

Minutes of the Meeting of the Board of Trustees of the University of Kentucky, Tuesday, September 18, 1979.

The Board of Trustees of the University of Kentucky met in regular statutory session at 2:00 o'clock (Eastern Daylight Time) on Tuesday, September 18, 1979 in the Board Room on the 18th floor of the Patterson Office Tower on the Lexington campus with the following members answering the call of the roll: Mr. William B. Sturgill, Chairman, Professor Michael Adelstein, Mr. William R. Black, Governor Albert Benjamin Chandler, Mrs. Betty Pace Clark, Mr. Albert G. Clay, Mr. Tracy Farmer, Mr. L. D. Gorman, Mr. George W. Griffin, Mrs. Sally Hermansdorfer, Dr. David A. Hull, Mr. Thomas B. Kessinger, Mr. W. Terry McBrayer, Mr. Frank Ramsey, Mr. Homer W. Ramsey, Mr. W. B. Terry, Mr. Mark Metcalf, and Dr. John R. Woodyard. Absent from the meeting was Professor Constance P. Wilson. The University administration was represented by President Otis A. Singletary; Vice Presidents Lewis W. Cochran, Robert G. Zumwinkle, Stanley Wall, Peter P. Bosomworth, Raymond R. Hornback, John T. Smith, Jack C. Blanton, and Donald B. Clapp; Dr. Wimberly C. Royster, Dean of the Graduate School and Coordinator of Research; and Mr. John Darsie, Legal Counsel. Members of the various news media were also in attendance.

A. Meeting Opened and Oath of Office Administered

Mr. Sturgill called the meeting to order at 2:03 p.m. Following the invocation, pronounced by Mr. Sturgill, Mr. John Darsie administered the oath of office to Mr. W. Terry McBrayer, appointed by Governor Carroll for a term ending June 30, 1983, to replace Mr. Zirl Palmer whose term expired June 30, 1979.

B. Roll Call

The Secretary called the roll and reported eighteen of the nineteen members present. There being a quorum present, the Chairman declared the meeting officially open for the conduct of business at 2:06 p.m.

C. Minutes Approved

Without discussion, on motion duly made, seconded and carried, the reading of the Minutes was dispensed with and the Minutes of the August 24, 1979 meeting of the Board of Trustees were approved as published.

D. Nominating Committee Report

Mr. Homer Ramsey, Chairman of the Nominating Committee, placed the following slate of officers and Executive Committee members for 1979-80 in nomination:

Officers

Chairman - William B. Sturgill
Vice Chairman - Albert G. Clay
Secretary - Betty Pace Clark

Executive Committee

William B. Sturgill - Chairman
Albert G. Clay
George W. Griffin
William R. Black
Homer W. Ramsey

There being no nominations from the floor, on motion by Mr. Ramsey, seconded and passed the slate was accepted as proposed.

Mr. Sturgill indicated that he would appoint the standing committees at the October 16, 1979 meeting of the Executive Committee.

E. President Report to the Trustees (PR 1)

President Singletary reported that even though final enrollment figures for the 1979-80 fall semester were not yet available, all indications pointed to approximately a 2 1/2% increase over the fall semester of 1978-79. He then briefly reviewed a few of the items in PR 1 and recommended that the report be accepted and filed.

Before accepting the report, Mr. Sturgill expressed his satisfaction that, as reported in item 4, courses concerned with the Appalachian area were becoming increasingly popular, particularly with students from the region. He then accepted the President's Report and ordered it filed.

F. Recommendations of the President (PR 2)

President Singletary remarked that PR 2 contained only routine appointments and/or other staff changes and recommended that it be approved as a whole. Without discussion, on motion by Mr. Clay, seconded and passed, PR 2, Recommendations of the President, was approved. (See PR 2 at the end of the Minutes)

G. Proposed Amendments to the Governing Regulations (PR 4)

President Singletary recommended that the proposed amendments to the Governing Regulations, which were received and tabled at the August 24, 1979 meeting of the Board, be removed from the table and approved. Mr. Clay so moved. His motion was seconded by Mr. Black and passed without dissent.

Professor Adelstein, speaking for Professor Wilson who was not present at the meeting, noted that for the first time, recognition was given in the Governing Regulations to women as members of the University faculty. (See PR 4 at the end of the Minutes)

H. Budget Revisions for 1979-80 (PR 5)

Noting that the budget revisions proposed in PR 5 were routine, President Singletary recommended that they be authorized and approved as recommended. Mr. Homer Ramsey moved approval. His motion was seconded, and passed without dissent. (See PR 5 at the end of the Minutes)

I. Report on Proposals for Consulting and Overload Employment Outside the University (PR 6)

Indicating that PR 6 was merely a report and did not require action, President Singletary pointed out that during the period from May 16, 1979 through August 15, 1979 40 faculty members had requested approval to undertake outside assignments with the time periods involved ranging from one day to a maximum of 30 days. Mr. Sturgill accepted the report with thanks. (See PR 6 at the end of the Minutes)

J. Retirement Plan in Transition and Amendments to Retirement Plan (PR's 7 and 8)

President Singletary suggested that PR's 7 and 8 be considered together since they were both concerned with faculty retirement. At his request, Dr. Clapp explained that the transition plan covered those employees currently in a post-retirement status, while the amendments to the Retirement Plan would raise the mandatory retirement age for tenured faculty to 70 and would bring the University's regulations into compliance with the Age Discrimination in Employment Act.

Without discussion, on motion by Professor Adelstein, seconded by Mr. Homer Ramsey, and passed, PR's 7 and 8 were approved as recommended. (See PR's 7 and 8 at the end of the Minutes)

K. Contract with KMSF, Inc. (PR 9)

President Singletary recommended that the addendum to the contract between the Board of Trustees and KMSF, Inc. approved on June 28, 1979 be rescinded and that the addendum attached to PR 9 be approved. This change is being made at the request of KMSF, Inc. because of certain technical difficulties with the provisions of the original addendum and will not adversely affect the University's interests.

On motion by Mr. Black, seconded and passed the two recommendations in PR 9 were approved. (See PR 9 at the end of the Minutes)

L. Capital Construction Projects (PR 10)

President Singletary called attention to the fact that there were three separate capital construction projects requiring Board approval prior to transmission to the Council on Higher Education. The first was a renovation project to replace the roof of the Administration Building at Elizabethtown Community College and the funds are available for this from capital appropriations and the University Plant Fund. The second and third projects are directly related to the neonatal care unit in the University Hospital and are necessary if the University is to create a 45-bed unit. Dr. Singletary emphasized that the University's ability to create the unit as planned is contingent upon the availability of capital funds and the University being given flexibility in using these funds.

On motion duly made, seconded, and carried, the three capital construction projects as recommended in PR 10 were approved for transmission to the Council on Higher Education. (See PR 10 at the end of the Minutes)

M. Acceptance of Audit Report (FCR 1)

Mr. Clay, Chairman of the Finance Committee, reported that the Committee had met on the morning of September 18, 1979, examined the audit reports submitted by the firm of Coopers and Lybrand, Certified Public Accountants, and found them to be satisfactory. He then moved that the Board accept the University of Kentucky Purchasing Compliance Letter, the University of Kentucky Cash Reconciliation and the summary audit report of the financial records of the University of Kentucky for the fiscal year 1978-79, consisting of the Accountants Report from Coopers and Lybrand, Balance Sheets, Statement of Current Funds Revenue, Expenditures and Transfers, Statement of Changes in Fund Balances, Summary of Significant Accounting Policies, and Notes to the Financial Statements. His motion was seconded and carried without dissent. (See FCR 1 at the end of the Minutes)

N. Property Acquisition (FCR 2)

Acting on the recommendation of the Finance Committee, Mr. Clay moved that the Vice President for Business Affairs and Treasurer be authorized to acquire, at a price not to exceed the appraised value thereof, the property located at 555 South Upper Street, Lexington, Kentucky. His motion was seconded by Mr. Terry and passed, with all present voting "aye". (See FCR 2 at the end of the Minutes)

O. Meeting Adjourned

After determining that there were no further committee reports or other business to come before the meeting, Mr. Sturgill declared the meeting officially adjourned at 2:23 P.M.

Respectfully submitted,

Betty Pace Clark
Secretary, Board of Trustees

(PR's 2, 4, 5, 6, 7, 8, 9, and 10 and FCR's 1 and 2 which follow are official parts of the Minutes of the meeting)

PR 2

Members, Board of Trustees:

RECOMMENDATIONS OF THE PRESIDENT

I. Appointments and/or Other Staff Changes

Recommendations: (1) that approval be given to the appointments and/or other staff changes which require Board action; and (2) that the report relative to appointments and/or changes already approved by the administration be accepted.

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

BOARD ACTION

A. ACADEMIC APPOINTMENTS

DIVISION OF COLLEGES

College of Agriculture

Apland, Jeffrey D., Assistant Professor, Agricultural Economics, 7/27/79 through 6/30/80.

College of Architecture

Hoppner, Peter J., Visiting Associate Professor, Architecture, 8/16/79 through 5/15/80.
Rowen, Marthe, Assistant Professor, Architecture, 8/16/79 through 5/15/80.

College of Arts and Sciences

Stokes, Robert A., Adjunct Professor, Physics & Astronomy, retroactive 7/1/79.

College of Business and Economics

Zabinsky, Harvey, Visiting Instructor, Economics, 8/16/79 through 5/15/80.

College of Education

Phillips, Gary W., Instructor (temporary), Educational Psychology and Counseling, 8/16/79 through 5/15/80.

College of Home Economics

Jordan, Sarah R., Assistant Professor, Nutrition and Food Science, 8/16/79 through 12/31/79.

Weiner, Miles, Assistant Professor, Human Environment: Design and Textiles, 8/16/79 through 5/15/80.

Young, Lee C., Associate Professor, Human Environment: Design and Textiles, 8/16/79 through 5/15/80.

College of Law

Dykeman, William A., Associate Professor (part-time), Law, 9/1/79 through 12/31/79.

Perlman, Peter, Professor (part-time), Law, 9/1/79 through 12/31/79.

MEDICAL CENTER

College of Medicine

Webb, Pamela, Assistant Professor*, Anesthesiology, 9/1/79 through 6/30/80.

COMMUNITY COLLEGE SYSTEM

Ashland Community College

Adkins, Jimmie, Instructor in the Community College System, 8/1/79 through 6/30/80.

Hazard Community College

Maxwell, Wesley David, Instructor in the Community College System, 8/1/79 through 6/30/80.

Lexington Technical Institute

Collier, Susan C., Instructor in the Community College System, 8/16/79 through 6/30/80.

Madisonville Community College

Cartwright, Charles W., Instructor in the Community College System, 9/1/79 through 6/30/80.

B. ADMINISTRATIVE APPOINTMENTS

COMMUNITY COLLEGE SYSTEM

Maysville Community College

Berry, Robert, Associate Professor in the Community College System (with tenure), named Division Chairman of the Division of Sciences & Related Technologies, 7/1/79 through 6/30/82.

*Special Title Series

C. NON-ACADEMIC APPOINTMENTS

DIVISION OF COLLEGES

College of Agriculture

Averett, Ruth, Research Specialist, Horticulture & Landscape Architecture, effective 8/20/79.

Thompson, Michael J., Extension Specialist, Agricultural Engineering, effective 8/13/79.

Graduate School

Selwitz, Ada S., Professional Associate, U.K. Research Foundation, effective 8/1/79.

MEDICAL CENTER

College of Allied Health Professions

Costigan, Billie G., Media Development Officer, Office of the Dean, effective 7/1/79.

College of Medicine

Hunter, Larry R., Senior Research Associate, Surgery, effective 8/20/79.

College of Pharmacy

Dipiro, Cecily V., Pharmacist, Pharmacy, effective 8/15/79.

D. RETIREMENTS

DIVISION OF COLLEGES

College of Agriculture

Cathey, Ted W., Principal Laboratory Technician, Animal Sciences, after 26 consecutive years of service, effective 2/2/80.

MEDICAL CENTER

Vice President for the Medical Center

Frazier, Rose M., Senior Laboratory Assistant, University Health Service, after 39.5 consecutive years of service, effective 1/31/80.

E. EARLY RETIREMENTS

MEDICAL CENTER

Vice President for the Medical Center

Mallory, Ruth, Team Leader, University Health Service, after 17.5 consecutive years of service, effective 12/31/79.

SUPPORT UNITS

Vice President for Business Affairs

Walker, Bernice C., Publications Production Manager Assistant II, Printing Services, after 30 consecutive years of service, effective 1/3/80.

F. POST-RETIREMENT APPOINTMENT

DIVISION OF COLLEGES

College of Education

Miller, Fannie, Assistant Professor (part-time), Curriculum & Instruction, 8/16/79 through 12/31/79.

ADMINISTRATIVE ACTION

G. NEW APPOINTMENTS

DIVISION OF COLLEGES

College of Arts and Sciences

Herr, Steven L., Visiting Instructor (part-time), Physics and Astronomy, 8/16/79 through 12/31/79.

Jenkins, Craig A., Visiting Instructor, Physics and Astronomy, 8/16/79 through 5/15/80.

Kleppinger, Eugene, Visiting Instructor, Chemistry, 8/16/79 through 5/15/80.

Norton, James, Visiting Instructor (part-time), Psychology, 8/16/79 through 12/31/79.

Ricci, Gianni, Visiting Instructor, Mathematics, 8/16/79 through 5/15/80.

Van Tassel, Carol, Visiting Instructor (part-time), Sociology, 8/16/79 through 12/31/79.

College of Business and Economics

Baldwin, William T., Assistant Professor (part-time), Economics, effective 8/16/79.

Mann, Ronald A., Assistant Professor (part-time), Economics, 8/16/79 through 12/31/79.

College of Communications

Barry, Michael W., Visiting Instructor (part-time), Communication, 8/16/79 through 12/31/79.

Herbener, Gerald, Visiting Assistant Professor (part-time), Communication, 8/16/79 through 12/31/79.

Jabaily, Robert, Visiting Instructor (part-time), Communication, 8/16/79 through 12/31/79.

Malott, Glen Alen, Visiting Instructor (part-time), School of Journalism, 8/16/79 through 5/15/80.

Mayes, Sandra, Visiting Instructor (part-time), Communication, 8/16/79 through 12/31/79.

Miller, Cynthia H., Visiting Instructor (part-time),
Communication, 8/16/79 through 12/31/79.
Owens, Lewis E., Visiting Instructor (part-time), School
of Journalism, 8/16/79 through 12/31/79.
Peel, Barry W., Visiting Instructor (part-time), Communication,
8/16/79 through 12/31/79.
Wheeler, Donald, Visiting Instructor (part-time), Communication,
8/16/79 through 12/31/79.
White, Michael Allan, Visiting Instructor (part-time),
Communication, 8/16/79 through 12/31/79.

College of Education

Wilson, Patricia, Instructor, Vocational Education, 8/16/79
through 5/15/80.

College of Engineering

Ohlinger, Wayne L., Adjunct Assistant Professor*, Metallurgical
Engineering, 8/16/79 through 5/15/80.

College of Fine Arts

Anderson, Lawrence P., Visiting Instructor (part-time), Art,
8/16/79 through 12/31/79.
Burks, Joseph, II, Visiting Instructor (part-time), Art,
8/1/79 through 12/31/79.
Hall, Bruce R., Visiting Instructor (part-time), Art, 8/16/79
through 12/31/79.
McCord, Barbara M., Visiting Instructor (part-time), Art,
8/16/79 through 12/31/79.
Tannen, Jason, Visiting Instructor (part-time), Art,
8/16/79 through 12/31/79.
Tower, Ann P., Visiting Instructor (part-time), Art,
8/16/79 through 12/31/79.

College of Home Economics

Lee, Sandra, Instructor-Clinical (part-time), Nutrition and
Food Science, 8/16/79 through 5/15/80.
Wesley, Myrna M., Assistant Professor-In Business*, Nutrition
and Food Science, 8/16/79 through 5/15/80.

Library

Chandler, Yvonne J., Librarian IV, Reference Library,
8/10/79 through 6/30/80.
Nyberg, Cheryl, Librarian IV, Law Library, 8/10/79 through
6/30/80.

MEDICAL CENTER

College of Allied Health Professions

Hensley, Janice Sue, Instructor (part-time), Clinical
Nutrition, 9/1/79 through 6/30/80.

*Special Title Series

Jamieson, Pamela J., Clinical Instructor (voluntary),
Physical Therapy, 7/19/79 through 6/30/80.
Oldenburg, Doug, Clinical Instructor (voluntary), Physical
Therapy, 7/31/79 through 6/30/80.
Peck, Patsy, M., Clinical Instructor (voluntary), Physical
Therapy, 7/19/79 through 6/30/80.
Perkins, Renee, Clinical Instructor (voluntary), Allied
Health Education & Research, 5/29/79 through 6/30/80.
Roberts, Sharon, Clinical Instructor (voluntary), Physical
Therapy, 7/31/79 through 6/30/80.
Vickery, Jane, Clinical Instructor (voluntary), Physical
Therapy, 7/31/79 through 6/30/80.

College of Dentistry

Forbis, Frank S., Clinical Instructor (voluntary), Community
Dentistry, 7/2/79 through 6/30/80.
Johnson, John B., Assistant Professor (part-time), Endodontics,
also named Assistant Professor (part-time), Community
Dentistry, 9/1/79 through 6/30/80.
Logan, Theodore E., Assistant Clinical Professor (voluntary),
Prosthodontics, 9/15/79 through 6/30/80.

College of Medicine

Hogancamp, Charles E., Assistant Clinical Professor (part-
time), Medicine, 9/1/79 through 6/30/82.

College of Pharmacy

Brislin, John M., Clinical Instructor (part-time), Pharmacy
9/1/79 through 6/30/80.
Hume, James W., Clinical Instructor (voluntary), Pharmacy,
9/1/79 through 6/30/80.

COMMUNITY COLLEGE SYSTEM

Ashland Community College

Virgin, Mary Louise, Instructor in the Community College
System, 8/1/79 through 6/30/80.

Elizabethtown Community College

Berbiglia, Vi, Instructor in the Community College System,
8/1/79 through 6/30/80.

Hazard Community College

Garrison, Martha Taylor, Instructor in the Community College
System, 8/1/79 through 6/30/80.
Lynes, Billie, Instructor in the Community College System,
8/1/79 through 6/30/80.

Henderson Community College

Alexander, Dorothy, Instructor in the Community College System,
8/1/79 through 6/30/80.

Christian, John Terence, Instructor in the Community College System, 8/1/79 through 6/30/80.
Goza, Mary L., Instructor in the Community College System, 8/1/79 through 6/30/80.
Pinkston, Debra J., Instructor in the Community College System, 8/1/79 through 6/30/80.

Jefferson Community College

Egan, Thomas P., Instructor in the Community College System, 8/1/79 through 6/30/80.
Godfrey, Linda, Instructor in the Community College System, 8/1/79 through 6/30/80.
Martin, Judith M., Instructor in the Community College System, 8/1/79 through 6/30/80.
Parker, Carol C., Instructor in the Community College System, 8/1/79 through 6/30/80.
Robinson, Wendell P., Assistant Professor in the Community College System, 8/1/79 through 6/30/80.
Theobald, Susan K., Instructor in the Community College System, 8/1/79 through 6/30/80.

Lexington Technical Institute

Hisel, Gary F., Instructor in the Community College System, 8/16/79 through 6/30/80.
Kalam, Muhammad A., Assistant Professor in the Community College System, 8/1/79 through 6/30/80.
Smith, Michael L., Instructor in the Community College System, 8/1/79 through 6/30/80.
Wilson, Davis B., Instructor in the Community College System, 8/1/79 through 6/30/80.

Madisonville Community College

Moore, Judith, Instructor in the Community College System, 8/10/79 through 6/30/80.
Smith, Lorretta, Librarian IV in the Community College System, 7/1/79 through 6/30/80.

Maysville Community College

Easton, Kathy J., Instructor in the Community College System, 8/1/79 through 6/30/80.

Paducah Community College

Parker, Charles D., Instructor in the Community College System, 8/1/79 through 6/30/80.

Somerset Community College

Dawson, Arthur Wayne, Instructor in the Community College System, 8/15/79 through 6/30/80.
Helenic, Martin J., Assistant Professor in the Community College System, 8/1/79 through 6/30/80.

Limacher, Richard J., Instructor in the Community College System, 8/1/79 through 6/30/80.

Patton, Rodney Lee, Assistant Professor in the Community College System, 8/1/79 through 6/30/80.

Southeast Community College

Walker, Valoria Anne, Instructor in the Community College System, 9/1/79 through 6/30/80.

H. WAIVER OF NEPOTISM

DIVISION OF COLLEGES

College of Fine Arts

Veal, Susanne, Instructor (part-time) School of Music, (Husband, Larry Veal, Assistant Professor in School of Music), 8/16/79 through 12/31/79.

I. ADMINISTRATIVE APPOINTMENT

DIVISION OF COLLEGES

College of Engineering

Peters, Leonard K., Associate Professor (with tenure), Chemical Engineering, named Acting Chairman, Department of Chemical Engineering, 10/1/79 through 6/30/80.

J. NON-ACADEMIC APPOINTMENTS

MEDICAL CENTER

College of Medicine

Elliott, Lucinda, Research Associate, Pathology, effective 7/1/79.

Feltner, William Douglas, Physician Assistant, Medicine, effective 8/20/79.

Golden, Carol, Allied Health Specialist II, Ephraim McDowell Community Cancer Network, effective 8/13/79.

Sowell, Ronald G., Administrative Staff Officer I, Dean's Office, effective 8/6/79.

K. CHANGE

DIVISION OF COLLEGES

College of Arts and Sciences

Adler, Thomas A., from Assistant Professor, English, to Instructor, English, 8/16/79 through 5/15/80.

Friberg, Justin C., from Visiting Assistant Professor, Geography, to Assistant Professor, Geography, 8/16/79 through 5/15/80.

O'Connor, Jerry R., from Visiting Instructor (full-time), Physics and Astronomy, to Visiting Instructor (part-time), Physics and Astronomy, 8/16/79 through 12/31/79.

College of Communications

Rayburn, Winnifred S., from Visiting Instructor (part-time), Communication, to Visiting Instructor (full-time), Communication, 8/16/79 through 12/31/79.

College of Social Professions

Byars, Laurette Flynn, from Director, Educational Talent Search, Student Affairs, to Instructor and Assistant Dean for Student Affairs, 10/15/79 through 6/30/80.

MEDICAL CENTER

College of Allied Health Professions

Renneker, Nancy, Clinical Instructor (voluntary), Physical Therapy, 7/1/79 through 6/30/80. Name changed from Nancy Whisman to Nancy Renneker.

College of Dentistry

Timmons, James H., from Coordinator, Dental Auxiliary Training, Community Dentistry, to Assistant Professor, Restorative Dentistry, 8/1/79 through 6/30/80.

College of Medicine

Hanson, Michael, from Assistant Professor (temporary), Obstetrics & Gynecology to Assistant Professor, Obstetrics & Gynecology, 9/1/79 through 6/30/80.

College of Pharmacy

Marshall, William David, from Assistant Clinical Professor (voluntary), Pharmacy, to Instructor (part-time), Pharmacy, 8/1/79 through 6/30/80.

Shely, William W., from Instructor (part-time), Pharmacy, to Clinical Instructor (voluntary), Pharmacy, 9/1/79 through 6/30/82.

L. REAPPOINTMENTS

DIVISION OF COLLEGES

College of Architecture

Rauh, Richard P., Assistant Professor (part-time), 8/16/79 through 5/15/80.

College of Arts and Sciences

Burkhead, John, Visiting Instructor (part-time), Sociology,
8/16/79 through 12/31/79.
Crosby, David, Visiting Instructor, Physics and Astronomy,
8/16/79 through 12/31/79.
Feinberg, David L., Visiting Instructor (part-time), Psychology,
8/16/79 through 12/31/79.
Fu, Yen Tzu, Visiting Assistant Professor, Mathematics,
8/16/79 through 5/15/80.
Hay, Jane, Instructor (part-time), Biological Sciences, 8/16/79
through 5/15/80.
Janecek, Susan, Visiting Instructor (part-time), Slavic and
Oriental Languages, 8/16/79 through 12/31/79.
Sorokin, Larisa, Visiting Instructor (part-time), Slavic &
Oriental Languages, 8/16/79 through 12/31/79.
Williams, Annie C., Visiting Instructor (part-time),
Biological Sciences, 8/16/79 through 12/31/79.

College of Engineering

Reed, William H., Adjunct Assistant Professor* (part-time),
Metallurgical Engineering, 8/16/79 through 5/15/80.
Tao, Deh C., Lecturer (part-time), Mechanical Engineering,
8/16/79 through 5/15/80.

College of Fine Arts

Bourdon, Robert S., Jr., Visiting Assistant Professor, Art,
8/1/79 through 12/31/79.
Mendes, Guy M., III, Visiting Instructor (part-time), Art,
8/16/79 through 12/31/79.
Taylor, Ellsworth, Visiting Instructor (part-time), Art,
8/16/79 through 5/15/80.

MEDICAL CENTER

College of Allied Health Professions

Andrews, Donald A., Clinical Instructor (voluntary), Allied
Health Education and Research, 7/1/79 through 6/30/80.
Brown, Sister Miriam E., Clinical Instructor (voluntary),
Allied Health Education and Research, 7/1/79 through
6/30/80.
Chandler, Pauline, Clinical Instructor (voluntary), Allied
Health Education and Research, 7/1/79 through
6/30/80.
Coogler, Carol, Clinical Instructor (voluntary), Physical
Therapy, 7/1/79 through 6/30/80.
Crawford, Anna Mae, Clinical Instructor (voluntary), Allied
Health Education and Research, 7/1/79 through 6/30/80.
Cromwell, Frances, Assistant Clinical Professor (voluntary),
Physical Therapy, 7/1/79 through 6/30/80.
Dean, Roberta, Clinical Instructor (voluntary), Allied Health
Education and Research, 7/1/79 through 6/30/80.
Falloon, Sister Anne Marie, Clinical Instructor (voluntary),
Allied Health Education and Research, 7/1/79 through
6/30/80.

*Special Title Series

Gorham, Beth M., Clinical Instructor (voluntary), Medical Technology, 7/1/79 through 6/30/80.
Hale, Margaret F., Clinical Instructor (voluntary), Allied Health Education and Research, 7/1/79 through 6/30/80.
Kelley, Ruby, Clinical Instructor (voluntary), Allied Health Education and Research, 7/1/79 through 6/30/80.
Miller, Wayne, Clinical Instructor (voluntary), Community Health, 7/1/79 through 6/30/80.
Robillard, Helen M., Clinical Instructor (voluntary), Allied Health Education and Research, 7/1/79 through 6/30/80.
Thoen, Svein, Clinical Instructor (voluntary), Physical Therapy, 7/1/79 through 6/30/80.
Welch, Patricia, Clinical Instructor (voluntary), Allied Health Education and Research, 7/1/79 through 5/30/80.

College of Dentistry

Thomas, Charles Allen, Assistant Professor (part-time), Community Dentistry, 7/1/79 through 6/30/80.

College of Medicine

Barron, Michael P., Clinical Instructor (part-time), Medicine, 7/1/79 through 6/30/80.
Coupal, John J., Assistant Clinical Professor (voluntary), Radiation Medicine and Assistant Adjunct Professor (voluntary), College of Pharmacy, 7/1/79 through 6/30/82.
Jacob, Robert J., Assistant Professor, Pathology, 7/1/79 through 6/30/80.
Meyers, James H., Assistant Professor, Pathology, 7/1/79 through 6/30/80.
Shah, Ashokumar S., Assistant Professor, Psychiatry, 7/1/79 through 6/30/80.
Zeok, John, Assistant Professor, Surgery (Cardiothoracic), 7/1/79 through 6/30/80.

COMMUNITY COLLEGE SYSTEM

Hopkinsville Community College System

Duncan, Terry, Instructor in the Community College System, 7/1/79 through 6/30/80.

Jefferson Community College

Wright, Margie, Instructor in the Community College System, 7/1/79 through 6/30/80.

Somerset Community College

Whitehead, Sharon F., Instructor in the Community College System, 9/1/79 through 6/30/80.

M. PROMOTIONS (WITHOUT TENURE)

DIVISION OF COLLEGES

College of Business and Economics

Fay, Charles H., from Instructor, Business Administration, to Assistant Professor, Business Administration, 8/16/79 through 5/15/80.

N. LEAVES OF ABSENCE

DIVISION OF COLLEGES

College of Agriculture

Bailey, Carol Lee, County Extension Agent, Home Economics, Correction of Leave-previously approved by the Board of Trustees in June, 1979 as leave without pay, should be Sabbatical leave with full pay, 9/1/79 through 8/31/80.

College of Arts and Sciences

Knerr, Barry F., Assistant Professor, Mathematics, leave without pay 8/16/79 through 5/15/80.
Rosenthal, Gerald, Associate Professor, School of Biological Sciences, special assignment as Program Manager for Biological Stress Section, USDA, the University will be reimbursed by USDA, 1/1/80 through 6/30/80.

Library

Dickinson, Dennis W., Assistant Director, Public Services, leave without pay, 9/1/79 through 12/31/79.

College of Social Professions

Benton, Beverly, Assistant Dean of Student Affairs, leave without pay 9/1/79 through 9/1/80.

MEDICAL CENTER

College of Allied Health Professions

Williams, Duane A., Associate Professor*, Physical Therapy, sabbatical leave with full salary, 8/27/79 through 2/29/80.

College of Dentistry

Higgins, Howard, Assistant Professor (part-time), Restorative Dentistry, leave without pay, 8/31/79 through 12/21/79.
Hovijitra, Suteera, Assistant Professor, Restorative Dentistry, maternity leave, 9/3/79 through 10/12/79.

College of Medicine

Goldenberg, David M., Professor, Pathology and Executive Director, Ephraim McDowell Community Cancer Network, sabbatical leave with half salary, 9/1/79 through 8/31/80.

*Special Title Series

COMMUNITY COLLEGE SYSTEM

Madisonville Community College

Liao, Kao H., Associate Professor in the Community College System, leave without pay, 9/1/79 through 5/31/80.

Southeast Community College

Sundy, Carolyn Y., Assistant Professor in the Community College System, maternity leave 8/1/79 through September 10, 1979.

Action taken: Approved XX Disapproved _____ Other _____

Date: September 18, 1979

Office of the President
September 18, 1979

PR 4

Members, Board of Trustees:

Proposed Amendments to the Governing Regulations

Recommendation: that the following proposed amendments to the Governing Regulations of the University of Kentucky which were received and tabled at the August 24, 1979 meeting of the Board of Trustees be removed from the table and approved.

(Note: Proposed additions are underlined; proposed deletions are bracketed.)

First Amendment - Change the third paragraph of Part IV (page 11) to read:

The 160 elected faculty members shall be apportioned each spring among the colleges and the University Libraries according to the following two equally weighted factors based on data for the preceding fall semester: (1) the number of full-time teaching and/or research faculty, except those appointed in the research title or visiting series, with the rank of assistant professor or higher in the college or the University Libraries; (2) the number of full-time students enrolled in the college, computed so that students enrolled in the Graduate School shall be assigned to the college in which they are pursuing their studies. Each elected faculty member shall serve for a term of three years and shall be eligible for reelection for a second consecutive term, but ineligible for further reelection until one year has elapsed. If a faculty member of the Senate should at any time during his/her term become ineligible to serve (e.g., by reason of assuming an administrative title, resignation, or [by] official leave which precludes attendance), the administrative head of the group represented shall declare a vacancy and designate that member from the eligible faculty who at the last election received the next highest vote to serve for the duration of the elected faculty member's ineligibility.

Background: This change is consistent with the principle that full-time faculty members who hold appointments in the research title or visiting series are not eligible for membership in the University Senate.

Second Amendment - Change the first paragraph of Part VII,A,4 (page 20) to read:

The faculty of a college shall consist of its dean, any assistant and/or associate deans and all its full-time faculty personnel having the rank of assistant professor, associate professor or professor in the regular, special title, or extension series. Membership, with or without voting privileges, may in addition, be extended by a college faculty to any other person assigned to it for administrative work, teaching or research. An individual may be assigned to more than one faculty. In this instance, one assignment shall be designated by the President or his designated officer as the primary one.

Background: This change provides needed clarification about faculty who directly qualify as voting members in the faculty of a college.

Third Amendment - Change the first paragraph of Part VII,A,5 (page 21) to read:

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

Background: This change provides needed clarification about faculty who directly qualify as voting members in the faculty of a school and also about other persons who may be extended membership with or without voting privileges.

Fourth Amendment - Change the first paragraph of Part VII,A,6 (page 21) to read:
chairperson

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

Background: This change provides needed clarification about faculty who directly qualify as voting members in the faculty of a department.

Fifth Amendment - Change the second paragraph of Part VII,B,6 (page 25) to read:
chairperson

The department [chairman]/is responsible for recommendations on the appointment of new members of the department, promotions, reappointments, terminal appointments, decision not to reappoint, post-retirement appointments [(X-C-8)] and the granting of tenure. Procedures and criteria used in preparing recommendations shall be those established by the University, the college and the departmental faculty. As a minimum, the procedures must include consultation with all tenured members of the department and with all [those] full-time non-tenured faculty members, except those appointed in the research title or visiting series, with the actual or equivalent rank of assistant professor or [equivalent] higher who have been members of the department for two years, except as noted below. All recommendations on matters listed above, excepting reappointments and post-retirement appointments, must include the written judgment of each consulted member of the department along with the recommendations of the [chairman] chairperson. The following exceptions may be made: (1) faculty members need not be consulted on recommendations for promotion affecting members with equivalent or higher rank, except that all faculty members with tenure shall be consulted on recommendations for granting of tenure; (2) faculty members without tenure need not be consulted on recommendation for granting of tenure; (3) the right to make recommendations on temporary appointments and/or appointments at the assistant professor level or below may be delegated, with these appointments to be reviewed by the tenured faculty of the department during the second semester of the first year of appointment; (4) in a large and diverse department, upon prior recommendation by the departmental faculty and approval by the President, consultation with faculty members may be restricted to those associated with the concerned, previously-defined academic division or program area in the department.

Background: This change is consistent with the principle that full-time, non-tenured faculty members who hold appointments in the research title or visiting series are not eligible to vote or to provide written judgments relative to recommendations on appointments, promotions, reappointments, etc., and, therefore, need not be consulted.

Sixth Amendment - Change Part X,B,1 (page 31) to read:

Types of Appointment

[Full-time academic appointments shall be of three kinds: (1) non-tenure appointments; (2) appointments with tenure; and (3) post-retirement appointments (X-C-8).]

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

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

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

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

A post-retirement appointment is a type of appointment which is used in a very limited number of retirement cases, when it is essential to a University program or office or when it is otherwise impossible practicably to fill a position with a fully qualified person. Such an appointment may be part-time or full-time, requires approval by the Board of Trustees, and is made for periods not to exceed one year each, but in no case will such an appointment extend beyond the fiscal year in which the employee attains age 70.

Notwithstanding the prohibition relating to appointments beyond age 70, however, a former employee who has attained age 70 may be employed, subject to conditions specified in the Administrative Regulations (Section II.B.2 of AR II-8.0-4), to perform duties for which fee schedules have been established and approved by the President of the University.

More detailed information on the various types of appointments is provided in the Administrative Regulations (AR II-1.0-1, AR II-5.0-2 and AR II-8.0-4).

Background: An expansion of this section of the Governing Regulations has been needed to provide more information and better clarification on types of appointments.

Seventh Amendment - Change Part X,B,2 (pages 31 and 32) to read:

Probationary Periods

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

However, probationary periods are applicable to non-tenured appointments of faculty members on a full-time year-to-year basis in the regular, special title, extension, or librarian series of academic ranks and titles. Such non-tenured appointments may be for one year or for other stated periods, subject to renewal, but the total non-tenure period shall not exceed seven years, including previous full-time service with the rank of instructor or higher in other institutions of higher learning, provided that in the case of a faculty member with more than three years in the academic profession, who is called from another institution and appointed at the rank of associate professor or below, it may be required that he serve in a probationary status for a period not to exceed four years, even though thereby [his] the individual's total [probationary] non-tenure period in the academic profession is extended beyond seven years. However, in any case where a period of prior service of a prospective faculty member involves significantly different institutional

objectives or significantly different professional activity, all or part of the period of prior service may be eliminated from consideration in determining the maximum non-tenure period at the University of Kentucky. Except as provided in Part X-C-7, time spent on leave of absence shall count as probationary period service unless the University in granting the leave and the individual in accepting it agree to the contrary. Individuals initially appointed to the rank of full professor may be given non-tenure status for a period not to exceed one year. An individual shall not remain at the rank of instructor in the University for more than three years. If after that period, promotion to a higher rank cannot be justified, the individual's appointment at the University shall not be renewed.

Following appropriate probationary periods not exceeding in duration those described above, all persons of associate professor or higher rank shall be given tenure or shall not have their appointments renewed; all persons of assistant professor rank (or equivalent as adjudged by the President) shall: (1) be promoted to associate professor with tenure; [(2) be transferred to a non-research rank with tenure; or (3)] or (2) not have their appointments renewed. Established appointment, promotion, and review procedures shall be followed in making these decisions.

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

Background: The changes in the first and second paragraphs are intended to provide better clarification about the non-applicability or applicability of probationary periods to various types of non-tenured appointments. The deletion in the third paragraph is in conformity with current University practice and provides consistency between the Governing Regulations and the Administrative Regulations.

Eighth Amendment - Change the first paragraph of Part X,C,2 (page 36) to read:

All full-time [appointees] faculty members on a ten-month or a twelve-month [academic] assignment basis shall be entitled to [a one month] one month of vacation leave with pay during an assignment period. Vacation leave cannot be accumulated from one assignment period to another, except to the extent that a faculty member on a twelve-month assignment basis may, with advance approval of the dean or the director of the college, take vacation either during the assignment period in which the vacation is earned or within the first two months thereafter. All members of the teaching faculty shall be in actual attendance at least until after commencement and until all reports have been made, and at least three days prior to the first day of registration for the fall semester unless for special reasons special leave is approved.

Background: This change is needed in some organizational units of the University to achieve better balance and more effective use of faculty resources throughout the summer period. In the Medical Center colleges, for example, patient care and some teaching requirements can be met better through having slightly greater flexibility in scheduling vacation leave.

Ninth Amendment- Change the second paragraph of Part X,C,5,a (page 38) to read:

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

Background: This changes provides better clarification about faculty members who are eligible to apply for sabbatical leave.

Action taken: Approved _____ Disapproved _____ Other _____

Date: _____, 1979

PR5

Members, Board of Trustees:

1979-80 BUDGET REVISIONS

Recommendation: that the following revisions in the 1979-80 budget be authorized and approved.

	<u>Approved Budget</u>	<u>Revised Budget</u>	<u>Change</u>
A. <u>General Fund</u>			
1. Income Estimates			
Student Fees			
Registration Fees			
Regular	\$12,429,900	\$12,512,600	\$ 82,700
Medicine	500,000	624,800	124,800
Dentistry	327,000	396,300	69,300
Sales and Services			
Farm Sales	695,500	712,500	17,000
Departmental Sales and Services	4,140,000	4,145,000	5,000
Fund Balances			
Designated Funds	50,000	65,400	<u>15,400</u>
			<u>314,200</u>
2. Expenditures			
Academic Affairs			
College of Agriculture			
Entomology	46,200	63,200	17,000
Administration and Support			
Graduate School			
Survey Research Center	-0-	5,000	5,000
Medical Center			
College of Dentistry	4,250,300	4,319,600	69,300
College of Medicine	13,286,100	13,410,900	124,800
College of Pharmacy	1,388,100	1,470,800	82,700
University Wide			
Annual Giving Program	153,500	168,900	<u>15,400</u>
			<u>314,200</u>
3. Comments - An increase in student fee income will support budgetary increases for the College of Dentistry, College of Medicine, and College of Pharmacy. Additional farm sales income will fund an expenditure increase in the College of Agriculture's Entomology Department. The Graduate School's Survey Research Center will be supported by sales and services income generated by the Center. Appropriated designated fund balances will fund the Annual Giving Program.			

	<u>Approved Budget</u>	<u>Revised Budget</u>	<u>Change</u>
B. <u>Restricted Funds</u>			
1. Income Estimates	\$15,770,000	\$15,820,700	\$50,700
2. Expenditures			
Academic Affairs			
College of Arts and Sciences			
Chemistry	20,400	21,100	700
College of Engineering Administration	93,900	103,900	10,000
Agricultural Experiment Station			
Entomology	92,700	99,600	6,900
Community College System			
Prestonsburg Community College Administration	12,600	18,600	6,000
Administration	-0-	400	400
Medical Center			
Community Medicine	36,700	44,800	8,100
Medicine	267,000	275,000	8,000
Pathology	59,400	60,700	1,300
Pediatrics	75,600	79,900	4,300
University Wide			
Development Fund	4,600	5,400	800
Women's Intercollegiate Athletics	6,000	8,600	2,600
Student Aid			
Gifts and Grants for Scholarships			
General Scholarships	514,700	516,300	<u>1,600</u>
			<u>50,700</u>
3. <u>Comments</u> - Income restricted for the purposes indicated above will fund the proposed additional expenditures.			

Action: Approved XX Disapproved _____ Other _____

Date: September 18 , 1979.

Office of the President
September 18, 1979

PR 6

Members, Board of Trustees:

REPORT ON PROPOSALS FOR CONSULTING AND OTHER OVERLOAD EMPLOYMENT
OUTSIDE THE UNIVERSITY OF KENTUCKY

Under the Governing Regulations (X-C-3) of the University of Kentucky, the Board of Trustees has delegated to the appropriate vice president the authority to approve recommendations transmitted to him by the respective deans or directors on proposals to undertake outside assignments by members of the University's academic staff. These proposals become a matter of record by the appropriate vice president who transmits quarterly reports to the President. In turn, the President reports periodically to the Board of Trustees. Therefore, in keeping with the above directive, I am submitting the following report covering the period from May 16, 1979 through August 15, 1979.

In the Division of Colleges consulting and overload employment outside the University was approved for 26 faculty members from seven colleges within that Division. The maximum number of days approved for any individual was 30 and the minimum number requested and approved was 2 days.

In the Medical Center, a total of 11 individuals from three of the colleges requested approval for consulting and overload employment ranging from 23 days for one individual to one day for seven persons.

Six faculty members from three of the community colleges received approval for a maximum number of days ranging from 9 to a minimum number of 2 days.

Action taken: Approved XX Disapproved _____ Other _____

Date: September 18, 1979

Office of the President
September 18, 1979

PR 7

Members, Board of Trustees:

RETIREMENT PLAN - TRANSITION

Recommendations:

1. That employees appointed prior to the date of this action, pursuant to retirement regulations permitting post-retirement appointments beyond the end of the University's fiscal year in which the employee attains age 65, be permitted to continue to participate in the applicable Group I, II or III funded retirement plan until (a) the end of their appointment period or (b) June 30, 1980, whichever event shall first occur.

2. That service credit earned while in a full time post-retirement status prior to June 30, 1980, be considered "eligible service" as that term is defined in Section III, B., 6 of the retirement resolution adopted contemporaneously herewith.

3. That contracts with Paducah Community College personnel who were formerly employees of Paducah Junior College govern the retirement rights of those individuals and that said contracts not be altered by the retirement resolution adopted contemporaneously herewith.

4. That the rights of staff employees currently employed beyond age 65 on a month-to-month basis be governed by the provisions of the retirement resolution adopted contemporaneously herewith from the date of its adoption.

Background: The above recommendations are for the purpose of providing guidance in making various retirement computations relating to employees currently in a post-retirement status.

Action taken: Approved XX Disapproved _____ Other _____

Date: September 18, 1979

Office of the President
September 18, 1979

PR 8

Members, Board of Trustees:

AMENDMENT TO RETIREMENT PLAN

Recommendation: that the Board of Trustees approve the attached revised Retirement Plan. (New material, with the exception of section hearings, is underlined. Material to be deleted is, with the exception of Sections II, B and C which have been substantially altered, in brackets.)

Background: The purpose of this revision to the Retirement Plan is to bring the University's Regulations into compliance with the Age Discrimination in Employment Act.

The principal points to be noted with respect to this revision are as follows:

- (1) The mandatory retirement date for all employees, except executives, is the end of the University's fiscal year in which the employee attains age 70.
- (2) The mandatory retirement date for tenured faculty is established as the same date as that provided for other personnel even though an early retirement date for faculty could have been maintained for a period of time.
- (3) The normal retirement date for all personnel is established as the end of the fiscal year in which the employee reaches age 65.
- (4) Retirement benefits for the President and Vice Presidents are amended, for such officers hired in the future, from the present guarantee of 60% of salary to a defined contribution plan whereby the University will contribute 15% of salary each year to a fully vested TIAA/CREF annuity.
- (5) Post-retirement appointments beyond age 70 are eliminated except in the case of employees working on projects for which fee schedules have been adopted or where specific advance approval is obtained from the Board of Trustees.
- (6) Employees who continue to work beyond the normal retirement date will not, in general, accrue additional retirement benefits.

Action taken: Approved XX Disapproved _____ Other _____

Date: September 18, 1979

UNIVERSITY OF KENTUCKY RETIREMENT PLAN
(APPROVED BY THE BOARD OF TRUSTEES)
September 18, 1979

I. Retirement Groups and Plans

A. Group I Personnel and TIAA/CREF Plan

1. Group I Personnel

Eligibility of personnel for classification in Group I is conditioned upon: (a) regular full-time employment, (b) employment in a faculty position or a position otherwise specifically approved for Group I by the President, and (c) occupation of a position not covered by the United States Civil Service Retirement Plan.

2. Group I TIAA/CREF Plan - Participation Requirements

Participation of Group I personnel employed prior to July 1, 1964, is as follows:

- (a) Voluntary for employees who had attained age 56 prior to July 1, 1964, and for employees who have completed one year of continuous service but have not attained age 30.
- (b) Mandatory for employees who had completed one year of continuous service and attained age 30 but not age 56 as of July 1, 1964.
- (c) Mandatory upon the completion of one year of continuous service and attainment of age 30 for all other such employees.

Participation of Group I personnel employed on or after July 1, 1964, is voluntary upon completion of one year of continuous service for those employees who have not attained age 30 and mandatory upon the completion of one year of continuous service and the attainment of age 30.

The preliminary service period shall be waived, upon request, for employees with tenure or for employees who own retirement annuity contracts issued by the Teachers Insurance and Annuity Association (TIAA) and/or retirement annuity certificates issued by the College Retirement Equities Fund (CREF).

3. Group I TIAA/CREF Plan - Contributions and Vesting

Contributions toward retirement benefits for participating Group I personnel shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

<u>By the Participant</u>	<u>By the Institution</u>	<u>Total</u>
5%	10%	15%

The University shall deduct the contribution of the participant from regular salary payments, add its contribution, and apply the combined sum to the purchase of retirement annuities for the participant as follows:

- (a) At the election of the participant, either 0, 25, 50, 75, or 100 percent of such combined sum will be forwarded to the Teachers Insurance and Annuity Association to be applied to a TIAA retirement annuity contract for the participant.
- (b) The balance of such combined sum, if any, will be forwarded to the College Retirement Equities Fund to be applied to a CREF retirement annuity certificate for the participant.

Annuities purchased by University contributions shall become the property of individual participants immediately upon purchase. All annuities are for the sole purpose of providing retirement and/or death benefits.

4. Group I TIAA/CREF Plan - Termination of Contributions

Contributions on behalf of Group I personnel in the TIAA/CREF Plan shall terminate at the end of the fiscal year in which the employee attains age 65 or upon the earliest occurrence of any one or more of the following:

- (a) Cessation of regular full-time employment
- (b) Retirement

B. Group II Personnel and TIAA/CREF Plan

1. Group II Personnel

Eligibility of personnel for classification in Group II is conditioned upon: (a) regular full-time employment with the University or, upon approval of the Board of Trustees, with an agency for which the University serves as fiscal and payroll agent, (b) employment in a position classified as technical and scientific staff, office and clerical staff, or service and maintenance staff, and (c) occupation of a position not covered by the United States Civil Service Retirement Plan.

2. Group II TIAA/CREF Plan - Participation Requirements

Participation of Group II personnel employed prior to July 1, 1971, is as follows:

- (a) Voluntary for employees who had attained age 56 before July 1, 1971, and for employees who have completed one year of continuous service but have not attained age 30.
- (b) Mandatory for employees who had completed one year of continuous service and attained age 30 but not age 56 as of July 1, 1971.
- (c) Mandatory upon the completion of one year of continuous service and the attainment of age 30 for all other such employees.

Participation of Group II personnel employed on or after July 1, 1971, is voluntary upon the completion of one year of continuous service for those employees who have not attained age 30 and mandatory upon the completion of one year of continuous service and the attainment of age 30.

The preliminary service period shall be waived, upon request, for employees who own retirement annuity contracts issued by the Teachers Insurance and Annuity Association (TIAA) and/or retirement annuity certificates issued by the College Retirement Equities Fund (CREF).

3. Group II TIAA/CREF Plan - Contributions and Vesting

Contributions to the retirement plan shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

<u>For the Fiscal Year</u>	<u>By the Participant</u>	<u>By the University</u>	<u>Total</u>
1971-72	0.5%	1.0%	1.5%
1972-73	1.2	2.0	3.2
1973-74	1.9	3.0	4.9
1974-75	2.6	4.0	6.6
1975-76	3.3	5.0	8.3
1976-77	4.0	6.0	10.0
1977-78	4.0	6.5	10.5
1978-79	4.0	7.0	11.0
1979-80	4.0	7.5	11.5
1980-81	4.0	8.0	12.0

The University shall deduct the contribution of the participant from regular wage payments, add its contribution, and apply the combined sum to the purchase of retirement annuities for the participant as follows:

- (a) Prior to the date on which the University contribution vests: 100% of the contributions made by the employee and the University will be applied to a TIAA retirement annuity contract.
- (b) After the date on which the University contribution vests: at the election of the participant, either 0, 25, 50, 75, or 100 percent of such combined sum of further contributions will be applied to the participant's TIAA annuity and the balance, if any, as a premium for a CREF retirement annuity certificate.

The contribution of the participant shall be applied to an annuity which is fully vested in the participant; the contribution by the University shall be applied to an annuity, the rights and benefits to which are owned by the University until the annuity vests in the participant or is retrieved by the University in cases of termination before vesting (see Section IX). All annuities are for the sole purpose of providing retirement and/or death benefits.

Annuities purchased by University contributions shall become the property of individual participants as follows:

- (a) If the participant was employed prior to July 1, 1971: upon the completion of five years of continuous University service. Only years of continuous service immediately prior to July 1, 1971, are to be included in this computation.
- (b) If the participant was employed on or after July 1, 1971: upon the completion of five years of continuous participation in this plan.

4. Group II TIAA/CREF Plan - Termination of Contributions

Contributions on behalf of Group II personnel in the TIAA/CREF Plan shall terminate at the end of the fiscal year in which the employee attains age 65 or upon the earliest occurrence of any one or more of the following:

- (a) Cessation of regular full-time employment
- (b) Retirement

C. Group III Personnel and TIAA/CREF Plan

1. Group III Personnel

Eligibility of personnel for classification in Group III is conditioned upon: (a) regular full-time employment with the University or, upon approval of the Board of Trustees, with an agency for which the University serves as fiscal and payroll agent, (b) employment in a position classified as administrative staff, managerial specialist staff, or professional staff, (c) occupation of a position not covered by the United States Civil Service Retirement Plan, and (d) approval by the President or his delegate.

2. Group III TIAA/CREF Plan - Participation Requirements

Participation of Group III personnel employed prior to July 1, 1972, is as follows:

- (a) Voluntary for employees who had attained age 56 before July 1, 1972, and for employees who have completed one year of continuous service but have not attained age 30.
- (b) Mandatory for employees who had completed one year of continuous service and attained age 30 but not age 56 as of July 1, 1972.
- (c) Mandatory upon the completion of one year of continuous service and attainment of age 30 for all other such employees.

Participation of Group III personnel employed on or after July 1, 1972, is voluntary upon the completion of one year of continuous service for those employees who have not attained age 30 and mandatory upon the completion of one year of continuous service and the attainment of age 30.

The preliminary service period shall be waived, upon request, for employees who own retirement annuity contracts issued by the Teachers Insurance and Annuity Association (TIAA) and/or retirement annuity certificates issued by the College Retirement Equities Fund (CREF).

3. Group III TIAA/CREF Plan - Contributions and Vesting

Contributions to the retirement plan shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

<u>For the Fiscal Year</u>	<u>By the Participant</u>	<u>By the University</u>	<u>Total</u>
1972-73	1.0%	2.0%	3.0%
1973-74	2.0	4.0	6.0
1974-75	3.0	6.0	9.0
1975 and thereafter	4.0	8.0	12.0

The University shall deduct the contribution of the participant from regular salary payments, add its contribution, and apply the combined sum to the purchase of retirement annuities for the participant as follows:

- (a) The contribution of the participant will be applied to annuities which shall be fully vested in the participant. At the election of the participant, either 0, 25, 50, 75, or 100 percent of the contribution will be applied to a TIAA retirement annuity contract. The balance of the contribution, if any, will be applied to the purchase of a CREF retirement annuity certificate.
- (b) The contributions by the University will be applied to a TIAA retirement annuity contract and/or CREF retirement annuity certificate in the same manner as elected by the employee at the time of enrollment and thereafter as the employee may choose in accordance with TIAA/CREF regulations.

Each TIAA retirement annuity contract and CREF retirement annuity certificate issued in accordance with the foregoing is for the sole purpose of providing retirement and/or death benefits.

Annuities purchased by University contributions shall become the property of individual participants as follows:

- (a) If the participant was employed prior to July 1, 1972: upon completion of three years of University service. Only years of continuous service immediately prior to July 1, 1972, are to be included in this computation.
- (b) If the participant was employed on or after July 1, 1972: upon completion of three years of participation in this plan.

4. Group III TIAA/CREF Plan - Termination of Contributions

Contributions on behalf of Group III personnel in the TIAA/CREF Plan shall terminate at the end of the fiscal year in which the employee attains age 65 or upon the earliest occurrence of any one or more of the following:

- (a) Cessation of regular full-time employment
- (b) Retirement

D. Group IV Personnel and TIAA/CREF Plan

1. Group IV Personnel

Eligibility of personnel for classification in Group IV is conditioned upon: (a) regular full-time employment, (b) occupation of a position covered by the United States Civil Service Retirement Plan, and (c) eligibility rights under the United States Civil Service Retirement Plan.

2. Group IV TIAA/CREF Plan - Participation Requirements

Participation of Group IV personnel employed on or after January 1, 1973, is voluntary upon the completion of one year of continuous service.

The preliminary service period shall be waived, upon request, for employees with tenure or for employees who own retirement annuity contracts issued by the Teachers Insurance and Annuity Association (TIAA) and/or retirement annuity certificates issued by the College Retirement Equities Fund (CREF).

3. Group IV TIAA/CREF Plan - Contributions and Vesting

Contributions to the retirement plan shall be made in accordance with the following schedule:

Contributions as a Percent of Basic Annual Salary

<u>By the Participant</u>	<u>By the Institution</u>	<u>Total</u>
1%	2%	3%

The University shall deduct the contribution of the participant from regular salary payments, add its contribution, and apply the combined sum to the purchase of retirement annuities for the participant as follows:

- (a) At the election of the participant, either 0, 25, 50, 75, or 100 percent of such combined sum will be forwarded to the Teachers Insurance and Annuity Association to be applied to a TIAA retirement annuity contract for the participant.
- (b) The balance of such combined sum, if any, will be forwarded to the College Retirement Equities Fund to be applied to the purchase of a CREF retirement annuity certificate for the participant.

Annuities purchased with the combined employee and University contributions shall become the property of individual participants immediately upon purchase. All annuities are for the sole purpose of providing retirement and/or death benefits.

E. President and Vice Presidents

Annual contributions to the TIAA/CREF retirement plan shall be made on behalf of the President and each Vice President in an amount equal to the aggregate of employee and University contributions otherwise provided herein for Group I employees. Provided, however, that nothing contained herein shall be construed to impair the retirement entitlement of any President or Vice President employed as of the date of this amendment. (September 18, 1979) The Chairman of the Executive Committee of the Board of Trustees, on behalf of the Board, shall execute contracts with the individual officers providing for the age of retirement of the officers and the other details of the arrangement authorized by this Retirement Plan.

II. Retirement Dates

A. Normal Retirement

The normal retirement date for all employees of the University of Kentucky employed on or after July 1, 1964, and those employed prior to that date who attain age 56 after June 30, 1964, is hereby established as the end of the University's fiscal year in which the employee attains age 65 or, upon administrative approval at least three months in advance, during the month in which the employee attains age 65.

B. Mandatory Retirement

1. General

The mandatory retirement date for all employees of the University of Kentucky, with the exception of executives as defined in section 2 hereof, is hereby established as the end of the University's fiscal year in which the employee attains age 70.

2. Executives

The mandatory retirement date for all employees of the University of Kentucky employed in bona fide executive or high policymaking positions for two or more years prior to the attainment of age 65 and who are entitled to an immediate nonforfeitable annual retirement benefit from the University which equals or exceeds \$27,000 per year, is hereby established as the end of the University's fiscal year in which the employee attains age 65.

C. Disability Retirement

1. Prior to Normal Retirement Date

An employee with an extended period of service to the University may, at the discretion of the President, be permitted to retire prior to age 65, upon the employee's request if same is supported by a statement of a licensed physician certifying that the employee cannot engage in normal employment because of physical or mental disability. The benefit level in such a special case shall be related to the period of service and rate of compensation at retirement, and shall be conditioned upon continuance of the employee's total disability.

2. Subsequent to Normal Retirement Date

An employee who has elected to continue in employment beyond his or her normal retirement date, as established herein, may be required to retire prior to the mandatory retirement date otherwise provided in the event that the said employee's condition of health becomes such that it prevents the discharge of assigned duties and responsibilities.

D. Termination of Active Status

An employee who would otherwise qualify for supplemental retirement income pursuant to this plan, except that he/she has not attained age 65, may, terminate his/her active employee status on or after attainment of age 60 without forfeiture of such accrued benefits, subject to the following conditions:

- (a) Payment of benefits shall not begin until the month in which the employee attains age 65.
- (b) Service credit shall not accrue during periods in which the employee is in a non-active status.
- (c) The salary used to determine supplemental retirement income shall be the basic annual salary for the last year of active employment.
- (d) An employee who elects to proceed under this option shall not receive annual supplemental retirement benefits which exceed 20% of the basic annual salary received during the last year of active employment plus 1% of such salary for each year of active service to the University.
- (e) The computation of supplemental retirement income will be based upon the assumptions in Section III.B.5.
- (f) Supplemental retirement benefits are not payable to survivors

in the event the employee dies prior to the attainment of age 65.

III. Retirement Benefits

A. TIAA/CREF Benefits

The following policies are applicable to TIAA/CREF annuities:

Each participant in TIAA will receive from TIAA a guaranteed, fixed monthly income for life which shall be the actuarial equivalent of the full value of the participant's annuity accumulation at the time of initiation of retirement benefits. Each participant in CREF will also receive from CREF each month for life a guaranteed number of CREF annuity units, the dollar value of which will change from year to year reflecting primarily changes in the market prices and dividends of the common stocks owned by CREF. Before retirement, each participant will select the manner in which retirement income from TIAA-CREF will be paid. Several options for receiving retirement income from TIAA/CREF are set forth in the individual annuity contracts and/or certificates issued to the participant. All of these options provide a lifetime income and all but one provide income for the participant's beneficiary in the event of the participant's early death.

1. Retirement Transition Benefit Option

A participant who is eligible to receive retirement income from TIAA/CREF also shall, at time of retirement from the University, be provided the option of receiving a one-sum payment of up to 10% of his/her TIAA and/or CREF accumulation(s) at the initiation of receipt of annuity income provided that:

The participant is age 55 or older at the time and that the one sum payment does not exceed 10% of the accumulation(s) then being converted to annuity payments.

B. Minimum Annual Retirement Benefit and Supplemental Retirement Income

1. Group I Personnel

For each Group I employee (see I.A.1.) who was age 40 or older prior to July 1, 1964, and who was employed by the University prior to July 1, 1964, the University will provide an annual supplemental retirement income during the lifetime of the employee, where necessary, to assure a minimum annual retirement benefit. The minimum annual retirement benefit shall be the following percentage of the basic annual salary

at the employee's normal retirement date (unless the employee is serving outside the country on a University project and, in which case, the salary to be used in the computation shall be the basic annual salary received at the University during the year immediately preceding such foreign service):

(a) 20% plus 1% for each year of eligible service to the University

plus

(b) For the employee who had attained age 56 prior to July 1, 1964, 1% for each full year by which retirement precedes the end of the fiscal year in which the employee's 70th birthday is attained.

or

For the employee who had attained age 51, but not age 56 prior to July 1, 1964, the following percentage:

<u>Age</u>	<u>Percentage</u>
51	1
52	2
53	3
54	4
55	5

In no event shall the applicable percentage exceed 20% plus 1% for each fiscal year between the date of employment and the end of the fiscal year in which the employee attains age 70. Any service credit allowed for years of part-time employment shall be computed on an appropriate fractional basis.

Annual supplemental retirement income, if any, shall be determined according to the following equation or formula:

$$\left[\begin{array}{l} \text{Fixed annual} \\ \text{Supplemental} \\ \text{Retirement} \\ \text{Benefit} \end{array} \right] = \left[\begin{array}{l} \text{Computed}^1 \\ \text{Minimum} \\ \text{Annual} \\ \text{Retirement} \\ \text{Benefit} \end{array} \right] - \left[\begin{array}{l} \text{Computed}^2 \text{ Annual} \\ \text{Retirement} \\ \text{Benefit from} \\ \text{TIAA/CREF} \\ \text{Accumulations} \end{array} \right]$$

¹Computed as explained above in this section

²Computed on the basis of assumptions in Section III.B.5.(a)

Under the conditions of this formula, an employee would receive supplemental retirement income only if the computed annual retirement benefit from TIAA/CREF accumulations is less than the computed minimum annual retirement benefit to which the employee is entitled.

2. Group II Personnel

For each Group II employee (See I.B.1) who was employed prior to July 1, 1971, and who had attained age 40 as of that date and has at least 15 years of consecutive service as of the employee's normal retirement date the University will provide an annual supplemental retirement income during the lifetime of the employee, where necessary, to assure a minimum annual retirement benefit under the plan equal to 20% of the basic annual salary received by the participant at the normal retirement date plus 1% of that salary for each year of eligible service at the University. The amount of annual supplemental retirement income to be provided shall be determined according to the formula provided in III.B.1.

Information regarding computation of the minimum annual retirement benefit and annual supplemental retirement income for the participant employed prior to July 1, 1964, and who has been continuously employed since that date, is provided in Section III.B.1.

3. Group III Personnel

For each Group III employee (see I.C.1) who was employed prior to July 1, 1972, and who had attained age 40 as of that date and has at least 15 years of consecutive service at the employee's normal retirement date the University will provide an annual supplemental retirement income during the lifetime of the employee, where necessary, to assure a minimum annual retirement benefit under the plan equal to 20% of the basic annual salary received by the participant at the normal retirement date plus 1% of that salary for each year of eligible service at the University. The amount of annual supplemental retirement income to be provided shall be determined according to the formula provided in III.B.1.

Information regarding computation of the minimum annual retirement benefit and annual supplemental retirement income for the participant employed prior to July 1, 1964, and who had been continuously employed since that date, is provided in Section III.B.1.

4. Group IV Personnel

For each Group IV employee (see I.D.1) who was employed by the University prior to January 1, 1973, and whose University

employment includes periods of eligible service covered in part by the United States Civil Service Retirement Plan and in part by the TIAA/CREF funded retirement plan and/or by the older University unfunded plan, the University will provide an annual supplemental retirement income during the lifetime of the employee, where necessary, to assure a minimum annual retirement benefit equal to that which would have been received had all eligible service been exclusively under the University's unfunded retirement plan. The amount of supplemental retirement income, if any, to be provided shall be computed using the following equation or formula:

Fixed Annual Supplemental Retirement Income	=	Computed ¹ Minimum Annual Retirement Benefit	-	Computed ² Annual Benefit from TIAA/CREF Accumulations	+	Computed ³ Annual Benefit from Civil Service Retirement Plan
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¹Computed as explained in Section III.B.1

²Computed on the basis of assumptions in Section III.B.5.(a)

³Computed on the basis of assumption in Section III.B.5.(b)

Under the conditions of this formula, an employee would receive supplemental retirement income only if the sum of the computed annual benefit from the Civil Service retirement plan plus the computed annual retirement benefit received from TIAA/CREF accumulations is less than the computed minimum annual retirement benefit to which the employee is entitled.

If an employee eligible for Civil Service retirement benefits elects to retire at an age earlier than the normal University retirement age of 65, all retirement benefits will be calculated on the age attained at retirement rather than age 65. Any University supplemental retirement benefit due the employee will be deferred until the employee attains age 65.

The policy described herein applies to retirements which become effective on or after January 1, 1974. Employees whose service is in part with the University of Kentucky and in part with the U.S. Veterans Administration are not covered under the Group IV TIAA/CREF Plan.

5. Assumptions in Computation of Supplemental Retirement Income

In determining whether participation in the Civil Service and/or the TIAA/CREF retirement plan(s) has produced the minimum annual

retirement benefit described in Section III.B.1. through III.B.4., the following assumptions shall be used:

(a) Assumptions Applicable to Calculation of Benefit from TIAA/CREF

- (1) That all retirement contributions, both from the employee and the University, were invested in a TIAA annuity contract (regardless of the percentages actually allocated to TIAA and CREF), and
- (2) That the retiring employee elected the single life annuity option the value of which is computed on the basis of the employee's age at time of normal retirement (regardless of the option(s) actually elected).

(b) Assumption Applicable to Calculation of Benefit from Civil Service

That the retiring employee elected the single life annuity option (regardless of the option(s) actually elected).

6. Periods of Service

As used in this retirement plan, "period of service" means the number of years of full-time employment plus credit allowed for part-time employment plus periods in an approved leave of absence status. Periods of service and eligible service shall be computed to the nearest half year.

The term "eligible service" means the number of years of full-time employment plus credit allowed for part-time employment plus periods in an approved leave of absence status plus periods in an approved disability status occurring prior to the normal retirement date.

Only years of continuous service immediately preceding normal retirement shall be counted in computing periods of eligible service, except where a leave of absence approved by the Board of Trustees or its Executive Committee is of record. When an approved leave is for employment other than by the University, and when the absence is in excess of one year, years of absence in excess of one shall not be counted in determining supplemental retirement income, except by specific agreement at the time the leave is taken or in exceptional instances upon recommendation of the President and approval of the Board of Trustees. The period during which an employee receives benefits under the University's Total Disability Program will be included in the total period of service factor used in the computation of benefits under the non-funded retirement program.

An employee who has had a break in continuous service with the

University and, except for the required minimum of fifteen years of continuous service at retirement, otherwise qualifies for retirement benefits may count total service at the University in order to establish a minimum annual retirement benefit, provided total service is equal to at least fifteen years. In any event, the last re-employment date must have preceded the establishment of the TIAA/CREF funded retirement plan for the group of employees, in which the retiring employee is or was eligible to participate.

An employee may, by continuing in employment beyond his/her normal retirement date, but not beyond the mandatory retirement date, acquire the period of eligible service required for eligibility for a minimum retirement benefit hereunder (15 years of eligible service) but no more. Provided, however, that supplemental benefits in such cases shall be calculated on the basis of salary at age 65.

IV. Survivorship Option

- A. Employees eligible for supplemental retirement income pursuant to Section I, E. or III, B may elect a spouse survivor option as to such benefits at the time of retirement.
- B. If the survivor option is elected supplemental retirement income will be reduced to an amount which is the actuarial equivalent (as determined by TIAA at the time of retirement) of a joint and two-thirds benefit to the surviving spouse payable for life.
- C. Election of this option is irrevocable and may not be exercised posthumously.

V. Employment Beyond Retirement

- A. Notwithstanding the prohibition relating to employment beyond the mandatory retirement date retirees may be employed to perform duties for which fee schedules have been established and approved by the President of the University.
- B. Employees who have elected to retire from University service under any of the provisions hereof shall not be eligible for reemployment except to perform duties for which fee schedules have been approved or upon the specific prior action of the Board of Trustees granting approval of the appointment.

VI. Reduction in Benefits

Any University employee who, at the time of retirement, is eligible for payments by the University under provisions of the unfunded retirement plan or under provisions for supplemental retirement income associated with the funded retirement plan, shall have any continuing

benefits that are payable after retirement under the Workmen's Compensation Laws or Unemployment Compensation Laws deducted from the University benefit payment. It is intended that the employee receive the total amount of the greatest single benefit but in no event receive any combination of benefits that will exceed the greatest single benefit.

Reduction in University benefit rates as a result of Workmen's Compensation payments and/or Unemployment Compensation payments will be adjusted in the event that all or any portion of such payments are discontinued.

VII. TIAA/CREF Death Benefits

In the event of a University employee's death prior to the commencement of TIAA/CREF retirement benefits, whether or not the required period for vesting has been completed, an income or lump-sum benefit will be paid by TIAA/CREF to the participant's beneficiary according to policy established by TIAA/CREF.

VIII. Leave of Absence With Pay

During the participant's leave of absence with pay (whether full or partial salary), the University will continue contributions toward a TIAA/CREF retirement annuity contract and/or certificate as provided for in Section I, at the same percentage rate as was in effect during the participant's last monthly pay period prior to the leave of absence, if the participant elects to continue contributions in a like manner.

IX. Termination of Service

A. After Vesting of Annuities (TIAA/CREF Plans for Groups I, II, III, and IV)

If a participant in any one of the TIAA/CREF plans terminates employment following the period, if any, required for TIAA and/or CREF contracts and/or certificates to vest, the participant retains his/her right to all benefits which have been purchased by employee and University contributions, according to policy established by TIAA/CREF.

In order to safeguard annuity benefits for the purpose intended-- income at retirement -- TIAA and CREF annuities normally do not provide for a lump sum settlement to the annuitant at retirement or upon termination of his employment before retirement. However, TIAA/CREF has developed uniform guides that allow "repurchase" of a retirement annuity upon an individual's termination of employment if the annuity has been in force for only a short time or has only a small accumulation.

Specifically, a retirement annuity will be repurchased before payments to the annuitant have begun if the repurchase value is \$2,000 or less, or if the annuity has been in force for five years or less, provided that all of the following conditions apply:

1. the annuitant requests repurchase;
2. the annuitant is neither employed at nor is transferring to an institution having a TIAA retirement plan (sabbatical and similar leaves of absences being considered as employment);
3. all educational institutions that contributed any part of the premiums consent to the repurchase; and
4. if the annuitant has more than one annuity, the total value of all TIAA/CREF annuities and the longest duration of any of them shall govern in determining whether a repurchase will be made under this rule (the result being that all or none of his retirement annuities will be repurchased).

If repurchased, the annuity contracts and/or certificates are cancelled and that portion of the net accumulated value attributable to the University's contributions will be returned to the University by TIAA/CREF; the balance will be returned to the terminating participant and other contributing parties according to the TIAA/CREF policy.

B. Before Vesting of Annuities (TIAA/CREF Plan for Group II)

If a participant in the Group II TIAA/CREF plan terminates employment before vesting of the annuities purchased by University contributions, as set forth in Section I.B.3., the participant may, in lieu of accepting his/her annuities in full satisfaction of his/her rights under this plan, elect to receive an amount equal to the greater of:

1. The sum of all his/her contributions with interest accrued at the guaranteed interest rate in effect for TIAA annuities at the time of termination, or
2. The accumulated value of all his/her contributions less any TIAA charges.

C. Before Vesting of Annuities (TIAA/CREF Plan for Group III)

If a participant in the Group III TIAA/CREF plan terminates employment before vesting of the annuities purchased by University contributions, as set forth in Sections I.B.3. and I.C.3.,

the participant may, in lieu of accepting his/her annuity in full satisfaction of his/her rights under this plan, elect to receive an amount to be determined as follows:

1. If 100% of the contributions made by the participant were allocated to TIAA, an amount equal to the greater of:
 - (a) The sum of all his/her contributions with interest accrued at the guaranteed interest rate in effect for TIAA annuities at the time of termination, or
 - (b) The accumulated value of all his/her contributions less any TIAA charges.
2. If any portion of the contributions made by the participant were allocated to CREF an amount equal to the accumulated value of all his/her contributions less any TIAA/CREF termination charges.

Office of the President
September 18, 1979

PR 9

Members, Board of Trustees:

CONTRACT WITH KMSF, INC.

Recommendation:

1. That the addendum to the contract between this Board and Kentucky Medical Services Foundation, Inc. dated June 28, 1979, and approved by the Executive Committee on that same date, be rescinded.

2. That the attached addendum to the contract between this Board and Kentucky Medical Services Foundation, Inc. be approved and that the President be authorized to execute same.

Background: The addendum referred to in recommendation No. 1 above was authorized at the request of KMSF, Inc. That corporation has now requested rescission of that addendum because of technical difficulties with certain of its provisions and is requesting execution of the new document attached hereto. The University's Legal Department is of the opinion that the institution's vital interests will not be adversely affected by this transaction.

Action taken: Approved XX Disapproved _____ Other _____

Date: September 18, 1979

ADDENDUM

THIS ADDENDUM, made and entered into as of July 7, 1978, by and between the BOARD OF TRUSTEES OF THE UNIVERSITY OF KENTUCKY, a statutory body corporate existing pursuant to Section 164.100 et seq. of the Kentucky Revised Statutes (hereinafter referred to as the "University") and KENTUCKY MEDICAL SERVICES FOUNDATION, INC., a non-stock, non-profit corporation formed pursuant to Chapter 273 of the Kentucky Revised Statutes (hereinafter referred to as the "Foundation").

W I T N E S S E T H:

THAT, WHEREAS, the parties hereto entered into an agreement on or about July 7, 1978, have or are in the process of negotiating an agreement for the period from July 1, 1979 to June 30, 1980, and may hereafter enter into future agreements with respect to the Foundation administering certain income for professional services under the University's "geographic full-time medical services plan" (which agreements are hereinafter collectively referred to as "Agreements");

WHEREAS, the "Agreements" make reference to plans adopted by various departments of the College of Medicine of the University (hereinafter referred to as "Departmental Plans");

AND, WHEREAS, the parties hereto desire to clarify and modify the Agreements as herein stated.

NOW, THEREFORE, in consideration of the promises and covenants herein contained and in order to clarify and modify the intent and obligations of the parties contained in the Agreements,

the parties hereto agree as follows:

(1) That all funds payable and/or obligations to make expenditures pursuant to the Agreements and Departmental Plans (less a reasonable reserve for bad debts) shall become due and/or arise upon the sending of bills to patients or others by the Foundation.

(2) That notwithstanding anything in any of the Agreements to the contrary, including references to maintaining separate accounts, placing funds in particular accounts(s), depositing funds into an account maintained for specific or stated purposes(s), transferring funds, separately maintaining or administrating funds for specific purposes and/or other similar limitations, the Foundation shall not be required to maintain a separate bank account or otherwise segregate any funds held by the Foundation, except for the amounts stated in paragraphs "A", "B", "C" and "D" of Section 5 and Section 6, and with such exceptions all other such limiting references shall be deemed only to require the Foundation to maintain its books and records in such a manner that such funds or amounts are either shown or readily determinable.

(3) That the term "clinical income" includes investment income except as used in Section six (6) of the existing Agreement wherein investment income is specifically excluded from "clinical income."

(4) That in the event of any inconsistency between this Addendum and any other document this Addendum shall govern and in the event of any inconsistency between the Agreements and the Departmental Plans the Agreements shall govern.

(5) This Addendum shall survive the execution of subsequent Agreements and shall control the obligations of the parties hereto from July 7, 1978, until terminated by the parties hereto or such time as the Agreements have been terminated by the University in accordance with numerical paragraph thirteen (13) of the existing Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, pursuant to proper authorization of their respective governing boards, as of the day and year first above written.

BOARD OF TRUSTEES
THE UNIVERSITY OF KENTUCKY

BY: _____
President
University of Kentucky

ATTEST: _____

KENTUCKY MEDICAL SERVICES FOUNDATION,
INC.

BY: _____
President
Kentucky Medical Services
Foundation, Inc.

ATTEST: _____

PR 10

Members, Board of Trustees:

CAPITAL CONSTRUCTION PROJECTS

A. Elizabethtown Roof Project

Recommendation: that the Board approve for submission to the Council on Higher Education a capital construction renovation project for replacement of the roof of the Administration Building at Elizabethtown Community College.

Background: Total project cost is estimated at \$157,710. Funds are available from State capital appropriations and the University Plant Fund.

B. Neonatal Care Unit

Recommendation: that the Board approve for submission to the Council on Higher Education a \$1,291,800 renovation project on the fourth floor of the University Hospital for the purpose of creating a 45-bed Neonatal Care Unit.

Background: The project will provide for the expansion from 39 to 45 neonatal care beds and will permit the consolidation of beds which are now situated in three separate locations within the Hospital. The University has only temporary licensure for the beds in the separate locations. The planned occupancy of the unit in June 1981 is contingent upon the following accelerated construction schedule:

October 17, 1979 - Council on Higher Education approval
October 17, 1979 - Appointment of Architect
June 1, 1980 - Invitation for Bids
August 1, 1980 - Construction Initiated
May, 1981 - Construction Completed

Funds for this project are available from 1978-80 appropriations for the neonatal program.

C. Hospital Support Services and Renovation - University Hospital

Recommendation: that the Board approve for submission to the Council on Higher Education a \$978,300 project in the University Hospital for the purpose of expanding the capacity of utilities, emergency power, central air, vacuum and oxygen, and renovating space.

Background: The existing support services in the University Hospital will not support further expansions of Hospital operations. The expansion of these services is planned in the major Hospital construction and renovation project, but it will be necessary to proceed with some expansion of certain of these services in order to accommodate the neonatal expansion. Funds for this project will come from continuing appropriations for the neonatal program.

Action taken: Approved XX Disapproved _____ Other _____

Date: September 18, 1979

Office of the President
September 18, 1979

FCR 1

Members, Board of Trustees:

ACCEPTANCE OF AUDIT REPORTS
FOR THE UNIVERSITY OF KENTUCKY FOR 1978-79

Recommendation: that the Board of Trustees accept the University of Kentucky Purchasing Compliance Letter, the University of Kentucky Cash Reconciliation and the summary audit report of the financial records of the University of Kentucky for the fiscal year 1978-79, consisting of the Accountant's Report from Coopers and Lybrand, Balance Sheets, Statement of Current Funds Revenues, Expenditures and Transfers, Statement of Changes in Fund Balances, Summary of Significant Accounting Policies, and Notes to the Financial Statements.

Background: The Finance Committee of the University of Kentucky has reviewed the audit reports submitted by the firm of Coopers and Lybrand, Certified Public Accountants, in conjunction with the administration of the University of Kentucky. A comprehensive annual financial report and a management letter will be submitted at a later date.

Note: The Audit Reports are not included in the Minutes but are included in the official files of the meeting.

Action taken: Approved XX Disapproved _____ Other _____
Date September 18, 1979

Office of the President
September 18, 1979

FCR 2

Members, Board of Trustees:

PROPERTY ACQUISITION

Recommendation: that the Vice President for Business Affairs and Treasurer be authorized to acquire, at a price not to exceed the appraised value thereof, the property located at 555 South Upper Street, Lexington, Kentucky.

Action taken: Approved XX Disapproved _____ Other _____

Date: September 18, 1979