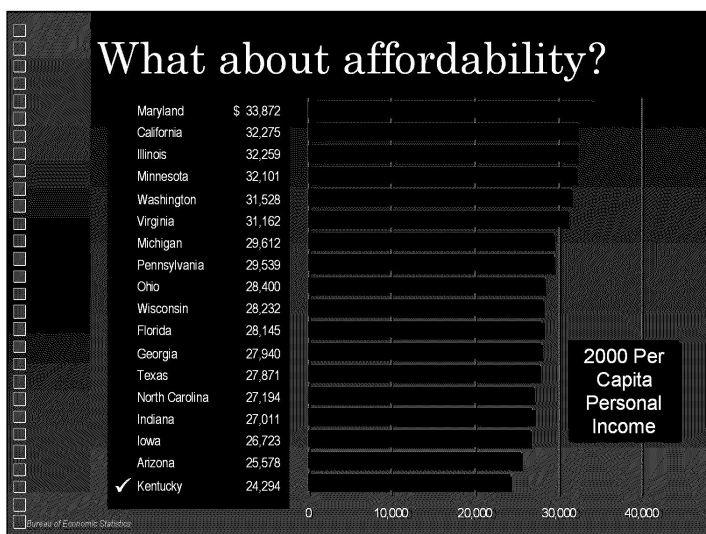
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Tuition for 2002-2003 & 2003-2004

The proposed tuition rates are:

- Responsive to the Council's guidelines
- Reasonable compared to benchmarks
- Manageable and fair for students

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Tuition Policy Considerations

- Most non-resident rates are increased by approximately the same dollar amount as the resident rate increase.
- The rates reflect a reasonable level of increase on an annual basis and set the stage for steady, consistent increases over time rather than erratic, reactive increases.
- Rates for part-time and summer school students are derived from the semester rate, using the institution's definition of what constitutes a full-time load for each level and program area.

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Resident Tuition

	2002/03 Rates	\$ Chg	% Chg	2003/04 Rates	\$ Chg	% Chg
University of Kentucky						
Undergraduate	1,740	105	6.4%	1,836	96	5.5%
Graduate	1,926	121	6.7%	2,034	108	5.6%
MBA	2,079	274	15.2%	2,394	315	15.2%
LCC	876	66	8.1%	948	72	8.2%
Annual Professional Rates						
Law	6,580	330	5.3%	6,920	340	5.2%
Medicine	10,882	316	3.0%	11,208	326	3.0%
Dentistry	9,516	538	6.0%	10,086	570	6.0%
Pharm. D.	5,714	374	7.0%	6,114	400	7.0%
Professional Doctoral	5,310	310	6.2%	5,616	306	5.8%

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Nonresident Tuition						
	2002/03 Rates	\$ Chg	% Chg	2003/04 Rates	\$ Chg	% Chg
University of Kentucky						
Undergraduate	5,016	111	2.2%	5,112	96	1.9%
Graduate	5,535	120	2.2%	5,643	108	2.0%
MBA	5,697	282	5.2%	6,012	315	5.5%
LCC	2,904	219	8.2%	3,144	240	8.3%
Annual Professional Rates						
Law	16,080	16	0.1%	16,080	0	0.0%
Medicine	25,596	316	1.3%	25,922	326	1.3%
Dentistry	22,810	538	2.4%	23,380	570	2.5%
Pharm. D.	16,148	374	2.4%	16,548	400	2.5%
Professional Doctoral	15,318	318	2.1%	15,624	306	2.0%

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Kentucky Council Undergraduate Resident Tuition							
	2001/02 Rates	2002/03 Rates	\$ Chg	% Chg	2003/04 Rates	\$ Chg	% Chg
EKU	1,168	1,279	111	9.5%	1,399	120	9.4%
KSU	1,139	1,224	85	7.5%	1,316	92	7.5%
MoSU	1,123	1,213	90	8.0%	1,310	97	8.0%
MuSU	1,167	1,257 – 1,280	90 – 113	7.7% – 9.7%	1,354 – 1,404	97 – 124	7.7% – 9.7%
NKU	1,140	1,203 – 1,248	63 – 108	5.5% – 9.5%	1,269 – 1,367	66 – 119	5.5% – 9.5%
UK	1,635	1,740	105	6.4%	1,836	96	5.5%
LCC	810	876	66	8.1%	948	72	8.2%
U of L	1,897	2,016	119	6.3%	2,136	120	6.0%
WKU	1,145	1,560	415	36.2%	1,680	120	7.7%
KCTCS	725	768	43	5.9%	816	48	6.3%
The 2002/03 and 2003/04 rates are subject to change. Beginning in 2002/03, WKU Board of Regents approved eliminating mandatory student fees.							

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Tuition: 2002-2004

September 2001