

Administrative Regulation — Significant Policies (*Formerly GR I*)

A. Vision, Mission and Values

1. Strategic Vision Statement

As Kentucky's indispensable institution, we transform the lives of our students and advance the Commonwealth we serve — and beyond — through our teaching and learning, diversity and inclusion, discovery, research and creativity, promotion of health and deep community engagement.

2. Mission Statement

The University of Kentucky is a public, land grant university dedicated to improving people's lives through excellence in education, research and creative work, service and health care. As Kentucky's flagship institution, the University plays a critical leadership role by promoting diversity, inclusion, economic development and human well-being.

The University of Kentucky:

- Facilitates learning, informed by scholarship and research;
- Expands knowledge through research, scholarship and creative activity; and
- Serves a global community by disseminating, sharing and applying knowledge.

The University, as the flagship institution, plays a critical leadership role for the Commonwealth by contributing to the economic development and quality of life within Kentucky's borders and beyond. The University nurtures a diverse community characterized by fairness and equal opportunity.

B. Order of Communication and Reports

All University employees have full rights of communication with administrative officers of the University and the Board of Trustees through established administrative channels. Official recommendations and communications from any faculty member or staff employee shall be sent by the individual to the individual's immediate supervisor. When requested, the supervisor shall transmit such recommendations or communications, with the supervisor's own comments and recommendations to that supervisor's own immediate supervisor.

All employees shall be entitled to appeal any decision affecting terms of their employment by the University through regularly established channels.

When a supervisory decision or reporting relationship involves a conflict of interest, the next higher-level administrative officer shall designate an alternative officer for the purpose of the decision or reporting.

This regulation shall in no way limit the President in communicating with employees, nor shall it prevent communication between employees and the Board of Trustees for purposes other than the submission of official recommendations and communications.

C. Use of University Property and Resources

University property and resources, including but not limited to real property, equipment, human resources and other tangible and intangible assets, shall be used only for educational, cultural or charitable purposes or other purposes as determined by the President or by the administrative officer to whom the President has delegated this responsibility.

1. Political Activity

The University cannot endorse, support or promote any political candidate or any partisan political activity. Therefore, University resources shall not be used for conventions, rallies or any campaign activities that would further the interests of a political party or of a candidate or candidates for public office¹. The resources of the University may be used for public forums to which all legally qualified candidates for a public office are invited to speak provided that all such candidates are given equal access and opportunity to speak.

University resources may be used by registered student organizations for meetings with a candidate or candidates for public office when meetings are open in attendance to students, faculty members and staff employees of the University.

2. Religious Activity

The University of Kentucky follows the First Amendment's Establishment Clause and Free Exercise Clause, the equivalent provisions in the Kentucky Constitution and the Kentucky Religious Freedom Restoration Act. Questions about specific application of these religious liberty provisions should be addressed to the Office of Legal Counsel.

4. Campus Sales

¹ "Political party" means a voluntary association of persons formed and organized for the purpose of nominating or electing candidates for public office. This definition includes, but is not limited to, the meaning of "political party" as defined in [KRS 118.015\(1\)](#).

Solicitations for subscriptions, sales of merchandise of any kind whatsoever, publications or services upon University property other than by the regularly authorized stores, dining locations, departments or divisions of the University are prohibited except upon written permission of the Executive Vice President for Finance and Administration.

Any person violating these provisions shall be subject, upon proper notice, to eviction from the University property.

For questions, contact: Office of Legal Counsel

1 **Administrative Regulation — University Organization (Formerly GR VII)**

2
3 **Introduction**

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5 This Administrative Regulation defines educational and administrative units and
6 their composition within the University organization; delineates the role and
7 responsibilities of the faculties of the colleges, the Graduate School, the Honors
8 College, the Libraries, schools, departments and multidisciplinary centers and
9 institutes; and outlines the authority, duties and expectations of the administrative
10 officers of each unit.

11
12 **A. Policy**

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14 The administrative organization of the University is determined by the educational
15 organization of the University and the education, research, service and care of the
16 University. The educational and administrative organization of the University shall
17 be such as to minimize duplication of effort and to enable the University to operate
18 as a single, closely integrated institution. To administer the various programs of the
19 University, there shall be established educational and administrative units within
20 the University.

21
22 **B. Definitions**

23
24 “Educational unit” means any existing or proposed unit that has as its primary
25 mission the performance of educational activities in instruction, research and service
26 and that has or will have at least one full-time (tenured or tenure-eligible) faculty
27 appointment or its time equivalent is assigned to perform instruction, research and
28 service in that unit. This assignment provision excludes solely administrative
29 assignments such as the chief administrative officer of the unit.

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31 “Administrative unit” means any unit not meeting the definition of an educational
32 unit.

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34 **C. Educational Units and Their Chief Administrative Officers**

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36 1. Departments, schools, colleges, graduate centers, multidisciplinary research
37 centers and institutes and interdisciplinary instructional programs are the basic
38 educational units of the University that deliver education, research, service and
39 care including extension activities.
40
41 2. Major educational units of the University are the colleges, the Graduate School
42 and the Libraries. For purposes of this *Administrative Regulation*, the Libraries
43 is equivalent to a college.
44

- 45 3. Schools are administratively responsible to a college, and departments are directly
46 responsible to a college or sometimes directly to a school within their college.
47
- 48 4. Some instructional programs draw faculty exclusively from one department,
49 school or college whereas interdisciplinary instructional programs, such as in the
50 Honors College, draw faculty from different departments, schools or colleges.
51
- 52 5. A graduate center is an interdisciplinary educational unit that delivers graduate
53 education degree programs, is equivalent to a department and is located
54 administratively in the Graduate School unless the administrative responsibility
55 specifically has been delegated otherwise.
56
- 57 6. A multidisciplinary research center or institute is an educational unit established
58 to provide multidisciplinary programs, which are primarily research in nature.
59 Such an educational unit is administratively responsible to the Vice President for
60 Research unless the administrative responsibility specifically has been delegated
61 otherwise.
62
- 63 7. The chief administrative officer of a major educational unit is a dean. The chief
64 administrative officer of a graduate center, school or multidisciplinary research
65 center or institute is a director. The chief administrative officer of a department
66 or an interdisciplinary instructional program is a chair.
67

68 **D. Academic Ranks**

- 69 1. Academic ranks in the University consist of lecturer and senior lecturer in the
70 lecturer series, and instructor, assistant professor, associate professor, professor
71 or the equivalent to these recognized in the librarian title series of librarian IV,
72 librarian III, librarian II and librarian I, respectively.
73
- 74 2. The President establishes academic title series, the ranks within each series and
75 a description of the qualifications for each after consultation with appropriate
76 shared governance bodies. Emeritus ranks for retired faculty members and the
77 rights of holders of emeritus titles are established by the President after
78 consultation with appropriate shared governance bodies.
79
- 80 3. The establishment of new academic title series or ranks and major changes in
81 criteria for ranks shall have the approval of the Board of Trustees.
82

83 **E. The Faculties**

84 **1. The Graduate Faculty**

- 85
- 86 a. Membership
87

88 The membership of the Graduate Faculty shall consist of the dean of the Graduate
89 School, associate or assistant deans of the Graduate School and regular faculty
90 and associate faculty members.

91
92 Graduate Faculty members shall possess the following qualifications:

- 93
- 94 • A doctoral degree or its equivalent in scholarly reputation;
- 95 • The rank of assistant professor (or equivalent) or higher;
- 96 • Scholarly maturity and professional productivity as demonstrated by
97 publications, editorial services, research surveys, creative work, patents
98 and research in progress at the time of appointment; and
- 99 • Definite interest in graduate work and the willingness to participate in
100 the graduate program.

101
102 The dean of the Graduate School confers membership in the Graduate Faculty. The
103 appointments are made following review by the Graduate Council of the
104 qualifications of the persons proposed for membership by the college deans,
105 department chairpersons and directors of graduate study, upon the
106 recommendation of the Graduate Faculty of the respective graduate program.

107
108 Associate and other classes of members in the Graduate Faculty may be appointed
109 by the dean of the Graduate School, with appropriate duties and privileges, as
110 provided by the *Rules of the Graduate Faculty*.

111
112 b. Officers, Committees and Councils

113
114 The Graduate Faculty may perform its functions directly, through the Graduate
115 Council or through standing or special committees which it may appoint or
116 authorize for appointment, or through delegation to college, school,
117 departmental or center graduate program faculties. Councils of the Graduate
118 School may be appointed by the dean of the Graduate School or elected, as
119 prescribed by the *Rules of the Graduate Faculty*. Copies of minutes of Graduate
120 Faculty meetings and of meetings of Graduate Faculty committees and councils
121 shall be made available to all members of the Graduate Faculty.

122
123 c. Graduate Faculty Functions

124
125 Within the limits established by the *Governing Regulations*, the Graduate Faculty
126 shall have jurisdiction over all programs leading to graduate degrees and within
127 those limits shall establish *Rules of the Graduate Faculty* necessary for the
128 performance of its credit-bearing curriculum functions. Copies of these rules
129 shall be made available to Graduate Faculty members and filed with the
130 Graduate Faculty dean and the Provost. It is the responsibility of the Graduate
131 Faculty to safeguard, promote and assist in the development of research in all

132 fields. The Graduate Faculty may make recommendations to college or
133 department faculties, to the President or other administrative officers.

134
135 The Graduate Council shall have the authority and responsibilities delegated to it
136 by the dean of the Graduate School and the Graduate Faculty.

137 138 **2. The Honors Faculty**

139 a. Membership

141
142 The membership of the Honors Faculty shall consist of the dean of the college,
143 associate or assistant deans holding professorial faculty rank (i.e. assistant,
144 associate or full professor) and who have assignment in the college and regular
145 associate faculty members.

146
147 Regular members of the Honors Faculty are tenured or tenure-eligible faculty
148 members with primary appointment in another college who have a recurring,
149 dedicated assignment in Honors College, reflected in their Distribution of
150 Effort (DOE).

151
152 Associate members of the Honors Faculty are those with primary appointment
153 in another college who have an occasional assignment to provide instruction in
154 the Honors curriculum, and lecturers with primary appointment in the Honors
155 College and a regular assignment to provide instruction in the Honors
156 curriculum.

157
158 The above members of the Honors Faculty shall possess the following
159 qualifications:

- 160
- 161 • A doctoral degree or its equivalent in scholarly reputation;
- 162 • The rank of lecturer or senior lecturer in the Lecturer Series, or the rank
163 of assistant professor (or equivalent) or higher in any other series.
- 164 • Demonstrated excellence in teaching and mentoring of undergraduate
165 students; and
- 166 • Demonstrated interest in honors students and the willingness to
167 participate in the Honors College.
- 168

169 The dean of the Honors College confers membership in the Honors Faculty.
170 The appointments of regular members are made upon recommendation of
171 Regular Honors Faculty after review of the qualifications of the persons
172 proposed for membership by the dean of the college of primary appointment.
173 The dean of the Honors College may appoint, with appropriate duties and
174 privileges, associate members in the Honors College Faculty in accordance
175 with the *Rules of the Honors College*.

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b. Officers, Committees and Councils

The Honors Faculty may perform its functions directly or through the Honors College Council, as prescribed by the *Rules of the Honors College Faculty*. The dean of the Honors College shall preside over meetings of the Honors Faculty, except as the dean may delegate that function. Copies of minutes of Honors Faculty meetings and of meetings of Honors Faculty committees and councils shall be made available to all members of the Honors Faculty.

c. Honors Faculty Functions

Within the limits established by the University regulations, the regular members of the Honors Faculty shall have jurisdiction over the curricular requirements leading to the Honors credential, and within those limits shall establish *Rules of the Honors Faculty* necessary for the performance of its credit-bearing and non-credit bearing curriculum functions in academic colleges. For these purposes, voting privileges may be extended or withdrawn by the regular members to the associate members, or to other persons assigned to the college for administrative, instruction, research, extension, clinical or librarian work. Copies of these Rules shall be made available to Honors Faculty members and filed with the dean of the Honors College and the Provost.

It is the responsibility of the Honors Faculty to promote the academic achievements of Honors students and to assist the colleges in the development of undergraduate excellence in all fields. The Honors Faculty may make recommendations on matters related to honors education, to college or department faculties, to the President or to other administrative officers.

The Honors Faculty/Council shall have the authority and responsibilities delegated to it by the dean of the Honors College.

3. Faculties of Colleges

a. Membership

The membership of the faculty of a college shall consist of its dean, associate and/or assistant deans and regular full-time faculty having the rank of assistant professor, associate professor or professor in the regular, special title or extension series or librarian III, II or I in the librarian title series. Membership, with or without voting privileges, also may be extended or withdrawn by the above college faculty to any other person assigned to the college for administrative, instruction, research, extension, clinical or librarian

219 work. An individual may be assigned to more than one college; in this instance,
220 one assignment shall be designated primary by the Provost.

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222 b. Officers, Committees and Councils

223
224 The faculty shall hold regularly scheduled meetings at which the dean shall
225 preside except as the dean may delegate that function. In addition, it shall
226 meet in special session on the call of the President, the Provost, the dean of the
227 college or at the request of a prescribed number of its voting membership. Each
228 college faculty shall establish the quorum for the transaction of business.
229 Copies of minutes of college faculty meetings and of meetings of college faculty
230 committees and councils shall be made available to all members of the faculty
231 of the college.

232
233 The faculty of each college shall establish its own rules, including a committee
234 or council structure, necessary for the performance of the faculty's functions on
235 the credit-bearing and non-credit bearing curricula in academic colleges. After
236 approval of these rules by the Provost for consistency with the *Governing*
237 *Regulations*, the *Administrative Regulations* and *Rules of the Graduate*
238 *Faculty*, copies of the rules and a description of the committee or council
239 structure shall be made available to members and filed with the dean of the
240 college and the Provost.

241
242 c. College Faculty Functions

243
244 Within the limits established by the *Governing Regulations*, *Administrative*
245 *Regulations* and *Rules of the Graduate Faculty* of the University, the faculty of
246 a college shall determine the academic requirements, credit-bearing curricula,
247 course offerings, undergraduate, graduate and research programs,
248 professional programs and service functions.

249
250 In consultation with the college faculty, the dean shall establish procedures
251 used at the level of the college concerning: (1) recommendations on faculty
252 appointments, promotions, reappointments, terminal appointments, post-
253 retirement appointments, the granting of tenure and decisions not to
254 reappoint; (2) the faculty performance evaluations; and (3) faculty input in the
255 evaluation of the performance of school directors and department chairs during
256 the interval between periodic reviews. It may make recommendations to, the
257 Graduate Faculty, school/department faculties within the college, the
258 President or to other administrative officials.

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260 The faculty of a college may delegate some responsibilities to an assembly of
261 the college, which consists of the faculty, staff and designated student
262 representatives.

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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.

4. **Faculties of Schools**

a. Membership

The membership of a faculty of a school shall consist of the dean of its college of which it is an administrative unit, the director who is the chief administrative officer of the school and the members of the faculty of the college who have been assigned regular, full-time duties in the school. Membership, with or without voting privileges, also may be extended or withdrawn by the above faculty of the school to any other person assigned to the school for administrative, instruction, research, extension, clinical or librarian work. An individual may be assigned to more than one school; in this instance, one assignment shall be designated primary by the Provost.

b. Officers, Committees and Councils

The faculty of a school shall hold regularly scheduled meetings at which the school director shall preside, except as the director may delegate this function. In addition, it shall hold special meetings on the call of the dean of the college, the director of the school or by a prescribed number of its voting faculty. The school director shall preside over school faculty meetings, except as the director may delegate this function. Copies of the minutes of school faculty meetings and meetings of committees and councils of the school faculty shall be made available to all members of the faculty of the school.

The faculty shall establish its own rules and determine its own committee structure that are necessary for its functions on the credit-bearing and non-credit bearing curricula in academic colleges and shall prescribe the quorum necessary for the transaction of business. After approval of these rules by the dean of the college and by the Provost for consistency with the *Governing Regulations*, the *Administrative Regulations*, *Rules of the Graduate Faculty* and college faculty rules, copies of the school faculty's rules and a description of its committee structure shall be made available to its members, and a copy shall be filed with the director of the school, the dean of the college of which it is a unit, with the Provost.

c. School Faculty Functions

306 Within the limits established by the *Governing Regulations, Rules of the*
307 *Graduate Faculty* and the rules of the faculty of the college of which it is a unit,
308 the faculty of a school shall determine the academic requirements, credit-
309 bearing curricula, course offerings, undergraduate, graduate and research
310 programs, professional programs and service functions, to the extent that this
311 responsibility has not been delegated to a department faculty. It shall be
312 responsible for functions and duties assigned to it by the faculty of the college.
313 For these purposes, it shall make recommendations to the faculty of the college
314 on matters that require the approval of that body. It may make
315 recommendations on other matters to, the Graduate Faculty, the college
316 faculty and the faculties within the school and the dean or other administrative
317 officers. The academic or scholastic requirements of a school may exceed, but
318 not be lower than, those established by the college faculty.

320 In addition to the functions and responsibilities described above, the faculty of
321 a school without departments shall have any other functions and
322 responsibilities which are delegated to a department faculty.

324 5. Faculties of Departments

326 a. Membership

327
328 The membership of a faculty of a department shall consist of a chair and the
329 regular, full-time members of the department who are members of the faculty
330 of the school and/or college of which the department is a part. Membership,
331 with or without voting privileges, also may be extended or withdrawn by the
332 above department faculty to any person assigned to the department for
333 administrative, instruction, research, extension, clinical or librarian work. An
334 individual may be assigned to more than one department; in this instance, one
335 assignment shall be designated as primary by the Provost.

337 b. Officers and Committees

338
339 The department faculty shall hold regularly scheduled meetings, at which the
340 department chair shall preside except as the chair may delegate this function.
341 In addition, it shall hold special meetings on the call of the dean of the college,
342 the chair of the department or by a prescribed number of its voting faculty. The
343 department chair shall be an ex officio member of all departmental committees.
344 Copies of minutes of departmental faculty meetings and of meetings of
345 department committees shall be made available to all members of the faculty
346 of the department.

347
348 The department faculty shall establish rules, procedures and a committee
349 structure concerning credit-bearing curricula in academic college matters over

350 which it has jurisdiction and responsibility and shall establish its quorum for
351 the transaction of business. These proposed rules, procedures and committee
352 structure shall be submitted to the director of the school (if appropriate), the
353 dean of the college and the Provost for approval for consistency with the
354 *Governing Regulations*, the *Administrative Regulations*, *Rules of the Graduate*
355 *Faculty*, rules of the college and (if appropriate) rules of the school faculty.
356 Copies of the approved rules, procedures and committee structure shall be
357 made available to the members of the departmental faculty and shall be filed
358 with the director of the school, (if appropriate) the dean of the college of which
359 the department is a unit and the Provost.

360
361 c. Department Faculty Functions

362
363 Within the limits established by the *Governing Regulations*, the
364 *Administrative Regulations*, *Rules of the Graduate Faculty* or the rules of the
365 faculties of the school or college of which the department is a part, the
366 department faculty has jurisdiction over the implementation of the credit-
367 bearing and non-credit bearing curricula in academic colleges.

368
369 The department faculty has primary responsibility for the development of
370 policies on such matters as academic requirements, courses of study, course
371 offerings, graduate and research programs and service functions. Jointly with
372 the department chair, the department faculty shall establish procedures to be
373 used within the department concerning (1) recommendations on faculty
374 appointments, promotions, reappointments, terminal appointments, post-
375 retirement appointments and the granting of tenure and decisions not to
376 reappoint; (2) the faculty performance evaluations; and (3) preparation of
377 budget requests. The procedures in (1) and (2) above shall include consultation
378 with directors of multidisciplinary research centers and institutes for those
379 faculty members who are or shall be associated with such centers or institutes.

380
381 The department faculty shall develop statements describing the evidences of
382 activity in education, research, service and care that are appropriate to their
383 field(s) for use in guiding evaluations for promotion and tenure. If developed
384 and approved by the department faculty, those statements shall be submitted
385 by the chair of the department to the dean for review and final approval before
386 the statements are made operative in the department. Revisions to a
387 department's statements, upon approval of the department faculty, shall also
388 be submitted by the department chair to the dean for review and final
389 approval.

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391 The academic or scholastic requirements of a department may exceed, but not
392 be lower than, those of the school and/or college of which the department is a
393 part.

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6. Faculty of Multidisciplinary Research Centers and Institutes

a. Faculty Membership and Functions

The faculty of a multidisciplinary research center or institute that is responsible for implementing the credit-bearing and non-credit bearing curriculum in academic colleges shall consist of: (1) a director who also shall be a faculty member of a department, school or college; (2) faculty members with recurring, formally assigned instructional, research and/or service duties in the unit. In addition, membership, with or without voting privileges, may be extended and withdrawn by the above center or institute faculty to any other person assigned to the unit for administrative, instructional, research, extension, clinical or librarian work.

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

b. Officers and Committees

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

7. Student and Staff Participation

Rules of procedure in educational units of the University shall provide, when appropriate, for participation of students and staff.

F. Administrative Officers

1. Administrative Officers — General

Each administrative officer, other than the President, is 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 duties of administrative officers reporting directly to the President shall be those delegated by the President. 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, directors and chairs of educational units, and their major duties assigned, are described below.

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Each administrative officer is authorized to establish and enforce such policies and procedures as are attendant to delegated administrative duties and to establish administrative or advisory committees to aid in the performance of assigned functions.

2. Administrative Officers of Educational Units

a. Dean of the Graduate School

The dean of the Graduate School is chair of the Graduate Faculty and of the Graduate Council and serves as an ex officio member of all committees of the Graduate School. Under the broad direction of the President and the Provost, the dean provides general planning, guidance, review coordination for all of the University's endeavors in graduate education. The dean appoints regular and associate members of the Graduate Faculty. 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 dean shall speak for the Graduate Faculty. In the event that the dean believes it necessary to depart from the recommendations of the Graduate Faculty, the dean shall communicate the Graduate Faculty's recommendation as well as the dean's recommendation, stating the reasons for differing from the Graduate Faculty's opinion, and notify the Graduate Faculty of such action.

b. Dean of the Honors College

The dean of the Honors College is chair of the Honors Faculty and serves as an ex officio member of all councils and committees of the Honors College. Under the broad direction of the President and the Provost, the dean provides general planning, guidance, review and coordination for all of the college's endeavors in undergraduate education. The dean also recommends on the college budget and shall have the same authority and responsibilities as those of a dean of a college in the administration of the Honors College.

In connection with the above administrative functions, the dean shall seek the advice of the faculty of the college (1) individually, (2) as a whole, (3) through the elected college faculty council or (4) through the faculty advisory committees.

The dean shall speak for the Honors Faculty. In the event that the dean believes it necessary to depart from the recommendations of the Honors

483 Faculty, the dean shall communicate the Honors Faculty’s recommendation as
484 well as the dean’s recommendation, stating the reasons for differing from the
485 Honors Faculty’s opinion and notify the Honors Faculty of such action.
486

487 The Honors College shall establish an External Advisory Board. This body
488 shall be consultative, governed by by-laws established under the direction of
489 the dean of the college and approved by the Provost for its operation. The
490 Honors External Advisory Board shall offer advice and recommendations on
491 matters brought forward by the dean and leadership of the university,
492 reserving matters of the credit-bearing and non-credit bearing curriculum in
493 academic colleges, personnel and internal operations to the Honors Faculty
494 and administrative leadership.
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496 c. Deans of the Colleges
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498 A dean is the chief administrative officer of a college and is responsible for the
499 enforcement of the *Governing Regulations*, the *Administrative Regulations*,
500 *Rules of the Graduate Faculty* and the rules of the college faculty. The dean is
501 authorized to establish and enforce such policies and procedures as are
502 attendant to the administrative management of the operations of the college.
503

504 The dean is the chair of the college faculty and an ex officio member of all
505 college committees. The dean is charged with overseeing the educational work
506 of the college and its efficient conduct and management in all matters not
507 specifically charged elsewhere. The dean is responsible for the implementation
508 of the credit-bearing and non-credit bearing curricula of the academic college,
509 for ensuring through the faculty the quality of instruction given therein, for
510 the assignment of duties to all personnel and for the service provided by the
511 faculty of the college, individually and as a whole. The dean shall review
512 faculty performance evaluations submitted by the department chairs and shall
513 be responsible for recommendations on salaries, salary changes, appointments,
514 reappointments, terminal appointments, post-retirement appointments,
515 promotions and granting of tenure and decisions not to reappoint for members
516 of the college or for ultimate action thereon when such authority has been
517 delegated by the President or the Provost.
518

519 The dean shall submit the budget request for the college and administer the
520 budget when it is approved. The President or Provost may delegate further
521 administrative responsibilities to the dean. These responsibilities may vary
522 from college to college.
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524 In connection with the above administrative functions, the dean shall seek the
525 advice of the faculty of the college (1) individually, (2) as a whole, (3) through
526 the elected college faculty council or (4) through the faculty advisory

527 committees. In addition to the roles and responsibilities described above, the
528 dean of a college without departments shall have any other roles and
529 responsibilities which are delegated to a department chair. Staff employees
530 shall be consulted, when appropriate, in the development of administrative
531 policies and decisions that directly affect staff employees.

532
533 The dean shall speak for the college. In the event that the dean believes it
534 necessary to depart from recommendations of the college faculty, the dean shall
535 communicate the college faculty's recommendation as well as the dean's
536 recommendation, stating reasons for differing from the college faculty's opinion
537 and notify the college faculty of such action.

538
539 d. Directors of Schools

540
541 The director of a school serves as chair of the faculty of the school in the
542 performance of its assigned functions and is an ex officio member of all
543 committees of the school.

544
545 The director's administrative responsibilities shall be those delegated by the
546 dean of the college of which the school is a part.

547
548 In connection with the above administrative functions, the director shall seek
549 the advice of the faculty of the school: (1) individually, (2) as a whole, (3)
550 through the elected school faculty councilor (4) through faculty advisory
551 committees. In addition to the roles and responsibilities described above, the
552 director of a school without departments shall have any other roles and
553 responsibilities which are delegated to a department chair. Staff employees
554 shall be consulted by the school director (or associate director), when
555 appropriate, in the development of administrative policies and decisions that
556 directly affect staff employees.

557
558 The director shall speak for the school. In the event that the director believes
559 it necessary to depart from the recommendations of the school faculty, the
560 director shall communicate the school faculty's recommendation as well as the
561 director's recommendation, stating reasons for differing from the school
562 faculty's opinion and notify the school faculty of such action.

563
564 e. Chairs of Departments

565
566 The department chair leads the department faculty in its development of
567 policies on such matters as academic requirements, courses of study, class
568 schedules, graduate and research programs and service functions. The chair
569 presides at all department meetings, except as the chair may delegate this
570 function and is an ex officio member of all department committees. The chair

571 has administrative responsibility for implementing the department's policies
572 and programs within the limits established by the *Governing Regulations*, the
573 *Administrative Regulations*, *Rules of the Graduate Faculty*, the rules of the
574 college and the rules of any school of which it is a part.
575

576 The department chair is responsible for recommendations on the appointment
577 of new faculty employees of the department, promotions, reappointments,
578 terminal appointments, post-retirement appointments, the granting of tenure
579 and decisions not to reappoint.
580

581 Procedures used in preparing recommendations shall be those established by
582 the University, the college and the department faculty. At a minimum, on
583 matters relating to decisions not to reappoint, reappointment, terminal
584 reappointment or the granting of tenure of persons in any title series, the
585 department chair shall consult with all tenured faculty members of the
586 department. At a minimum, on matters relating to appointment or promotion
587 of any persons in any tenure-eligible title series, the department chair shall
588 consult with all full-time tenured and tenure-eligible faculty members of the
589 department, with a rank at or above the rank to which the individual being
590 considered would be appointed or promoted. At a minimum, on matters
591 relating to appointment, decisions not to reappoint, reappointment, terminal
592 reappointment or promotions of persons in any tenure-ineligible series, the
593 department chair shall consult with all full-time tenured and tenure-eligible
594 faculty members of the department. On matters relating to appointment or
595 promotion in the Clinical Title Series, Research Title Series or Lecturer Series,
596 the department chair shall also consult with all full-time faculty employees in
597 the series of the individual under consideration who are at or above the rank
598 to which the individual would be appointed or promoted. All recommendations
599 on matters listed above, excluding reappointments and post-retirement
600 appointments, shall include the written judgment of each consulted member of
601 the department and of each director of any multidisciplinary research centers
602 or institutes, or graduate centers with which the individual is, or would be,
603 associated, along with the recommendation of the chair.
604

605 On matters relating to appointment or promotion in the Clinical Title Series,
606 Research Title Series or Lecturer Series, the department chair shall also
607 consult with all full-time faculty employees in the series of the individual under
608 consideration who are at or above the rank to which the individual would be
609 appointed or promoted. Faculty employees in the tenure-ineligible series shall
610 not be consulted on matters relating to appointment, reappointment, terminal
611 reappointment, decisions not to reappoint, promotion or the granting of tenure
612 of faculty employees in the tenure-eligible title series, except by invitation of
613 the department faculty as provided below.
614

615 A department faculty may establish policies that extend the above minimum
616 consultation requirements in faculty personnel matters to include the specified
617 participation of other full-time faculty employees in any series in the
618 department. Once these policies on extended participation privileges are
619 approved by the department and reviewed by the department chair, the dean
620 and Provost for consistency with the *Governing Regulations, Administrative*
621 *Regulations* and rules of the college, these policies shall be incorporated into
622 the rules document of the department.

623
624 The following exceptions may be made: (1) faculty employees on approved leave
625 of absence or with a primary administrative, service or other assignment
626 outside the department, who are otherwise eligible to participate, may, but are
627 not required to, provide written judgments on all recommendations; (2) faculty
628 employees at the rank of instructor in any title series participate only upon the
629 granting of participation privileges by the department faculty; and (3) in a
630 large and diverse department, upon prior recommendation by the department
631 faculty and approval of the dean and the Provost, consultation with faculty
632 employees may be restricted to those associated with the concerned,
633 previously-defined academic division or program area in the department.

634
635 The department chair is responsible for the periodic evaluation of department
636 members by procedures and criteria established by the University, the college
637 and the department faculty.

638
639 The department chair submits the budget request for the department and
640 administers the budget after its approval. The chair also is responsible for
641 making recommendations on salaries, salary changes and distribution of effort.

642
643 In connection with the above major administrative functions, the chair shall
644 seek the advice of members of the department, individually or as a group, or of
645 advisory committees that the chair may appoint. Staff employees shall be
646 consulted, when appropriate, by the chair, in the development of
647 administrative policies and on decisions that directly affect staff employees.

648
649 The chair shall speak for the department. In the event that the chair believes
650 it necessary to depart from the opinion of the department faculty, the chair
651 shall communicate the department faculty's opinion as well as the chair's
652 recommendation, stating reasons for differing from the department faculty's
653 opinion and notify the department faculty of such action.

654
655 f. Directors of Multidisciplinary Research Centers and Institutes

656
657 The administrative officer of a multidisciplinary research center or institute is
658 a director, who also shall be a faculty member in a department, school or

659 college. The director of a multidisciplinary research center or institute is
660 charged with the planning, implementation, coordination and efficient
661 management of the program and activities of the center or institute. The
662 director shall have the same responsibilities as those of a department chair
663 relative to faculty members and staff employees with assigned duties in the
664 center or institute. The director shall provide recommendations and advice to
665 appropriate educational unit administrators concerning space, financial and
666 other resources, as well as the identification of faculty members for assignment
667 of duties in the center or institute. The director shall submit the core budget
668 request for the center or institute and administer this budget after its
669 approval. In addition, the director may have other responsibilities delegated
670 by the Vice President for Research or other academic administrator to whom
671 the center or institute is administratively responsible.
672

673 In connection with the above major administrative functions, the director shall
674 seek the advice of the faculty members of the center or institute, individually
675 or as a group, or of advisory committees that may be appointed by the director
676 of the center or institute or by the administrator to whom the center or
677 institute is administratively responsible. The director shall speak for the
678 center or institute and be an ex officio member of all its committees and shall
679 transmit the recommendations of the consulted faculty along with the
680 director's recommendation if these recommendations are different. Staff
681 employees shall be consulted, when appropriate, by the director, in the
682 development of administrative policies and on decisions that directly affect
683 staff employees.
684

685 g. Dean/Director/Chair of Interdisciplinary Instructional Programs
686

687 The dean/director/chair of an interdisciplinary instructional program shall be
688 a member of one of the academic departments participating in the program.
689

690 The dean/director/chair shall be responsible to the dean(s) of the college(s) in
691 which the program is located and advise the dean(s) on personnel and other
692 needs of the program in connection with budget planning. For these
693 administrative purposes, the director/chair shall rely upon the advice of a
694 committee drawn from faculty members participating in the courses composing
695 the credit-bearing and non-credit bearing curriculum in academic colleges and
696 shall transmit the recommendations of the consulted faculty along with the
697 director/chair's recommendation, if these recommendations are different. Staff
698 employees shall be consulted by the director/chair, when appropriate, in the
699 development of administrative policies and on decisions that directly affect
700 staff employees.
701
702

703 For questions, contact: Office of Legal Counsel

704 **Administrative Regulation — University Appointments (*Formerly GR VIII*)**

705

706 **A. Administrative Appointments**

707

708 **1. Regular Appointments**

709

710 The President is appointed by the Board of Trustees. The President shall appoint the
711 Provost and the other members of the President’s Cabinet.

712

713 **2. Acting Appointments**

714

715 When vacancies occur in administrative positions other than the presidency, the
716 President or the Provost or the appropriate executive vice president or vice president
717 may appoint acting officers to fill the positions until it is possible to make regular
718 appointments by the established procedure. When the officer is one who does not
719 report directly to the President, the President or the Provost, or an executive vice
720 president or a vice president, as appropriate, shall request a recommendation from
721 that officer's superior. Acting appointments shall be for a maximum term of one (1)
722 year; however, reappointments may be made after a satisfactory review. All
723 appointments of acting officers shall be reported to the Board of Trustees. With the
724 approval of the next higher administrative level, a regular administrative officer may
725 designate a temporary officer to service in an acting capacity for a period not to exceed
726 four (4) months while the regular officer is away from campus on University business
727 or approved leave.

728

729 If the officer administers a college, center, school or department, the Provost also
730 shall request a recommendation on matters of acting appointment or acting
731 reappointment from a committee which includes faculty members from that unit.

732

733 In the selection of an acting Provost, the President shall request a recommendation
734 from a committee which includes faculty members and also recommendations from
735 the Faculty Senate.

736

737 The search processes for an acting provost or chief administrative officers of colleges,
738 schools, departments and centers shall include the participation of staff employees of
739 the unit and shall provide for the participation of other affected groups as
740 appropriate.

741

742 **3. Search Committees for Educational Units**

743

744 Recommendations for the appointment of the Provost and the chief administrative
745 officers of all educational units of the University shall be made after advice from
746 search committees.

747 When vacancies in administrative positions are anticipated, search committees shall
748 be appointed sufficiently in advance of the vacancy to avoid the appointment of an
749 acting administrator.

750
751 When unanticipated vacancies occur, search committees shall be appointed as soon
752 as the established procedures for appointment can be carried out. The selection of
753 faculty members for membership on search committees for administrative
754 appointments above the level of dean shall be made after consultation with the
755 Faculty Senate.

756
757 Recommendations of the search committee shall be transmitted to the President
758 through the established administrative channels, along with the recommendation of
759 the administrative officer responsible for the appointment. Recommendations on the
760 appointment or reappointment of a chair of an academic department or division, or
761 for the dean of a college or the director of a school that does not contain departments
762 or divisions, shall be accompanied by written statements from at least the tenured
763 members of the college, school, department or division.

764
765 Search committees for deans of colleges shall be appointed by the Provost after
766 consultation with the Faculty Senate, and either the faculty or elected faculty council
767 of the college.

768
769 Search committees for directors of schools shall be appointed by the deans of the
770 colleges after consultation with the appropriate bodies as these bodies are identified
771 in the rules of the respective school faculty.

772
773 Search committees for chairs of academic departments shall be appointed by the
774 deans of the colleges after consultation with (1) the associate dean or director of the
775 school within the college if the department is in such a school; (2) the faculty of the
776 department; and (3) the Dean of the Graduate School if the department is involved in
777 a graduate program.

778
779 Search committees for directors of interdisciplinary research centers or institutes or
780 interdisciplinary instructional programs shall be appointed, after consultation with
781 the appropriate bodies, by the Vice President for Research or other officer to whom
782 administrative responsibility has been delegated.

783
784 The search processes for a provost or for chief administrative officers of colleges,
785 schools, departments and centers shall include the participation of staff employees of
786 the unit and shall provide for the participation of other affected groups, as
787 appropriate.

788
789 **4. Terms of Chairs and Directors**

790

791 a. Department Chairs

792

793 The term of a department chair's appointment shall be four (4) years, except
794 in the Colleges of Agriculture, Dentistry, Medicine, Nursing and Pharmacy
795 where it shall be six (6) years.

796

797 Ordinarily, a department faculty member will be asked to serve as chair for
798 only one (1) term. A chair may be reappointed, however, when the faculty
799 advisory committee appointed to review the work of the department (AR 1:4)
800 finds that the particular circumstances and needs of the department make
801 such a reappointment desirable. Reappointment beyond the second term may
802 occur under exceptional circumstances when it is deemed to be in the best
803 interests of the University. This practice may vary from discipline to discipline.

804

805 b. Chairs of Interdisciplinary Instruction Programs

806

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

810

811 c. Directors of Multidisciplinary Research Centers and Institutes

812

813 The director of a multidisciplinary research center or institute shall be
814 appointed for a term of six (6) years. A director may be reappointed, however,
815 when an ad hoc committee appointed to review and evaluate the center or
816 institute (AR 1:4) finds that the particular circumstances and needs of the
817 center or institute make such a reappointment desirable.

818

819 **B. Academic Appointments, Reappointments, Promotions and Granting of**
820 **Tenure**

821

822 1. The Board of Trustees, acting upon the recommendation of the President, shall
823 take final action on all appointments, reappointment and promotions of faculty
824 members to positions which involve:

825

826 a. an actual or equivalent academic rank of associate professor or professor;

827 b. tenure; or

828 c. an initial salary above a set of monetary thresholds approved by the Board of
829 Trustees.

830

831 2. The President, or the President's designee, shall take final action on
832 appointments, reappointments and promotions that do not require approval by
833 the Board of Trustees. Such final actions shall be reported to the Board of Trustees
834 through the Office of the President.

835

836 3. The President, following consultation with the Faculty Senate, shall establish
837 such review procedures as are appropriate to assist the President, in making
838 informed judgments concerning faculty appointments, reappointments,
839 promotions and the granting of tenure. Those procedures will be codified in the
840 Administrative Regulations. Any delegation of presidential authority in faculty
841 appointments, reappointments, promotions and the granting of tenure shall also
842 be codified in the Administrative Regulations.

843
844 For questions, contact: Office of Legal Counsel

845 **Administrative Regulation — Reviews of Organizational Units and Their**
846 **Chief Administrative Officers (*Formerly GR IX*)**

847
848 **A. Program Review**

849
850 The performance of each educational and administrative unit in the University* shall
851 be reviewed comprehensively at regular intervals by an ad hoc committee. The review
852 period shall normally be from five (5) to seven (7) years.

853
854 Ad hoc review committees for educational units shall be formed principally from
855 faculty personnel, shall normally include members internal and external to the unit
856 being reviewed, and may include members external to the University. Review
857 committees for administrative units shall be formed from affected constituencies,
858 including faculty and staff employees, shall normally include members internal and
859 external to the unit being reviewed, and may include members external to the
860 University.

861
862 *Includes departments, schools, graduate centers, colleges, interdisciplinary
863 instructional programs and multidisciplinary research centers and institutes.

864
865 **B. Review of Chief Administrative Officers**

866
867 The performance of chief administrative officers shall be reviewed comprehensively
868 at regular intervals. The reviews shall be designed to provide information to enhance
869 leadership and unit effectiveness and to guide compensation and employment
870 decisions.

871
872 Ad hoc review committees for chief administrative officers at the level of Provost,
873 executive vice presidents and deans shall be formed with representatives from
874 affected constituencies and may include members external to the unit or university.

875
876 **C. Policies and Procedures for Reviews**

877
878 Policies and procedures for conducting program reviews and reviews of chief
879 administrative officers, as established by the President after consultation with
880 appropriate shared governance bodies are described in the *Administrative*
881 *Regulations*. Policies and procedures for conducting reviews of department chairs and
882 school directors, as appropriate for the individual colleges, shall be established jointly
883 by the dean and the college faculty.

884
885 A review of the performance of any unit at other than the regular interval may be
886 initiated by the chief administrative officer of the unit, by an administrative officer
887 responsible for the unit or by the President. A review of the performance of any chief
888 administrative officer at other than the regular interval may be initiated by the

889 officer, the officer's supervisor or the President. Ordinarily such reviews also shall be
890 initiated if requested by a majority of the faculty of an educational unit or the staff
891 employees of an administrative unit. Such requests shall be submitted to the
892 administrative officer to whom the unit reports, who shall provide a written
893 explanation if the officer disapproves the request.

894

895 For questions, contact: Office of Legal Counsel

896 **Administrative Regulation — Regulations Affecting Employment**
897 **(Formerly GR X)**

898
899 **A. General**

900
901 **1. Merit as the Basis for Appointment**
902

903 The University of Kentucky complies with the federal and state Constitutions, and
904 all applicable federal and state laws, regarding nondiscrimination. The University
905 provides equal opportunities for qualified persons in all aspects of University
906 employment. All appointments shall be made strictly on the basis of merit. An
907 applicant for a position shall not be discriminated against on the basis of race, color,
908 national origin, ethnic origin, religion, creed, age, physical or mental disability,
909 veteran status, uniformed service, political belief, sex, sexual orientation, gender
910 identity, gender expression, pregnancy, marital status, genetic information, social or
911 economic status or whether the person is a smoker or nonsmoker, as long as the
912 person complies with University policy concerning smoking.

- 913
- 914 a. Nepotism is generally inconsistent with the University’s longstanding policy of
915 making employment decisions based solely on unit needs and individual
916 qualifications, skills, ability and performance. Nepotism is generally
917 prohibited within the University community. Nepotism means actions by a
918 member of the University community that directly influence, benefit or
919 detriment the University employment (e.g., hiring, promotion, supervision,
920 evaluation and determination of salary) of any other member of the University
921 community who is a relative. Relative means a person’s father, mother,
922 brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law,
923 daughter-in-law and step-relatives in the same relationships. Employment
924 includes regular and temporary full- and part-time employment, student
925 employment and work-study and graduate and other assistant programs.
926
 - 927 b. No member of the Board of Trustees, except those elected to the Board of
928 Trustees as faculty or staff representatives, shall be employed by the
929 University. No relative of a member of the Board of Trustees shall be employed
930 by the University.
931
 - 932 c. No relative of the President or any person reporting directly to the President
933 shall be employed in a position in that person’s administrative area, unless
934 approval is granted by the Board of Trustees. Approval by the Board shall only
935 be granted upon a determination that:
936
 - 937 (1) The employment is in the best interest of the University;
 - 938
 - 939 (2) The Board has been informed of the selection process and all University

940 regulations and policies regarding hiring and employment qualifications
941 have been followed; and

942
943 (3) The Board has reviewed and approved a written management plan,
944 including an agreement concerning supervisory and other management
945 arrangements. The management plan shall ensure that employment
946 decisions are made impartially and that neither employee is disadvantaged.
947 The management plan shall ensure that the possibility of nepotism and the
948 appearance of impropriety are eliminated and shall be consistent with
949 *Human Resources Policy and Procedures 19.0, Nepotism*.

950
951 d. In general, no relative of any employee of the University shall be employed in
952 any position in the University over which the related employee exercises
953 supervisory or line authority. In some cases, however, when it is in the best
954 interest of the University, potential conflicts can be managed through prompt
955 disclosure of the relationship and approval by the appropriate senior
956 administrator. Senior administrator means the person reporting directly to the
957 President and having supervisory authority for the area where the conflict or
958 potential conflict exists. Approval by the Senior Administrator shall only be
959 granted upon a determination that:

- 960
961 (1) The employment is in the best interest of the University;
- 962
963 (2) The Senior Administrator has been informed of the selection process and
964 all University regulations and policies regarding hiring and employment
965 qualifications have been followed; and
- 966
967 (3) The Senior Administrator has reviewed and approved a written
968 management plan, including an agreement concerning supervisory and
969 other management arrangements. The management plan shall ensure that
970 employment decisions are made impartially and that neither employee is
971 disadvantaged. The management plan shall ensure that the possibility of
972 nepotism and the appearance of impropriety are eliminated.

973
974 **3. Intellectual Property**

975
976 As a general policy, all intellectual property conceived, first reduced to practice,
977 written or otherwise produced by faculty members, staff employees or students of
978 the University using University funds, facilities or other resources shall be owned
979 and controlled by the University. Any faculty member, staff employee or student
980 who produces such intellectual property using University funds, facilities or other
981 resources shall assign personal rights to the property to the University, or it's
982 designate, but shall have an interest in and a right to share in any financial
983 returns from the commercialization of the property. Notwithstanding, it is a

984 specific policy of the University that the traditional products of scholarly activity,
985 such as journal articles, textbooks, reviews, monographs, works of art, sculpture,
986 music and course materials, shall be the unrestricted property of the author. The
987 University shall exert no ownership claim of such works. A Standing Committee
988 on Intellectual Property appointed by the President shall administer the policy
989 and oversee implementation of the procedures, both as detailed in the
990 *Administrative Regulations* on intellectual property (See AR 7:6 and AR 7:7).

991 **4. Representation and Attendance at Meetings**

992
993
994 In order that the University may be properly represented at the various
995 gatherings or functions to which it is invited from time to time to participate, the
996 President selects faculty members or staff employees to represent the institution.
997 In addition, employees are urged to become members and to participate in
998 meetings of international, national, regional and state and local organizations and
999 associations related to their University employment.

1000
1001 Funds may be available to defray the expenses in whole or in part of those who
1002 are authorized to attend meetings by the President or other appropriate
1003 administrative officers.

1004 **5. Retirement**

1005
1006
1007 The University of Kentucky Retirement Plan represents a consolidation of the
1008 original Retirement Resolution (April 7, 1964) and its numerous subsequent
1009 amendments into a unified statement of University policy and guidelines on
1010 retirement of employees. The University of Kentucky Retirement Plan, which has
1011 been adopted by the Board of Trustees and may be amended only by that body, is
1012 presented in its entirety in the *Administrative Regulations* (See AR 3:1).

1013 **6. Social Security**

1014
1015
1016 All employees except those in Civil Service are covered by the Old-Age and
1017 Survivors Insurance of the National Social Security Program and are thus eligible
1018 for benefits in accordance with the governing legislation. Each eligible employee
1019 of the University must, if the employee has not previously done so, secure a Social
1020 Security card and supply to the Office of the Treasurer a completed Treasury Form
1021 W-4 with the employee's social security number and other information necessary
1022 for withholding appropriate contributions.

1023 **7. Group Insurance**

1024
1025
1026 Regular full-time faculty members and staff employees who are employed by the
1027 University are insured under the Basic Life Insurance Program. This insurance
1028 may be increased optionally in accordance with and up to the maximum amount

1029 contained in the University's contract with the insurer. The premium for the basic
1030 insurance is paid by the University, whereas that for the optional increase in
1031 insurance is paid by the employee.

1032 In addition, all regular full-time faculty members and staff employees are
1033 encouraged to participate in the University's basic health and other insurance
1034 programs that also may include coverage for dependents.

1035

1036 **8. Workers' Compensation**

1037

1038 A University employee sustaining an on-the-job injury to developing a job-related
1039 illness is covered by provisions of the Kentucky Workers' Compensation Act.

1040

1041 **9. Employee Disability Program**

1042

1043 Regular full-time faculty members and staff employees, other than those covered
1044 by Civil Service or the Federal Employee Retirement System, are covered by the
1045 Long Term Disability Program. Coverage commences after the completion of one
1046 (1) year of employment unless the eligible employee, at the time of hire, satisfies
1047 the exception condition as outlined in the plan document in which case there is
1048 immediate coverage. This program provides income protection through a Long
1049 Term Disability Plan. Supplemental Long Term Disability coverage may be
1050 offered at the employee's expense.

1051

1052 **B. Employment of Faculty**

1053

1054 **1. Appointment of Faculty**

1055

1056 **a. Types of Faculty Appointments**

1057

1058 Faculty appointments are with educational units and shall be of three basic
1059 types: (1) non-tenured appointments; (2) tenured appointments; and (3) post-
1060 retirement appointments.

1061

1062 (1) There are two types of non-tenured appointments.

1063

1064 (a) One type of non-tenured appointment is that in which a faculty member
1065 is ineligible for tenure as a consequence of having been appointed (1) in
1066 the lecturer, research, clinical, adjunct, visiting or voluntary title series
1067 or (2) on a part-time or temporary basis in a title series. An appointment
1068 on a temporary basis involves an individual who has assigned duties and
1069 responsibilities that shall be completed within one (1) year or less.

1070

1071 (b) A second type of non-tenured appointment is that in which a faculty
1072 member is appointed on a full-time, year-to-year basis in the regular,
1073 special, extension or librarian title series. In such an appointment, the

1074 faculty member does not have tenure but may be considered for tenure
1075 if recommended for such by the appropriate University administrators.
1076

- 1077 (2) A tenured appointment is one in which a faculty member is on full-time
1078 continuous appointment.
1079

1080 The term "joint appointment" shall apply in any case in which an individual
1081 holds two (2) or more intra-University faculty appointments. In such an
1082 instance, one of the appointments shall be designated as the primary
1083 appointment by the dean of the college if the individual's appointments are
1084 associated with educational units in the same college or by the Provost if
1085 the appointments are with educational units in different colleges. The
1086 constituent appointments relating to a joint appointment may be processed
1087 simultaneously or at different times; however, each appointment,
1088 reappointment or promotion, shall be processed independently and
1089 considered on its own merits. An individual's academic rank, though
1090 usually the same, may differ in the constituent appointments. The
1091 possibility of tenure applies only to the primary appointment. In case of
1092 termination of the non-primary appointment(s) leaving only the primary
1093 appointment for a full-time faculty member, the individual's assignment
1094 associated with the primary appointment shall become full-time. When an
1095 individual under consideration for appointment to an administrative
1096 position is also to be considered for a faculty appointment,
1097 recommendations of committees on the two respective appoints shall be
1098 developed independently on their respective merits, in accordance with the
1099 respective established appointment procedures.
1100

- 1101 (3) Post-retirement appointments are of two (2) types.
1102

1103 (a) One type is that in which retired faculty members may be appointed to
1104 perform duties for which fee schedules have been established and
1105 approved by the Provost.
1106

1107 (b) A second type of post-retirement appointment may be used in a very
1108 limited number of cases, when it is essential to a University program or
1109 office or when it is otherwise impossible practicably to fill a position with
1110 a fully qualified person. Such a part-time or full-time appointment is
1111 restricted to former employees who have elected to retire, requires
1112 specific prior approval by the Board of Trustees and is made for a period
1113 not to exceed one (1) year.
1114

1115 More detailed information on the various types of appointments is provided in
1116 the *Administrative Regulations* (See AR 2:1 and AR 3:1).
1117

1118 b. Probationary Periods

1119
1120 Probationary periods are applicable to non-tenured appointments of faculty
1121 members on a full-time year-to-year basis in the regular, special title,
1122 extension or librarian title series. Such non-tenured appointments may be for
1123 one (1) year or for other stated periods, subject to renewal. The total non-tenure
1124 period, however, shall not exceed seven (7) years except where required by
1125 state or federal law or this *Administrative Regulation*. For other leaves of
1126 absence where the University, in granting the leave, and the individual, in
1127 accepting it, agree that time spent on the leave of absence shall not count as
1128 probationary period service. An individual initially appointed to the rank of
1129 full professor may be given non-tenure status for a period not to exceed one (1)
1130 year. An individual shall not remain at the rank of instructor in the University
1131 for more than three (3) years. If after that period, promotion to a higher rank
1132 cannot be justified, the individual's appointment with the University shall not
1133 be renewed.

1134
1135 Following appropriate probationary periods not exceeding in duration those
1136 described above, all persons of associate professor (or librarian II) or higher
1137 rank shall be given tenure or their appointments shall not be renewed; all
1138 persons of assistant professor rank (or librarian III) shall be promoted to
1139 associate professor (or librarian II) with tenure or their appointments shall not
1140 be renewed. Established appointment, promotion and review procedures shall
1141 be followed in making these decisions.

1142
1143 Probationary periods (or maximum non-tenure periods) are not applicable in
1144 cases where faculty members are appointed (1) in the lecturer, research,
1145 clinical, adjunct, visiting or voluntary series of academic ranks and titles, or
1146 (2) on a part-time or temporary basis. In all such appointments, faculty
1147 members are ineligible for tenure.

1148
1149 c. Delay of Probationary Periods

1150
1151 A probationary regular, special, extension or librarian title series faculty
1152 member who becomes the parent of a child or children by birth, adoption or
1153 guardianship, shall automatically be granted a one-year delay of the
1154 probationary period by the dean of the respective college. A faculty member
1155 who qualifies for this automatic delay of the probationary period shall submit
1156 to his or her department chair a signed and completed Faculty Tenure Delay
1157 Form (TDF) and supporting documentation, if required. A faculty member may
1158 waive the automatic delay only by completing the waiver section of the TDF.
1159 Upon receipt of the TDF, the chair shall prepare and submit to the dean and
1160 the Provost a revised Notice of Academic Appointment reflecting the change in

1161 probationary dates, along with the completed TDF and supporting
1162 documentation.

1163
1164 In addition, a probationary faculty member who assumes significant
1165 responsibilities for the care of a relative or domestic partner may request
1166 consideration of a one-year delay of probationary period based on extenuating
1167 circumstances. These extenuating circumstances for a delay related to
1168 significant care responsibilities must be clearly beyond those experienced by
1169 most probationary faculty. Documentation explaining the extenuating
1170 circumstance of the care-giving situation shall accompany the request. This
1171 request shall be routed through the normal administrative channels and will
1172 be considered for approval by the Provost.

1173
1174 This provision is available to all probationary non-tenured faculty upon their
1175 official start date and up until the anniversary of their official start date in the
1176 year in which their tenure review is scheduled to occur.

1177
1178 Notifications of all delays shall be made by the faculty member to his or her
1179 department chair as soon as possible after the qualifying event or
1180 circumstances (i.e., birth, adoption, guardianship or assumption of significant
1181 care responsibilities), but in no case later than six (6) months from the time of
1182 the qualifying event or circumstances or no later than the last day of the fifth
1183 year of the probationary period; whichever comes first.

1184
1185 The delay shall not be granted more than two (2) times within the probationary
1186 period of a faculty member. The faculty member shall be reviewed for tenure
1187 under the same academic standards as a candidate who has not extended the
1188 probationary period and shall not be penalized or adversely affected by the
1189 delay of the probationary period. Further, extension years shall not be counted
1190 towards sabbatical. A delay of the probationary period in no way limits the
1191 right of the University to terminate a probationary appointment prior to the
1192 time of the mandatory review for promotion and tenure, should circumstances
1193 warrant such action.

1194
1195 d. Appointment Record
1196

1197 The precise terms and conditions, excepting salary, covering each appointment
1198 shall be stated in writing on an official appointment record. Notice of
1199 reappointment shall be in the possession of the appropriate administrative
1200 officers and the appointee at least three (3) months before the renewed
1201 appointment begins, when possible, or at the earliest date feasible in view of
1202 budget considerations. It shall be the responsibility of the Provost to ensure
1203 compliance with this regulation.
1204

1205 e. Notification of Non-Renewal of Appointment: Non-Tenured Appointments

1206
1207 Part-time, visiting or temporary faculty appointments have explicit one (1)
1208 year or less terminal dates that terminate at the expiration of the term without
1209 notice.

1210
1211 For those employed year-to-year on a fiscal or academic year basis, notification
1212 of non-renewal of appointment at the end of the first year of service shall be
1213 given not later than March 1 if the appointment expires at the end of that year
1214 or three (3) months in advance if the one-year appointment terminates during
1215 the academic year. Notification of non-renewal of appointment at the end of
1216 the second year of service shall be given no later than December 15 if the
1217 appointment expires at the end of the year or six (6) months in advance if the
1218 appointment expires during the year. Notification of non-renewal of
1219 appointment after more than two (2) years of service shall be given at least 12
1220 months before expiration of appointment. Non-renewal decisions concerning
1221 regular, full-time faculty members shall be reported to the Board of Trustees.

1222
1223 Any related appeal(s) to the Provost concerning procedural matters or privilege
1224 and/or to the Faculty Senate concerning procedural matters, privilege or
1225 allegations of violation of academic freedom must be initiated in writing by the
1226 concerned faculty member within =60 days after being notified in writing by
1227 the dean about non-renewal of appointment.

1228
1229 f. Termination of Appointment

1230
1231 (1) Reasons for Termination

1232
1233 Except in cases of financial emergency, the termination of a tenured
1234 appointment or the dismissal of a person prior to the expiration of a non-
1235 tenured appointment shall be, only for reasons of incompetence, neglect of
1236 or refusal to perform duties, or for immoral conduct.

1237
1238 In a case of termination because of a financial emergency, the faculty
1239 member may have the issues reviewed by the Faculty Senate Advisory
1240 Committee on Privilege and Tenure with the right of appeal to the
1241 President and the Board of Trustees for the University faculty member. The
1242 faculty member shall be given notice as soon as possible and never less than
1243 12 months' notice. The released faculty member's position shall not be filled
1244 by a replacement within a period of two (2) years unless the released faculty
1245 member has been offered reappointment and given a reasonable time
1246 within which to accept or decline it.

1247
1248 (2) Procedure

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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 Provost shall be responsible for the preparation of a reasonably detailed statement of charges which shall be furnished to the faculty member and the Faculty Senate Advisory Committee on Privilege and Tenure. The committee shall make an informal investigation for the purpose of attempting to affect a resolution and, in the case of failure, shall recommend to the President whether, in its opinion, dismissal proceedings should be undertaken. Its opinion shall not be binding upon the President.

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

The faculty member shall be informed in writing by the President regarding specific charges at least 20 days prior to the hearing. At least seven (7) 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 Panel shall evaluate all available evidence and base its recommendation upon the evidence in the record.

The Hearing Panel, in consultation with the President and the faculty member, shall exercise its judgment as to whether the hearing shall be public or private. During the proceedings the faculty member shall be permitted to have an academic advisor and a counsel of personal choice. At the request of either party or the Hearing Panel, 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 Panel shall report to the President that adequate cause for dismissal has or has not been established by the evidence in the record. It may, in addition, recommend that, although

1293 adequate cause for dismissal has been established, an academic penalty
1294 less than dismissal would be more appropriate, giving supporting reasons
1295 for the recommendation. If the President rejects the report, the President
1296 shall provide reasons in writing to the Hearing Panel and the faculty
1297 member. If the President accepts a report with a decision adverse to the
1298 faculty member, the President shall provide an opportunity for response by
1299 the faculty member before transmitting the case to the Board of Trustees.
1300 A decision adverse to the faculty member may be made only after an
1301 opportunity has been given for an additional hearing before the Board of
1302 Trustees. The Board of Trustees shall either sustain the recommendations
1303 of the Hearing Panel and the President or return the proceedings to the
1304 President and the committee with specific objections. The Hearing Panel
1305 then shall reconsider, taking into account the stated objections and
1306 receiving new evidence if necessary. The Board of Trustees shall make the
1307 final decision after a study of the Hearing Panel's reconsideration.
1308

1309 (3) Suspension

1310
1311 Until the final decision on termination of an appointment has been reached,
1312 the faculty member shall be suspended, or assigned to other duties in lieu
1313 of suspension, only if immediate harm to the faculty member or others is
1314 threatened by the faculty member's continuance. Before suspending a
1315 faculty member, pending an ultimate determination of the individual's
1316 status through the hearing procedure, the President shall consult with the
1317 Faculty Senate Advisory Committee on Privilege and Tenure. Salary shall
1318 be continued during the period of suspension.
1319

1320 g. Claims of a Violation of Academic Freedom

1321
1322 If faculty members on non-tenured appointments or faculty members on post-
1323 retirement appointments allege that decisions not to reappoint them were
1324 caused by considerations violating academic freedom, or that they were given
1325 less advance notice than required in these *Administrative Regulations* they
1326 must present their allegations in writing to the Faculty Senate Advisory
1327 Committee on Privilege and Tenure within 60 days after being notified in
1328 writing by their respective deans of the decisions not to reappoint. Allegations
1329 so presented shall be given preliminary consideration by the Faculty Senate
1330 Advisory Committee on Privilege and Tenure, which shall attempt to settle the
1331 matter by informal methods. The allegations shall be accompanied by
1332 statements that aggrieved faculty members agree to the presentation, for the
1333 consideration of the committee, of such reasons and evidence as the University
1334 may allege in support of its decisions. If the difficulty is unresolved at this stage
1335 and if the committee so recommends, the procedures set forth in these
1336 *Administrative Regulations* shall be applied, except that the faculty members

1337 making the complaints are responsible for stating the grounds upon which they
1338 base their allegations and the burden of proof shall rest upon them. If prima
1339 facie cases are established via these procedures in favor of the faculty
1340 members, it becomes incumbent upon the persons who made the decisions not
1341 to reappoint, or who provided insufficient notice, to present evidence in support
1342 of those decisions.

1343
1344 h. Resignation

1345
1346 Notice of resignation should be given early enough to reduce serious
1347 inconvenience to the University. If faculty members desire to terminate
1348 existing appointments or to decline renewals in the absence of notices of non-
1349 renewal, they shall give written notice of no less than three (3) months if their
1350 rank is instructor or assistant professor, and no less than four (4) months if
1351 their rank is higher, before the end of their duties during the academic year
1352 (exclusive of a summer session) or 30 days after receiving notification of the
1353 terms of their appointments for the coming year, whichever date occurs later.
1354 However, they may request in writing a waiver of this requirement in cases of
1355 hardship or in situations where they would otherwise be denied substantial
1356 professional advancement. Resignations of regular, full-time faculty members
1357 shall be reported to the Board of Trustees.

1358
1359 (1) Administrative Personnel

1360
1361 Administrative personnel who hold academic rank are subject to the
1362 foregoing regulations in their capacity as faculty members. Those
1363 administrative personnel (holding academic rank) who allege that
1364 considerations violative of academic freedom significantly contributed to
1365 decisions to terminate their appointments to administrative posts or not to
1366 reappoint them shall be entitled to the same procedures as those for non-
1367 tenured faculty who have alleged violation of academic freedom.

1368
1369 (2) Change of Assignment

1370
1371 When it is in the best interests of the institution, and if the professional
1372 status of a faculty member is not seriously jeopardized thereby, a change in
1373 the duties assigned to an individual may be made without such a change of
1374 assignment being regarded as a violation of the individual's tenure rights.

1375
1376 **2. Conditions of Employment**

1377
1378 a. Terms of Assignment

1379
1380 Academic assignments are made on academic year nine-month, 10-month, 11-

1381 month and 12-month bases.

1382

1383 b. Vacation Leave

1384

1385 All full-time faculty members on a 10-month, 11-month or 12-month
1386 assignment basis shall be entitled to 22 working days of vacation leave with
1387 pay per assignment period. With prior administrative approval, faculty
1388 members may take vacation leave at appropriate times during the period in
1389 which they are eligible to take such leave; however, each faculty member shall
1390 be in actual attendance at least until after Commencement and until all
1391 reports have been made, and at least three (3) days prior to the first day of
1392 registration for the fall semester, unless for special reason leave is approved.
1393 Vacation leave shall be taken in the assignment period in which it is earned,
1394 or the vacation leave shall be forfeited. Exceptions may be granted in
1395 accordance with *Administrative Regulations*.

1396

1397 Additional detailed information on faculty vacation leave is provided in the
1398 *Administrative Regulations*.

1399

1400 c. Professional Practices

1401

1402 (1) General Policies

1403

1404 During their annual assignment period (whether academic year, 10
1405 months, 11 months or 12 months) faculty members are expected to serve
1406 the University full-time. It is expected that they will be interested primarily
1407 in the work of their particular educational unit, giving their chief effort to
1408 the promotion of its needs.

1409

1410 A faculty member shall, under certain conditions, be permitted to engage,
1411 as an expert, in professional employment (consulting or professional
1412 practice) outside the University for pay. In general, any outside
1413 employment demanding more than purely spare-time effort must be
1414 substantially justified in terms of the contribution its performance can
1415 bring to the faculty member's pursuit of education, research, service and
1416 care. Conditions under which such employment may be undertaken are as
1417 follows:

1418

1419 (a) Such employment shall not interfere with the fundamental
1420 responsibility of the faculty member to meet regularly assigned duties
1421 and inherent obligations to education, research, service and care,
1422 including being regularly available to students and colleagues, which
1423 are normally expected of a full-time faculty member and for which the
1424 faculty member receives compensation from the University.

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

(c) All proposals to undertake outside employment shall be made in writing to the chairs whose recommendations shall be forwarded to the respective deans and thence, unless specified otherwise in the *Administrative Regulations* (See AR 3:9), to the Provost 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 Provost who shall transmit quarterly to the President 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 shall be specific. Approvals shall not be granted for blanket authorizations to consult or to engage in professional practice.

(d) Such employment shall be governed by time limitations stated in the *Administrative Regulations* (See AR 3:9) and the provisions of Ethical Principles and Employee Code of Conduct.

(e) 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 with the proviso that an adverse decision can be appealed to the Executive Committee of the Board of Trustees.

(f) Service Plans

1469
1470 Documents detailing the administration Services Plans approved by the
1471 Board of Trustees appear as a part of the *Administrative Regulations*.
1472

1473 d. Leaves of Absence

1474
1475 (1) Sabbatical Leave

1476
1477 The purpose of sabbatical leave is to provide opportunities for study,
1478 research, creative effort, improvement of instructional or public service
1479 capabilities and methods and related travel in order that the quality of each
1480 recipient's service to the University may be enhanced.
1481

1482 Faculty members who have full-time tenured appointments in the regular,
1483 special title, extension or librarian series with the rank of assistant
1484 professor (or librarian III) or higher, are eligible for sabbatical leaves after
1485 six (6) years of continuous service in the rank of instructor (or librarian III)
1486 or higher at the University, or for sabbatical leaves under a different option
1487 after three (3) years of continuous service. All such sabbatical leaves shall
1488 be approved by the President or the President's designee.
1489

1490 After six (6) years of continuous eligible service, a faculty member may
1491 apply for one (1) year's sabbatical leave (academic year for appointees on
1492 academic year, 10-month or 11-month assignments) at one-half salary or
1493 six (6) months' sabbatical leave (academic semester for appointees on
1494 academic year, 10-month or 11-month assignments) at full salary. After
1495 three (3) years of continuous eligible service, an appointee may apply for six
1496 (6) months' sabbatical leave (academic semester for appointees on academic
1497 year, 10-month or 11-month assignments) at one-half salary. Normally
1498 "continuous service" is interrupted by a sabbatical leave; that is, no service
1499 prior to a sabbatical leave may be credited toward eligibility for future
1500 sabbatical leave. However, in the event that it becomes necessary for an
1501 individual to postpone a sabbatical leave at the request of and/or for the
1502 benefit of the University or one of its educational units, the period of
1503 postponement shall be counted as part of the six (6) years of service
1504 necessary for the individual to again become eligible for sabbatical leave.
1505 The request for and/or agreement that the sabbatical leave be postponed
1506 shall be made in writing by the dean and be approved by the Provost. The
1507 request or agreement shall specify the period of postponement and the
1508 reason for it. In no case shall cumulative sabbatical leave be granted for a
1509 single period longer than one (1) full year at full salary.
1510

1511 Sabbatical leave shall not be used as a means of augmenting personal
1512 income. A recipient may not accept gainful employment during a sabbatical

1513 leave (for an individual on an academic year assignment basis, this does not
1514 include the period of May 16 through August 15; for an individual on a 10-
1515 month or 11-month assignment basis, this does not include the period of
1516 vacation and the one (1) or two (2) months outside the assignment period
1517 each fiscal year; for an individual on a 12-month assignment basis, this does
1518 not include the one-month vacation period) except as follows:

1519
1520 A fellowship, grant-in-aid or government-sponsored exchange lectureship
1521 may be accepted for the period of the leave if acceptance shall promote the
1522 purpose of the leave and is approved by the President or the President's
1523 designee.

1524
1525 For those on one-year sabbatical leave, additional salary not to exceed one-
1526 half of the regular academic salary may be accepted for (1) work performed
1527 during the sabbatical leave on research projects administered by the
1528 University with funds from government or private grants or contracts when
1529 the terms of the grant or contract authorize the usage of such funds, and
1530 when the work to be performed is significantly related to the studies
1531 planned for the leave; (2) work on a research grant at another university;
1532 (3) research work in a government laboratory; or (4) work as a research
1533 professor or associate in another university. Any such arrangements
1534 pursuant to this paragraph must be approved by the President or the
1535 President's designee.

1536
1537 In neither of the above instances shall a recipient's total income
1538 attributable to a sabbatical leave project exceed the individual's regular
1539 academic salary. Sabbatical leave shall be granted with the understanding
1540 that the recipient, following the sabbatical leave, will continue service at
1541 the University for at least one (1) academic year.

1542
1543 (2) Temporary Disability Leave

1544
1545 Temporary Disability Leave (TDL) may be granted to faculty members by
1546 the Provost. Eligible faculty members who are totally disabled are entitled
1547 to six (6) months' TDL with pay. TDL with pay for more than six (6) months
1548 requires approval by the Board of Trustees.

1549
1550 (3) Leaves With Pay

1551
1552 Upon the recommendation of the appropriate administrative officers and
1553 approval of the Provost, a faculty member may be granted leave of absence
1554 with pay for a period not to exceed 30 days for the purpose of permitting an
1555 appointee to attend a professional meeting, serve temporarily with an
1556 outside agency, serve in the military forces of the United States or for other

1557 good cause. Such leaves of absence with pay for more than 30 days require
1558 approval of the Board of Trustees.

1559
1560 (4) Leaves Without Pay

1561
1562 Upon the recommendation of the appropriate administrative officers and
1563 approval of the Provost, a member of the faculty may be given a leave of
1564 absence without pay. Ordinarily such leave shall not be granted for a period
1565 in excess of one year (12 months). However, such leave may be extended on
1566 application and approval by the appropriate administrative officers. The
1567 best interests of the University shall be a major consideration in granting
1568 an extension of any such leave. Leaves of absence without pay are not
1569 normally credited toward eligibility for sabbatical leave. However,
1570 exception may be made when the leave enhances the value of the individual
1571 to the University, e.g., a leave to accept a fellowship or a grant, service for
1572 professional organizations, etc. In no case shall the leave of absence without
1573 pay be considered as an interruption of continuous service.

1574
1575 (5) Educational Leave

1576
1577 To pursue an advanced degree at the University of Kentucky faculty
1578 members may request half-time or more leave, with proportional reduction
1579 in salary. If such educational leave for faculty development is recommended
1580 by the dean and approved by the Provost, the faculty members shall be
1581 entitled to normal faculty benefits and privileges during the period of
1582 temporary change in status. Although a period of educational leave shall
1583 not be credited toward eligibility for sabbatical leave, it shall not be
1584 considered as an interruption of continuous service. Also, for non-tenured
1585 faculty members, such a period of educational leave shall not be counted as
1586 probationary period service.

1587
1588 (6) Scholarly Fellowship Leave

1589
1590 To accept a scholarly fellowship which allows a faculty member to pursue a
1591 program of research, and which the funding agency will not process through
1592 the University, faculty members may request leave with partial pay. If such
1593 leave is recommended by the dean and approved by the Provost, the faculty
1594 member shall be entitled to normal faculty benefits and privileges during
1595 the period of temporary change in status. Time spent on scholarly
1596 fellowship leave shall apply toward eligibility for sabbatical leave and count
1597 as probationary period service unless the University in granting the leave
1598 and the individual accepting it agree to the contrary.

1599
1600 (7) Entrepreneurial Leave

1601
1602 The University encourages faculty employees to engage in entrepreneurial
1603 activities and strives to support the efforts of faculty who wish to
1604 commercialize their discoveries. Therefore, the pursuit of entrepreneurial
1605 endeavors is a valid reason for application for a faculty leave of absence.

1606
1607 The request for entrepreneurial leave, submitted by the faculty person to
1608 his or her unit administrator, shall be accompanied by a completed and
1609 signed “Entrepreneurial Leave” form and all attachments. The period of the
1610 leave shall not normally exceed one academic year. However, the leave may
1611 be extended for a second and final year by the Provost upon the
1612 recommendation of the dean. The Entrepreneurial Leave form enumerates
1613 additional terms and conditions of such leaves. The unit administrator shall
1614 review the proposal and forward the materials to the dean of the college
1615 along with their recommendation. The dean shall forward his or her
1616 recommendation to the Provost for approval. Entrepreneurial Leaves shall
1617 be reported to the Board of Trustees.

1618
1619 Time spent on entrepreneurial leave shall not apply toward eligibility for
1620 sabbatical leave or count as probationary period service unless the
1621 University in granting the leave and the individual accepting it agree to the
1622 contrary. Time spent on entrepreneurial leave shall not otherwise be
1623 considered as an interruption of continuous service.

1624
1625 **3. Miscellaneous**

1626
1627 a. Faculty Members as Candidates for Degrees

1628
1629 Faculty members having a rank higher than that of instructor may not be
1630 considered as candidates for degrees in the discipline in which they are
1631 employed and hold academic rank. Faculty members pursuing degrees above
1632 the master's degree at the University of Kentucky may not hold more than a
1633 half-time work assignment either during the two (2) full-time, consecutive
1634 resident semesters preceding the qualifying examination or during the two
1635 semesters of full-time dissertation study immediately following the qualifying
1636 examination.

1637
1638 b. Faculty Members as Scholars and Citizens

1639
1640 As described in GR I, faculty have academic freedom. Like other citizens,
1641 faculty members are free to engage in political activities. When necessary,
1642 leaves of absence without pay may be given for the duration of an election
1643 campaign or a term of office, provided that there has been timely application
1644 for leave and that the requested leave is limited to a reasonable period of time.

1645 The terms of a leave of absence for this purpose shall be set forth in writing.
1646 The leave shall not affect unfavorably the tenure status of a faculty member,
1647 except that the time spent on such leave from academic duties shall not count
1648 as probationary service unless agreed to otherwise.

1649
1650 Elective and appointive part-time services on boards and commissions to which
1651 faculty members are prepared to provide exceptional amounts of time shall be
1652 governed by policies on professional practice.

1653 1654 **C. Employment of Staff Employees**

1655
1656 The *Human Resources Policy and Procedures Administrative Regulations* are
1657 applicable to staff employees. The *Human Resources Policy and Procedures*
1658 *Administrative Regulations* are promulgated by the President pursuant to delegation
1659 of the Board of Trustees.

1660 1661 **1. Post-Retirement Employment**

1662
1663 a. A post-retirement appointment may be used in a very limited number of cases,
1664 when it is essential to a University program or office or when it is otherwise
1665 impossible practicably to fill a position with a fully qualified person. Such a
1666 part-time or full-time appointment is restricted to former staff employees who
1667 have elected to retire, requires specific prior approval by the Board of Trustees
1668 and is made for a period not to exceed one (1) year.

1669
1670 b. A retiree may be employed as a temporary employee to perform duties for
1671 which fee schedules have been established and approved by the Provost or the
1672 Executive Vice President for Finance and Administration.

1673 1674 **2. Emeritus Ranks**

1675
1676 Emeritus ranks for retired staff employees and the rights of holders of emeritus
1677 titles are established by the President after consultation with the Staff Senate.

1678 1679 **D. Opportunity for Hearing**

1680
1681 In no case shall an appointment of a postdoctoral scholar, postdoctoral fellow,
1682 resident, clinical fellow, teaching assistant or research assistant be terminated before
1683 the end of the period of appointment without the individual being provided an
1684 opportunity to be heard before the Faculty Senate Advisory Committee on Privilege
1685 and Tenure. Such employees who have established a *prima facie* case to the
1686 satisfaction of the committee that a consideration violating academic freedom
1687 significantly contributed to the individual's termination, shall be given a written
1688 statement of reasons by those responsible for the termination and an opportunity to
1689 be heard by the Faculty Senate Hearing Panel of the Privilege and Tenure

1690 Committee.

1691

1692 **E. Matters Affecting Faculty and Staff**

1693

1694 The *Human Resources Policy and Procedures Administrative Regulations* on Benefits
1695 are applicable to faculty members and staff employees. All other *Human Resources*
1696 *Policy and Procedures Administrative Regulations* are applicable to faculty members
1697 to the extent that there are no other applicable policies for faculty members on the
1698 subject matter.

1699

1700 For questions, contact: Office of Legal Counsel

1701 **Administrative Regulation — Student Affairs (Formerly GR XI)**

1702

1703 **A. Student-University Relationships**

1704

1705 The non-academic relationships between University students and the University are
1706 articulated in *Administrative Regulation 4:10, Code of Student Conduct*.

1707

1708 The academic relationships between University students and the University are set
1709 out in *Administrative Regulation – Academic and Student Affairs*.

1710

1711

1712 **B. The University Appeals Board — Jurisdiction**

1713

1714 There shall be a University Appeals Board (hereinafter UAB) with specific
1715 jurisdiction over student matters. The UAB shall be assigned either original or
1716 appellate jurisdiction over various students, as established by this *Administrative*
1717 *Regulation*, as follows:

1718

1719 **1. Disciplinary Offenses**

1720

1721 In cases of disciplinary offenses where the student is sanctioned with social
1722 suspension, disciplinary suspension or expulsion, the UAB shall have appellate
1723 jurisdiction.

1724 **2. Academic Offenses**

1725

1726 (a) In cases of academic offenses where the student contests guilt, the UAB shall
1727 have original jurisdiction.

1728 (b) In cases of academic offenses where the only issue is the severity of the
1729 sanction, the UAB shall have appellate jurisdiction.

1730

1731 **3. Violation of Student Rights**

1732

1733 (a) In cases where a student claims a violation of student rights (outlined in the
1734 *Code of Student Conduct*), the UAB shall hear any case referred to it by the
1735 Dean of Students and may grant the written appeal of any student to hear a
1736 case not referred to it by the Dean of Students.

1737

1738 (b) Registered student organizations that receive the majority of their regular
1739 operating budgets from allocations of student fee monies and/or University
1740 allocation shall have a hearing process which shall include final appeal to the
1741 UAB.

1742

1743 (c) The UAB shall have jurisdiction over final decisions of University hearing
1744 agencies in which a student alleges a violation of student rights. In a case

1745 involving a student election in which a candidate alleges that his or her student
1746 rights were violated, the UAB may affirm the decision of the Student
1747 Government Association appellate body, refer the matter back to the Student
1748 Government appellate body to correct the error identified by the UAB, or affirm
1749 or void the election. The jurisdiction of the UAB does not extend to the selection
1750 of the President of the Student Government Association.

1751

1752 **4. Violation of Academic Rights**

1753

1754 In cases where a student claims a violation of academic rights outlined in
1755 *Administrative Regulation – Academic and Student Affairs*, the UAB shall have
1756 original jurisdiction.

1757

1758 **5. College Honor Code Offenses**

1759

1760 The UAB shall hold appellate jurisdiction over the decisions of college honor
1761 councils or committees, except that if the hearing panel, by majority of those
1762 present, decides the student's rights have been substantially violated, the hearing
1763 panel has original jurisdiction on the issue of guilt.

1764

1765 **6. Cases of Temporary Sanctions**

1766

1767 When the Vice President for Student Success imposes temporary sanctions on a
1768 student, the UAB shall have appellate jurisdiction.

1769

1770 **C. Composition of the University Appeals Board**

1771

1772 1. The UAB shall consist of 30 members: 18 faculty members and 12 full-time
1773 students. A Hearing Officer shall be the Chair.

1774

1775 2. A hearing panel of the UAB shall consist of nine (9) members: at least five (5)
1776 shall be faculty members, and at least one (1) shall be a student. A Hearing Officer
1777 shall be the chair.

1778

1779 3. A quorum of the hearing panel for the conduct of business will be nine (9),
1780 including the Hearing Officer: at least five (5) faculty members (exclusive of the
1781 Hearing Officer) and at least one (1) student.

1782

1783 **D. Appointments to the University Appeals Board**

1784

1785 **1. The Hearing Officer**

1786

1787 The Hearing Officer shall be the Chair of the hearing panel and shall be a person
1788 with training in the law appointed by the President of the University for a three-

1789 year term, subject to reappointment. The term shall begin on September 1 and
1790 end August 31. The Hearing Officer shall convene and preside at all meetings of
1791 the hearing panel, but does not vote as a member of the Board or have the
1792 authority to cast a tie breaking vote. All questions of the law, either substantive
1793 or procedural, and all procedural questions shall be addressed to and ruled upon
1794 by the Hearing Officer. The Hearing Officer shall have the authority to exclude
1795 any hearing panel member that the Hearing Officer determines has a conflict of
1796 interest or the appearance of a conflict of interest with a case. If the Hearing
1797 Officer cannot serve when needed, the President or, in the President's absence,
1798 the Provost shall appoint a temporary substitute.

1799 **2. The Student Members**

1800 (a) The student membership of the UAB shall be appointed to one-year terms,
1801 subject to reappointment. Their terms shall begin September 1 and end August
1802 31.

1803
1804 (b) The student membership shall consist of four (4) graduate or professional
1805 students and eight (8) undergraduate students. The undergraduates must be
1806 full-time students and either sophomores, juniors or seniors in good standing.
1807 The graduate or professional student must be a full-time student, have been in
1808 residence at least one year and be in good standing.

1809
1810 (c) The President shall appoint student members to the UAB from the
1811 recommendations submitted by the Student Government Association and the
1812 college deans. Six (6) student members shall be appointed from those names
1813 submitted by the Student Government Association and six (6) members from
1814 those names submitted by the college deans, totaling 12 student members.

1815
1816 **3. The Faculty Members**

1817
1818 Faculty members of the UAB shall be appointed to staggered three-year terms by
1819 the President of the University. All terms shall begin on September 1 and end on
1820 August 31. To minimize the possibility of a conflict of interest, faculty members
1821 with primary administrative appointments (more than 50% of their assignment
1822 allotted to administration) shall not be appointed to the UAB.

1823
1824 **4. Temporary Appointments**

1825
1826 (a) If a sufficient number of the members of the UAB are not present or have been
1827 determined by the Hearing Officer to have a conflict of interest or the
1828 appearance of a conflict of interest at any time when that Board has duties to
1829 perform, the President of the University or, in the President's absence, the
1830 Provost, shall make such temporary appointments as are necessary to ensure
1831 that the required number of members are present. Such temporary
1832 appointments need not be preceded by the recommendations otherwise

1833 provided herein. However, in no case shall a faculty member replace a student
1834 member or a student member replace a faculty member.

1835
1836 (b) If, at any time, in the judgment of the Hearing Officer, there are sufficient
1837 cases pending before UAB that it is unlikely that the pending cases can be
1838 processed within the time prescribed, the Hearing Officer shall notify the
1839 President of that fact. The President may, in accordance with this
1840 *Administrative Regulation*, activate additional boards and appoint a Hearing
1841 Officer for each such additional board, or appoint additional boards and
1842 hearing officers for designated cases and time periods.

1843
1844 (c) The authority, jurisdiction and range of possible actions of, and the guaranteed
1845 rights of an accused person before any special board or panel appointed or
1846 activated under the terms of (a) or (b) above shall be the same as those
1847 applicable to the regularly constituted board or panel.

1848

1849 **E. Procedures of the University Appeals Board**

1850
1851 Additional procedures of the UAB shall be those prescribed by the *Administrative*
1852 *Regulation – Academic and Student Affairs* for academic cases, the *Code of Student*
1853 *Conduct* for non-academic cases or by the UAB to effectuate the orderly conduct of its
1854 functions.

1855

1856 **F. Disposition of Cases — Authority**

1857
1858 The University Appeals Board has authority to decide appeals of both academic and
1859 non-academic cases. With respect to the UAB’s resolution of academic cases arising
1860 under either its original or appellate jurisdiction, the UAB operates within the
1861 *Administrative Regulation – Academic and Student Affairs* that define academic
1862 offenses, create a range of sanctions to be imposed upon a finding of guilt and
1863 establish the standard of proof, subject only to the limitations imposed by the
1864 Constitutions and statutes. With respect to non-academic cases, the range of
1865 sanctions and standard of proof are set out in the *Code of Student Conduct*, subject
1866 only to the limitations imposed by the Constitutions and statutes. The decisions of
1867 the UAB are final.

1868

1869 For questions, contact: [Office of Legal Counsel](#)

1870 **Administrative Regulation — Issuance of Administrative Regulations and**
1871 **Other Policies (Formerly GR XIII)**

1872
1873 **A. Regulations**
1874

1875 As the chief administrative officer of the University, the President is authorized by
1876 the Board of Trustees to promulgate the *Administrative Regulations*, including the
1877 *Human Resources Policies and Procedures* and the *Business Procedures Manual*.

1878
1879 **1. Administrative Regulations**
1880

1881 The *Administrative Regulations* provide interpretation and implementation of
1882 University-wide policies set forth by the Board of Trustees in the *Governing*
1883 *Regulations*. *Administrative Regulations* promote the responsible and efficient
1884 administration of the University and the accomplishment of its goals. The
1885 President makes final approval of the *Administrative Regulations*.

1886
1887 **2. Human Resources Policies and Procedures**
1888

1889 The *Human Resources Policies and Procedures* define University employees and
1890 provide interpretation and implementation of University policies concerning
1891 University employment. The President, or designee, makes final approval of the
1892 *Human Resources Policies and Procedures*.

1893
1894 **3. Business Procedures**
1895

1896 The *Business Procedures Manual* includes information related to the purchasing
1897 of goods and services, payroll activities, accounting for financial transactions,
1898 presents policy statements to aid in decision-making and procedure steps for
1899 implementation and assists all University departments in handling their daily
1900 business transactions. The President, or designee, makes final approval of the
1901 *Business Procedures Manual*.

1902
1903
1904 For questions, contact: [Office of Legal Counsel](#)

1905 **Administrative Regulation — Ethical Principles and Employee Code of**
1906 **Conduct (GR XIV)**

1907

1908 **A. Ethical Principles**

1909

1910 Exemplary ethical conduct is critically important. To that end, each individual who
1911 acts for the University must comply with the following.

1912

1913 **B. Employee Code of Conduct**

1914

1915 Those acting on behalf of the University of Kentucky have a duty to conduct
1916 themselves in a manner that will maintain the public's trust in the integrity of the
1917 University and to act compatibly with their obligation to the University. The
1918 Employee Code of Conduct establishes guidelines for professional conduct for those
1919 who act for the University, including trustees, executive officers, faculty, staff and
1920 other individuals employed by the University, those using University resources or
1921 facilities and volunteers and representatives acting as agents of the University. The
1922 conduct of students is addressed in the Student Rights and Responsibilities.

1923

1924 The Employee Code of Conduct is intended to determine what conduct is expected
1925 and to help individuals to determine behaviors that should be avoided. Employees
1926 are strongly urged to consult with their supervisor to review and evaluate specific
1927 situations. Violations of this code will be subject to appropriate sanctions. In addition
1928 to the Code, those who act for the University are subject to all University regulations,
1929 policies and state and federal law. As applicable, those who act for the University
1930 shall comply with:

1931

1932

1933

1934

1935

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1945

1946

1947

1948

- Federal laws, regulations and policies;
- Kentucky Revised Statutes (KRS) and Kentucky Administrative Regulations (KAR);
- University and unit-level policies and procedures including, but not limited to, the *Governing Regulations (GR)*, *Administrative Regulations (AR)*, *Human Resources Policy and Procedure Manual (HRP&P)*, the *Business Procedures Manual (BPM)* and *Faculty Senate Rules*;
- Contract, grant and donor stipulations;
- Accreditation requirements; and
- Generally accepted accounting principles.

While this Employee Code of Conduct provides expectations and interpretation, additional guidance is found in other official University policy documents, such as the *Governing Regulations*, *Administrative Regulations*, *Human Resources Policies and Procedures*, *Business Procedures Manual* and *Faculty Senate Rules*.

1949 **1. Confidentiality of Information**

1950
1951 Those who act for the University are entrusted with personal and institutional
1952 information that should be treated with confidentiality and used only for
1953 conducting University business. Respect for individual and institutional privacy
1954 requires the exercise of care and judgment. Unless required or permitted by law
1955 or University regulations, personal and official information provided by and about
1956 students, faculty and staff must not be given to third parties without the consent
1957 of the individuals concerned. When doubt exists regarding the confidentiality of
1958 information, those who act for the University should presume information is
1959 confidential until determined otherwise.

1960
1961 **2. Use of the University's Name**

1962
1963 Those who act for the University have a public association with the University,
1964 but are also private citizens, thus care must be taken to appropriately
1965 differentiate between the two roles. Those who act for the University may not use
1966 or allow the use of the name of the University or identify themselves as employees
1967 of the University of Kentucky in the public promotion or advertising of commercial
1968 products without prior written approval. Individuals writing or speaking publicly
1969 in a professional or expert capacity may identify themselves by their relationship
1970 with the University, but if so identified then in all instances where the individual
1971 might give even the appearance of speaking on behalf of the University, care must
1972 be taken to emphasize that any views expressed are their own and are not
1973 representative of the University of Kentucky. Those who act for the University are
1974 encouraged to contribute to public debate as citizens. In instances where those
1975 who act for the University comment publicly as part of their official University
1976 duties, they should do so using University stationery and e-mail accounts; when
1977 commenting as citizens, those who act for the University must use personal
1978 stationery and personal e-mail accounts.

1979
1980 **3. Civic Responsibility of the Individual**

1981
1982 In their roles as citizens, staff employees and faculty members have the same
1983 freedoms as other citizens, without institutional censorship or discipline. When
1984 employees speak or write as citizens, they should indicate that they are not
1985 speaking for the University.

1986
1987 **4. Discrimination and Harassment**

1988
1989 To foster an environment of respect for the dignity and worth of all members of
1990 the University community, the University is committed to maintain a work-
1991 learning environment free of prohibited discrimination and harassment, which
1992 includes sexual and other forms of harassment. The policy of the University of
1993 Kentucky, approved by the Board of Trustees, prohibits discrimination and

1994 harassment of or by students, faculty and staff and assures that complaints of
1995 discrimination and harassment shall be treated and investigated with full regard
1996 for the University's due process requirements. In addition, allegations of
1997 discrimination and harassment by customers, visitors, contractors and employees
1998 of contractors will be investigated, and appropriate action shall be taken. The
1999 University policy and procedures on discrimination and harassment can be found
2000 in AR 6:1.

2001

2002 **5. Personal Relationships**

2003

2004 The quality of decisions may be affected when those making decisions have
2005 personal relationships with those who are the subjects and possible beneficiaries
2006 of these decisions. The critical concern is that personal relationships, whether
2007 positive or negative, should not inappropriately or unfairly affect decisions.
2008 Conflicts of interest may arise when people are involved in making decisions
2009 affecting any members of their families, relatives or those with whom they have
2010 or have had intimate relationships. Decisions affecting present or former business
2011 partners should also be avoided. Individuals with personal relationships should
2012 excuse themselves from such decision-making. In many cases, potential conflicts
2013 can be managed by candid but discreet disclosure of those relationships.

2014

2015 The University strongly urges those individuals in positions of authority not to
2016 engage in conduct of an amorous or sexual nature with a person they are, or are
2017 likely in the future to be, in a position of evaluating. The existence of a power
2018 differential may restrict the less powerful individual's freedom to participate
2019 willingly in the relationship. If one of the parties in an apparently welcomed
2020 amorous or sexual relationship has the responsibility for evaluating the
2021 performance of the other person, the relationship must be reported to the dean,
2022 department chair or supervisor so that suitable arrangements can be made for an
2023 objective evaluation of the student or employee.

2024

2025 **6. Employment of Relatives (Nepotism)**

2026

2027 This nepotism policy reflects the realities of today's multi-professional, dual-
2028 career families in a manner that addresses nepotism concerns but does not inhibit
2029 the ability of the University to hire the best qualified individuals. Nepotism is
2030 generally inconsistent with the University's longstanding policy of making
2031 employment decisions based solely on unit needs and individual qualifications,
2032 skills, ability and performance.

2033

2034 Nepotism is generally prohibited within the University community. Nepotism
2035 means actions by a member of the University community that shall directly
2036 influence, benefit or cause detriment to the University employment (e.g., hiring,
2037 promotion, supervision, evaluation and determination of salary) of any other

2038 member who is a relative. Relative means a person's father, mother, brother,
2039 sister, husband, wife, son, daughter, aunt, uncle, son-in-law, daughter-in-law and
2040 step-relatives in the same relationships.

2041
2042 The employment of relatives within the University is not precluded, if the
2043 employment is in compliance with all University policies regarding employment
2044 qualifications, performance, promotion and management of situations where
2045 nepotism or the appearance of nepotism, is possible.

2046

2047 **7. Intellectual Property**

2048
2049 Those who act for the University should be responsible stewards of University
2050 resources. All intellectual property conceived, first reduced to practice, written or
2051 otherwise produced by students, faculty and staff at the University of Kentucky
2052 using University funds, facilities or other resources shall be owned and controlled
2053 by the University. Any member of the faculty or staff of the University who
2054 produces such intellectual property using University funds, facilities or other
2055 resources shall assign personal rights to the property to the University, or its
2056 designate. The traditional products of scholarly activity which have customarily
2057 been considered the unrestricted property of the originator, such as journal
2058 articles, textbooks, reviews and monographs and which have been created without
2059 involving a material use of University resources, shall be the unrestricted
2060 property of the author (See AR 7:6).

2061

2062 **8. Conflict of Commitment**

2063
2064 Decisions and the judgment upon which the decisions are based must be
2065 independent from conflicting interests and must hold the best interest of the
2066 University of Kentucky foremost. Conflicts of commitment relate to an individual's
2067 distribution of effort between University appointment and outside activities. The
2068 University of Kentucky permits external employment or self-employment in an
2069 employee's profession or specialty (with the exception of employees participating
2070 in a practice plan) where there is not a conflict of interest or commitment. Faculty
2071 and professional administrative employees are expected to devote their primary
2072 professional loyalty, time and energy to University of Kentucky teaching, research
2073 and service endeavors; activities outside the University must be conducted
2074 without detracting from these primary commitments. A conflict of commitment
2075 generally occurs when the pursuit of outside activities interferes with obligations
2076 to students, to colleagues and to the missions of the University. These conflicts
2077 may become apparent in regular performance reviews, in connection with annual
2078 salary decisions and scheduled reviews incident to promotion, reappointment or
2079 tenure decisions and shall be addressed by the appropriate department head. The
2080 University policy and procedures on outside consulting can be found in AR 3:9.

2081

2082 A staff employee may be employed outside the University when the employment
2083 does not constitute a conflict with University interests and when the hours of
2084 outside employment do not coincide or conflict with hours of scheduled work or
2085 affect the employee's ability to perform satisfactorily. A staff employee may also
2086 perform outside employment while on vacation, holiday or special leave as long as
2087 the outside employment does not constitute a conflict of interest. Adherence with
2088 this policy is the responsibility of the staff employee who seeks outside
2089 employment; however, it is recommended the employee advise his or her
2090 department head of the outside employment.
2091

2092 **9. Conflict of Interest**

2093

2094 The public's respect and confidence in the University of Kentucky must be
2095 preserved. Confidence in the University of Kentucky is put at risk when the
2096 conduct of those who act for the University does, or may reasonably appear to,
2097 involve a conflict between private interests and obligations to the University.
2098 Those who act for the University shall avoid conduct that might in any way lead
2099 members of the general public to conclude that he or she is using an official
2100 position to further professional or private interests or the interests of any
2101 members of his or her family. In conducting or participating in any transaction,
2102 full disclosure of any real or perceived conflict with personal interests and removal
2103 from further participation in such matters is required.
2104

2105 AR 7:2, Financial Conflicts of Interest, sets forth specific relationships and
2106 activities that pose a potential conflict of interest for faculty, staff and students
2107 involved in research and related activities. The University recognizes that actual
2108 or potential conflicts of interest may occur in the normal conduct of research and
2109 other activities. A conflict of interest can also arise if an employee's professional
2110 judgment is or may appear to be influenced by personal interests. It is essential
2111 that potential conflicts be disclosed and reviewed by the University. After
2112 disclosure, the University can make an informed judgment about a particular
2113 activity and require appropriate oversight, limitations or prohibitions in accord
2114 with this policy. It is important to remember that each relationship is different,
2115 and many factors often will need to be considered to determine whether a conflict
2116 of interest exists.
2117

2118 **10. Auditing Services**

2119

2120 To effectively discharge their fiduciary and administrative responsibilities, the
2121 University's administration and the Board of Trustees are assisted by internal
2122 and external (independent) auditing services. These services provide independent,
2123 objective assurances and consulting services with respect to evaluating risk
2124 management, control and governance processes. It is a violation of University
2125 policy to mislead or give false information to or intentionally omit material facts

2126 from internal or external (independent) auditor(s).

2127

2128 **11. University Property and Resources**

2129

2130 Those who act for the University shall be responsible stewards of University
2131 property and resources. Those who act for the University are entrusted with
2132 protecting the property, equipment and other assets of the University and
2133 exercising responsible, ethical behavior when using the University's resources.
2134 University assets are intended for University activities. Limited personal use of
2135 fixed University resources, such as computers and telephones, which does not
2136 result in a charge to the University is permitted as long as the use does not
2137 interfere with assigned job duties.

2138

2139 University property and resources shall not be used for personal business or
2140 commercial activities. However, in some instances, when the goals of the
2141 individual and the University coincide, a those who act for the University may use
2142 University equipment outside of the realm of his or her professional duties. Any
2143 such use must have the prior, written approval from the dean or appropriate
2144 administrator where the resources are located and must provide that the
2145 University will be reimbursed for the full cost of the use of the property and
2146 resources. Such use must not interfere with the University of Kentucky's uses and
2147 must occur outside of the regular employment assignment of those who act for the
2148 University. The Office of Legal Counsel may assist with an appropriate
2149 agreement.

2150

2151 **12. Fiscal Responsibility**

2152

2153 The University is committed to responsible stewardship. The Board of Trustees,
2154 President, executive officers, administrators, deans, department chairs, directors,
2155 principal investigators and all others functioning as area or unit heads are
2156 responsible for setting a tone of accountability and high ethical standards in
2157 financial matters. All employees are expected to comply with the requirements
2158 outlined in:

2159

- 2160 • GR I — Declaration of Principles;
- 2161 • A01-005, UK HealthCare Code of Ethics;
- 2162 • AR 3:9, External Consulting, Other Outside Employment and Internal
2163 Overload Activity;
- 2164 • AR 7:2, Research Conflict of Interest and Financial Disclosure Policy;
- 2165 and
- 2166 • AR 7:9, Institutional Conflicts of Interest Involving Research

2167

2168 All organizational units (e.g., administrative area, college, department, division,
2169 center or office) are expected to maintain a strong internal control environment

2170 for the University as defined in the *Business Procedures Manual*. (See BPM E-1-
2171 3, Fiscal Roles and Responsibilities, and E-1-4, Internal Control.)
2172

2173 Each organizational unit head is accountable for the sound financial management
2174 of the unit and retains this fiscal responsibility if authority for transactional
2175 processing, record keeping, approving and monitoring is delegated to others.
2176

2177 **13. Financial Advantage**

2178
2179 Members of the University community shall exhibit personal integrity, honesty
2180 and responsibility in all actions. Official position or office shall not be used to
2181 obtain financial gain or benefits for oneself or members of one's family or business
2182 associates. Any action that creates the appearance of impropriety should be
2183 avoided. Except as specifically approved by the Board, purchases and contracts
2184 shall not be made with an employee of the University for any item of supply,
2185 equipment or service, nor may an employee have any interest, directly or
2186 indirectly, in any purchase made by the University. An indirect interest may be
2187 defined as a real or perceived use of a university position or office with respect to
2188 a purchase or contract, leading to financial or other benefits to the individual or a
2189 member of his or her family. An indirect interest includes situations where a
2190 business owned or controlled by a family member does business with the
2191 University area where the employee is assigned.
2192

2193 An employee seeking approval under this section shall first make an application
2194 to the University Ethics Committee by submitting in writing a full disclosure of
2195 all aspects of his or her relationship with the contracting company or business.
2196 The Ethics Committee shall make a recommendation to the President, who shall
2197 forward to the Board the Committee's recommendation together with his or her
2198 recommendation. In recommending approval of a contractual relationship, the
2199 Committee shall determine that:

- 2200
- 2201 a. the contractual relationship is in the best interest of the University;
- 2202
- 2203 b. the employee has taken whatever actions are necessary to avoid any conflict
2204 of interest or any appearance of a conflict of interest;
- 2205
- 2206 c. if the conflict is subject to the provision of KRS Chapter 45A, the employee's
2207 contract shall be the lowest price bid or otherwise provides the best value to
2208 the University;
- 2209
- 2210 d. the employee's interest in the contract does not present a conflict with the
2211 employee performing his or her job; and,
- 2212
- 2213 e. the nature of the contract and the nature of the employee's interest in the

2214 contract or business shall be fully disclosed to the University community by
2215 as broad communications as feasibly possible.
2216

2217 Action taken by the Board shall be in open session, by affirmative vote. The action
2218 item shall fully disclose the nature of the conflict, and the reasons for the action.
2219

2220 **14. Compliance Responsibilities**

2221 2222 a. University

2223
2224 The University is committed to sustaining a culture of ethical behavior, trust
2225 and compliance. This culture is one in which individuals are comfortable
2226 raising concerns when a good faith belief exists that the actions of those who
2227 act for the University or unit are not consistent with laws, regulations,
2228 policies or standards. The University shall ensure that appropriate actions
2229 are taken to resolve non-compliance and persons making good-faith reports of
2230 non-compliance shall not be subjected to retaliation.
2231

2232 b. Those Who Act for the University

2233
2234 Those who act for the University shall take appropriate measures to prevent,
2235 detect and report compliance violations or suspected violations. Those who
2236 act for the University shall, acting in good faith, report suspected compliance
2237 violations through the standard chain of command, through one's supervisor
2238 or, if not appropriate because of that individual's potential involvement, to a
2239 higher level of management, to Human Resources, to a compliance officer or
2240 to the University Ethics Committee. (See AR 1:7) It is the responsibility of all
2241 those who act for the University to know and abide by rules, laws,
2242 regulations, contracts and University policies and procedures that are
2243 applicable to the work or activity undertaken, including, but not limited to
2244 the following:

- 2245 • Federal laws, regulations and policies;
- 2246 • Kentucky Revised Statutes (KRS) and Kentucky Administrative
2247 Regulations (KAR);
- 2248 • University and unit-level policies and procedures including, but not
2249 limited to the *Governing Regulations (GR)*, *Administrative Regulations*
2250 *(AR)*, *Human Resources Policy and Procedures (HRP&P)*, *Business*
2251 *Procedures Manual (BPM)* and *Rules of the Faculty Senate*;
- 2252 • Contract, grant and donor stipulations; and
- 2253 • Accreditation requirements.

2254 2255 **15. Compliance (Whistle Blower) Protection**

2256
2257 It is a violation of University policy to retaliate against an individual because she

2258 or he has made, in good faith, a disclosure of noncompliance or has participated in
2259 an investigation, proceeding or hearing involving noncompliance of any of the
2260 above.

2261

2262 **16. Truth, Honesty and Integrity**

2263

2264 a. Those who act for the University, with no exceptions, shall:

2265

- 2266 • Act with high ethical and professional standards of conduct;
- 2267 • Be honest in performing their duties;
- 2268 • Propose, conduct and report research and transmit research findings
2269 with integrity and honesty;
- 2270 • Protect people and humanely treat animals involved in research and
2271 teaching;
- 2272 • Protect the intellectual property rights of individuals, the University
2273 and third parties; and
- 2274 • Respect the intellectual property rights of others.

2275

2276 b. Those who act for the University, with no exceptions, shall not:

2277

- 2278 • Fabricate information;
- 2279 • Change or knowingly omit information to misrepresent events,
2280 circumstances, results or outcomes in official University records or
2281 documents; or
- 2282 • Take credit for another's work or work product without appropriate
2283 permission.

2284

2285 **17. Acceptance of Gifts or Benefits**

2286

2287 Those who act for the University's decisions and actions shall be based on the best
2288 interest of the University. No member shall accept any type of reward, monetary
2289 or non-monetary, if there is an explicit or implicit assumption that influence has
2290 been exchanged for the favor.

2291

2292 When no favor is asked for or gained, gifts of nominal value or moderate acts of
2293 hospitality, such as meals, in relation to one's position or activities with the
2294 University may be accepted. The following limits shall be observed:

2295

2296 a. Gifts or acts of hospitality valued up to \$50 annually from any one source
2297 need not be reported.

2298

2299 b. Gifts or acts of hospitality valued between \$50 to \$200 should be reported to
2300 the supervisor prior to acceptance.

2301

2302 c. Acts of hospitality above \$200 must be specifically justified and reported
2303 through the chain of command. Written approval for acceptance must be
2304 provided by the Provost or executive vice president, in advance.

2305
2306 d. Individuals may not accept gifts valued above \$200. However, these gifts or
2307 benefits shall be directed to the Executive Vice President for Finance and
2308 Administration, where they can be acknowledged and accepted on behalf of
2309 the University.

2310
2311 UK HealthCare employees shall also abide by more stringent rules outlined in the
2312 Employee Code of Conduct Addendum. (See HealthCare Policy A01-005, UK
2313 HealthCare Code of Ethics.)

2314
2315 **18. Clarifications and Reporting Violations**

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2317 Like all policies, this policy could not possibly cover all possible situations. When
2318 any doubt about the propriety of an action exists, the University’s policy requires
2319 a full and frank disclosure to an appropriate individual with sufficient authority
2320 to address the matter. For interpretation, counsel or advice regarding this policy,
2321 contact the Office of Legal Counsel.

2322
2323 Those who act for the University are expected to report violations of this policy to
2324 an appropriate individual. The University will not tolerate any retaliation against
2325 those who act for the University when making a good faith report of a violation.

2326
2327 For questions, contact: [Office of Legal Counsel](#)