

AGENDA

**Meeting of the Board of Trustees
University of Kentucky
1:00 P.M.
September 16, 1997**

Invocation

Roll Call

Approval of Minutes

Nomination of Officers and Executive Committee

President's Report and Action Items

- PR 1 President's Report to the Trustees
- PR 2 Personnel Actions
- PR 3 Central Administration
 - A. Appointment of Search Committee for the President of the Kentucky Community and Technical College System
 - B. Proposed Amendments to the Governing Regulations and Changes in Administrative Regulations
- PR 4 Community College System (No items to report)
- PR 5 Lexington Campus (No items to report)
- PR 6 Medical Center
 - A. Behavioral Standards in Patient Care
 - B. Bylaws of the Medical Staff, University Hospital, Chandler Medical Center

Finance Committee

1. Acceptance of Audit Report for the University of Kentucky for 1996-97
2. Report of Leases
3. University of Kentucky Capital Request 1998-2000 (University System, University Hospital and Community College System)
4. Philip Morris, Inc., Contribution
5. Estate of Margaret W. Peal
6. G. D. Searle & Company
7. Establishment of Stites & Harbison Professorship of Law and Quasi-Endowment

Minutes of the Meeting of the Board of Trustees of the University of Kentucky, Tuesday, September 16, 1997.

The Board of Trustees of the University of Kentucky met at 1:00 p.m. (Lexington time) on Tuesday, September 16, 1997 in the Board Room on the 18th floor of Patterson Office Tower.

A. Meeting Opened

Governor Edward T. Breathitt, Chairperson, called the meeting to order at 1:00 p.m., and the invocation was pronounced by Professor Loys Mather.

B. Roll Call

The following members of the Board of Trustees answered the call of the roll: Mr. Ted Bates, Mrs. Kay Shropshire Bell, Governor Edward T. Breathitt (Chairperson), Mr. Paul W. Chellgren, Ms. Melanie Cruz, Mr. Merwin Grayson, Jr., Mr. John "Jack" Guthrie, Mr. James F. Hardyman, Professor Loys L. Mather, Dr. Robert P. Meriwether, Dr. Elissa Plattner, Mr. Steven S. Reed, Professor Daniel R. Reedy, Mr. C. Frank Shoop, Dr. W. Grady Stumbo, Mr. Martin Welenken, Ms. JoEtta Y. Wickliffe, and Mr. Billy B. Wilcoxson. Absent from the meeting was Mr. Billy Joe Miles. The University administration was represented by President Charles T. Wethington, Jr.; Chancellors Ben W. Carr, James W. Holsinger, and Elisabeth Zinser; Vice Presidents Joseph T. Burch, Fitzgerald Bramwell, Edward A. Carter, George DeBin and Eugene Williams; Dr. Juanita Fleming, Special Assistant for Academic Affairs; Mr. C. M. Newton, Director of Athletics, and Mr. Richard E. Plymale, General Counsel.

Members of the various news media were also in attendance. A quorum being present, the Chairperson declared the meeting officially open for the conduct of business at 1:04 p.m.

C. Approval of Minutes

Governor Breathitt said that the Minutes of the Board meeting on August 19, 1997 had been distributed and asked for any additions or corrections. Mr. Guthrie moved that the Minutes be approved as distributed. Mrs. Bell seconded the motion, and it carried.

D. Nomination of Officers and Executive Committee

Under the Governing Regulations, officers of the Board and the Executive Committee are elected annually at the September meeting. Governor Breathitt called upon Mrs. Bell to preside and receive the report of the Nominating Committee. Mr.

Wilcoxson, Chairperson of the Nominating Committee, placed the following slate of officers for 1997-98 in nomination:

Edward T. Breathitt, Chairperson
Robert P. Meriwether, Vice Chairperson
Merwin Grayson, Jr., Secretary
Richard E. Plymale, Assistant Secretary

Mr. Wilcoxson moved that these officers be approved for 1997-98. The motion, seconded by Mr. Bates, carried unanimously.

Mr. Wilcoxson placed the following slate of Executive Committee members for 1997-98 in nomination:

Edward T. Breathitt, Chairperson
Robert P. Meriwether, Vice Chairperson
Paul W. Chellgren
James F. Hardymon
Billy B. Wilcoxson
Merwin Grayson, Jr., *ex officio*

On behalf of the Nominating Committee, Mr. Wilcoxson moved that these individuals be approved as the Executive Committee for 1997-98. His motion, seconded by Mr. Shoop, passed. Governor Breathitt presided for the remainder of the meeting as Chairperson.

Governor Breathitt thanked the Board and said he would do his best in working with this excellent Board. He noted that the Executive Committee did not function except in rare cases.

He urged the Board members to attend the committee meetings whenever possible. The committee meetings provide the members an opportunity to have the benefit of the discussions and be better informed at the Board meetings.

President Wethington added his comments of appreciation concerning the efforts of Governor Breathitt and the other officers of the Board in support of the University. He expressed congratulations from the administration to Governor Breathitt for having been re-elected to lead the Board. He assured the Board that he and every member of his staff would make every effort to cooperate and provide the kind of administrative leadership that the Board needs to move the University forward in 1997-98.

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

President Wethington called attention to the following items in PR 1:

1. Total student enrollment for the fall 1997 semester increased slightly over last year. Preliminary figures show that the total enrollment in the University System is 24,100. The Community College System will likely decrease by approximately 5%.
2. Twelve students are enrolled in the first year of the joint UK/University of Louisville doctoral program in social work. There are six students from each university enrolled in this program.
3. The Medical School class of 1999 scored a 100% pass rate. The College's 100 percent pass rate exceeded the national pass rate of 95 percent.
4. Two mathematicians have received National Science Fellowships and have chosen to study at UK in an area of pure mathematics called spectral geometry.
5. The Agricultural Economics Academic Team has won the 1997 National Agricultural Economics Academic Bowl held at the American Agricultural Economics Association's annual meeting in Toronto. The team not only won for the second consecutive year, but repeated their 1996 victory over the same Texas A&M team in the final match.
6. On August 21, Mary and David Adams of Stanford, Kentucky became the parents of three daughters and a son born at the UK Hospital's Birthing Center. It was a "one in a million" experience since no fertility drugs were involved. Four sets of quadruplets have been born at UK Hospital in the past 10 years.
7. Ashland Community College has received a \$1,723,401 Title III grant to upgrade technology and keep students in school. The grant also calls for hiring a student success coordinator to focus on at-risk students.

President Wethington asked the members to peruse the other items in the report at their leisure.

F. Personnel Actions (PR 2)

President Wethington recommended that approval be given to the appointments, actions and/or other staff changes which require Board action; and that the report relative to appointments and/or changes already approved by the administration be accepted. Mr. Chellgren moved approval. The motion, seconded by Mr. Guthrie, carried. (See PR 2 at the end of the Minutes.)

President Wethington called attention to the retirement of Constance Wilson, Professor (with tenure) in the College of Social Work, in PR 2. He noted that she has been employed at the University for 43.5 consecutive years and has served as a faculty representative on the Board of Trustees in past years. Mr. Bates and Mr. Wilcoxson said that she was a great asset to the Board.

G. Appointment of Search Committee for the President of the Kentucky Community and Technical College System (PR 3A)

President Wethington recommended that the Board authorize the Chairman of the Board to appoint the Search Committee for the President of the Kentucky Community and Technical College System. He reported that Governor Breathitt had received a letter from James Ramsey of the transition team reminding Governor Breathitt of the Board's role in the appointment of the search committee.

President Wethington reported that the Kentucky Community and Technical College System Board was not yet complete. The appointed members have been chosen; however, all of the elected members have not been elected. The anticipation is that they will be elected by or before the first of October. He said the next meeting of the UK Board of Trustees is not until later in October, and Chairman Ramsey's letter encouraged the UK Board to move as quickly as possible to get the search committee appointed and underway. He noted that the appointment of the search committee is the only role the UK Board plays in the selection of the President.

Mr. Wilcoxson moved approval of PR 3A. Mr. Shoop seconded the motion, and it passed. (See PR 3A at the end of the Minutes.)

H. Proposed Amendments to the Governing Regulations and Changes in Administrative Regulations (PR 3B)

President Wethington recommended that the proposed amendments to the Governing Regulations of the University of Kentucky and the proposed changes to the Administrative Regulations which require Board approval be received for preliminary consideration. He said that these amendments and any changes will be included on the

agenda for action at the next Board meeting. He reminded the Board that changes in the Governing Regulations must remain on the table for consideration for at least one month. This is an effort by the staff to propose changes in the Governing and Administrative Regulations to reflect the statutory change in the Community College System. Dr. Meriwether moved approval. His motion, seconded by Mr. Chellgren, carried. (See PR 3B at the end of the Minutes.)

I. Behavioral Standards in Patient Care (PR 6A)

President Wethington said that PR 6A and 6B are action items from the Medical Center. He asked Chancellor Holsinger to give a brief justification and rationale for these action items.

Chancellor Holsinger said that the behavioral standards for patient care were first adopted by the Board in 1980 to conform with the Joint Commission on the Accreditation of Health Care Organizations' requirements for a policy concerning patient rights. This action item is an amendment and restatement of that document which has been in place for nearly twenty years. Upon the Board's approval, it will be applicable throughout the Medical Center and to all Medical Center students, staff and faculty even while they may be visiting sites in training. This will also include all sites that comprise the clinical operation across the Commonwealth. The vast bulk of the work done on this is editorial changes, an updating of titles of University personnel, and subsequent changes in guidelines over the last twenty years.

Chancellor Holsinger said PR 6B comprises the Medical Staff Bylaws of the University Hospital of the Chandler Medical Center. These Bylaws were first adopted by the Board in 1978 and have gone through a number of revisions since then. This particular revision includes a great deal of editorial changes throughout the document to reflect title changes and also to bring the document into conformity with the current Joint Commission on Accreditation of Health Care Organizations' standards. It reflects the current joint commission accreditation standards as well as any changes in federal law that have occurred subsequent to the last time that they were brought before the Board for amendment.

President Wethington recommended that the Board adopt the Behavioral Standards in Patient Care to be applicable to all visiting and University students, faculty, staff and volunteers while providing patient care at the Medical Center and to be applicable to all University students, faculty, staff and volunteers engaged in University work or study in off campus sites. This action item comes to the Board after having been considered and recommended by the Clinical Board of the University Hospital and by the Board of Directors of the University Hospital chaired by Dr. Meriwether.

On motion made by Dr. Meriwether, seconded by Mr. Grayson and carried, PR 6A was approved. (See PR 6A at the end of the Minutes.)

J. Bylaws of the Medical Staff University of Kentucky Chandler Medical Center (PR 6B)

President Wethington said PR 6B is a companion document. He recommended that the Board adopt the Bylaws of the Medical Staff, University Hospital, Chandler Medical Center attached to PR 6B. These Bylaws were approved by the Board first in 1978 and have been amended on four occasions since that time. They need to be updated and brought into compliance with the rules and regulations that have changed since that time. He said they also need to be updated for purposes of the Joint Commission on Accreditation of Health Care Organizations. These Bylaws are being recommended to the Board after having been approved by the Clinical Board of the University Hospital and the Board of Directors of the University Hospital which is chaired by Dr. Meriwether and comprised of five members of the Board of Trustees. Dr. Meriwether moved approval. Mr. Shoop seconded the motion, and it passed. (See PR 6B at the end of the Minutes.)

Dr. Plattner said that the Bylaws were collectively, generically, humanitarian in their approach. She congratulated Chancellor Holsinger, Dr. Meriwether and others involved in the composition of the Bylaws.

President Wethington said that he appreciated Dr. Plattner's comments. He said it always helps to put some humanitarian face on some of the actions that the Board takes and certainly that is what these Bylaws and guidelines are designed to do. He thanked Dr. Plattner for pointing that out to everyone.

Governor Breathitt said that Dr. Meriwether, Chairman of the University Hospital Board of Directors, reported in the Finance Committee that the Chandler Medical Center is in excellent financial condition while a number of other medical centers around the country are facing financial problems. The University Hospital's financial status is a great credit to Chancellor Holsinger as well as to President Wethington and the overall administration of the University. He said that the citizens in the Commonwealth love the facility, and they know it is there for them.

K. Acceptance of Audit Report for the University of Kentucky for 1996-97 (FCR 1)

Mr. Hardymon, Chairperson of the Finance Committee, said that FCR 1 is the acceptance of the audit report for 1996-97. He recommended that the Board accept the University of Kentucky financial statements for the year ended June 30, 1997, consisting

of the consolidated financial statement audited by Deloitte & Touche LLP, Certified Public Accountants, and includes the statements of the University of Kentucky and the affiliated corporations. He reviewed some of the items in the report and noted that for the first time state appropriations were less than 30% of the total revenue realized. He said that this is a clean report with no deficiencies, and the Finance Committee recommends approval. He complimented the financial staff for this fine report. On motion made by Mr. Hardymon, seconded by Mr. Chellgren and carried, FCR 1 was approved. (See FCR 1 at the end of the Minutes.)

L. Report of Leases (FCR 2)

Mr. Hardymon said that FCR 2 is the Report of Leases that the Board must accept. He noted that these leases do not exceed \$30,000 in value and reviewed the specifics about each lease. He moved approval of FCR 2. His motion, seconded by Mr. Shoop, passed. (See FCR 2 at the end of the Minutes.)

M. University of Kentucky Capital Request 1998-2000 (FCR 3)

Mr. Hardymon said that FCR 3 recommends that the 1998-2000 Capital Request for the University System, the University Hospital, and the Community College System be approved for submission to the Council on Postsecondary Education.

President Wethington said that Mr. Carter would give a full report that summarizes the biennial Capital Request for 1998-2000. Normally, there would be a complete biennial budget request to the Board at this time that would be capital and operating. As a result of the recent changes in higher education in the Commonwealth, the operating budget portion of the Capital Request will not be coming before the Board since there will not be a request sent forward for the next two years. The Capital Request does proceed as usual. The document distributed to the Board does summarize and delineate the capital construction requests for the University for this next year. It has a separate portion for the University System, the University Hospital and the Community College System. He asked Mr. Carter to review the Capital Request and give the particulars of the priorities for the University for the next two years for projects requesting funding and those projects for which the University is requesting authority.

Mr. Carter began his report by stating that the Capital Request results from a comprehensive planning process that actually began in the fall, 1996. That year long planning actually results in not only this request but an administrative process in a six-year plan that is developed internally and then forwarded to the Capital Planning Advisory Committee in Frankfort. That Capital Planning Advisory Committee advises the legislature generally in terms of capital construction.

He explained that the capital plan is guided by the Strategic Plan that comes to the Board and is approved by the Board. Two of the priorities set forth in the Strategic Plan are insuring that the University's land, buildings and equipment are utilized effectively, that they are well maintained, improved, and managed in an environmentally-conscious manner and that quality library and information technology support, equipment and facilities appropriate to a leading public university be provided.

Through a series of slides, Mr. Carter provided a summary of the Capital Request, reviewing each item and cost. In conclusion, he explained that the Capital Request would go forward, if it is approved by the Board, to the Council on Postsecondary Education. The Council on Postsecondary Education will then pass their recommendation and action to the governor and the legislature.

President Wethington reminded the Board that this request is roughly the size of the scope of the request two years ago. The increase in the amount of the request is largely due to inflation and the cost of the prevailing wage requirements that are now placed on all public university projects in the Commonwealth. He said they would be pleased to respond to any questions.

Professor Mather had a question pertaining to the portion of the budget for new programs and initiatives. He asked, "What is going to happen to this new initiatives phase now with this new type of budgeting?"

President Wethington said that the approach is going to be somewhat different but, in certain respects, it is the approach that has been followed, through either reallocation or the attraction of resources from sources other than state support. He believes that through the University's own generation of resources, through the reallocation process, and through the incentive pool, the University will be able to pursue new initiatives in 1997-98, 1998-99, and beyond.

Professor Mather clarified that a new initiative, not necessarily research and graduate education, will be funded through internal reallocation rather than new money to the base, and President Wethington stated that it was a fair assessment based on the information the University currently has.

Mr. Hardymon moved that the 1998-2000 Capital Request for the University System, the University Hospital, and the Community College System be approved for submission to the Council on Postsecondary Education. The motion, seconded by Mrs. Bell, carried.

N. Philip Morris, Inc., Contribution (FCR 4)

Mr. Hardymon said that FCR 4 recommends that the Board accept a gift of \$314,000 from Philip Morris, Inc., of Richmond, Virginia, to the College of Agriculture. Philip Morris has been a major supporter of the College of Agriculture for many years and has contributed to the success of the college's research, instruction and service programs. He moved approval of FCR 4. Mr. Guthrie seconded the motion, and it carried. (See FCR 4 at the end of the Minutes.)

O. Estate of Margaret W. Peal (FCR 5)

Mr. Hardymon said that FCR 5 recommends that the Board accept a bequest of \$200,000 from the Estate of Margaret W. Peal for the W. Hugh Peal Book Endowment. Margaret Peal was a resident of Leesburg, Virginia and the widow of University of Kentucky graduate and library benefactor, W. Hugh Peal. In 1985 they donated a substantial portion of his private library of rare manuscripts and publication, valued at \$5 million to the University of Kentucky Libraries. This bequest will be added to the W. Hugh Peal Book Endowment to enhance the Peal Book Collection. He moved approval of FCR 5. The motion, seconded by Mr. Chellgren, passed. (See FCR 5 at the end of the Minutes.)

P. G. D. Searle & Company (FCR 6)

Mr. Hardymon moved that the Board accept a gift of \$100,000 from G. D. Searle & Company, Chicago, Illinois, for the College of Medicine. He said that G. D. Searle & Company made the gift in recognition of the work and international reputation of James E. Muller, M.D., Vice Chairman of the Department of Internal Medicine and Division Chief of Cardiology. This contribution is to support the College of Medicine's cardiovascular program and the Kentucky Heart Institute. Dr. Meriwether seconded the motion, and it carried. (See FCR 6 at the end of the Minutes.)

Q. Establishment of Stites & Harbison Professorship of Law and Quasi-Endowment (FCR 7)

Mr. Hardymon moved that the Board establish the Stites & Harbison Professorship of Law to be funded by gifts from Stites & Harbison, a Lexington, Kentucky, law firm, and establish a quasi-endowment fund with matching contributions from the College of Law. He reported that Stites & Harbison, a long-time supporter of the College of Law, has pledged \$48,000 for the professorship payable in four annual installments of \$12,000 through 2000. The law firm's total commitment to the professorship is \$85,000, which includes \$37,000 in previous gifts. When fully funded, the Stites & Harbison Professorship will provide a \$10,000 annual salary supplement to a

senior faculty member with special distinction. Professor Reedy seconded the motion, and it passed. (See FCR 7 at the end of the Minutes.)

R. Governor Breathitt's Comments

Governor Breathitt said that Mr. Chellgren had a very fine meeting prior to the Board meeting. He informed the new members of the Board that he had appointed an ad hoc transition committee, comprised of members of the Board and chaired by Mr. Chellgren, to work with the Governor's task force in the coordination of transition of the university's community colleges to the management under the new system. He expressed his appreciation to the committee, President Wethington, Chancellor Carr, and the entire administrative staff of the University for their very affirmative, proactive effort to coordinate and work with the Governor and the transition task force to accomplish the transition to reach the objectives of HB 1. He said, in his opinion, the university's administration should be commended. He called on Mr. Chellgren to give a report and be available for any questions.

S. Ad Hoc Committee on Transition of Community Colleges Report

Mr. Chellgren, Chairperson of the Ad Hoc Committee on the Transition of Community Colleges, said that the Committee has two broad missions: (1) to oversee the university's actions regarding this transition and (2) to ensure that the interest of the Board and the University are well understood and protected. He reported that the Committee had two extensive meetings before the August and September Board meetings and has been briefed thoroughly by the staff of the University in a number of particularly complex transition areas.

The first relates to bonds issued by the University for the Community College System in the amount of \$101.850 million. The University will still own the real estate and the improvements that were constructed with those bonds. The Board of Trustees remains responsible for those bonds. The trust indenture between the bond trustee and the University pledges community college student fees for payment of the bonds. Bond counsel has drafted a memorandum of understanding relating to the relationship between the University of Kentucky and the Kentucky Community and Technical College System regarding the respective roles of the two boards on these bond issues. He said it is also important for this Board to know that for existing bonds and for bonds which may be issued in the future, the bonding authority for the Community College System remains with the University of Kentucky Board of Trustees.

Mr. Chellgren said that another area of some complexity in this transition is the area of private gifts and donations. All parties to the transition need to respect the endowment agreements with the donors regarding these private gifts. These community

college endowments are currently being managed by the University pursuant to its standard investment practices. The endowment funds for the community colleges amount to approximately \$7 million, and there is an additional \$4 million held by the University in restricted accounts. Mr. Chellgren stated that there are many issues regarding past and future private gifts to the Community College System, and the transition team and administration will be paying close attention to those issues.

Mr. Chellgren said a third major issue for the ad hoc committee relates to the budget. In terms of the Operating Budget, the University needs to carve out Lexington Community College from the balance of the Community College System budget and add it back to the university's budget. Another area of concern relates to capital projects on community college campuses. The Board of Trustees will have responsibility to review and approve future capital requests similar to the action on the 1998-2000 Capital Request budget. For the Biennial Budget request for the Community College System, the Board, however, acts more as a conduit.

Mr. Chellgren then stated that another important issue is accreditation for the community colleges. On September 18, a Prospectus was sent by the University and the community colleges to the Southern Association of Colleges and Schools. The Southern Association will review the Prospectus to determine whether the community colleges still meet accreditation guidelines under the new management arrangement provided for by HB 1. The Ad Hoc Committee hopes that accreditation application moves smoothly. Although there are many issues relating to the accreditation process, it is the Committee's hope that those issues are resolved easily because of their overriding importance to students.

Mr. Chellgren stated that another important area relates to those services which will continue to be provided to the Community College System by the University of Kentucky. It is anticipated that the University and the Kentucky Community and Technical College System Board will establish a written agreement to identify the services which the University will provide and the respective roles and responsibilities, legal and otherwise, of the two boards. He noted that the Kentucky Community and Technical College System Board is in the process of hiring a search firm for the president's position.

In conclusion, Mr. Chellgren stated that he had the strong impression that although this is an enormously complex, multifaceted transition, the University's staff is taking a very positive, proactive, constructive attitude and is trying to make this as positive experience as possible, given the complexity and various facets of it.

T. Investment Committee Report

Mr. Wilcoxson, Chairperson of the Investment Committee, reported for the fiscal year ended June 30, 1997 the University's endowment returned 22.8%. The median return for colleges and universities for that period was 19.1%, according to the University's consultants, Cambridge Associates. The UK endowment out performed the median return by 3.7%, which represents an outstanding result.

Mr. Wilcoxson provided a summary of the endowment growth from 1992 to 1997. Beginning July 1, 1992, the endowment had a market value of \$95 million. During the five-year period, \$42 million was received as gifts, current income amounted to \$28 million, distributions for spending was \$32 million, and market appreciation amounted to \$60 million. The \$60 million in market appreciation is basically attributable to changes implemented in 1992, including the hiring of investment managers with contrasting styles, choosing common stocks as the dominant asset class, establishing a target asset allocation of 60% equity and 40% fixed income investments, and establishing a spending rule of 5% asset market value. It should be noted that this growth was achieved during the five-year transition period.

Mr. Wilcoxson reported that the endowment market value at June 30, 1997 was \$195 million, compared to the \$95 million in July 1992, and during the month of August 1997, the endowment exceeded the \$200 million mark.

In conclusion, Mr. Wilcoxson said he believed the Investment Committee was strong and, in his opinion, the University is fortunate to have Mr. Henry Clay Owen and his staff to administer the day-to-day operation in accordance with the policies established by the Investment Committee. They have experience and capability and, in his opinion, there is no one better than Mr. Owen and his staff.

Mr. Wilcoxson and the Investment Committee received a round of applause from the Board.

U. Meeting Adjourned

There being no further business to come before the Board, the Chairperson adjourned the meeting at 2:14 p.m.

Respectfully submitted,

Merwin Grayson, Jr.
Secretary
Board of Trustees

(PR 2, 3A, 3B, 6A, and 6B; FCR 1, 2, 3, 4, 5, 6, and 7 which follow are official parts of the Minutes of the meeting.)

Office of the President
September 16, 1997

PRESIDENT'S REPORT TO THE BOARD OF TRUSTEES

1. University Enrollment Up Slightly This Fall

Total student enrollment for the fall 1997 semester increased slightly over last year. The graduate school and professional programs were among those areas registering gains. Preliminary figures show that the total enrollment in the University System is 24,100, a slight increase over last year's 24,061. Graduate school enrollment grew 1 percent to 5,230 and professional school numbers grew 2 percent to 1,870. UK's freshman class is estimated at 2,640, also up slightly from last year. Continued improvement was reported in the quality of the freshman class. Fifty-nine percent of the freshman class scored between 22 and 27 on the ACT exam. The class includes 56 National Merit Scholars, 126 Governor's Scholars, 125 high school valedictorians and 62 salutatorians. Freshman African-American enrollment registered a gain of about 9 percent up to an estimated 200, or 7.6 percent of the entire freshman class.

2. Somerset CC to Aid Fruit of the Loom Employees

Somerset Community College has announced that employees who have been laid off at Fruit of the Loom plants in Jamestown and Campbellsville will qualify for two years of community college studies, tuition free. The company recently announced a lay off of approximately 2,000 employees at the two plants. Tuition costs will be paid through grants, financial aid and other sources, Rollin J. Watson, president of Somerset Community College, said.

3. Twelve Students Enroll in UK/U Of L Social Work Program

Twelve students – six from each university – are enrolled in the first year of the joint UK/University of Louisville doctoral program in social work. Admission to the unique program is handled by a joint committee and all degrees will be approved by the boards of trustees of both institutions. It is the only such program in the state.

4. Hazard CC Breaks Ground for \$11 Million Feltner Center

A groundbreaking ceremony at the Hazard Campus of Hazard Community College on August 19 marked the official beginning of construction of a technologically advanced facility that will link Eastern Kentuckians with the rest of the world. The promise of technology and access to a rapidly-changing world of information were the recurring themes in remarks made by Gov. Paul Patton, Fifth District Congressman Harold Rogers and benefactor Elvin Feltner at the construction site of the Feltner Student, Classroom, and Economic Development Center. The center is expected to be completed in the fall of 1998.

5. Fifth Annual Women Mean Business Conference Set for This Month

The Kentucky Small Business Development Center, a part of the Carol Martin Gatton College of Business and Economics, will sponsor the Women Mean Business Conference on September 30 at the Radisson Plaza Hotel in Lexington. Lucille Treganowan, author and host of the cable television show "Lucille's Car Care Clinic," will open the conference, and Betty Sinnock, charter member of the Beardstown Ladies' Investment Club, will be the keynote speaker.

6. IHDI Receives New Three-Year Grant

The Interdisciplinary Human Development Institute has received a three-year grant from the U.S. Office of Special Education Programs to assess the effectiveness of Kentucky's alternate assessment system for students with disabilities under the state's elementary and secondary school reform. The IHDI project, titled the Kentucky Alternate Portfolio Study, will begin in October 1997 and will be supported by \$172,279 per year for three years (a total of \$516,837). It is one of only five projects awarded nationally. IHDI training director Harold Kleinert will serve as project director.

7. Electrophysiologist Performs State's First Internal Atrial Cardioversion

A Chandler Medical Center electrophysiologist performed the first internal atrial cardioversion in Kentucky on July 29. Andrea Natale performed the procedure to treat a patient with atrial fibrillation, which typically is characterized by an irregular, fast beat of the ventricles. Rick Stanley, 42, of Portsmouth, Ohio, underwent the procedure after conventional treatment failed to regulate his heart rhythm. In the internal cardioversion procedure, energy is sent through catheters inside the heart to restore a normal beat.

8. Medical School Class of 1999 Scores 100 Percent Pass Rate

The College of Medicine Class of 1999, faculty and administration came together for a "Sweet Success" hour on August 18. The celebration followed notification that all first-time takers of the June administration of the United States Medical Licensing Examination Step I exam passed. The College's 100 percent pass rate exceeded the national pass rate of 95 percent.

9. Two NSF Mathematics Fellows to Study at UK

Two mathematicians have received National Science Fellowships and have chosen to study at UK. Edward C. Taylor, a doctoral graduate of the State University of New York at Stony Brook, received a postdoctoral fellowship, and Ruth Gornet, an assistant professor at Texas Tech University, received a Professional Opportunities for Women in Research and Education grant. Both work in an area of pure mathematics called spectral geometry.

10. Ag Economics Team Wins at National Academic Bowl

The Agricultural Economics Academic Team has won the 1997 National Agricultural Economics Academic Bowl held at the American Agricultural Economics Association's annual meeting in Toronto, Canada. Thirty-four undergraduate teams from the United States and Canada competed, answering questions on economic issues, principles and applications of theory. The team of Laura Powers of Hawesville, Chris Henning of Hardinsburg and James Murdock of Calhoun not only won for the second consecutive year, but repeated their 1996 victory over the same Texas A&M team in the final match.

11. The Sanders-Brown Center to Provide Monthly Video Conference

The Sanders-Brown Center on Aging will provide a monthly Interdisciplinary Geriatric Conference from noon to 1 p.m. on each month's second Friday this semester, live via compressed video, to six community colleges, Midway College, Northern Kentucky University and the University of Louisville. Topics will range from functional assessment, elder abuse, post-menopausal assessment to end-of-life decisions.

12. UK Hospital Quadruplets are "One in a Million"

On Aug. 21, Mary and David Adams of Stanford became the parents of three daughters and a son born at UK Hospital's Birthing Center. It was a "one in a million" experience since no fertility drugs were involved. According to Berry Campbell, a UK obstetrician, the chance of a spontaneous birth of quadruplets is about one in 500,000 to 1,000,000. All four babies are doing well and are in the neonatal intensive care unit at UK Children's Hospital. Four sets of quadruplets have been born at UK Hospital in the past 10 years.

13. Medical Center Welcomes New African-American Students

On July 31 and August 1, the Medical Center Office of Minority Affairs sponsored a pre-entry program for entering African-American health professions students to welcome them to the Medical Center and introduce them to Lexington community leaders. Entering health professions students also met their individual "student mentors" – second-, third- and fourth-year health professions students -- who will help guide each entering student through this first year of health professions education. In addition to that program, the Medical Center welcomed entering African-American health professions students and their families with the second annual Opening of the Way ceremony based on traditional African and Native American rites of passage.

14. Ashland CC Receives \$1.7 Million Federal Title III Grant

Ashland Community College has received a \$1,723,401 Title III grant to upgrade technology and keep students in school. Angeline Dvorak, ACC president, said the money will be used for such things as the purchase of new computer and electronic technology, new science equipment and upgraded technical programs. The grant also calls for hiring a student success coordinator to focus on at-risk students.

15. Funding Approved for Regional Geriatric Education Center

The U.S. Department of Health and Human Services has funded the Ohio Valley Appalachia Regional Geriatric Education Center for the next three years with a \$700,000 grant. The center is a consortium of the UK, the University of Louisville, the University of Cincinnati and East Tennessee State University. The directors are Linda C. Kuder and Arleen Johnson of the Sanders-Brown Center on Aging.

16. College of Medicine Receives Faith and Medicine Award

The College of Medicine is one of eight medical schools to receive a \$25,000 John Templeton Faith and Medicine Curricular Award given by the National Institute for Healthcare Research. The award will enable the college to integrate into its courses information that will help students understand faith and spiritual issues and appreciate patients' religious backgrounds.

17. Hopkinsville Literary Magazine Now Available in Hardback Collection

A 200-page compilation of The Round Table literary magazine is now in print. The limited, hardback edition entitled "Collections: The Round Table 1965-1996" has been a "work of love" according to Frances Thomas, Hopkinsville Community College professor emerita and founder of the magazine.

18. Donovan Forum Lecture Series to Continue

The UK Donovan Scholars Program and the Lexington Senior Citizens Center will continue to sponsor the Donovan Forum, a lecture series conducted each Tuesday and Thursday during the academic semester. Topics include planting for city and shade yards, home care for the elderly, the Shakers, bridge construction with plastics, handwriting analysis, old houses of the Bluegrass, the history of Maxwell Place, osteoporosis, political cartooning, covered bridges, creative memory and the Aviation Museum of Kentucky. The forum has been an important feature of the Donovan Program since 1970.

19. College of Medicine Marks Fourth White Coat Day

First-year College of Medicine students – 96 new students and two DMD/MD students – took an oath of commitment and received white coats during a ceremony on August 8. The fourth annual ceremony is designed to foster humanism in medicine. UK students wear a white coat whenever they are in contact with patients.

20. Ashland CC To Hold Teaching/Learning Conference Oct. 10-11

Some 300 educators from across the nation are expected to participate in the fifth annual Teaching/Learning Conference October 10-11 sponsored by Ashland Community College. The conference, “Teaching and Technology: To the 21st Century and Beyond,” includes David G. Meyers from Hope College, Holland, Mich., and Randall S. Schormann, McClennan Community College, Waco, Texas. The conference offers 45 concurrent workshops on innovative strategies and techniques for learning enhancement.

21. Medical Center Participates in Mental Illness Awareness Week

For the first time, the UK Chandler Medical Center is teaming up with other Lexington hospitals in sponsoring Mental Illness Awareness Week on October 5-11. The event will begin with a candlelight vigil at 6:30 p.m. October 5 at Central Christian Church. Events will be held on the UK campus throughout the week at the Student Center. Depression screenings will be offered on October 9 at Frazee Hall. This is the second observance of the national Mental Illness Awareness Week in Lexington and the first in which UK is participating.

22. Medical Center Celebrates Women’s Equality Day

The Chandler Medical Center Office of Minority Affairs sponsored “Vote – and Fan the Flame of Democracy” on August 26 in the Medical Center courtyard to celebrate Women’s Equality Day. Medical Center staff members took to the soapbox to echo -- and to honor -- some of the great U.S. orators whose words were a powerful catalyst in extending the right to vote to women.

23. Student Awards and Honors

Ian Aldridge and Jacob E. Jones, Hopkinsville Community College, received the Edgar Cayce Award for creative writing.

Caroline Coffman, Lisa Harris, Rhonda Pulliam, Misty Rehkop and David Schroader, physical therapy graduates, have been invited to present their research project next summer at the International Hippo-therapy Conference in Denver, Colorado

Ellen Hensley and Kelly Salmon, Hopkinsville Community College, received the Frances G. Thomas awards for poetry and fiction, respectively.

Vicki Likens, Madisonville Community College, received a \$500 Reynolds scholarship from Phi Theta Kappa, the honor society of the community college. A short story was one of 17 selected from among 1,500 submissions for publication in this year's edition of Nota Bene, the society's literary anthology.

Valerie Summers, doctoral student in educational policy studies and evaluation, is the new director of staff development at the Southern Regional Education Board in Atlanta.

24. Significant Activities of Faculty and Staff

Bruce Ayers, Southeast Community College, has been named director of the Community College System Leadership Academy.

Malaya Bhattacharya-Chatterjee, medicine/hematology oncology, has been selected as a member of the Experimental Therapeutics Study Section (2), Division of Research Grants of the National Institutes of Health.

A. Edward Blackhurst and Belva C. Collins, education, have received a four-year U.S. Department of Education grant of \$899,364 to design and develop a new doctoral program on using distance learning technologies for special education.

Vince Davis and John D. Stempel, Patterson School of Diplomacy and International Commerce, contributed articles to the new Encyclopedia of United States Foreign Relations published last spring by Oxford University Press. Davis wrote entries on the U.S. Department of Defense, the Air Force, the Marines and the old "War Department." Stempel authored the major entry on the U.S. Department of State.

Angela Donald, Hopkinsville Community College, is the college's new recruitment officer.

Debbie Francis, Hopkinsville Community College, was named the outstanding general business graduate for 1996-97 by Austin Peay State University College of Business.

Don Frazier, physiology, received the fifth annual Arthur C. Guyton Physiology Teacher of the Year Award from The American Physiological Society.

Vincent Gallicchio, clinical laboratory sciences, is in South Africa September 2-20 as the international organizer of the Lithium South Africa '97 conference which focuses on lithium research. He is organizing the next conference, sponsored by the International Society of Lithium Research, to be held in Lexington in 1999. While in South Africa, he will be teaching at the University of the North in Petersburg.

Jerry Gilliam, Hopkinsville Community College, is coordinator of the new Agricultural Technology Certificate Program, a joint venture of Kentucky Tech and HCC.

James W. Holsinger Jr., Medical Center chancellor, was among 140 delegates and one of four plenary speakers at the Second World Congress in Allied Health held July 21-23 at the University of Wolverhampton in Telford, England. He spoke on "Education and Health Care in the 21st Century." Other Medical Center faculty members who gave presentations were Lynn Alexander, Marlene Deschler, Jean Brickell, Raymond Olesinski, David Fahringer, Herb Ridings, Gerry Gairola, Linda Kuder, David Bolt, Vincent Gallicchio, Anne Harrison, Anthony English, Anne Hart, Anne Harrison, Deborah Kelly, Julia Porter, Karen Skaff, Julia Porter, Robert Wildman and Joel Lee.

Paul Howell, geology, has been selected as a distinguished speaker in Earth Science Education by the National Association of Geoscience Teachers for 1997-98.

Patricia Jennings, physician assistant studies, Janice Kuperstein, physical therapy, and Anne Steine-Martin, clinical lab sciences, received grants of \$500 each for E-MNet Conversion. The grant, awarded by the Medical Center Chancellor, provides for conversion of instructional materials for use on the Educational Multimedia Network installed in the Health Sciences Learning Center and College of Pharmacy.

Patsy Johnson, College of Education, has won the 1997 Jack A. Culbertson Award in Educational Administration given by the University Council for Educational Administration to junior professors in the first six years of their careers.

Carol Kirves, Hopkinsville Community College, has been promoted to coordinator of continuing education/community services for the college.

Adrienne McMahan, Arts and Sciences student services, has been selected by the National Academic Advising Association to receive a first place award for her publication, "Faculty Advising Manual."

C. Michael Nelson, special education and rehabilitation counseling, has published two books. The first, co-authored with M.M. Kerr is, "Strategies for Managing Behavior Problems in the Classroom" published by Prentice-Hall and the second, "Comprehensive and Collaborative Systems that Work for Troubled Youth: A National Agenda," is co-edited with R.B. Rutherford and B. I. Woford and published by the National Coalition for Juvenile Justice Services.

Robert Pringle, Patterson School of Diplomacy and International Commerce, will spend a second year as an "officer-in-residence" at the school. Pringle is a U.S. Central Intelligence Agency Officer.

Monroe Rasnake, Extension agronomist with the UK College of Agriculture, was presented a superior service award by the TVA for his work in soil and water conservation.

Nicholas Rast, geology, has been invited to attend the John F. Dewey Conference on Continental Tectonics in London, England, where he will present a paper on paleoseismicity in central Kentucky.

Karen Skaff, health services, will present a paper entitled "Exploring Student Views on the Ethical Impact of Their Clinical Experience" at the Fourth Annual Conference of the Australian Association for Professional and Applied Ethics September 27-October 2 at the University of Melbourne in Australia.

Louis J. Swift, associate vice chancellor for academic affairs, has won the 1997 National Academic Advising Association Pacesetter Award which recognizes university officers who exemplify a commitment to student advising.

Lucian Taylor, kinesiology and health promotion, has been elected president of the Kentucky Association for Health, Physical Education, Recreation and Dance. As president, he will preside at the organization's fall convention in November in Louisville.

William Thomas, geology, has been elected treasurer of the American Geological Institute.

Jan Wiedenbeck, associate professor of forestry, was elected vice-president of the Forest Products Society, an international forest products and wood science society.

Elisabeth Zinser, Lexington Campus chancellor, has been named chair of the finance and audit committee of the American Council on Education.

PR 2

Office of the President
September 16, 1997

Members, Board of Trustees:

PERSONNEL ACTIONS

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

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

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

Action taken: Approved Disapproved Other _____

CENTRAL ADMINISTRATION

I. BOARD ACTION

A. EARLY RETIREMENTS

Vice President for Research and Graduate Studies

Turbek, John A., Biomedical Statistician I, Biostatistics Consulting Unit, after 17.5 consecutive years of service, under AR II-1.6-1 Section III-A.2, effective 10/31/97.

II. ADMINISTRATIVE ACTION

A. ADMINISTRATIVE APPOINTMENT

Vice President for Information Systems

Tiemeyer, Edward B., Network Manager, Communication and Network Systems, effective 8/18/97

B. CHANGES

Vice President for Information Systems

Sadr, Amir, from Programmer Systems Sr., Communications and Network Systems, to Programmer Systems Lead, Communications and Network Systems, effective 8/1/97.

Lee, Robert S., from Programmer Systems Sr., Communications and Network Systems, to Programmer Systems Lead, Communications and Network Systems, effective 8/1/97.

Massie, Kevin C., from Programmer Systems Sr., Communications and Network Systems, to Programmer Systems Lead, Communications and Network Systems, effective 8/1/97.

Vice President for Management and Budget

Rankin, Barry, Institutional Reporting and Survey Coordinator, Office of Institutional Planning, Budgeting and Effectiveness, effective 9/1/97.

COMMUNITY COLLEGE SYSTEM

I. BOARD ACTION

A. ADMINISTRATIVE APPOINTMENTS

Prestonsburg Community College

Kaikumba, Sandra, appointed Dean of Student Affairs, 8/1/97.

A. RETIREMENTS

Ashland Community College

Miller, Dolly, Custodial Worker, under AR II-116-1 Section III.B, following 22.4 consecutive years of service, 7/31/97.

B. EARLY RETIREMENTS

Paducah Community College

Cooper, Nancy Joan, Office Assistant, under AR II-1.6-1 Section III.A.2, following 24.7 consecutive years of service, 9/12/97.

C. POST RETIREMENT APPOINTMENTS

Paducah Community College

Boyarski, Jennie, Librarian Emeritus, Special Assistant to the President of Paducah Community College, part-time, 9/17/97 through 12/31/97.

II. ADMINISTRATIVE ACTION

A. ACADEMIC APPOINTMENTS

Elizabethtown Community College

Birke, Sean, Instructor in the Community College System, 8/1/97 through 6/30/98.

Dutcher, Mary Ellen, Instructor in the Community College System, 8/1/97 through 6/30/98.

Hazard Community College

Collett, Tracy, Instructor in the Community College System, 8/1/97 through 6/30/98.

Deaton, Barbara S., Instructor in the Community College System, 8/1/97 through 6/30/98.

Dixon, James M., Assistant Professor in the Community College System, 7/1/97 through 6/30/98.

Epling, William Douglas, Instructor in the Community College System, 8/1/97 through 6/30/98.

Kuezi-nke, Raymond K., Assistant Professor in the Community College System, 8/1/97 through 6/30/98.

Stewart, Sharon R., Instructor in the Community College System, 8/1/97 through 6/30/98.

Henderson Community College

Blackburn, Catherine, Instructor in the Community College System, temporary, 8/12/97 through 12/31/97.

Dobbins, Melinda, Instructor in the Community College System, 8/1/97 through 6/30/98.

Trotter, Billie Jean, Instructor in the Community College System, 8/1/97 through 5/31/98.

Hopkinsville Community College

Frazier, Jane V., Instructor in the Community College System, 1/1/98 through 6/30/98.

Gilliam, Jerry W., Instructor in the Community College System, 8/11/97 through 6/30/98.

Hussing, Lisa G., Instructor in the Community College System, 1/1/98 through 6/30/98.

Jacobs, Michael J., Instructor in the Community College System, 8/1/97 through 6/30/98.

Jefferson Community College

Borah, Pamela Sue, Instructor in the Community College System, 8/1/97 through 6/30/98.

Fisher, Patricia A., Instructor in the Community College System, 8/1/97 through 5/31/98.

Ginsberg, Michael, Assistant Professor in the Community College System, 8/1/97 through 6/30/98.

Hackett, Brenda V., Instructor in the Community College System, 8/1/97 through 5/31/98.

Jernigan, Robert T., Instructor in the Community College System, 10/1/97 through 5/31/98.

Martinson, Caroline, Instructor in the Community College System, 8/1/97 through 5/31/98.

Munro-Leighton, Judy, Instructor in the Community College System, 8/1/97 through 5/31/98.

Pecere, Peter, Instructor in the Community College System, 8/1/97 through 5/31/98.

Lexington Community College

Engle, Frederick Bruce, Instructor in the Community College System, 8/11/97 through 5/31/98.

Feldman, Theresa, Instructor in the Community College System, 8/1/97 through 5/31/98.

Graetz, Lillian F., Instructor in the Community College System, 8/4/97 through 6/30/98.

Jennings, Brian K., Instructor in the Community College System (voluntary), 8/20/97 through 6/30/00.

Shackelford, Stephen R., Instructor in the Community College System, 8/4/97 through 6/30/98.

Sherrard, Jacqueline Jo, Instructor in the Community College System, 8/1/97 through 5/31/98.

Smoot, Richard C., Instructor in the Community College System, 8/5/97 through 6/30/98.

Snowden, Wendell Curtis, Instructor in the Community College System, 8/6/97 through 5/31/98.

Strobel, Norman E., Instructor in the Community College System, 8/5/97 through 6/30/98.

Madisonville Community College

Belt, Donda D., Instructor in the Community College System, 8/18/97 through 6/30/98.

Owensboro Community College

Cook, Richard D., Instructor in the Community College System, 8/1/97 through 6/30/98.

Curtis-Abuonk, Vickie, Instructor in the Community College System, 8/1/97 through 6/30/98.

Hildenbrandt, Daniel, Instructor in the Community College System, 8/1/97 through 6/30/98.

Jones, Ellen M., Instructor in the Community College System, 8/1/97 through 6/30/98.

Oetinger, Madeline, Instructor in the Community College System, 8/1/97 through 6/30/98.

Talbott, Grant, Instructor in the Community College System, 8/18/97 through 6/30/98.

Ward, Jeannette, Instructor in the Community College System, 8/1/97 through 6/30/98.

Paducah Community College

Awbery, Scott, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Driskill, Rickie, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

English, Faron, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Gream, Scott A., Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Hayden, Brian S., Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Henson, Tony R., Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Jones, Sherri A., Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Lamb, Brad, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Legate, Steve, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Neal, Darryl, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Powers, Michael K., Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Simmons, Tammi, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Usher, Dale A., Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Weddle, David, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

York, Michael, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Prestonsburg Community College

Colvin, Gerald F., Assistant Professor in the Community College System, 7/1/97 through 6/30/98.

Somerset Community College

Ayers, Sean, Instructor in the Community College System, 8/1/97 through 6/30/98.

Brashear, Judy H., Instructor in the Community College System, 8/1/97 through 12/31/97.

McFeeters, James H., Instructor in the Community College System, 8/1/97 through 6/30/98.

Shearer, Elizabeth A., Assistant Professor in the Community College System, 8/1/97 through 6/30/98.

Southeast Community College

Bell, W. Mark, Instructor in the Community College System, 8/1/97 through 6/30/98.

Buchanan, Joyce L., Instructor in the Community College System, 8/4/97 through 6/30/98.

Fee, Linda G., Instructor in the Community College System, 8/11/97 through 6/30/98.

Messer, James Andrew, Instructor in the Community College System, 8/1/97 through 6/30/98.

Wilson, Jennifer Y., Librarian IV in the Community College System, 8/12/97 through 6/30/98.

B. ADMINISTRATIVE APPOINTMENTS

Office of the Chancellor

Scorsone, Analy, Professor in the Community College System (with tenure), appointed Special Assistant to the Chancellor, 8/25/97 through 6/30/98.

Lexington Community College

Chapman, James, Vice Chancellor for Public Service and Outreach, and Adjunct Professor, Classics and Honors, appointed Acting President, 8/20/97 through 6/30/98.

Madisonville Community College

Barnett, Carl, Dean of Student Affairs, appointed Acting President, 8/16/97 through 6/30/98.

C. REAPPOINTMENTS

Henderson Community College

Blackburn, Catherine D., Instructor in the Community College System, 8/12/97 through 12/31/97.

Jefferson Community College

Baker, Brian G., Instructor in the Community College System, 8/1/97 through 12/31/97.

Lexington Community College

Foster, Rosemary, Instructor in the Community College System, 8/1/97 through 5/31/98.

Lear, Wanda, Instructor in the Community College System, 8/1/97 through 5/31/98.

Strunc, Mary Ann, Instructor in the Community College System, 8/1/97 through 5/31/98.

Paducah Community College

Hampton, Cheri, Instructor in the Community College System (voluntary), 9/1/97 through 8/31/00.

Ramage, Phillip, Instructor in the Community College System (voluntary), 10/1/97 through 9/30/00.

Warfield, Ricky, Instructor in the Community College System (voluntary), 9/15/97 through 9/14/00.

Southeast Community College

Gipe, Robert H., Instructor in the Community College System, 7/1/97 through 6/30/98.

D. LEAVES OF ABSENCE

Jefferson Community College

Sampson, Michael, Assistant Professor in the Community College System, leave of absence without pay, 10/1/97 through 6/30/98.

Somerset Community College

Groves, Alyce, Associate Professor in the Community College System (with tenure), sabbatical leave with full pay, 1/1/98 through 6/30/98.

LEXINGTON CAMPUS

I. BOARD ACTION

A. ADMINISTRATIVE APPOINTMENTS

College of Arts and Sciences

Haley, Boyd E., Professor (with tenure), Division of Medicinal Chemistry and Pharmaceutics, College of Pharmacy, and Professor (without tenure), Chemistry, appointed Chair, Chemistry, 8/1/97 through 6/30/01.

College of Engineering

Rouch, Keith, Professor (with tenure), Mechanical Engineering, appointed Chair, Mechanical Engineering, 9/6/97 through 6/30/01.

B. REAPPOINTMENT

College of Arts and Sciences

Sendlein, Lyle V.A., Professor (part-time), Geological Sciences, 9/1/97 through 6/30/98.

C. CHANGE

College of Education

Crystal, Ralph M., to change from Associate Professor (with tenure), Educational and Counseling Psychology, to Associate Professor (with tenure), Special Education and Rehabilitation Counseling, effective 8/27/97.

D. RETIREMENTS

College of Social Work

Wilson, Constance, Professor (with tenure), Social Work, after 43.5 consecutive years of service, under Section III.B of AR II-1.6-1, effective 12/31/97.

Vice Chancellor for Academic Affairs and Research

Scribner, Janet, Staff Assistant VIII, Registrar's Office, after 6.25 consecutive years of service, under Section III.B of AR II-1.6-1, effective 8/15/97.

E. EARLY RETIREMENT

College of Education

Bridge, Connie, Professor (with tenure), Curriculum and Instruction, after 20 consecutive years of service, under Section III.A.2 of AR II-1.6-1, effective 8/29/97.

II. ADMINISTRATIVE ACTION

A. ACADEMIC APPOINTMENTS

College of Agriculture

Sanger, Margaret P., Assistant Research Professor, Plant Pathology, 9/1/97 through 6/30/98.

College of Architecture

Friedman, Scott, Instructor (temporary), Architecture, 7/1/97 through 6/30/98.

Mattone, Matthew, Assistant Professor (temporary), Architecture, 8/16/97 through 12/31/97.

Obuchi, Yusuke, Instructor (temporary), Architecture, 8/1/97 through 6/30/98.

Piselli, Daniel, Assistant Professor (temporary), Architecture, 8/16/97 through 5/15/98.

Pohl, Graham, Instructor (part-time), Architecture, 8/16/97 through 12/31/97.

College of Arts and Sciences

Blackwell, Debbie, Instructor (part-time), History, 8/16/97 through 12/31/97.

Block, Mary, Instructor (part-time), History, 8/16/97 through 12/31/97.

Crocker, Lina E., Instructor (temporary), English, 8/16/97 through 6/30/98.

Dougherty, Mary V., Assistant Professor (temporary), English, 8/16/97 through 6/30/98.

Gordon, JoAnn, Instructor (temporary), English, 8/16/97 through 6/30/98.

Gossett, Charlotte, Instructor (temporary), French, 8/16/97 through 12/31/97.

Ishii, Izumi, Instructor (part-time), Russian and Eastern Studies, 8/16/97 through 12/31/97.

Kash, Phillip, Assistant Professor (temporary), Chemistry, 8/16/97 through 6/30/98.

Kerr, Jeremy D., Instructor (part-time), Sociology, 8/16/97 through 12/31/97.

Laver, Harry S., Instructor (part-time), History, 8/16/97 through 12/31/97.

Lehman, Rhea, Instructor (part-time), Classics, 8/16/97 through 12/31/97.

Mangine, Steven J., Assistant Professor (temporary), Psychology, 8/16/97 through 6/30/98.

Miranne, Kristine B., Assistant Professor (temporary), Geography, 8/16/97 through 6/30/98.

Paine, Chris, Instructor (part-time), History, 8/16/97 through 12/31/97.

Puszkas, Norbert, Instructor (temporary), German, 8/16/97 through 6/30/98.

Rosenberg, Gilbert B., Instructor (part-time), Sociology, 8/16/97 through 12/31/97.

Trawick, Paul B., Assistant Professor, Anthropology, 8/16/97 through 6/30/99.

Zimmerman, James M., Instructor (temporary), French, 8/16/97 through 12/31/97.

College of Communications and Information Studies

Hamilton, Mary, Instructor (part-time), Library and Information Science, 8/27/97 through 12/31/97.

Hollis, Dan, Instructor (part-time), Journalism and Telecommunications, 8/16/97 through 5/15/98.

Risacher, Joellen, Instructor (part-time), Library and Information Science, 8/27/97 through 12/31/97.

College of Engineering

Fenn, Peter, Visiting Lecturer, Civil Engineering, 8/1/97 through 6/30/98.

Schimpeler, Charlie, Instructor (part-time), Civil Engineering, 8/16/97 through 5/15/98.

College of Fine Arts

Clark, Cynthia, Instructor (part-time), Art, 8/1/97 through 12/31/97.

Clauter, Nancy E., Assistant Professor (temporary), Music, 8/16/97 through 5/15/98.

Hays, Allison B., Instructor (part-time), Art, 8/1/97 through 12/31/97.

Maxson, Michael, Instructor (part-time), Art, 8/1/97 through 12/31/97.

Morris, Eric, Instructor (part-time), Theatre, 8/1/97 through 12/31/97.

Zirkle, Ross, Instructor (part-time), Art, 8/1/97 through 12/31/97.

College of Human Environmental Sciences

Glass-Lamb, Tracey, Instructor (part-time), Interior Design, Merchandising and Textiles, 8/16/97 through 5/15/98.

Popyach, Joan B., Instructor (part-time), Nutrition and Food Science, 8/16/97 through 12/31/97.

College of Law

Chapuran, Jeffrey J., Instructor (part-time), Law, 10/1/97 through 2/28/98.
Grise, Jane Bloom, Instructor (part-time), Law, 10/1/97 through 2/28/98.
Hall, Jennifer L., Instructor (part-time), Law, 10/1/97 through 2/28/98.
Underwood, Virginia H., Instructor (part-time), Law, 10/1/97 through 2/28/98.
Wellons, Kymberly T., Instructor (part-time), Law, 10/1/97 through 2/28/98.

College of Social Work

Cooper, Bob, Assistant Professor (part-time), Social Work, 8/16/97 through 5/15/98.
Coyle, H.F. Jr., Assistant Professor (part-time), Social Work, 8/16/97 through 5/15/98.
Hesterberg, Latonya J., Assistant Professor (part-time), Social Work, 8/16/97 through 5/15/98.
McBreen, James T., Assistant Professor (part-time), Social Work, 8/16/97 through 5/15/98.
Silman, Miriam S., Assistant Professor (part-time), Social Work, 8/16/97 through 5/15/98.

B. REAPPOINTMENTS

College of Architecture

Jacobs, Michael, Instructor (part-time), Architecture, 8/16/97 through 12/31/97.

College of Arts and Sciences

Ades, Harriet F., Instructor (part-time), Chemistry, 8/16/97 through 12/31/97.
Anderson, Clelia S., Instructor (part-time), Philosophy, 8/16/97 through 12/31/97.
Battista, Phillip C., Instructor (part-time), Sociology, 8/16/97 through 12/31/97.
Campbell, Bruce, Instructor (part-time), Statistics, 8/16/97 through 12/31/97.
Clark, Stephen, Instructor (part-time), Statistics, 8/16/97 through 12/31/97.
Darrat, Suleiman A., Instructor (part-time), Russian and Eastern Studies, 8/16/97 through 12/31/97.
Emerick, Ellen, Instructor (part-time), History, 8/16/97 through 12/31/97.
Emmerich, Robert Jr., Instructor (part-time), Sociology, 8/16/97 through 12/31/97.
Ferland, Ann C., Instructor (part-time), Statistics, 8/16/97 through 12/31/97.

Giles, Donald A., Instructor (part-time), Philosophy, 8/16/97 through 12/31/97.
Goff-Yates, Amy, Instructor (part-time), Philosophy, 8/16/97 through 12/31/97.
Hardesty, Sharon L., Instructor (part-time), Sociology, 8/16/97 through 12/31/97.
Hawkins, Dollena, Instructor (part-time), Statistics, 8/16/97 through 12/31/97.
Holbrook, Paul E. Jr., Instructor (part-time), Philosophy, 8/16/97 through 12/31/97.
Irvin, Cynthia, Assistant Professor, Political Science, 7/1/97 through 12/31/98.
Krause, Margaret H., Instructor (part-time), Chemistry, 8/16/97 through 12/31/97.
Leedham, Cynthia, Instructor (part-time), Sociology, 8/16/97 through 12/31/97.
LeRoy, Francois, Instructor (part-time), History, 8/16/97 through 12/31/97.
McIntire, Anthony, Instructor (part-time), History, 8/16/97 through 12/31/97.
Millin, Ann Mann, Instructor (part-time), Russian and Eastern Studies, 8/16/97 through 12/31/97.
Otis, Melanie, Instructor (part-time), Sociology, 8/16/97 through 12/31/97.
Perring, Christian D., Instructor (part-time), Philosophy, 8/16/97 through 12/31/97.
Slaton, Eric R., Instructor (part-time), Russian and Eastern Studies, 8/16/97 through 12/31/97.
Toumey, Christopher P., Instructor (part-time), Anthropology, 8/16/97 through 12/31/97.
Verburg, John, Instructor (temporary), Sociology, 8/16/97 through 12/31/97.
Wardle, Linda S., Instructor (part-time), Sociology, 8/16/97 through 12/31/97.
Wilke, David, Instructor (part-time), Philosophy, 8/16/97 through 12/31/97.
Woodrum, Kim R., Instructor (part-time), Chemistry, 8/16/97 through 12/31/97.
Wunsch, David R., Instructor (part-time), Geological Sciences, 8/16/97 through 12/31/97.

College of Business and Economics

Cooley, Edward L., Instructor (part-time), Management, 8/16/97 through 5/15/98.

College of Communications and Information Studies

Aldridge, Chris, Instructor (part-time), Journalism and Telecommunications, 8/16/97 through 5/15/98.
Ireland, Sandra, Instructor (part-time), Library and Information Science, 8/16/97 through 5/15/98.

Wesley, Threasa, Instructor (part-time), Library and Information Science, 8/27/97 through 12/31/97.

Winner, Marian, Instructor (part-time), Library and Information Science, 8/27/97 through 12/31/97.

College of Engineering

Lifland, Mitchel I., Assistant Professor (part-time), Chemical and Materials Engineering, 8/16/97 through 5/15/98.

College of Fine Arts

Buchanan, Margo R., Instructor (part-time), Theatre, 8/1/97 through 12/31/97.

Chaney, James V., Instructor (part-time), Theatre, 8/1/97 through 12/31/97.

Henderson, Marie, Instructor (part-time), Theatre, 8/1/97 through 12/31/97.

Heying, Patti L., Instructor (part-time), Theatre, 8/1/97 through 12/31/97.

Johnson, Lucy, Instructor (part-time), Art, 8/1/97 through 12/31/97.

Pickett, Irwin, Instructor (part-time), Art, 8/1/97 through 12/31/97.

Slade, Susan, Instructor (part-time), Art, 8/1/97 through 12/31/97.

Stofer, Jill, Instructor (part-time), Art, 8/1/97 through 12/31/97.

College of Human Environmental Sciences

Campbell, Emily, Instructor (part-time), Nutrition and Food Science, 8/16/97 through 5/15/98.

Kingsland, Elizabeth M., Instructor (part-time), Family Studies, 8/16/97 through 12/31/97.

Sullivan, Cindy, Instructor (part-time), Nutrition and Food Science, 8/16/97 through 5/15/98.

Wilson, Mary, Instructor (part-time), Nutrition and Food Science, 8/16/97 through 12/31/97.

College of Law

Crittenden, Roger L., Instructor (part-time), Law, 10/1/97 through 2/28/98.

Gilbert, Theresa C., Instructor (part-time), Law, 10/1/97 through 2/28/98.

Graham, Janet M., Instructor (part-time), Law, 10/1/97 through 2/28/98.

Humphreys, Gene L., Instructor (part-time), Law, 10/1/97 through 2/28/98.

Kenkel, Kenneth R., Instructor (part-time), Law, 10/1/97 through 2/28/98.

Shier, William Taylor, Instructor (part-time), Law, 10/1/97 through 2/28/98.

College of Social Work

Waldner, Barbara H., Assistant Professor (part-time), Social Work, 8/16/97 through 5/15/98.

C. PROMOTION WITHOUT TENURE

College of Business and Economics

Taylor, Valerie A., from Instructor, Management, to Assistant Professor, Management, 8/1/97 through 6/30/98.

D. LEAVE OF ABSENCE

College of Engineering

Shah, Ramesh K., Professor (with tenure), Mechanical Engineering, Leave without pay, 11/1/97 through 5/15/98.

E. LEAVE OF ABSENCE CHANGE

College of Education

Nordin, Virginia Davis, Associate Professor (with tenure), Educational Policy Studies and Evaluation, to change from Sabbatical leave with full salary, 1/1/98 through 6/30/98, to Sabbatical leave with half salary, 7/1/97 through 6/30/98.

MEDICAL CENTER

I. BOARD ACTION

A. ACADEMIC APPOINTMENTS

College of Medicine

Abraham, V. S., Assistant Professor, Surgery, 9/17/97 through 6/30/98.

Goulson, Daniel T., Clinical Assistant Professor, Anesthesiology,
10/01/97 through 6/30/98.

Henry, Stephen L., Adjunct Professor, Surgery, 9/17/97 through
6/30/98.

Krawiec, Mark A., Clinical Assistant Professor, Internal Medicine,
9/17/97 through 6/30/98.

Scott, Mark D., Assistant Professor*, Family Practice, 10/22/97
through 6/30/98.

Smith, Jacqueline J., Clinical Associate Professor, Anesthesiology,
10/01/97 through 6/30/98.

Veltkamp, Tammy N., Clinical Assistant Professor, Internal Medicine,
9/17/97 through 6/30/98.

College of Pharmacy

Ensom, Mary H., Associate Professor (voluntary), 9/17/97 through
6/30/00.

Research and Graduate Studies

Kang, Y. James, Professor (voluntary), Graduate Center for
Toxicology, 9/17/97 through 6/30/00.

B. TENURE

College of Medicine

Mills, Roger M., Professor (without tenure), Internal Medicine, to
Professor (with tenure), Internal Medicine, effective 11/01/97.

*Special Title Series

C. RETIREMENTS

University Hospital

Borders, Mildred, Home Health Aide, Nursing Department, after 19 years, 10 months consecutive years of service, under AR II-1.6-1 Section III.B, effective 9/30/97.

D. EARLY RETIREMENTS

University Hospital

Blake, Catherine J., Nursing Assistant, Nursing Department, after 24 years, 10 months consecutive years of service, under AR II-1.6-1 Section III.A-2, effective 12/31/97.

Green, Betty L., Nursing Assistant, Nursing Department, after 30 years, 2 months consecutive years of service, under AR II-1.6-1 Section III.A-2, effective 12/31/97.

Hatfield, Linda H., Supervisor, Account Clerk VIII, Patient Accounts, after 18 years, 1 month consecutive years of service, under AR II-1.6-1 Section III.A-2, effective 8/8/97.

Jones, Geneva W., Nursing Assistant, Nursing Department, after 21 years, 7 months consecutive years of service, under AR II-1.6-1 Section III.A-2, effective 11/15/97.

McDaniel, Jerry W., Staff Technician II, Pathology/Clinical Laboratories, after 17 years, 3 months consecutive years of service, under AR II-1.6-1 Section III.A-2, effective 9/15/97.

Moore, Esther M., Nursing Assistant, Nursing Department, after 31 years, 3 months consecutive years of service, under AR II-1.6-1 Section III.A-2, effective 12/31/97.

Talwalker, Vijaya R., Staff Technician II, Pathology/Clinical Laboratories, after 21 years, 7 months consecutive years of service, under AR II-1.6-1 Section III.A-2, effective 9/30/97.

II. ADMINISTRATIVE ACTION

A. ACADEMIC APPOINTMENTS

College of Dentistry

Herfel, Laura, Assistant Professor (part-time), Oral Health Science, 9/17/97 through 6/30/98.

Price, Lynn G., Instructor (voluntary), Oral Health Science, 9/17/97 through 6/30/00.

Shepherd, Ronald D., Assistant Professor (voluntary), Oral Health Science, 9/17/97 through 6/30/00.

College of Medicine

Bond, Allen R., Assistant Professor (voluntary), Diagnostic Radiology, 9/17/97 through 6/30/00.

Grant, Robert T., Assistant Professor (voluntary), Family Practice, 9/17/97 through 6/30/00.

Grigsby, C. G., Assistant Professor (voluntary), Internal Medicine, 9/17/97 through 6/30/00.

Smith, William A., Assistant Professor (voluntary), Internal Medicine, 9/17/97 through 6/30/00.

Spalding, Henry S., Assistant Professor (voluntary), Family Practice, 9/17/97 through 6/30/00.

Weigel, Christian F., Assistant Professor (voluntary), Internal Medicine, 9/17/97 through 6/30/00.

College of Nursing

Teague, Barbara R., Instructor (part-time), 9/17/97 through 6/30/98.

College of Pharmacy

Absher, Kristi R., Instructor (voluntary), 9/17/97 through 6/30/00.

Bohuski, Karen, Instructor (voluntary), 9/17/97 through 6/30/00.

Cummings, Steven E., Instructor (voluntary), 9/17/97 through 6/30/00.

Davis, George A., Assistant Professor (temporary), 9/17/97 through 6/30/98.

B. CHANGES

College of Medicine

Murphy, Paul J., from Assistant Professor (part-time, temporary), Pathology and Laboratory Medicine, to Assistant Professor (part-time), Pathology and Laboratory Medicine, 10/01/97 through 6/30/98.

Ransdell, Jill S., from Assistant Professor (part-time, temporary), Pathology and Laboratory Medicine, 7/1/97 through 6/30/98, to Assistant Professor (part-time, temporary), Pathology and Laboratory Medicine, 8/1/97 through 6/30/98.

Woodward, Thomas A., from Instructor (voluntary), Pediatrics, to Clinical Assistant Professor, 9/20/97 through 6/30/98.

PR 3A

Office of the President
September 16, 1997

Members, Board of Trustees:

APPOINTMENT OF SEARCH COMMITTEE FOR THE PRESIDENT OF THE
KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Recommendation: that the Board of Trustees authorize the Chairman of the Board to appoint the Search Committee for the president of the Kentucky Community and Technical College System.

Background: Section 17 of the Kentucky Postsecondary Education Improvement Act of 1997 (HB 1) specifies that the Board of Trustees shall appoint a six (6) member Search Committee for the president of the Kentucky Community and Technical College System (KCTCS). The committee is to be comprised of two (2) of the KCTCS Board members nominated by UK, two (2) of the KCTCS Board members nominated by the Governor's Postsecondary Education Nominating Committee, and one (1) representative from the three elected positions (student, faculty, and staff) from each branch of the KCTCS (one from the community college representatives and one from the technical branch representatives). The elections for the student, faculty and staff positions will occur by October 1. Delegating the appointment of this Search Committee to the Chairman will significantly expedite the appointment process and allow the Search Committee to begin its work in early October.

Action taken:



Approved



Disapproved



Other _____

PR 3B

Office of the President
September 16, 1997

Members, Board of Trustees:

PROPOSED AMENDMENTS TO THE GOVERNING REGULATIONS AND CHANGES IN ADMINISTRATIVE REGULATIONS

Recommendation: that proposed amendments to the Governing Regulations of the University of Kentucky and the proposed change to an Administrative Regulation which requires Board approval be received for preliminary consideration. At the next regular meeting of the Board, these amendments and any changes thereto will be included on the agenda for action.

Background: The proposed changes in the Governing and Administrative Regulations, distributed to the Board at its September meeting, are necessary to conform the University's rules and regulations to the provisions of the Kentucky Postsecondary Education Improvement Act of 1997 (HB 1 of the 1997 Extraordinary Session of the General Assembly). Pursuant to Governing Regulations XIV, at least one month must elapse between proposal of the amendments and final passage. The University Senate, the Senate of the Community College System, the Student Government Association and the Inter-Community College Student Council will have an opportunity to recommend on these amendments before final action by the Board.

Action taken: Approved Disapproved Other _____

PROPOSED AMENDMENTS TO GOVERNING REGULATIONS

NOTE: Proposed additions are underlined; proposed deletions have a line through the text.

Amendment # 1 changed PART I - The University of Kentucky (Definition)
Pages 2 (1a, b, c); (3) & (4) (see attached)

Amendment # 2 changed PART II - Governance of the University of Kentucky
Pages 1, 2, 3, 6, 7 & 8 (see attached)

Amendment # 3 changed PART III - The President of the University of Kentucky
Pages 1 & 2 (see attached)

Amendment # 4 changed PART V - The Senate of the Community College System
Pages 2 & 3 (see attached)

Amendment # 5 changed PART VI - The University Assembly
Page 1(see attached)

Amendment # 6 changed PART VII - University Organization
Pages 1, 7, 13 & 14 (see attached)

Amendment # 7 changed PART VIII - Added University System to title for Appointments
Pages 1, 3 & 4 (see attached)

Amendment # 8 changed PART IX - Review of Educational Units
Page 1 (see attached)

Amendment # 9 changed PART X - Regulations Affecting Academic Employment
Pages 2, 5 & 6 (see attached)

Amendment # 10 changed PART XI - Student Affairs
Pages 1 & 2 (see attached)

Amendment # 11 changed PART XII - Miscellaneous
Page 4 (see attached)

Amendment # 12 changed PART XIV - Amendments
Page 1 (see attached)

Amendment # 13 changed PART XV - Appendix: Powers and Duties of the Council on Higher Education
Pages 1, 2, 3, 4, 5 & 6 (see attached)

PROPOSED CHANGE IN ADMINISTRATIVE REGULATION

AR II-5.0-1 - Policy Statement on Community College System - Delete entire document

922/ds

July 2, 1862, shall continue to be integral and indispensable courses of instruction at the university.*

164.125 UNIVERSITY PROGRAMS, REQUIREMENTS.

(1) The University of Kentucky shall provide:

(a) Upon approval of the Council on ~~Higher~~ Postsecondary Education, associate and baccalaureate programs of instruction;

(b) Upon approval of the Council on ~~Higher~~ Postsecondary Education, master degree programs, specialist degree programs above the master's degree level, and joint doctoral programs in cooperation with other ~~state-supported~~ public postsecondary educational institutions of higher education in the state;

(c) Upon approval of the Council on ~~Higher~~ Postsecondary Education, doctoral and post-doctoral programs and professional instruction including law, medicine, dentistry, education, architecture, engineering and social professions.

(2) The University of Kentucky shall be the principal state institution for the conduct of statewide research and statewide service programs and shall be the ~~only~~ primary institution authorized to expend State General Fund appropriations on research and service programs of a statewide nature financed principally by state funds. As applied in this section, research and service programs of a statewide nature shall be programs requiring the establishment and operation of facilities or centers outside of the primary service area of the institution. In carrying out its statewide mission, the University of Kentucky shall conduct statewide research and provide statewide services including, but not limited to, agricultural research and extension services, industrial and scientific research, industrial technology extension services to Kentucky employers, and research related to the doctoral, professional, and post-doctoral programs offered within the University. The University may establish and operate centers and utilize state appropriations and other resources to carry out the necessary research and service activities throughout the state. The University may enter into joint research and service activities with other universities in order to accomplish its statewide mission. Nothing contained in this subsection shall limit the authority of the Council on Postsecondary Education to establish instructional programs that are consistent with the strategic agenda.

(3) The University of Kentucky ~~is authorized to provide programs of a Community College nature in its own community comparable to those listed for the Community College System, as provided by this chapter. (1966, C 6, s 3)~~ shall provide comprehensive community college programs at the Lexington Community College. The Lexington Community College, as one of the fourteen (14) community colleges that composed the University of Kentucky Community Colleges on the effective date of this Act, shall be provided an equitable share of the funds appropriated to improve the funding levels of the community colleges for the

1997-98 fiscal year. Subsequent biennial budget requests for the Lexington Community College shall be included in the University of Kentucky's budget requests, as a separate line item, and shall not be considered a part of the Kentucky Community and Technical College System requests.

* The College of Commerce has been renamed the College of Business and Economics (February 18, 1966) and, in accordance with this statute, the Colleges of Pharmacy (July 1, 1947), Medicine (June 1, 1954), Dentistry (May 28, 1956), Nursing (May 28, 1956), Architecture (July 1, 1964), Allied Health Personnel (January 1, 1966; renamed Allied Health Professions, January 20, 1967), Home Economics (July 1, 1967; renamed Human Environmental Sciences, January 22, 1991), Library Science (April 2, 1968; renamed Library and Information Science, April 6, 1982; renamed Communications and Information Studies, June 22, 1993), Social Professions (June 24, 1968; renamed Social Work, May 6, 1980), Communications (May 4, 1976; renamed Communications and Information Studies, June 22, 1993), and Fine Arts (May 4, 1976) have been established.

B. Community College System of the University of Kentucky

The University of Kentucky Community College System (UKCCS) consists of a system of community colleges located in various parts of the state at points established by statute (KRS 164.591; 164.593). Adopted in the 1997 Extraordinary Session of the Kentucky General Assembly, the Kentucky Postsecondary Education Improvement Act of 1997 (HB 1) amended statutes relating to the operation of the University of Kentucky's Community College System (UKCCS). Section 111 of the Act established the Kentucky Community and Technical College System (Kentucky Community and Technical College System), with two branches, one of which is the UKCCS, with the exception of the Lexington Community College. Sections 19 and 111 of the Act authorized the Kentucky Community and Technical College System to administer the UKCCS and directed the University of Kentucky Board of Trustees to delegate to the Kentucky Community and Technical College System Board of Regents the management responsibilities for the UKCCS, including but not limited to management of facilities and grounds, assets, liabilities, revenues, personnel, programs, financial and accounting services, and support services. The effective date of the delegation is the affirmative completion of the Southern Association of Schools and Colleges' Substantive Change process, but not later than July 1, 1998. Pursuant to the provisions of the Act, the University retains certain responsibilities relating to the UKCCS: all real and personal property continues to be owned by the University of Kentucky; UKCCS employees as of the effective date continue to be governed by University Governing and Administrative regulations and any subsequent changes to those regulations made by the University; students enrolled in the UKCCS continue to have all the responsibilities, privileges and rights accorded to UKCCS students on the effective date; UKCCS bonds continue to be the

responsibility of the University; the Board of Trustees recommends nominees for four members of the Kentucky Community and Technical College System Board of Regents; the Board appoints the search committee for the Kentucky Community and Technical College System president; the Board appoints half of the Search Committee for any future chancellor to head the Community College System; the Board reviews the biennial budget request for the UKCCS; the Board receives appropriations for the UKCCS and transfers and allots these funds to the Kentucky Community and Technical College System Board of Regents for the benefit of the UKCCS; the Board approves the acquisition and disposition of real property for the UKCCS and major capital construction projects; and the Board reviews, makes recommendations and approves existing and new associate degree programs in the UKCCS for which the Board of Trustees awards degrees. The Board awards all associate degrees to students who complete requirements in the University of Kentucky Community College System which bear the University of Kentucky name. KRS 164.500 directs that each community college shall provide:

~~(1) a general two year academic curriculum with credits transferable to two year and four year colleges and universities; (2) technical and semiprofessional programs of two years or less; and (3) within a two year college curriculum, courses in general education, including adult education, not necessarily intended for transfer nor technically oriented.~~

PART II

GOVERNANCE OF THE UNIVERSITY OF KENTUCKY

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

These Governing Regulations of the University of Kentucky describe the composition, powers, and duties of the Board of Trustees of the University of Kentucky, as defined by Kentucky Statutes, and establish policies and procedures for the performance of its functions. In the Governing Regulations, the Board of Trustees has delegated certain responsibilities to the President and the University Senate in order to provide for the responsible and efficient administration of the University System and the accomplishment of its goals. ~~It has likewise delegated certain responsibilities to the President and the Senate of the Community College System with respect to the operation of the University of Kentucky Community College System.~~ As the chief administrative officer of the University, ~~including the Community College System.~~⁵ The President is authorized by the Board to promulgate the Administrative Regulations and the Personnel Policy and Procedure Manual which provide interpretation and implementation of these Governing Regulations and of the Minutes of the Board and which delineate policies within the sphere of delegated responsibility. The University Senate is authorized to issue rules implementing the responsibility delegated to it in these Governing Regulations. Likewise, the Senate of the Community College System is authorized to issue rules implementing the responsibility delegated to it in these Governing Regulations.

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

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

A. Board of Trustees

1. Definition

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

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

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

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

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

2. Membership

The Board of Trustees of the University of Kentucky consists of sixteen members appointed by the Governor, ~~three~~ two members of the faculty of the University System (~~two from the University System and one from the Community College System~~) who shall have the right to vote on all matters except that of faculty compensation, and one member of the student body of the University of Kentucky. The terms of the appointed members shall be for six years and until their successors are appointed and qualified, except the initial appoints shall be as follows: two members shall serve one-year terms; two shall serve two-year terms, one of whom shall be a graduate of the University; three shall serve three-year terms; three shall serve four-year terms, one of whom shall be a graduate of the University; three shall serve five-year terms and three shall serve six-year terms, one of whom shall be a graduate of the University. Three of

the appointments shall be graduates of the University and may include one graduate of the institution who resides outside the Commonwealth; three shall be representative of agricultural interests; and ten shall be other distinguished citizens representative of the learned professions. The Governor shall make the appointments so as to reflect proportional representation on the Board of the two leading political parties of the Commonwealth based on the state's voter registration and to reflect no less than proportional representation of the minority racial composition of the Commonwealth. Appointments to fill vacancies shall be made for any unexpired terms in the same manner as provided for the original appointments. (KRS 164.131)

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

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

~~—————The one faculty member representing the Community College System of the University of Kentucky shall be a teaching or research member of the faculty at one of the community colleges in the Community College System, elected by secret ballot by members of the community college faculties. The community college faculty member shall serve for a term of three years and until a successor is elected and qualified. No community college shall have a faculty representative on the Board for more than one term in succession. The community college faculty representative shall be ineligible to continue to serve as a member of the Board if that individual ceases to be a member of the teaching faculty at one of the community colleges. An election to fill a vacancy for an unexpired term shall be held in the same manner as for the original election. The authority to develop procedures for the election of a faculty member of the Community College System to serve as a member of the Board in accordance with the provisions of KRS 164.131 is hereby delegated to the Senate of the Community College System.~~

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

respective employments and services furnished. Retirement plans may include, but without limitation, the retirement ages, the benefits of employees including group insurance, annuities, establishment of a trust fund or funds, and, the amounts to be paid or contributed by employees and the amounts to be paid or contributed by the University of Kentucky, and other appropriate terms and provisions with respect thereto. (KRS 164.220) It is further designated as an independent agency and instrumentality of the Commonwealth and given exclusive jurisdiction of the appointments, qualifications, salaries and compensation payable out of the State Treasury or otherwise, promotions, and retirement programs described. (KRS 164.225)

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

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

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

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

* See Parts X.A and XII.A

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

~~—————The Board of Trustees has the same powers with respect to the community colleges that it has to the University of Kentucky in general. It is directed to designate each community~~

~~college with a name that includes the words "Community College." It is directed to encourage and is permitted to accept donations of lands or funds or both to be used in the acquisition, construction or operation of community colleges. It is authorized to commemorate donations from private persons or corporations with suitable memorials. It is authorized to accept federal grants to be used in the acquisition, construction or operation of community colleges. (KRS 164.595)~~

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

7. Order of Business

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

- Call to Order
- Invocation
- Roll Call
- Reading and Approval of Minutes with Necessary Modifications
- Report of the President
- Consideration of President's Recommendations for Action
- Consideration of President's Discussion Items
- Reports of Committees
- Other Business
- Adjournment

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

B. Community College Advisory Boards Board of Directors

~~The community college advisory boards advise on matters of the two-year professional-technical programs and local community educational needs. The statute under which these advisory boards were established follows:~~

~~_____ 164.600 ADVISORY BOARD; MEMBERSHIP; EXPENSES.~~

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

~~Each local advisory board shall serve in an advisory capacity to the Board of Trustees and the head of the community college on the operation of the community college.~~

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~~(2) Each local advisory board shall consist of nine members, seven of whom shall be appointed by the Governor. The other two local advisory board members shall be one non-voting member of the teaching faculty and one non-voting member of the student body. An appointed member's term is four years; however, when appointing the initial members of a local advisory board, the Governor may appoint some members for terms of less than four years.~~

~~(3) The faculty member shall be on the teaching faculty of the community college and shall be elected by secret ballot by all full-time faculty members of the community college. Faculty members shall serve for terms of three years and until their successors are elected and qualified. Faculty members shall be eligible for re-election, but they shall be ineligible to continue to serve as members of the local advisory boards if they cease to be members of the teaching staff of their respective community colleges. Elections to fill vacancies for any unexpired terms shall be held in the same manner as provided for the original elections.~~

~~(4) The student member shall be the president of the student body of the community college. If the president of the student body is not a full-time student who maintains permanent residency in the Commonwealth of Kentucky, a special election shall be held to select a full-time student who does maintain permanent residency in this Commonwealth as the student member.~~

~~(5) Local advisory board members shall receive no compensation for their services, but shall be paid for their actual and necessary expenses. (KRS 164.600)~~

PART III

THE PRESIDENT OF THE UNIVERSITY

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

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

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

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

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

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

The President is responsible for fostering and promoting instruction, research, and service as the primary functions of the University. In this connection the President may make policy recommendations to the Board of Trustees, the University Senate, and the Senate of the

Community College System, which are recognized as the primary educational policy-forming agencies of the University. The President must, of necessity, in the day-by-day direction of University affairs, interpret existing policies and, in some degree, establish new policy with respect to both educational and business and financial matters. Such policy determination shall be within the scope of the President's authority.

While responsible for the enforcement of the rules and regulations of the Board of Trustees, and the University Senate, ~~and the Senate of the Community College System~~, the President also shall provide ~~also~~ for the application of these rules and regulations to individual cases. The President may suspend in a particular case under extraordinary circumstances a rule of the University Senate ~~or the Senate of the Community College System~~, except rules concerning admission and the number of credits and quality points required for graduation.

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

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

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

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Consistent with these regulations, the Senate of the Community College System is authorized to develop regulations for the conduct of its functions, which shall be known as the Rules of the Senate of the Community College System. Copies of these regulations shall be furnished the President of the Kentucky Community and Technical College System and the Board of ~~Trustees~~ Regents of the Kentucky Community and Technical College System. It may perform its functions directly, through the Community College Council, or through standing, special, or advisory committees which it may appoint or authorize for appointment. The Chancellor for the Community College System shall appoint the members of standing committees from the eligible members of the Senate; i.e., those not serving on the Community College Council. The advisory committees to the Senate of the Community College System (other than the Committee on Privilege and Tenure) shall be appointed by the co-chairpersons of the Community College Council.

The Community College Council shall be composed of one duly elected senator from each college to serve a two-year term; two students elected by and from the student senators to serve a one-year term; one president designated by and from the presidents who have been appointed to the Senate, for a one-year term; the Chancellor for the Community College System and the Vice Chancellor for Academic Affairs for the Community College System, who shall serve as ex officio members; and the chairpersons of the standing committees, who shall serve as ex officio members. All Council members must be taken from the membership of the Senate. A Council member's term may not exceed that individual's term as a senator. In the event there is an imbalance in the duly elected senators in terms of professional area of specialization, the Chancellor for the Community College System is authorized to appoint to the Community College Council a maximum of three additional faculty members who shall become members of the Senate.

The Chancellor for the Community College System and a person elected from and by the membership of the Community College Council shall serve as co-chairpersons of the Community College Council.

The Chancellor for the Community College System shall be chairperson of the Senate of the Community College System and shall serve as presiding officer for all meetings except as the Chancellor may delegate this function.

The Senate shall meet annually in regular session at a time and place designated in a call by the Chancellor for the Community College System. Special sessions may be called by the Kentucky Community and Technical College System President, by the Chancellor for the Community College System, or by a petition from at least fifteen (15) senators to the Chancellor for the Community College System.

Full-time and part-time faculty, ~~advisory~~ local board members, Community College System staff members, and Community College System students may attend Senate and/or Council meetings and request the privilege of the floor. They shall not have the right to vote.

The functions of the Senate of the Community College System shall include the following:

Approving academic policies and curricula for the Community College System.

Approving courses and other academic offerings in the Community College System not offered in the University System.

Approving policies and regulations governing admission, classification, probation, and dismissal of Community College System students.

Approving an academic calendar generally consistent with the University System calendar.

Recommending to the University Senate on courses offered in the Community College System which are also offered in the University System.

Recommending to the Chancellor for the Community College System on criteria for faculty appointments, reappointments, promotions, and granting of tenure in the Community College System.

Recommending to the President of the University of Kentucky all candidates for University of Kentucky degrees and certificates from the community colleges. The Senate may delegate this function to the faculties of the community colleges.

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

The Senate of the Community College System may address the following regarding any matter of concern to ~~the University:~~ the Chancellor for the Community College System; the Board of Regents of the Kentucky Community and Technical College System through the Chancellor and the President of the Kentucky Community and Technical College System. ~~the Board of Trustees, through the Chancellor and the President.~~

PART VI

THE UNIVERSITY ASSEMBLY

The University Assembly shall consist of all members of the faculties of the University System ~~and the Community College System~~, including emeritus members, and all members of the administrative staff who perform functions directly supporting academic affairs. It shall meet in special session on the call of the President, or the University Senate, ~~or the Senate of the Community College System~~. The President of the University or the President's authorized representative shall preside. The University Registrar shall be secretary of the Assembly and shall be responsible for adequate notice of meetings, including a statement of subject or subjects to be discussed.

The Assembly may express its views on any matter affecting the University to the University Senate, ~~to the Senate of the Community College System~~, to the President or, through the President, to the Board of Trustees.

PART VII

UNIVERSITY ORGANIZATION

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

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

A. Educational Organization1. Definition

The basic organization of the educational units of the University System shall be departments, schools, colleges, graduate centers, and multidisciplinary research centers and institutes.

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

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

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

A graduate center is an educational unit of an interdisciplinary or multidisciplinary nature, which is equivalent to a department, and is located administratively in the Graduate

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

8. Faculty Organization in the Community College System

a. Faculties of Colleges

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

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

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

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

b. Faculty Assemblies

The faculty of a community college may organize a Faculty Assembly for the purpose of making recommendations relating to the professional welfare of its members. It shall prepare a set of rules which shall describe its organization and procedures for the performance of

that may be appointed by the director of the center or institute or by the administrator to whom the center or institute is administratively responsible. The director shall speak for the center or institute and be an ex officio member of all of its committees.

7. Chairpersons of Interdisciplinary Instructional Programs
(University System)

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

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

8. Presidents of Community Colleges

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

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

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

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

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

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

9. Division Chairpersons (Community College System)

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

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

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

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

PART VIII

UNIVERSITY SYSTEM APPOINTMENTS

A. Administrative Appointments

1. Regular Appointments

The President of the University is appointed by the Board of Trustees with the advice of a joint committee of the Board, faculty, and student body. The committee shall consist of five members of the Board appointed by its chairperson; three members of the full-time teaching and/or research faculty of the University System, selected by a procedure determined by the University Senate; ~~one member of the full-time teaching faculty of the Community College System, selected by a procedure determined by the Community College Council;~~ and one full-time student appointed by the chairperson of the Board. The committee shall provide opportunity for discussion between representative administrative, faculty, and student groups and prospective presidential candidates.

The chancellors, vice presidents, chief administrative officers of educational units (deans, ~~and presidents of colleges,~~ directors, and chairpersons), and every administrative and professional employee of the University who is to report directly to the President or whose position is at Level 16 or above in the Administrative and Professional Classification System shall be appointed by the Board of Trustees, acting upon recommendation of the President. Except in the cases of those individuals who report directly to the President, a recommendation from an appointee's superior officer shall be obtained prior to recommending an appointment or reappointment by the Board of Trustees. Non-faculty employees other than those described above may be appointed by the President or, if their employment is to be in a chancellor/vice president sector, by the appropriate chancellor/vice president upon recommendation of the appropriate person or persons superior in rank to the appointees. The President shall report all appointments at Levels 12 through 15 in the Administrative and Professional Classification System to the Board of Trustees. The President and the chancellors/vice presidents may delegate the power to appoint personnel whose appointments are not made by the Board of Trustees to other appropriate administrative officers.

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

2. Acting Appointments

~~———— A search committee for a president of a community college shall be appointed by the Chancellor for the Community College System after consultation with the faculty of the community college.~~

~~———— Search committees for chairpersons of divisions in community colleges shall be appointed by the presidents of the colleges after consultation with at least the tenured faculty members of the concerned divisions.~~

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

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

4. Terms of Chairpersons and Directors

a. Department Chairpersons (University System)

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

b. Chairpersons of Interdisciplinary Instructional Programs (University System)

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

~~————~~ c. Division Chairpersons (Community College System)

~~———— The division chairperson shall be appointed for a term of three years and normally shall serve for no more than three consecutive terms. Reappointment beyond the third~~

~~term may occur under exceptional circumstances when it is deemed to be in the best interest of the community college and has been recommended by a faculty advisory committee.~~

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

The director of a multidisciplinary research center or institute shall be appointed for a term of six years. A director may be reappointed, however, when an ad hoc committee appointed to review and evaluate the center or institute (AR II-1.0-6) finds that the particular circumstances and needs of the center or institute make such a reappointment desirable.

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

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

B. Tenure

1. Types of Appointment

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

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

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

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

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

Post-retirement appointments are of two types. One type is that in which retired employees may be appointed to perform duties for which fee schedules have been established and approved by the appropriate chancellor/vice president.

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

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

b. Procedure

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

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

The faculty member shall be informed in writing by the President of the University of Kentucky for University System faculty or the President of the Kentucky

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

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

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

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

c. Suspension

PART XI

STUDENT AFFAIRS

A. University of Kentucky Student Government Association

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

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

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

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

~~The Board of Trustees also authorizes the development of student governments for the Community College System and/or individual community colleges.~~

The student governments in both the University and the Community College Systems shall adhere to all rules and regulations adopted by the Board of Trustees.

B. Student-University Relationships

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

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

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

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

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

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

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~~12/8/92~~

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All members of the faculty and staff of the University System shall have full rights of communication with administrative officers of the University and the Board of Trustees through established administrative channels. Official recommendations and communications from any member of the University faculty or staff shall be sent by the individual to the individual's immediate superior. The superior administrative officer shall, when so requested, transmit such recommendations or communications, with the officer's own comments and recommendations thereon, to the next higher officer.

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

This rule shall in no way limit the President in communicating with members of the faculty, nor shall it prevent communication between members of the faculty, staff, administrative officers, and the Board of Trustees for purposes other than the submission of official recommendations and communications.

PART XIV

AMENDMENTS

These Governing Regulations may be amended at any regular or special meeting of the Board of Trustees provided at least one month has elapsed between proposal of the amendment(s) and final passage. The President, or the University Senate ~~or the Senate of the Community College System~~, or the Student Government Association ~~or the Inter-Community College Student Council~~, through the President, may recommend amendments of the Governing Regulations to the Board. The President, the University Senate ~~and/or the Senate of the Community College System~~, and the Student Government Association ~~and/or the Inter-Community College Student Council~~, as appropriate, shall have an opportunity to recommend on all amendments before final action by the Board.

As the basic law of the University, these Governing Regulations supersede any previously approved rules or regulations in conflict therewith. Matters not specifically covered in the Governing Regulations, the Administrative Regulations, the Personnel Policy and Procedure Manual, and the Rules of the University Senate, ~~or the Rules of the Senate of the Community College System~~ are governed by administrative interpretation.

PART XV

APPENDIX: POWERS AND DUTIES
OF THE COUNCIL ON ~~HIGHER~~ POSTSECONDARY EDUCATION

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

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

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

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

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

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

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

(27) ~~Develop and transmit to the Governor comprehensive plans that may be required for federal legislation, for public higher education which meet the needs of the Commonwealth. The plans so developed shall conform to the respective functions and duties of the state universities, the community colleges, and the University of Kentucky as provided by statute. The Council shall for all purposes of federal legislation relating to planning be considered the "single state agency" as that term may be used in such federal legislation; provided, however, that when such~~

federal legislation requires additional representation on any such "single state agency" the Council on Higher Postsecondary Education shall establish such advisory groups as may be necessary to satisfy such federal legislative or regulatory guidelines.

(38) Determine tuition and approve the minimum qualifications for admission to the state the public institutions of higher education postsecondary educational system. In determining the tuition for non-Kentucky residents, the Council shall consider the fees required of Kentucky students by institutions in adjoining states, the resident fees charged by other states, the total actual per student cost of training in the institutions for which the fees are being determined, and the ratios of Kentucky students to non-Kentucky students comprising the enrollments of the respective institutions, and such other factors as the Council may in its sole discretion deem pertinent.

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

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

~~(4) Consider the requirements and review the budget requests, which shall be prepared in the manner and submitted by the institutions to the Council by dates prescribed by the Council, of the institutions of higher education as to their appropriate level of support considering the functions of the institutions and their respective needs. The Council, in cooperation with the university presidents, shall devise, establish, and periodically review and revise formulas for use in making recommendations to provide to the Governor and the legislature for use in making appropriations for the institutions of higher learning. The formulas shall provide for adequate and equitable allocation of funds among the several universities considering their respective needs and statutory, institutional, and geographic missions. In the development, revision, and refinement of such formulas, committees composed of members of the Council staff and a representative of each of the state universities shall conduct hearings on each campus in a manner to give all principal segments of each institution the opportunity to participate in the development of the formulas. The studies shall include, but not be limited to:~~

~~———— (a) A review of formulas used by other states to calculate needs and appropriate funds for institutions of higher education;~~

~~———— (b) A complete review of selected comparable institutions with reference to both the state appropriations and tuition charges, and~~

~~_____ (e) _____ A review of institutional activities and programs that can be calculated for use in the development of the formulas.~~

~~There shall be included in the final report the institutional responses to the studies and their recommendations and the recommendations of the advisory conference of presidents. Nothing in this chapter shall prevent or prohibit the Governor, the legislature, the Council on Higher Education, or the governing board of any institution of higher education from requesting or recommending deviations from any applicable formula or formulas prescribed by the Council on Higher Education and advancing reasons and arguments in support of them. The individual institutions' budget requests, including tuition and registration fee schedules for all categories of students, along with Council recommendations shall be submitted to the Governor through the Executive Department for Finance and Administration not later than November 15 of each odd-numbered year. The Council shall submit a separate budgetary recommendation for the University of Kentucky community college system.~~

(§11a) Except as provided in paragraph b of this subsection, review and approve all capital construction projects covered by KRS 45.750(1)(f), including real property acquisitions, and regardless of the source of funding for projects or acquisitions, the cost of which exceeds two hundred thousand dollars (\$200,000) approved by the governing boards of the state supported institutions of higher education prior to the institutions' submission of such projects to the Executive Department for Finance and Administration and/or state property and buildings commission. Approval of capital projects and real property acquisitions shall be on a basis consistent with the strategic agenda and the mission of the respective universities and the Kentucky Community and Technical College System.

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

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

~~(7) _____ Publish annually a report of the educational and financial affairs of the institutions and disseminate other information relating to higher education.~~

(13) Develop a university track program within the Kentucky Community and Technical College System consisting of sixty (60) hours of instruction that can be transferred and applied toward the requirements for a bachelor's degree at the public universities. The track shall consist of general education courses and pre-major courses as prescribed by the council. Courses in the university track program shall transfer and apply toward the requirements for graduation with a

bachelor's degree at all public universities. Successful completion of the university track program shall meet the academic requirement for transfer to a public university as a junior. By fall semester of 1997, requirements for track programs shall be established for all majors and baccalaureate degree programs;

(814) Define and approve the offering of all ~~higher~~ postsecondary education, technical associate, baccalaureate, graduate, and professional degree, ~~or certificate, or diploma~~ programs in the ~~state-supported higher~~ public postsecondary education institutions. The council shall expedite wherever possible the approval of requests from the Kentucky Community and Technical College System board of regents relating to new certificate, diploma, technical, or associate degree programs of a vocational-technical and occupational nature. Without the consent of the General Assembly, the council shall not abolish or limit the total enrollment of the general program offered at any community college to meet the goal of reasonable access throughout the Commonwealth to a two (2) year course of general studies designed for transfer to a baccalaureate program. This does not restrict or limit the authority of the council, as set forth in this section, to eliminate or make changes in individual programs within that general program. ~~;~~ review proposals and make recommendations to the Governor regarding the establishment of new state-supported community colleges and new four-year colleges. Provided, nothing in KRS 164.010, 164.020, 164.125, and 164.290 to 164.295 shall be construed to grant the Council on Higher Education authority to disestablish or eliminate any college of law which became a part of the state system of higher education through merger with a state college.

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

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

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

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

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

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

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

~~(10) Elect a chairperson annually from the voting membership and appoint an executive director and such staff as may be needed and fix their compensation without limitation of the provisions of KRS Chapter 18A and KRS 64.640 subject to the approval of the Commissioner of Personnel and the Secretary of the Department of Finance.~~

(1121) Constitute the representative agency of the Commonwealth in all matters of higher postsecondary education of a general and statewide nature which are not otherwise delegated to one or more institutions of higher postsecondary learning. Such responsibility may be exercised through appropriate contractual relationships with individuals or agencies located within or without the Commonwealth. The authority includes but is not limited to contractual arrangements for programs of research, specialized training, and cultural enrichment-;

(122) Develop-Maintain procedures for the approval of a designated receiver to provide for the maintenance of student records of the public institutions of higher education and the colleges as defined in KRS 164.945, and institutions operating pursuant to KRS 165A.310 which offer collegiate level courses for academic credit, which cease to operate after July 15, 1980. Procedures shall include assurances that, upon proper request, subject to federal and state laws and regulations, copies of student records shall be made available within a reasonable length of time for a minimum fee-;

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

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

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

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

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

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

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

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

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

(32) Develop a statewide policy to promote employee and faculty development in all postsecondary institutions through the waiver of tuition for college credit course work in the public postsecondary education system. Any regular full-time employee of a postsecondary public institution may, with prior administrative approval of the course offering institution, take a maximum of six (6) credit hours per term at any public postsecondary institution. The institution shall waive the tuition up to a maximum of six (6) credit hours per term; and

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

UNIVERSITY OF KENTUCKY ADMINISTRATIVE REGULATIONS	IDENTIFICATION AR II 5.0 1	PAGE 1
	DATE EFFECTIVE 11/22/96	SUPERSEDES REGULATION DATED 5/3/83 7/1/84

~~POLICY STATEMENT ON THE COMMUNITY COLLEGE SYSTEM
(APPROVED BY THE BOARD OF TRUSTEES)~~

~~Kentucky's public higher education administered by the University of Kentucky will consist of two systems under a President and a Board of Trustees (1) the University System and (2) the Community College System. The Community College System shall be headed by a Chancellor for the Community College System who shall be directly responsible to the President and shall serve as the chief executive officer concerned primarily with the operation and programs of the Community College System.~~

~~The separateness of these two systems is distinguished by their respective roles. The inter-relatedness is distinguished by the shared top administrative authority which coordinates available resources for optimum use without duplication. Each system shall bear primary responsibility and accountability for its administration, policy, personnel, programs, and finances to the President and the Board of Trustees and not to subordinate administrative units of the other, unless specifically directed by the President.~~

~~The paternal role of the University of Kentucky in the development of the Community College System has been vital and effective in the genesis of a new educational concept in Kentucky. The present policy is a reflection of the philosophy that the Community College System is, in development, function, and enrollment, a valid component and not an addendum of the University's total effort to serve the higher educational needs of the citizens of Kentucky.~~

~~Cooperation rather than authority is deemed necessary to provide the flexibility and responsiveness essential for a viable and evolving comprehensive Community College System under the University umbrella. The relationships between the two systems shall be that of mutual liaison and interchange with common supportive services available to both. The community colleges, as they strive to fulfill their statutory functions, are to be administratively free to meet changing challenges with an internally determined and responsive flexibility.~~

~~I. Role of the Community College System~~

~~The community colleges have roles aligned both with the task of higher education in the Commonwealth and with the educational and cultural contributions to be made to the citizens of the communities in which they are located. Following are the tasks of the community colleges:~~

~~_____ A. _____ To provide two years of lower division programs applicable to a baccalaureate degree. These programs are designed to enable the student to transfer to four-year institutions in the Commonwealth and elsewhere for upper division work.~~

~~_____ B. _____ To provide two year non-baccalaureate programs leading to the granting of associate degrees or appropriate certificates in occupational areas.~~

~~_____ C. _____ To provide programs of adult education and service oriented to community interests, both occupational and cultural.~~

~~II. _____ Administrative Structure of the University of Kentucky~~

~~The University of Kentucky consists of two systems under a President and Board of Trustees. The first of these, the University System, is composed of the University of Kentucky at Lexington and its state-wide research and service elements. The administrative structure in this system is not changed by the organization of the Community College System.~~

~~The Community College System consists of the fourteen community colleges now in operation and all other community colleges that may be added to the system in the future. A Chancellor for the Community College System heads the Community College System reporting to the President of the University and the Board of Trustees. Each of the community colleges is headed by a chief administrative officer, reporting to the Chancellor for the Community College System. Each of the community colleges has a nine member local Advisory Board which provides advice to the chief administrative officer of the community college, the Chancellor for the Community College System, the President, and the Board of Trustees of the University of Kentucky. The counsel of the local Advisory Boards is sought primarily on matters of the two-year occupational programs and local community educational needs. The faculty of each community college is administratively responsible to the chief administrative officer of the respective community college. Community college faculty maintain informal academic liaison with faculty in the parallel subject matter areas at the University of Kentucky at Lexington.~~

~~III. _____ Faculty of the Community College System~~

~~The responsibilities of the faculty in the Community College System differ somewhat from those in the University System. Teaching and community service functions are paramount in the community colleges. Standards of competence and performance for the functions to be performed are equally as high in the Community College System as in the University System. Faculty at the community colleges are expected to remain up-dated professionally for their teaching and service tasks.~~

~~IV. _____ Admission Requirements of the Community College System~~

~~Admission to the community colleges and to the University of Kentucky at Lexington is and should be separate. The Community College System has the responsibility to set up and administer its own admission requirements, subject to the approval of the President and the Board of Trustees of the University of Kentucky. Its admission requirements must be such as to allow the flexibility needed to serve the wide range of students in transfer, occupational, and continuing education programs. Courses offered both in the University System and in the Community College System shall carry the same identification and description. Grades, credits, quality points, and academic status from courses taken in the Community College System shall be transferred when the community college student enrolls in the University System. The applicability of any courses offered in the Community College System which are not offered in the University System towards satisfying the requirements for a University degree shall be determined by the dean of the college in which the student enrolls, which is the same basis used to determine the applicability of courses from any other institution. Steps are taken to assure that students enrolling in lower division degree work at the community colleges with declared plans for later transfer to curricula at the University will receive the benefit of information from the University in those areas in planning their lower division work at the community colleges. The community colleges also will see that those students who intend to transfer to another college or university receive the benefit of counsel in planning their lower division work at the community colleges.~~

V. Facilities at the Community Colleges

~~The facilities needed for the community colleges are in substantial contrast to those needed by the University at Lexington. Students commute, thus eliminating the need for dormitory facilities. Technical facilities and equipment should be provided at the community colleges commensurate with the requirements for the programs offered in occupational areas, such as nursing or engineering technology. Laboratory facilities at the community colleges are limited to those laboratories necessary for undergraduate teaching. Library facilities also are designed to support the lower division teaching effort.~~

VI. Students in the Community College System

~~The community colleges attract students with a wide range of background and abilities. The markedly lower cost to the student and the student's family makes it possible for many more of the Commonwealth's citizens to participate in higher education.~~

~~Many students coming to the community colleges have not identified their educational and career goals. Others have financial, academic, and personal problems that need to be resolved. The community colleges are attempting to meet the needs of this heterogeneous student body by giving particular attention to guidance and counseling programs.~~

~~Some students enrolling in the community colleges need additional assistance in the basic skills required to be successful in either baccalaureate or occupational programs. The community~~

~~colleges are unique in higher education in their acceptance of this role in providing developmental work for those students who need it.~~

~~Many high school graduates in the state have needs for education oriented to the development of technical abilities usable in the communities in which they live. The expectation is that these needs can be partially met by enrollment in the occupational, collegiate based curricula of the community colleges.~~

~~A significant portion of the enrollment in the community colleges comes from both part-time and full-time students drawn from the adult population of the communities, satisfying needs and interests in cultural improvement as well as the development of technical capabilities.~~

~~The enrollment of substantial numbers of students in the community colleges for lower division programs in baccalaureate degree work is a promising development. Common lower division requirements, offered both in the University System and in the Community College System for a large number of University degree programs, make a broader range of upper division programs of the University of Kentucky open to transfers from lower division programs in the community colleges without loss of credit or time in meeting requirements for a baccalaureate degree.~~

~~The students served by the community colleges have wide-ranging needs. These colleges are developing transfer, occupational, and community service programs that are making it possible for their students to meet those needs.~~

VII. — A Policy for Expansion

~~Frequently the question of adding new locations to the present system of community colleges arises. Future expansion of the present Community College System must be well planned, orderly, and deliberate if the Community College System is to obtain its maximum effectiveness. No expansion should be attempted until provision is made to adequately support existing community colleges and to provide the necessary budgetary support to begin an institution. Any such decision should be rendered only after the Community College System studies the situation in question and has recommended this action. It is now obvious that the improved, and improving, highways make it possible for students to commute greater distances and thus a more systematic plan for expansion will better employ the Commonwealth's financial resources and better serve prospective students.~~

~~The development of a master plan for future growth, including detailed criteria, should occur prior to the establishment of any additional community colleges.~~

~~Additional community colleges should be established only when:~~

~~——— A. ——— A thorough feasibility study has been made of the community's higher educational needs and the existing capacity it has to meet those needs. A minimum student~~

~~enrollment of 350 at the opening of the college and a potential of 500 by the end of a five-year period is a desirable standard. The secondary schools in the area to be served by the proposed institution should have at least 1,000 students graduating annually. The immediate surrounding community must be large enough to provide a strong nucleus of the total enrollment, support for scholarships, and employment for graduates, particularly in the two-year occupational programs.~~

~~———— B. ——— Adequate financial support has been assured. A study of the feasibility of establishing a community college should include an evaluation of the prospects of the basic economy of the area and its future development. Even though the location of a community college may enhance the economic growth of an area, it is necessary that the potential for growth and development must be present. It should be noted, however, that community college education may be most urgently needed in communities that have a declining economy, and this opportunity should not be denied to those who need it most.~~

~~———— C. ——— The community itself demonstrates a desire for the rather unique functions and programs of a comprehensive community college. Contributions and commitments (such as providing land, faculty housing, etc.) that demonstrate support for the college should be considered. The degree of support already provided for other educational and cultural institutions provides significant evidence in this regard since it is an indication of the continuing local interest that is an essential factor in the long-range development and operation of a community college.~~

~~———— D. ——— There is a demonstrated need for higher education. Careful consideration must be given to educational opportunities available at other higher educational institutions (both two-year and four-year) in the area. Relationships with other institutions of higher education represent an important matter for policy consideration.~~

~~———— E. ——— The college is in easy commuting distance for those whom it is intended to serve. Experience indicates that about 25 to 30 miles represents a realistic limit of the primary commuting area for a college. The boundaries of a commuting area are usually defined in terms of a maximum one-way travel time of forty-five minutes.~~

~~———— F. ——— Adequate building(s), parking, and ultimate growth space has been provided. The minimum size for a non-metropolitan site should be usable acreage of not less than 100 to insure adequate potential for growth and ready, safe accessibility to site from existing highways.~~

~~Prior to opening a new community college to student enrollment, the "key" staff members (administrators and faculty) should be employed with an adequate period of time to study the educational needs of the people of the area in order to plan an educational program to meet these needs. The chief administrative officer should be on the scene at least a year prior to initial student enrollment.~~

VIII. Community College Rationale

~~The University of Kentucky Community College System represents a strong effort to meet public higher educational needs in the Commonwealth. The basic philosophical assumptions upon which such a system rests are:~~

~~_____ A. _____ The community college is unsurpassed in effectiveness and economy as a means of extending educational opportunity beyond high school.~~

~~_____ B. _____ Perhaps the most sacred tenet of American educational philosophy is that each individual should be provided with the opportunity for an education to the limit of the individual's capacity. The community college is a valuable instrument by which this end can be realized. Many students academically able and anxious to graduate from college cannot afford four years of living away from home while attending college.~~

~~_____ C. _____ The community college must be comprehensive in nature designed for a variety of functions. This includes far more than the freshman-sophomore transfer programs.~~

~~_____ D. _____ The community college, in the true sense of the term, must be responsive to the local needs and special conditions.~~

~~_____ E. _____ The community college is a functioning part of a coordinated state plan or pattern for higher education.~~

~~_____ F. _____ A local Advisory Board for each community college helps reflect the area's needs and opinions.~~

~~Large numbers of publicly supported community colleges have been established in the past few years. Kentucky's pattern of development of community colleges has been somewhat unique. In most other states, the community colleges have not been so closely tied to a state university. The development of the University of Kentucky's community colleges has been a slow but rewarding process.~~

~~With the changes which have been made legislatively in the University of Kentucky's community colleges and their expansion to meet the needs of the Commonwealth, it appears appropriate to reaffirm and revise a Policy Statement made jointly by the President and the Board of Trustees which spells out the administrative structure which effectively integrates these units into a system and at the same time defines their roles in relation to the remainder of the University.~~

PR 6A

Office of the President
September 16, 1997

Members, Board of Trustees:

BEHAVIORAL STANDARDS IN PATIENT CARE

Recommendation: that the Board of Trustees adopt the Behavioral Standards in Patient Care to be applicable to all visiting and University students, faculty, staff and volunteers while providing patient care at the Medical Center and to be applicable to all University students, faculty, staff and volunteers engaged in University work or study in off campus sites.

Background: In 1980 the Council of Supervisors of the University Hospital adopted Behavioral Standards in Patient Care as a policy applicable initially to care of patients within the University Hospital. The Behavioral Standards later became policy for all visiting and University students, faculty, staff and volunteers throughout the Medical Center. In addition, University students, faculty and staff engaged in work or study at affiliated or off campus sites continued to be guided by the Medical Center's Behavioral Standards.

While the initial impetus for adoption of the Behavioral Standards was found in the standards of the Joint Commission on Accreditation of Healthcare Organizations, the Behavioral Standards have continued to be valuable guides to providing patients of the Medical Center's programs with dignity, respect and superior care.

These Behavioral Standards have been updated and restated to incorporate changes in titles of University personnel and to reflect modifications, when necessary, to changes in guidelines or expectations. These Behavioral Standards are recommended for approval by the Clinical Board of the University Hospital and the Board of Directors of the University Hospital.

Action taken: Approved Disapproved Other _____

BEHAVIORAL STANDARDS

IN

PATIENT CARE

Approved by:

Board of Trustees
University of Kentucky
Albert B. Chandler Medical Center

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ALBERT B. CHANDLER MEDICAL CENTER
LEXINGTON, KENTUCKY

BEHAVIORAL STANDARDS IN PATIENT CARE*

SECTION 1

PREAMBLE

The mission of the University of Kentucky Medical Center (University Hospital, Kentucky Clinics and affiliated entities) is to help the people of the Commonwealth and beyond, gain and retain good health through creative leadership and quality initiatives in education, research and service. It is well established that the "caring" aspect of treating patients has a therapeutic impact; the quality of the environment and the interpersonal relationships that surround patients appreciably affect the course of their recovery. From experience, we know that we cannot assume that all individuals hold acceptable attitudes or understandings regarding what is ethical, right or appropriate in regard to relationships with patients, families and colleagues. Since behavior in patient care, as in other areas, is learned, and since the ultimate goal of an academic health sciences center is exemplary patient care as a teaching model, high standards of professional and humane behavior in patient care should be prominent among the values that are communicated through all learning experiences, formal and informal. This institution has the obligation and responsibility to formulate and implement such standards.

As a state institution, support of the community health care systems consistent with legal and ethical treatment of patients is part of the University of Kentucky Medical Center service mission. In order to fulfill this mission, the medical center practitioners must work as a team with community providers, hospitals and other health practitioners throughout Kentucky. The following STANDARDS are not intended to supplant existing professional codes of ethics where they exist for specific professions and applicable laws and regulations regarding the care and treatment of patients but rather to illustrate, specify and make relevant these generally accepted ethical codes to our patient care programs. While the STANDARDS are primarily the institution's goal to provide exemplary patient care and to serve as an instructional document, many of the STANDARDS describe mandatory behavior.

Supervisors, instructors and professionals shall have responsibility for introducing and maintaining an acceptable level of performance according to these STANDARDS in their individual areas of responsibility. They shall have the opportunity and responsibility to exercise discretion and judgment in whether a violation is minor and needs primarily counseling, reprimand and/or warning or whether it constitutes a major violation requiring disciplinary action.

*Referred to in this document as STANDARDS.

1. APPROVAL OF AND AMENDMENTS TO STANDARDS

- 1.1 The STANDARDS shall be established as policy for the Medical Center by the Board of Trustees of the University of Kentucky in accordance with its responsibility in all matters involving the quality of patient care in the Medical Center.
- 1.2 Recommendations for amendments to these STANDARDS may be made by any individual within the Medical Center to the Vice Chancellor for Clinical Services and/or Hospital Director.

2. APPLICABILITY

- 2.1 These STANDARDS shall apply to all individuals who come into contact with patients in the Medical Center or participate in Medical Center activities associated with patient care, irrespective of location.

3. INTERPRETATION OF STANDARDS

- 3.1 STANDARDS have been expressed in terms of observable behaviors as much as possible to facilitate modeling, instruction, supervision, and evaluation in patient care programs.
- 3.2 These STANDARDS are not to be construed as exhaustive; other specific actions or behaviors not cited herein should be judged in light of the intent of the document.
- 3.3 As used herein,
 - 3.31 "shall" or "must" indicates mandatory behavior, the only acceptable method or level of performance;
 - 3.32 "should" indicates commonly accepted methods or behaviors yet allows for effective alternatives;
 - 3.33 "may" in the interpretation of a standard indicates an illustration of an acceptable method;
 - 3.34 "individuals" means any and all persons (i.e. attending faculty, staff, resident, student, or volunteer) involved in rendering patient care directly or indirectly;
 - 3.35 "patient" includes any person receiving services such as a consumer, client, inpatient, or outpatient;

- 3.36 "unit" means any organized administrative component of the Medical Center.
- 3.37 "minor violation" is one which does not compromise the general well-being of the patient and/or has minor legal implications for the institution;
- 3.38 "major violation" is one which compromises the health and well-being of the patient and/or has major legal implications for the institution.
- 3.39 "supervisor" shall mean all persons fulfilling supervisory roles at any level for faculty, staff, or students except the Hospital Director or Vice Chancellor for Clinical Services.
- 3.40 "Hospital Director" has corporate responsibility for the quality of patient care in University Hospital and its affiliated services.

4. IMPLEMENTATION AND ENFORCEMENT OF STANDARDS

- 4.1 Procedures for reporting violations by faculty, staff, or students to patient program supervisors, Chief of Staff, the Vice Chancellor for Clinical Services and the Hospital Director shall be consistent with procedures established herein.
- 4.2 Procedures for the Medical Center notifying a student's academic instructor and Dean of a violation shall be consistent with procedures established by the Deans of the Colleges.
- 4.3 Disciplinary action and appeals shall be consistent with existing procedures appropriate to the individual's status as faculty or staff as stated within the Personnel Policy and Procedure Manual or the Medical Staff Bylaws, Rules, and Regulations.
- 4.4 The Hospital Director, Chief of Staff, or the Vice Chancellor for Clinical Services may remove any individual from the patient care setting to protect patient safety.
 - 4.41 Any supervisors may remove any individual from the patient care setting or activity to protect patient safety. Reporting of the incident and disciplinary action shall be consistent with the Policies and Procedures applicable to the individual's status in patient care.
 - 4.42 This action, if it involves a student, does not constitute disciplinary action against the student nor affect the student's academic status. This action, if it involves a student, must be reported promptly to the student's instructor and Dean. All action relative to the academic progress and status of the student shall remain the responsibility of the College.

- 4.43 Reinstatement of a student in a particular patient care setting from which he/she has been removed shall be on the recommendation of the student's Dean and with the consent of the Hospital Director or the Vice Chancellor for Clinical Services.

SECTION II

STANDARDS

Principle

- A. EACH PATIENT SHALL BE TREATED AS A WHOLE, IRREPLACEABLE, UNIQUE, AND WORTHY PERSON

Standards

1. Individuals shall interact with patients, their families or visitors in a courteous, considerate manner that shows respect uncompromised by such factors as religion, cultural background, national origin, race, color, age, sex, disability or socio-economic status.
 - 1.1 Individuals should address adult patients by title and surname unless permission is granted by the patient to use a more informal form of address or unless it is clearly therapeutically beneficial to do otherwise.
 - 1.2 On entering a patient's room, individuals should acknowledge the patient by an appropriate but simple greeting, state their purpose, and ask permission to enter.
 - 1.21 Individuals should avoid interrupting or intruding on situations which patients may feel are private such as eating, bathing, speaking with family or visitors, or resting.
 - 1.3 Individuals shall not refer to patients by their illness, injury, diseased organ, or by any other designation that fails to regard the patient as a whole person.
 - 1.4 Individuals shall have an obligation to be respectful of the cultural, religious, ethnic, racial and life style diversity of patients, their community, physicians, and other providers.
 - 1.5 Individuals shall not use abusive, obscene, derogatory, or profane language with patients, families, or visitors

- 1.6 Individuals shall treat patient's personal belongings carefully, including a patient's medications brought with him/her, to avoid loss or damage.
 - 1.7 Regulations regarding visitors shall be enforced, although special visitation arrangements may be made for special patient needs, with the patient's physician or nurse.
 - 1.8 Individuals may use physical restraint on patients consistent with hospital policy only when a patient behaves in such a way as to constitute a danger to himself or others. Restraint must be applied with not more force than is necessary, and the patient must be held in such a way as to minimize injury to himself/herself.
2. The patient shall be treated as a unique person requiring an individualized care plan and individualized treatment.
 - 2.1 Prior to and during any encounter, individuals should assess through questioning and observation the patient's level of understanding, anxieties, or physical disabilities which may influence what the patient hears or needs to know.
 - 2.2 Individuals must explain administrative, diagnostic, educational, and treatment services at the time they are performed in accordance with Principle D of these STANDARDS, although patients have given general consent at the time of their admission designed to cover all procedures which are not of a nature to require special consent.
 - 2.3 Individuals shall respect a patient's questions, complaints, requests, or expressions of fear, address these appropriately by direct response or prompt and appropriate referral regardless of the varying abilities of patients to express themselves or to understand explanations.
 - 2.4 Individuals should attempt to educate rather than dictate to the patient concerning the most appropriate means of meeting his needs, taking into consideration the patient's individual abilities, cultural background, and emotional state.
 - 2.5 Individuals should make every effort to provide appropriate stimulation to patients who are in isolation, aphasic, brain damaged, sensorially impaired, retarded, disfigured, or in any way limited in their own needs for companionship, activity, or entertainment.
 - 2.6 Through designated channels, appropriate individuals shall solicit the family's wishes and permission regarding the disposition of a patient's body.

Principle

- B. THE PATIENT'S SAFETY, HEALTH, OR WELFARE SHALL BE PROTECTED AND SHALL NOT BE SUBORDINATED TO ORGANIZATIONAL, STAFF, EDUCATIONAL, OR RESEARCH INTERESTS OR TO ANY OTHER END.

Standards

1. Any individual performing educational activities beyond what is medically indicated must inform the patient of the purposes and of the patient's right to refuse to participate without any effect on the patient's treatment.
 - 1.1 On any specific occasion, individuals shall honor a patient's request to refuse to be examined or observed by any person carrying out educational activities other than those directly involved in rendering the patient's care.
 - 1.2 In all procedures which are to be learned by performing on a patient, an individual must have a person skilled in that technique present, to supervise and to protect the patient's safety and comfort.
 - 1.3 Continuation of educational endeavors following the death of a patient is prohibited by law. Next of kin may give permission for instrument procedures or other learning as part of an autopsy permit.
2. Any individual engaging in research shall be sure that patient consent is obtained on a consent form approved by the Medical Center Institutional Review Board, signed, witnessed, and made part of the patient's medical record before any procedure is carried out.
3. Members of the health care team should provide services to patients in an efficient, expeditious, and coordinated manner with sufficient flexibility to demonstrate respect for an individual patient's desires, comfort and rest.
 - 3.1 Delays, transfers, or schedule changes involving patients should be avoided wherever possible; individuals responsible for services involving delays, transfers, or schedule changes for the patient should provide a timely and appropriate explanation to the patient.
4. Individuals must follow all standard procedures designed with the safety of the patient in mind to protect patients against injury or infection.
5. Individuals shall not deliberately neglect or intentionally subject a patient to unnecessary treatment, stress, or anxiety.

6. Individuals must recognize that excessive fatigue, emotional stress, and some medications may impair judgment and physical performance and may jeopardize the quality of patient care and learning activities.
 - 6.1 No individual shall knowingly participate nor shall supervisors allow participation in patient care activities under the influence of a situation or substance which may adversely affect the individual's ability to function with adequate reason and judgment in patient care activities or jeopardize patient confidence.
 - 6.2 An individual shall report to his/her immediate supervisor any condition that might interfere with performing patient care responsibilities competently and safely.
 - 6.21 An individual's request to be removed from the patient care environment should be respected without prejudice. The supervisor shall make a decision as to the assignment of the individual.
 - 6.22 A supervisor shall request an individual to relinquish his/her patient care responsibilities if in his/her judgment, reported or observed functioning might interfere with patient care.
7. Individuals with any illness which may adversely affect patients must report this to their immediate supervisor.
8. Individuals shall maintain neat and clean personal grooming which does not endanger the health or safety of patients and shall dress appropriately for their clinical assignment following standards and/or uniform prescribed by their unit.
9. The University of Kentucky Healthcare Enterprise (UKHE) as a part of the Medical Center shall maintain a patient centered culture in which:
 - 9.1 All individuals within the University of Kentucky Health Care Enterprise are empowered to anticipate, prevent, and solve problems at the point of service.
 - 9.2 The patient service vision and standards are clear and communicated throughout the Enterprise.
 - 9.3 The Enterprise dedicates resources, e.g. time, training, and reward systems to developing the human resources of the Medical Center.
 - 9.4 All those served are represented in decision making, i.e. from the point of care to strategic planning.
 - 9.5 Collaboration among disciplines and across structural boundaries, e.g. components of the Enterprise, departments, etc., is the norm.

Principle

- C. THE PRIVACY OF THE PATIENT AND THE CONFIDENTIALITY OF EVERY CASE AND RECORD SHALL BE MAINTAINED.

Standards

1. Individuals shall conduct every discussion or consultation involving patients in a discrete and confidential manner.
 - 1.1 Individuals shall not discuss patients in public areas.
2. Individuals who interview and examine patients shall make every effort to provide the patient with reasonable audio and visual privacy.
 - 2.1 The individual shall provide the patient with someone of the same sex to be present during a physical examination, treatment or procedure, at the patient's request.
3. Only individuals with appropriate authorization (under hospital or patient care program policy), involved in a patient's treatment or in the monitoring of its quality, are permitted to have access to a patient's record. Other individuals require the patient's written authorization.
4. Students shall have access to patient records only for a specific assignment, in a duly constituted and specific course of clerkship.
5. Individuals shall not take patient records from the patient care program premises except under subpoena.
6. Only authorized individuals are permitted to give information regarding patients to agencies as prescribed by law, to responsible family members, or to those identified in the patient's chart by permission of the patient if not a family member.
 - 6.1 Every effort should be made to provide family members an opportunity to ask questions and receive sufficient information about a patient's condition and diagnosis within the bounds of maintaining the privacy of the patient and his/her record.
7. At the request of the patient and/or pursuant to a physician's order, individuals shall limit access of visitors to the patient to insure the privacy, proper rest, or enhancement of the healing process of the patient.

Principle

- D. PATIENTS AND/OR RESPONSIBLE FAMILY SHALL BE INFORMED AT ALL STAGES OF CARE ABOUT PERSONNEL RESPONSIBLE FOR THE PATIENT'S CARE, TREATMENT PLANS, AND ACTIVITIES FOR THE PATIENT, FACILITIES, AND SERVICES AVAILABLE TO THE PATIENT, AND RESPONSIBILITIES OF THE PATIENT AND FAMILY (REFERRED TO COLLECTIVELY BELOW AS "PATIENT'S CARE").

Standards

1. All individuals in patient care roles or present in patient care areas are expected to identify themselves and their function clearly.
 - 1.1 Individuals must be able to provide appropriate identification including name, status, department, or role upon request.
 - 1.2 Individuals must introduce themselves to the patient in any direct encounter by name and discuss their role in the care and responsibility of the patient.
 - 1.3 An individual with supervisory or coordinating roles should introduce himself, identify the area of his responsibility, and leave his name in writing if requested by the patient.
2. Any individual providing diagnostic, preventive, or therapeutic treatment shall provide the patient, and family where appropriate, with concise explanation of the procedure.
 - 2.1 The explanation generally should include the following: (a) the purpose of why it is necessary; (b) what is expected of the patient, i.e., position, etc.; (c) what the patient might expect, i.e., pain, pressure, drowsiness, etc.; (d) approximate time involved; (e) results, only if appropriate; (f) patient's right to refuse treatment.
 - 2.2 Even the most routine procedure, e.g., taking temperature, drawing blood, or bathing should not proceed without prior verbal announcement of one's intentions and solicitation of the patient's cooperation as necessary.
3. Individuals shall make prompt and appropriate referrals of patient requests for information on any aspect of the patient's care if unable to provide an accurate and useful response.
 - 3.1 Individuals shall make prompt and appropriate referrals of patient requests for legal, spiritual, financial, or any other type of assistance.

4. Individuals responsible for the supervision or coordination of activities in specific units shall assure that relevant and sufficient information regarding their unit and the patient's care is available to the patients.

Principle

- E. BEHAVIOR REFLECTING THE DIGNITY, RESPONSIBILITY AND SERVICE ORIENTATION OF HEALTH CARE PROFESSIONALS, WORTHY OF THE PUBLIC'S RESPECT AND CONFIDENCE, SHALL BE PRACTICED BY ALL INDIVIDUALS.

Standards

1. Individuals shall recognize and observe the professional code of ethics where such exists for their particular profession or the profession for which they are in training.
2. Individuals are responsible for their actions and judgments in patient care activities.
 - 2.1 Individuals shall have the responsibility to question and/or to refuse to proceed with directives for patient care when in their judgment inherent danger to the patient exists.
 - 2.2 The team concept shall not diminish or obscure individual's responsibility or accountability in patient care activities.
3. Individuals making patient care assignments shall base the assignment on the individual's competence.
4. Individuals observing or knowing of incompetent, unethical, or illegal conduct which endangers a patient's health or general welfare shall report this through established channels.
5. Individuals shall report errors or omissions in patient care activity to their immediate supervisor.
6. Individuals documenting in official records shall insure that all relevant information is noted, accurate, and complete.
 - 6.1 Individuals shall not make any misstatement or act of intentional omission in official records for purposes of misrepresentation.
7. Individuals shall be punctual and thorough in meeting their patient care assignments. Repeated tardiness, absence, or a consistent pattern of lack of application, unreliability or indifference will not be tolerated.

8. Individuals shall not share personal problems, frustrations, or negative comments about colleagues, supervisors, or the institution with patients or their families.
9. Individuals shall not engage in any argument or altercation in the presence of or with patients, family, or visitors.
10. Complaints from the patient or family regarding individuals and institutional services should be received in a positive manner and referred promptly to the appropriate person.
11. Individuals shall avoid inappropriate intimacy with patients.

Principle

- F. EACH PATIENT SHALL HAVE A RESPONSIBLE ATTENDING PHYSICIAN OR DENTIST.

Standards

1. There shall be an attending physician or dentist for each patient.
 - 1.1 The attending and senior resident must be known by name and face to the patient.
 - 1.2 The attending and/or senior resident shall inform the patient of the overall plan for care.
 - 1.3 The attending shall discuss with the patient and family, except in emergencies, the treatment alternatives including procedures, rationales, consequences, and significant risks of proposed treatment and alternatives and the probable duration of disability.
 - 1.4 The attending must discuss with other team members and the referring physician, the management of the patient's care, including but not limited to the transfer of patients to other providers and the selection of secondary consultations.
 - 1.5 The attending shall be free to make known to patients all care options and treatment plans.
 - 1.6 The attending shall visit the patient at least once a day on an inpatient basis to answer questions, to clarify the patient's care plan and to advise the patient and his family of his daily progress as well as of major decisions, unless the attending and the patient agree in advance that a daily visit is not necessary.

- 1.7 The attending shall provide explanation for any consultations requested and give the patient a coordinated view of his/her care as treatment progresses.
- 1.8 The attending shall apprise the patient that this is a teaching institution and of the involvement of various levels of health professionals in training in the patient's care, of the benefits this has for the patient, of the importance of the patient's role in the health care team and of the patient's rights with respect to teaching activities.
- 1.10 The attending shall inform the patient how questions regarding his/her condition or treatment can be addressed and how the attending physician or dentist can be reached.
- 1.11 The attending shall give clear and prompt explanation to the patient at the time when professional responsibility for a patient is transferred. The attending to whom the patient has been transferred shall visit the patient as soon as possible to identify himself/herself and his/her role.
- 1.12 The attending must communicate in a timely manner during the course of the patient's illness with the referring physician regarding a patient's diagnosis, treatment, progress, and well-being including a specific report at the time of discharge.

PR 6B

Office of the President
September 16, 1997

Members, Board of Trustees:

BYLAWS OF THE MEDICAL STAFF
UNIVERSITY HOSPITAL
CHANDLER MEDICAL CENTER

Recommendation: that the Board of Trustees adopt the attached Bylaws of the Medical Staff, University Hospital, Chandler Medical Center.

Background: The Bylaws of the Medical Staff, University Hospital were approved by the Board of Trustees in 1978, and amended thereafter on four occasions. As part of the University Hospital's cyclical review of policies and guidelines, the Medical Staff undertook a review of its Bylaws to restate them and update provisions, correcting titles, procedures and substantive provisions to assure conformity with University policies, the standard of the Joint Commission on Accreditation of Healthcare Organizations, state and federal laws.

The attached Bylaws are recommended for approval by the Clinical Board of the University Hospital and the Board of Directors of the University Hospital.

Action taken: Approved Disapproved Other _____

BYLAWS
OF THE MEDICAL STAFF

UNIVERSITY HOSPITAL
CHANDLER MEDICAL CENTER,
UNIVERSITY OF KENTUCKY

PREAMBLE

The University Hospital of the Chandler Medical Center is a part of the University of Kentucky, a publicly supported institution of postsecondary education established and maintained pursuant to Chapter 164 of the Kentucky Revised Statutes. A primary function of the Medical Staff of the University Hospital is the delivery of health care services to the patients in the University Hospital. In order to provide a framework within which the Medical Staff shall function, these Bylaws and Rules and Regulations shall govern those physicians and dentists, and related health professionals who practice or seek to practice at the University Hospital.

Subject to the final authority and approval by the Board of Directors of the Hospital and the Board of Trustees of the University of Kentucky, the Medical Staff shall exercise such power reasonably necessary to discharge its responsibilities under these Bylaws, Rules and Regulations (which shall not be considered to be a contract).

DEFINITIONS

1. Medical Staff - means all licensed medical physicians and dentists who are privileged to attend patients at the University Hospital.
2. Hospital - means the University Hospital of Chandler Medical Center, University of Kentucky.
3. Board of Directors - means that body appointed by the Board of Trustees, whose members conduct and manage the governance of University Hospital, with powers as defined in the "Bylaws: University Hospital of the Chandler Medical Center." The Board consists of five (5) members appointed by the Board of Trustees of the University of Kentucky. In addition to the five voting members, there shall be five (5) Advisory Directors whose role shall be to provide support and advice to the Board. The Advisory Directors shall consist of the individuals holding the following positions: (1) Chancellor of the Chandler Medical Center; (2) Vice Chancellor for Planning and Director of University Hospital; (3) Vice Chancellor for Clinical Services and Dean, College of Medicine; (4) a representative appointed by the President of the University of Kentucky; and (5) a clinical faculty member, elected by the body of the medical staff.
4. Board of Trustees - means the Board of Trustees of the University of Kentucky.
5. Clinical Board - means that body composed of the following: Chiefs of Hospital Clinical Services as described in Article XI, Section 2 herein, the Dean of the College of Medicine, the Chief of Staff and Associate Dean for Clinical Affairs of the College of Medicine, and the Hospital Director. Ex-officio non-voting members shall consist of the Deans of the Colleges of Dentistry, Nursing, Pharmacy and Allied Health Professions, the Chief Operating Officer of the Group Practice Governing Council, the Director of the University Health Service, the Associate Dean for Veterans Affairs, the Director of Nursing of University Hospital, Director of the Lucille Parker Markey Cancer Center, Director of Sanders-Brown Center on Aging, and the Chancellor for the Medical Center or their respective designates. The Clinical Board shall be the executive committee of the Medical Staff.
6. Hospital Director - means the individual who oversees the overall management of the Hospital.
7. Vice Chancellor for Clinical Services and Dean of the College of Medicine - means that individual responsible for management of the Medical Center clinical professional program and for coordination, development and review of clinical programs in University clinical facilities and affiliated locations.

8. Chief of Staff - means the individual bearing that title within the University Hospital, who oversees the quality of patient care, the proper functioning of the Medical Staff, compliance with these Bylaws and Rules and Regulations by the Medical Staff, and coordination of the work of the clinical departments.
9. Chancellor - means the Chancellor for the Medical Center, University of Kentucky.
10. President - means the President of the University of Kentucky.
11. Chairman of the Board - means the Chairman of the Board of Directors of the University Hospital of the Chandler Medical Center.
12. Medical Staff Year - means that period of time commencing on the first day of July of any calendar year and ending on the thirtieth day of June of the following calendar year.
13. Health Related Professions Staff - means all health related professionals who are privileged to attend patients at the Hospital.
14. Practitioner - means a medical or health care professional who has a license to practice his or her profession in Kentucky and who otherwise is eligible for appointment to the Medical Staff.

ARTICLE I

PURPOSE

SECTION 1. The purpose of the Medical Staff, as an organized component of the Hospital, is to:

- A. organize the activities of practitioners in the Hospital in order that they may carry out, in conformity with these Bylaws, the functions delegated to it by the Board of Directors;
- B. provide that all patients, regardless of race, color, religion, national origin, sex, age or disability, receive continuous, quality medical care from practitioners appointed to the Medical Staff;
- C. maintain and enhance the professional performance of all members of the Medical Staff through ongoing review and evaluation of clinical performance;
- D. provide an appropriate educational setting to maintain scientific standards that will lead to a continuous advancement in professional knowledge, skill and training;
- E. initiate and maintain Rules, Regulations and Policies for internal governance of the Medical Staff;
- F. provide a means for issues concerning the Medical Staff directly discussed by the Medical Staff with the Board of Directors and with Hospital Administration, with the understanding that the Medical Staff is subject to the ultimate authority of the Board of Directors and that cooperative efforts among the Medical Staff, Administration and Board of Directors are necessary to fulfill the purposes and missions of the Hospital; and
- G. serve as the primary means for the Medical Staff's accountability to the Board of Directors for the quality and appropriateness of the professional performance and ethical conduct of practitioners.

SECTION 2. The purpose of these Bylaws, Rules and Regulations is to:

- A. establish a framework within which the fundamental objective of the Hospital to provide comprehensive medical services, including diagnostic and curative medical care, preventive medical care, care and rehabilitation of the chronically ill and disabled, dental care, and facilities for education and research for those engaged in activities related to comprehensive medical services may be effectuated through orderly governance and through the performance of credentialing;

- B. facilitate effective cooperation with other affiliated and nonaffiliated hospitals and other community health agencies serving the Central and Eastern Kentucky area;
- C. facilitate effective affiliation with other hospitals and educational institutions to assist in the education of physicians, dentists, nurses, pharmacists, and Health Related Professionals;
- D. facilitate the formulation of long-range and short-range health planning goals;
- E. provide a method of continuous self-evaluation of the medical services through the delineation of staff privileges and review of clinical activities in order to improve performance and clinical outcomes;
- F. develop and maintain high standards in medical education programs and provide for continued medical education of practitioners;
- G. provide a means whereby issues concerning the Medical Staff and the Hospital may be discussed and resolved.

ARTICLE II

MEDICAL STAFF MEMBERSHIP

SECTION 1. Medical Staff Membership

- A. No Practitioner shall admit patients to the Hospital unless he or she is a member of the Medical Staff and has been granted clinical privileges in accordance with the procedures set forth in these Bylaws. Appointment to the Medical Staff shall confer only such clinical privileges as have been granted in accordance with these Bylaws.
- B. Membership on the Medical Staff of the Hospital is a privilege extended only to those Practitioners who continuously meet the qualifications, standards and requirements set forth herein.

SECTION 2. Eligibility for Membership

Physicians and dentists licensed to practice in Kentucky and who are or were members of the faculty of the University of Kentucky College of Medicine or Dentistry;

SECTION 3. General Qualifications

Only Practitioners who:

- A. document or provide evidence of (1) current, unrestricted licensure, (2) adequate experience, education and training; possessing currently valid American Board of Medical Specialties specialty/subspecialty qualification/certification, or demonstrates equivalent training/experience acceptable to the Credentials Committee, (3) current professional competence, (4) good clinical and professional judgment and skills, and (5) adequate physical and mental health status, with or without reasonable accommodations, relating to the exercise of the clinical privileges requested; and
- B. demonstrate willingness and ability to work cooperatively with other practitioners in a professional manner; and
- C. that demonstrate that they are professionally currently competent and that patients treated by them can reasonably expect continuous, quality medical care

shall be deemed to possess the basic qualifications for membership in the Medical Staff, except for the Honorary Staff category, in which case these criteria shall only apply as deemed individually applicable by the Hospital.

SECTION 4. Basic Responsibilities of Medical Staff Membership

Except for the Honorary Staff, the ongoing responsibilities of each member of the Medical Staff shall include, without limitation:

- A. continuously providing patients in a reasonably efficient manner with quality care that meets generally recognized professional standards.
- B. abiding by the Medical Staff Bylaws, Medical Staff Rules and Regulations, Medical Staff Policies and the Hospital Policies.
- C. completing such reasonable responsibilities, assignments and rotations required by virtue of Medical Staff membership, including committee assignments, proctoring of Practitioners, attendance requirements and accreditation requirements.
- D. supervising residents (post-graduate medical and dental trainees) as appropriate to their level of training.
- E. participating on, with or in Hospital or multi-disciplinary committees, teams or programs dealing with the overall medical environment at the Hospital including, without limitation, such functions as medical records, quality improvement, utilization review, practice guidelines, blood usage/blood component review, nursing services, drug usage and formularies, infection control, radiation safety, risk management, operative and invasive procedure review, safety and patient care policies.
- F. preparing and completing in timely fashion all medical records for the patients to whom the Member provides care in the Hospital.
- G. aiding and participating in approved educational programs for medical students, interns, resident physicians, resident dentists, physicians and dentists, podiatrists, clinical psychologists, nurses and other personnel.
- H. making appropriate arrangements for coverage of patients.
- I. desisting from improper inducements for patient referral or other unethical behavior.
- J. maintaining current professional competence through appropriate continuing education programs.
- K. participating in emergency service coverage or consultation panels.
- L. informing the Chief of Staff, in a timely manner, of any changes made or formal action initiated that could result in a change of license, DEA registration, participation in any

program or plan for the reimbursement of services, professional liability insurance coverage, membership or employment status or clinical privileges at other health care institutions or affiliations and the status or initiation of malpractice claims.

- M. performing a sufficient number of procedures, managing a sufficient number of cases and having sufficient patient care contact within the practitioner's practice to assess the practitioner's current clinical competence for any clinical privileges, whether being requested or already granted.
- N. participating in the Hospital's risk management program, quality assurance program and peer review activities.
- O. seeking consultation, in accordance with generally accepted standards of patient care, or when requested by the Chief of Staff.
- P. discharging such other Medical Staff obligations as may be lawfully established from time to time by the Medical Staff, the Clinical Board, or the Board of Directors.

SECTION 5. Conditions and Periods of Appointment

Application for membership to the Medical Staff shall constitute the staff member's agreement to abide by these Bylaws and Rules and Regulations. In addition, membership shall require the practitioner to:

- A. abide by the Principles of Medical Ethics of the American Medical Association, or the Code of Ethics of the American Dental Association, or Code of Ethics of applicable Allied Health Professions, as applicable;
- B. maintain and uphold the Behavioral Standards in Patient Care adopted for University Of Kentucky Chandler Medical Center and
- C. accede to alcohol and drug testing when requested by his/her Clinical Chief or Chief of Staff.
- D. participate in communicable disease prevention by having:
 - 1. Mantoux or similar tuberculin skin test annually or annual health questionnaire, and when deemed necessary, chest x-ray.
 - 2. MMR vaccine for all individuals born after 1956 (who cannot provide evidence of previous vaccination, physician diagnosed measles disease or laboratory evidence of measles immunity).

3. Hepatitis B immunization for individuals at risk unless previously immunized, diagnosed as immune by laboratory testing, or waived.
- E. Immediately inform the Chief of Staff and Risk Manager of any actions or investigations that have resulted in, or could result in, the limitation, restriction, reduction, suspension or revocation of any professional license, membership or clinical privileges.

SECTION 6. Provisional Status

Upon the recommendation by the Clinical Board, and after approval of an applicant's application by the Board of Directors (which shall not be bound by the Clinical Board's recommendation), an applicant shall be given a provisional appointment for a period of six months or remainder of the first Medical Staff Year whichever is greater. Provisional status may be extended by the Clinical Board for up to two additional terms of 6 months for good cause. Provisional staff shall have all the privileges and duties of full staff members in their category except that they shall not be eligible to hold office or vote unless permitted to do so by the Board of Directors. At the end of the provisional period and on recommendation of the applicant's Chief of Service, full staff status will be given for a period not to exceed the end of the then current Medical Staff Year. Reappointments shall be for a period of two Medical Staff Years.

Unless waived by the Clinical Board for good cause, each provisional Member of the Medical Staff shall undergo a period of observation by designated monitors or proctors. The observation shall be to evaluate the Member's (1) proficiency in the exercise of clinical privileges initially granted and (2) over-all eligibility for continued Medical Staff membership and advancement within Medical Staff categories. Observation of provisional Members shall follow whatever frequency and format each department or division deems appropriate in order to evaluate adequately the provisional Member including, but not limited to, concurrent or retrospective chart review, mandatory consultation, and/or direct observation. Appropriate records shall be maintained. The results of the observation shall be communicated by the department chairperson or Chief of Staff to the Clinical Board.

ARTICLE III

CATEGORIES OF THE MEDICAL STAFF

SECTION 1. Medical Staff Categories

The Medical Staff shall be divided into categories denominated: Honorary, Active, Clinical Fellows, Associate, Voluntary , Consulting.

SECTION 2. Honorary Category

The Honorary Category shall be comprised of physicians and dentists previously members of the Active Staff who are no longer actively practicing in the Hospital. These may be physicians and dentists who have retired from active hospital practice or who are of outstanding reputation, not necessarily residing in the community. Honorary Staff members shall not be eligible to admit patients, vote, hold office or serve on standing Medical Staff committees.

SECTION 3. Active Category

The Active Category shall be comprised of physicians and dentists who are full-time faculty members of the University of Kentucky College of Medicine or Dentistry and who hold clinical unrestricted medical or professional licenses to practice their profession in the Commonwealth of Kentucky, and who have been endorsed by their respective departmental, divisional and sectional chairmen as being active in the teaching program of the University. Only members of the Active Staff shall be eligible to vote at any meetings of the Medical Staff. Privileges shall be delineated upon appointment and with each reappointment. Members of the Active Staff shall be required to attend meetings of the Medical Staff and to serve on standing ad hoc Medical Staff committees.

SECTION 4. Clinical Fellow Category

The Clinical Fellow Category shall be comprised of physicians and dentists who are employed full-time by the University of Kentucky, who hold clinical unrestricted Kentucky licenses to practice their profession in the Commonwealth of Kentucky; who have completed all residency requirements for specialty boards and where applicable subspecialty boards, who have been endorsed by their respective departmental, divisional, and sectional chairmen as being engaged in specifically defined postresidency programs of research development, investigation training and/or clinical fellow patient care programs. Privilege shall be delineated on appointment and with each reappointment. Members of the Clinical Fellow Category may attend medical staff meetings without vote, serve on standing Medical Staff committees and, as a member of the University Hospital, may admit and manage patients in the Hospital and Clinics.

SECTION 5. Associate Category

The Associate Category shall be comprised of physicians and dentists who are part-time faculty of the University of Kentucky College of Medicine or Dentistry, who hold clinical unrestricted Kentucky licenses to practice their profession in the Commonwealth of Kentucky, and who have been endorsed by their respective departmental, divisional and sectional chairmen as contributing to the programs of the University. Privileges shall be delineated upon appointment and with each reappointment. In general, admission privileges shall be limited to periods of active involvement in teaching. Members of the Associate Staff may not hold office and do not have voting privileges at meetings of the Medical Staff, but they may attend Medical Staff meetings and serve on standing or ad hoc Medical Staff committees.

SECTION 6. Voluntary Category

The Voluntary Category of staff shall be comprised of physicians and dentists who are volunteer faculty of the University of Kentucky College of Medicine or Dentistry who hold clinical unrestricted Kentucky licenses to practice their profession in the Commonwealth of Kentucky and who have been endorsed by their respective departmental, divisional and sectional chairmen as contributing to the programs of the University. Privileges shall be delineated upon appointment and with each reappointment. Members of the volunteer faculty at the time they request privileges must provide the Hospital with recommendation of three licensed physicians or dentists who can attest to their professional qualification for the privileges they seek, provide evidence of satisfactory staff function from the hospitals where they concurrently hold, or in the recent past have held, privileges. They must with each application or reapplication provide evidence of malpractice insurance sufficient to cover the reasonable anticipated risks of their specialty as defined by the University of Kentucky Malpractice Committee. Members of the Volunteer Staff may not hold office and do not have voting privileges at meetings of the Medical Staff, but they may attend Medical Staff meetings and serve on standing Medical Staff committees.

SECTION 7. Consulting Category

The Consulting Category shall be comprised of specialists who are Board qualified/certified, and/or recognized as having special competence in their field, and are endorsed by the relevant departmental, divisional and sectional chairmen as contributing to the programs of the University. Privileges shall be delineated upon each appointment and reappointment. Members of the consulting staff shall not be entitled to vote at any Medical Staff meetings, hold office or serve on standing Medical Staff committees, nor shall such consulting staff members be required to attend Medical Staff meetings.

ARTICLE IV

HEALTH RELATED PROFESSIONS STAFF

SECTION 1. Membership and Identification

The Health Related Professions Staff shall be comprised of licensed practitioners including, without limitation, those who are faculty members of the University of Kentucky and/or employees of the University of Kentucky and selected volunteers, who are appointed by the Board of Directors. Members of the Health Related Professions Staff shall be identified as Health Related Professions Staff of a particular clinical department or service. Though Members of the Health Related Professions Staff shall not be considered members of the Medical Staff they nevertheless shall be bound by these Bylaws, Rules and Regulations, except that they shall not be entitled to the procedures set forth in Article VIII.

SECTION 2. Privileges

Members of the Health Related Professions Staff shall have privileges delineated upon appointment. Privileges for individuals involved with the management of patients will be under the supervision of an Active Medical Staff member and will be strictly limited to the performance of specialized services within the field of the member's competence. The privileges will be specifically designated by individual by the Board of Directors and will be noted in the individual's credentials file.

SECTION 3. Application Process

All applications for appointment to the Health Related Professions Staff shall be submitted on a form developed by the Chief of Staff. Such forms are to be completed and signed by all applicants who, as a condition to applying, shall agree to be bound by these Bylaws, Rules and Regulations and policies of the Medical Staff and Hospital. The procedures, inquiries and commitments set forth in Article IV of these Bylaws for membership on the Medical Staff shall likewise apply to membership on the Health Related Professions Staff, and submission of a completed application for membership on the Health Related Professions Staff shall constitute acknowledgment by the applicant that the Medical Staff procedures, inquiries and commitments are applicable.

SECTION 4. Condition and Periods of Appointment

- A. The same conditions and periods of appointment set forth in these Bylaws for members of the Medical Staff shall likewise apply to applications and members of the Health Related Professions Staff.

- B. Appointment to the Health Related Professions Staff shall confer on the appointee only such clinical privileges as have been set forth in the appointment.**

ARTICLE V

PROCEDURE FOR APPOINTMENT AND REAPPOINTMENT

SECTION 1. General

No practitioner (including practitioners engaged by the Hospital by contract and/or Practitioners holding Medical Staff offices or administratively responsible positions) shall exercise clinical privileges in the Hospital unless and until he or she applies for and receives appointment to the Medical Staff or is granted temporary privileges as set forth in these Bylaws. By applying to the Medical Staff for appointment or reappointment (or, in the case of members of the Honorary Staff, by accepting an appointment to that category), the applicant acknowledges responsibility to review these Bylaws, and agrees that throughout any period of membership he or she will comply with the responsibilities of Medical Staff membership and will be bound by the Bylaws, Rules and Regulations and Policies of the Medical Staff, as they exist and as they may be modified from time to time.

SECTION 2. Nondiscrimination

Medical Staff membership or particular clinical privileges shall not be determined or denied on the basis of an applicant's sex, race, age, religion, color, national origin or disability.

SECTION 3. Application Process

When an applicant requests an application form, he or she shall be given a copy of these Medical Staff Bylaws, Rules and Regulations and summaries of other applicable policies related to clinical practice in the Hospital, including the Behavioral Standards in Patient Care adopted by the University of Kentucky Chandler Medical Center.

- A. All applications for appointment to the Medical Staff shall be submitted on a form developed by the Chief of Staff. Such forms are to be completed by all applicants, signed by the applicant, and shall contain the applicant's specific acknowledgment of his/her obligation to provide continuous care and supervision of his/her patients; to accept, attend and complete required committee assignments; and to accept consultation assignments. In addition, the applicant shall specifically acknowledge that any misrepresentation or failure to fully disclose requested information shall be sufficient to result in the immediate revocation of his/her appointment or denial of his/her application for appointment.

B. Burden of Producing Information

In connection with all applications for appointment, reappointment, advancement, modification of clinical privileges or transfer, the applicant or member shall have the burden of timely producing complete and accurate information for an adequate evaluation of the applicant's qualifications and suitability for the clinical privileges and the Medical Staff category requested, of resolving any reasonable doubts about these matters, and of satisfying reasonable requests for information including requests for interviews. The applicant's failure to sustain this burden in a timely fashion shall be grounds for denial of the application, which shall be considered as voluntarily withdrawn, without any procedural rights under Article VIII, Section 2. This burden may include submission to a medical or psychiatric examination at the applicant's expense, if deemed appropriate for the clinical privileges requested and the Chief of Staff will select the examining physician.

C. The applicant shall supply detailed information as to the following:

1. the applicant's qualifications, including, but not limited to, professional training and clinical experience, judgment, current unrestricted licensure, professional liability insurance, current DEA registration (if applicable), and continuing medical education information related to the clinical privileges requested by the applicant.
2. a minimum of three peer references familiar with the applicant's professional competence (preferably one reference on professional competence should be from someone of the same specialty or training) and character during the prior five years.
3. requests for membership categories, departments and divisions, and clinical privileges.
4. previous, and currently pending, professional disciplinary actions, or licensure limitations, irrespective of reinstatement.
5. voluntary or involuntary termination of medical staff membership, voluntary or involuntary limitation, reduction or loss of clinical privileges at another hospital, health care entity or managed care plan, irrespective of reinstatement or withdrawal of an application for Medical Staff membership prior to final action by the Hospital, together with a written explanation for such termination or withdrawal, which includes whatever relevant third party information is available to the applicant.

6. Medical Staff membership or clinical privileges at any health care facility, program or managed care plan that are currently the subject of an investigation or corrective or disciplinary action and the reasons for same.
7. any pending application for Medical Staff membership or clinical privileges at another health care facility, program or managed care plan.
8. physical and mental health status as they relate to the applicant's ability, with or without reasonable accommodation, to exercise the clinical privileges requested.
9. final judgments or settlements, together with pending actions, against the applicant in professional liability actions and current professional liability insurance in such amounts and types as are required by the Hospital.
10. reports to the National Practitioner Data Bank involving the applicant.
11. applicant's PRO history, if applicable.
12. any criminal convictions, involving any felony and any misdemeanor, provided the misdemeanor involved professional activity, or a crime of moral turpitude.
13. sequential history of medical or dental career, accounting for every year since graduation from professional school.
14. whether the applicant's license to practice any profession in any jurisdiction have ever been voluntarily or involuntarily relinquished, suspended or terminated;
15. whether the applicant's membership in local, state or national medical or dental or other societies has ever been voluntarily or involuntarily revoked, suspended or not renewed; and
16. whatever additional reasonable information the Hospital or the Medical Staff deems relevant.

D. By applying for appointment to the Medical Staff, each applicant:

1. signifies his/her willingness to appear for interviews, if requested, regarding the application; authorizes consultation by his/her department chairperson (Chief of Clinical Service), the Dean of the College of Medicine, the Chief of Staff, the

Clinical Board, the Chancellor for the Medical Center, the President, members of the Board of Directors and members of the Board of Trustees, with members of medical staffs of other hospitals and ambulatory care programs with which the applicant has been associated, and with others who may have information bearing on the applicant's competence, character and ethical qualifications.

2. consents to the inspection, by any of the persons holding the above described offices, of all records and documents bearing upon his/her qualifications for clinical privileges and staff membership.
 3. agrees to immediately inform in writing the Chief of Staff and the Risk Management Office of the University of Kentucky Hospital of any change, voluntary or involuntary, of hospital staff membership or clinical privileges, of licenses to practice medicine or dentistry, of membership in local, state, or national dental or medical societies; of any involvement in professional liability action while a member of the University of Kentucky Hospital staff.
 4. releases from any liability all representatives of the University of Kentucky and its Medical Staff for their acts performed without actual malice in connection with evaluating the applicant and his/her credentials, and releases from any liability all individuals and organizations who provide information to the University of Kentucky or its Medical Staff without actual malice concerning the applicant's competence, ethics, character and other qualifications for staff appointment and clinical privileges, including otherwise privileged or confidential information.
- E. Upon completion of the application form, the applicant shall submit the signed application to his/her department chairperson or, in the case of health related professionals, to the appropriate department chairperson (Chief of Clinical Service).
- F. The department chairperson (Chief of Clinical Service) , with assistance of the Medical Staff coordinator, shall, with respect to each application form, verify from primary sources (when possible) the accuracy of the information supplied by the applicant, and make inquiry to the National Practitioner Data Bank. In addition, the department chairperson (Chief of Clinical Service) for each application and reapplication, shall prepare a written recommendation concerning the applicant which shall include an evaluation of the applicant's abilities to carry out staff responsibilities and a specific delineation of proposed privileges. The department chairperson's (Chief of Clinical Service) recommendation shall become a part of the application.

No action will be taken on a request for privileges until it is verified that the practitioner possesses an appropriate, current and unrestricted medical or professional Kentucky license; and that the practitioner has appropriate education, training, experience,

current competence, judgment and clinical skills to perform the clinical privileges requested.

- G. The department chairperson (Chief of Clinical Service) shall forward the application to the Chief of Staff who shall submit it to the Credentials Committee. The Credentials Committee shall obtain or inspect any and all records, letters of recommendation, performance improvement data, or other materials deemed pertinent. The Credentials Committee shall summarize its findings in the form of a recommendation including a delineation of clinical privileges which shall become a part of the application.
- H. The Credentials Committee shall forward the application to Chief of Staff who shall obtain or inspect any and all records, letters of recommendation, performance improvement data, or other materials deemed pertinent. The Chief of Staff shall summarize the findings in the form of a recommendation including a delineation of clinical privileges which shall become a part of the application, at which time the application shall be deemed verified and complete.

SECTION 4. Appointment Process

- A. The Chief of Staff shall forward the completed application to the Clinical Board.
- B. The Clinical Board shall review the completed application and prepare its written recommendation to become a part of the application. All recommendations to appoint must also specifically recommend the clinical privileges to be granted, which may be qualified by probationary conditions relating to such clinical privileges.
- C. The Clinical Board shall forward its recommendation through the Hospital Director to the Board of Directors.
- D. At its next regular meeting, following receipt of the application from the Hospital Director, the Board of Directors shall act upon the application. Once the Board of Directors approves, modifies, or disapproves the application as submitted by the Hospital Director, including the recommended delineation of clinical privileges, it shall return the application to the Chief of Staff who shall notify the applicant in writing.
- E. Upon receipt of the action of the Board of Directors on any application, the Chief of Staff shall send written notice to the Hospital Director, the Clinical Board and the chairperson of the department concerned (Chief of Clinical Service).

F. All actions of the Board of Directors shall be effective when taken, including the delineation of clinical privileges.

G. Reapplication After Adverse Appointment Decision

An applicant who has received a final adverse decision regarding appointment and/or request for clinical privileges shall not be eligible to reapply to the Medical Staff for a period of one year from the date of the final decision. Any reapplication shall be processed as an initial application, and the applicant shall submit such additional information as may be required to demonstrate that the basis for the earlier adverse action no longer exists.

H. Timely Processing of Applications.

Applications for Medical Staff appointment shall be considered in a timely manner by all persons and committees required by these Bylaws to act thereon. While special or unusual circumstances may constitute good cause and warrant exceptions, the following time periods provide a guideline for routine processing of applications: Final action shall be taken within 120 days from the date the application is deemed complete, unless bona fide questions exist regarding the applicant's education, qualification, current competency or ability to exercise privileges and responsibilities under these Medical Staff Bylaws, in which case additional time up to 120 days may be taken to act on the application.

I. Request that Application be Held in Abeyance.

At any time in the application process prior to a recommendation by the Clinical Board to the Board of Directors for final action, an applicant may request that his/her application be held in abeyance for a period up to, but no greater than, 180 days, after which time the application shall lapse and expire with no right to the procedures set forth in Article VIII, Section 2, and the applicant shall be required to submit a new application. The burden shall be on the application to update immediately any information.

J. Lapse of Application.

If a Medical Staff Member requesting a modification of clinical privileges or department or division assignment fails to timely furnish the information necessary to evaluate the request, the application shall automatically lapse, and the applicant shall not have procedural rights under Article VIII, Section 2.

SECTION 5. Reappointment Process and Request for Modification of Staff Category or Clinical Privileges.

- A. All applications for reappointment shall be submitted by the applicant by March 31 of each year in which the reappointment is sought, at a minimum of every two years, on a form developed by the Chief of Staff.**
- B. Failure, without good cause as determined in good faith by the Clinical Board, to timely file a completed application for reappointment by the Reapplication Due Date shall result in the automatic termination of the Member's Medical Staff appointment and admitting privileges at the end of the current Medical Staff appointment, unless otherwise extended by the Clinical Board with the approval of the Board of Directors. The Member shall be immediately notified by certified mail. In the event membership terminates for the reasons set forth herein, the procedural procedures set forth in Article VIII shall not apply.**
- C. The reappointment form shall be supplemental to the original application for appointment or the most recent application for reappointment, and the applicant shall supply any information about himself/herself which is additional to that furnished on the original application form or that furnished on his/her most recent reappointment application. All application for reappointment forms shall contain the acknowledgments, authorizations and releases set forth in Article V, Section 3. Any request for a change in clinical privileges shall be included by the applicant on the reappointment form.**
- D. In addition, documentation of current Kentucky license, current federal narcotics registration, information regarding continuing education activities in which the applicant has participated since the last application, and one peer letter attesting to the applicant's ability to perform the privileges requested shall accompany the reappointment application.**
- E. A Medical Staff member who seeks a change in Medical Staff status or modification of clinical privileges may submit such a request at any time upon a form developed by the Chief of Staff, and properly completed, except that such application may not be filed within six (6) months of the time a similar request has been denied. The Clinical Board, through the Medical Staff Office and Chiefs of Service/department Chairperson, will verify any training or instruction involved, and if the request is approved by the Board of Directors, provide for a provisional or proctoring period and then evaluate the clinical results of such period.**
- F. Upon completion of the reappointment application, the applicant shall submit it to his/her department chairperson, or in the case of health related professionals, the appropriate Chief of Clinical Service. The department chairperson (Chief of Clinical Service) shall, with respect to each application form, verify in writing on the form the accuracy of the information supplied by the applicant. The Department Chairperson (Chief of Clinical**

Service) shall review the applicant's professional performance in discussion with fellow faculty; review of divisional and departmental quality of care activities. In addition, the department chairperson (Chief of Clinical Service) from the information provided, obtained, and reviewed shall prepare a written recommendation concerning the applicant which shall include an evaluation of the applicant's abilities to carry out staff responsibilities and a specific delineation of proposed privileges. The department chairperson's (Chief's of Clinical Service) recommendation shall become a part of the application, at which time application shall be deemed verified and complete.

- G. The department chairperson (Chief of Clinical Service) shall forward the application to the Chief of Staff who shall submit it to the Credentials Committee. The Credentials Committee shall obtain or inspect any and all records, letters of recommendation, performance improvement data, or other materials deemed pertinent. The Credentials Committee shall summarize its findings in the form of a recommendation including a delineation of clinical privileges which shall become a part of the application.
- H. The Credentials Committee shall forward the application to Chief of Staff who shall obtain or inspect any and all records, letters of recommendation, performance improvement data, or other materials deemed pertinent. The Chief of Staff shall summarize the findings in the form of a recommendation including a delineation of clinical privileges which shall become a part of the application.
- I. The Chief of Staff shall forward the completed application to the Clinical Board.
- J. The Clinical Board shall review the completed application and prepare its written recommendation to become a part of the application. All recommendations to appoint must also specifically recommend the clinical privileges to be granted, which may be qualified by probationary conditions relating to such clinical privileges.
- K. The Clinical Board shall forward its recommendation through the Hospital Director to the Board of Directors.
- L. At its next regular meeting, following receipt of the application from the Hospital Director, the Board of Directors shall act upon the application. Once the Board of Directors approves, modifies, or disapproves the application as submitted by the Hospital Director, including the recommended delineation of clinical privileges, it shall return the application to the Chief of Staff who shall notify the applicant in writing.
- M. Upon receipt of the action of the Board of Directors on any application, the Chief of Staff shall send written notice to the Hospital Director, the Clinical Board and the chairperson of the department concerned (Chief of Clinical Service).

N. All actions of the Board of Directors shall be effective when taken, including the delineation of clinical privileges.

O. Extension of Appointment.

If an application for reappointment has not been fully processed by the expiration date of the Member's appointment and is otherwise in order, the practitioner shall maintain membership status and clinical privileges until such time as the processing is completed, unless the delay is due to the Practitioner's failure to timely complete and return the reappointment application form or provide other documentation, in which case membership shall expire. Any extension of an appointment pursuant to this Section does not create a vested right in the practitioner for continued appointment through the entire next term but only until such time as processing of the application is concluded.

ARTICLE VI

CLINICAL PRIVILEGES

SECTION 1. Exercise of Privileges

Except as otherwise provided in these Bylaws, a Member of the Medical Staff with clinical privileges at the Hospital shall have access to the Hospital to exercise only those clinical privileges specifically granted. Clinical privileges must be within the scope of any license, certificate or other legal credential authorizing practice in Kentucky and consistent with any restrictions thereon, and shall be subject to the rules and regulations of the clinical department and the authority of the department chairperson (Chief of Clinical Service) and the Medical Staff. Each practitioner shall be assigned to the primary department in which clinical privileges are granted.

SECTION 2. Delineation of Privileges in General

- A. Each applicant for appointment or reappointment to the Medical Staff must request the specific clinical privileges desired. All applications for clinical privileges, including modifications to existing privileges, must be supported by documentation of training and/or experience.
- B. Each member of the Medical Staff shall exercise only those clinical privileges specifically granted to him/her by the Board of Directors. Whenever patient needs exceed the limits of privileges granted, consultation is required.
- C. Surgical procedures performed by dentists shall be under the overall supervision of the chief of surgery. A physician member of the Medical Staff shall be responsible for the treatment of any medical problem that may be present in a patient at the time of admission to the hospital or that may arise during the hospitalization of the patient.
- D. A member of a health related profession may exercise only those clinical privileges specifically granted by the Board of Directors and may, subject to any licensure requirements or other legal limitations, exercise judgment within the areas of his/her professional competence. A member of a health related profession shall be directly responsible to the relevant Chief of Clinical Service and must be supervised during patient treatment by the physician or dentist attending the patient.
- E. Medical Staff members desiring joint appointments shall have their requests to perform specific patient services evaluated by the department(s) and specialty division(s) within which the services of the Medical Staff member will be provided.

SECTION 3. Basis for Privileges Determination

Requests for clinical privileges shall be evaluated on the basis of the Member's prior and continuing education, training, experience, demonstrated current professional competence and judgment, clinical performance, utilization practice patterns, current health status and ability to exercise clinical privileges and responsibilities, with or without reasonable accommodations, the Hospital's capability to support the privileges requested, adequate professional liability insurance coverage, and the documented results of patient care and other quality review and monitoring which the Medical Staff deems appropriate.

SECTION 4. Proctoring

Except as otherwise determined by the Clinical Board with the approval of the Board of Directors, all initial appointees to the Medical Staff and all Members granted new clinical privileges shall be subject to a period of proctoring. Each appointee or recipient of new clinical privileges shall be assigned to a department and division where performance of an appropriate number of cases as established by the Clinical Board, or the department or division as the designee of the Clinical Board, as approved by the Board of Directors, shall be observed by the chairperson of the department or division, or the chairperson's designee, during a period of proctoring specified in the department's or division's rule and regulations, to determine suitability to continue to exercise the clinical privileges granted in that department or division. The exercise of clinical privileges in any other department or division shall also be subject to direct observation by that department's or division's chairperson or his designee. The Member shall remain subject to such proctoring until the Clinical Board has been furnished with:

- A. a report signed by the chairmen of the department(s) and division(s) to which the Member is assigned, describing the types and numbers of cases observed and the evaluation of the Member's performance, a statement that the applicant appears to meet all of the qualifications for supervised or unsupervised practice in that department or division, has discharged all of the responsibilities of Medical Staff membership; and
- B. a report signed by the chairmen of the other department(s) and division(s) in which the clinical privileges initially granted in those departments. practitioner may exercise clinical privileges, describing the types and number of cases observed and the evaluation of the practitioner's performance and a statement that the applicant has satisfactorily demonstrated the ability to exercise those privileges.

SECTION 5. Temporary Privileges

- A. Upon receipt of an application for appointment to the Medical Staff from a physician, dentist or a member of a related health profession licensed to practice in the Commonwealth of Kentucky, the Chief of Staff may grant temporary privileges, provided:

1. The Chief of Staff, with assistance through the Medical Staff Office, verifies that the practitioner possesses an appropriate, current and unrestricted medical or professional Kentucky license; that the practitioner has appropriate education, training, experience, current competence, judgment and clinical skills to perform the clinical privileges requested. No action will be taken on a request for temporary privileges until such requirements are verified.
2. The Chief of Staff or the appropriate department or division chairperson has interviewed the applicant and has contacted at least two persons who have:
 - i. worked with the applicant during the prior twelve (12) months;
 - ii. directly observed the applicant's professional performance over a reasonable period of time; and who
 - iii. provide reliable information regarding the applicant's current professional competence and character.
3. an inquiry is made to the National Practitioner Data Bank; and
4. the applicant's department chairperson (Chief of Clinical Services) after reviewing the applicant's file and attached materials, recommends granting temporary privileges.

In exercising such temporary privileges, the applicant shall act under the general supervision of the chairperson (Chief of Clinical Service) of the department to which he/she is assigned. The Chief of Staff shall forward the application in accordance with Article V, Section 3 and shall notify, in writing, the Hospital Director and the applicant of the specific temporary privileges granted and their duration.

B. Temporary privileges for the care of a specific patient may be granted to a physician or dentist licensed to practice in the Commonwealth of Kentucky who is not an applicant for membership to the Medical Staff, by the Chief of Staff. Such temporary privileges may be granted only after the Chief of Staff, with assistance through the Medical Staff Office, has:

1. Verified that the practitioner (1) possesses an appropriate, current and unrestricted medical or professional Kentucky license; that the Practitioner has appropriate education, training, experience, current competence, judgment and clinical skills to perform the clinical privileges requested. No action will be taken on a request for temporary privileges until such requirements are verified.

2. Received from the physician or dentist his/her signed acknowledgment that he/she received and read copies of the Medical Staff's Bylaws, Rules and Regulations and that he/she agrees to be bound by the terms thereof in all matters relating to his/her temporary privileges. Such temporary privileges shall be restricted to a period not to exceed 30 days unless the Chief of Staff recommends a longer period for good cause.
- C. Special conditions and requirements of supervision and reporting may be imposed by the department chairperson (Chief of Clinical Service) on any physician or dentist granted temporary privileges, which may include the following:
1. If granted temporary privileges, the practitioner shall act under the supervision of the department or division chairperson (Chief of Clinical Services) to which the practitioner has been assigned, and shall ensure that the chairperson, or the chairperson's designee, is kept closely informed as to his or her activities within the Hospital.
 2. Temporary privileges shall automatically terminate at the end of the designated period, unless earlier terminated by the Chief of Staff or Clinical Board, or unless affirmatively renewed.
 3. Requirements for proctoring and monitoring shall be imposed on such terms as may be appropriate under the circumstances upon any practitioner granted temporary privileges.
 4. Temporary privileges may be immediately terminated at any time by the Chief of Staff after notifying the chairperson of the department or division or his or her designee. In such cases, the appropriate department or Clinical Section Chief or, in the chairperson's/Chief's absence, the Chief of Staff shall assign a Member of the Medical Staff to assume the responsibility for the care of such practitioner's patient(s). The wishes of the patient shall be considered in the choice of a replacement Medical Staff Member.
 5. A practitioner shall not be entitled to the procedural rights afforded by Article VIII because a request for temporary privileges is refused or because all or any portion of temporary privileges are terminated or suspended.
 6. All practitioners requesting or receiving temporary privileges shall be bound by the Bylaws, Rules and Regulations and Policies of the Medical Staff.

SECTION 6. Emergency Privileges

In the case of an emergency (i.e., a condition in which serious permanent harm would result to a patient or in which the life of a patient is in immediate danger and any delay in administering treatment would add to that danger), any physician or dentist to the degree permitted by his/her license and regardless of department or staff status or lack of it, shall be permitted and assisted to do everything possible to prevent serious permanent harm or to save the life of the patient, using every facility of the Hospital necessary, including calling for any consultation necessary or desirable. When an emergency situation no longer exists, such physician or dentist must request the privileges necessary to continue to treat the patient. In the event such privileges are denied or the physician or dentist does not desire to request privileges, the patient shall be assigned to an appropriate member of the Medical Staff.

ARTICLE VII

CRITERIA FOR RECOMMENDATIONS FOR APPOINTMENT AND REAPPOINTMENT TO MEDICAL STAFF AND RECONSIDERATION

SECTION 1. Criteria for Appointment and Reappointment to Medical Staff

Whenever a department chairperson (Chief of Clinical Service), Chief of Staff, the Clinical Board, or the Board of Directors is or are called upon to review an application for appointment or reappointment to the Medical Staff and to make a recommendation or to take action concerning the application, the applicant shall be evaluated on the basis of the applicant's education, training, experience, clinical performance, competence and clinical judgment in the treatment of patients, ethics, conduct, attendance at Medical Staff meetings, participation in staff affairs, compliance with Hospital Policies, compliance with Medical Staff Bylaws and Rules and Regulations, cooperation with Hospital personnel, use of Hospital facilities for his/her patients, faithfulness in assigned department duties, relations with other practitioners, general attitude toward patients, compliance with Medical Center Behavioral Standards in Patient Care, mental and physical abilities to carry out staff responsibilities and any other areas of concern relevant to the practice of his/her profession.

SECTION 2. Reconsideration

- A. Whenever an applicant for appointment or reappointment receives notice that his/her application for staff membership has been rejected or recommended for rejection at any level or that the clinical privileges delineated by the Board of Directors are at variance with those requested by the applicant, the applicant may request reconsideration of his/her application by an ad hoc committee. The ad hoc committee shall consist of three members of the Clinical Board appointed by the Dean of the College of Medicine, three members of the Board of Directors appointed by the Board of Directors and three members of the Active Medical Staff appointed by the Chief of Staff. The request must be in writing and received within 10 business days following the applicant's receipt of notification. The applicant may request to be heard in his/her own behalf, but without being represented by counsel.
- B. The ad hoc committee shall reconsider the application and shall notify in writing the applicant and the decision making person or body of its recommended action which may be one of the following:
1. approval of the application for staff membership,
 2. rejection of the application for staff membership,
 3. further processing of a deferred application for staff membership,

4. continued deferral of an application for staff membership,
 5. granting of all or part of the privileges requested by the applicant, or
 6. denial of all or part of the privileges requested by the applicant.
- C. The ad hoc committee's recommendation shall be promptly delivered to the Board of Directors, which shall take action on it at its next regular meeting. If the application for appointment or reappointment or increase of clinical privileges is denied for quality reasons, the applicant shall be entitled to the procedural rights in Article VIII.

ARTICLE VIII

CORRECTIVE ACTION, AND PROFESSIONAL REVIEW ACTIVITY HEARING AND
APPEAL

SECTION 1. Corrective activities

A. Automatic Suspension

1. Automatic suspension may be imposed upon a Medical Staff member by the Chief of Staff whenever:

a. The Medical Staff member, after receipt of a warning of delinquency for failure to complete medical records within 30 days of patient's discharge (See Part 2, Rules and Regulations, Medical Records) fails to complete the records. Such automatic suspension shall be temporary and effective until the records are complete and need not be followed by a written request for corrective action.

b. The medical staff member after receipt of a warning of delinquency for failure to abide by the medical staff policies regarding management of Diagnostic Radiology films, pictures, and other records persists in failure to abide by the policies and procedures for the maintenance and integrity of radiologic records. Such automatic suspension will be temporary and effective until the delinquency is corrected and need not be followed by a written request for corrective action.

c. The State Board of Medical Examiners, the State Board of Dentistry or other appropriate state licensing agency revokes or suspends or restricts a Medical Staff member's license to practice or places such Medical Staff member on probation. Such automatic suspension shall be effective at least until the Medical Staff member regains a full and unrestricted license to practice his/her profession.

d. The Medical Staff member's faculty or employment status at the University is terminated. The Medical Staff member shall notify the Chief of Staff whenever said Medical Staff member's faculty or employment status is terminated. In the case of a full-time faculty member changing to a voluntary or part-time faculty member, his/her Medical Staff membership shall automatically change from active to associate, or voluntary and the Chief of Staff shall notify the relevant department chairperson (Chief of Clinical Service), the relevant Dean, the Hospital Director and the Chancellor.

2. Notification of automatic suspension.

Notification of the automatic suspension must be made in writing to the Medical Staff member, and the relevant department chairperson (Chief of Clinical Service).

The Chief of Staff shall notify the National Practitioner Data Bank for automatic suspensions of more than thirty (30) days, and the appropriate state licensure board under the laws of the Commonwealth of Kentucky.

B. Corrective Disciplinary or Clinical Concern Action

1. Request for Corrective Activity Investigation

Whenever any member of the Medical Staff, including, without limitation, the Chief of Staff, the Chief of Clinical Service (department chairperson), the chairperson of any quality committee, any member of the Clinical Board, as well as the Hospital Director or member of the Board of Directors, who has reason to believe that grounds exist may Request or seek a Request for a Corrective Activity Investigation.

2. Grounds.

A Request for Corrective Disciplinary or Clinical Concern Action may be made, based on information available at the time of the Request, where reasonable belief of any of the following grounds exist:

a. Clinical deficiencies including the failure by a Practitioner to meet the Hospital's Standards of Quality Care, which may be considered in terms of frequency and/or severity.

b. Professional conduct, behavior or impairment not in the best interest of quality patient care, or a condition that places the Affected Practitioner or others at a risk of harm.

c. Behavior disruptive to the orderly operation of the Hospital, which may include, but is not limited to, verbal and/or physical actions, threats or other inappropriate behavior directed against patients, physicians, nurses other Hospital personnel or the public.

d. Recurrence of clinical and/or behavior problems. For purposes of establishing recurrence and/or pattern of problems, attention should focus on incidents most proximate in time to the request for Corrective Action, but other, more remote incidents may also be considered as relevant background.

e. Violation of the terms and conditions of any Corrective Action Plan, Remedial Action Plan or aftercare agreement.

3. Form of Request

A written Request identifying or describing any act, incident, problem, deficiency or concern reasonably believed to constitute grounds, shall be signed by the Chief of Staff, Chief of Service (departmental chairperson), the Hospital Director or member of the Board of Directors.

4. Fact-finding Investigation

The Chief of Staff shall appoint a designee or Ad Hoc Fact-finding Committee, who are not members of the Medical Staff, to investigate the matter. The designee or Ad Hoc Fact-finding Investigation Committee shall review records and documentary material that are relevant or which could lead to relevant facts, including, but not limited to, medical records, quality assessment data, quality assessment/incident reports, complaints and reports.

The designee or Ad Hoc Fact-finding Investigation Committee may consult with third-party reviewer/consultant(s) regarding the investigation. The designee or Fact-finding Investigation Committee may interview any person with knowledge of any deficiency, problem, conduct, behavior or incident serving as grounds for the Request for Corrective Action. These interviews shall be confidential.

The designee or Ad Hoc Fact-finding Investigation Committee shall notify and conduct an interview with the Affected Practitioner, unless the Affected Practitioner declines. This interview is informal and does not constitute a hearing. The Affected Practitioner shall have an opportunity to discuss the subject matter of the Request for Corrective Action

The designee or Ad Hoc Fact-finding Investigation Committee shall make a written Report of its investigation to the Clinical Board. The Report shall indicate whether, based on the information obtained and/or reviewed during the investigation, sufficient factual support exists for Corrective Action to be considered, but it shall not make a specific recommendation as to what Corrective Action, if any, should be taken. The Report may inform the Clinical Board of additional incidents, deficiencies, problems or other relevant information learned in the course of investigation. If the investigation concludes there is no basis for the Request for Corrective Action, this should be reported to the Clinical Board which may dismiss the Request.

The Report shall include any information obtained and/or reviewed by designee or Ad Hoc Fact-finding Investigation Committee.

The Report shall be delivered to the Clinical Board within 30 business days from the date the Request was received, unless the designee or Ad Hoc Fact-finding Investigation Committee informs the Chief of Staff that it requires an additional 30 days to complete the investigation, because further information is reasonably requested.

6. Recommendation

The Clinical Board shall determine what action, if any, is to be taken and notify the Affected Practitioner.

7. Corrective Action Options

The following forms of corrective action are available to be taken against any member of the Medical Staff:

- a. oral warning to Medical Staff member;
- b. formal written reprimand to Medical Staff member with notice to his/her immediate superior;
- c. summary suspension of privileges;
- d. automatic suspension of privileges;
- e. reduction of privileges;
- f. revocation of privileges

The Chief of Staff shall notify the National Practitioner Data Bank for automatic suspensions of more than thirty (30) days, and the appropriate state licensure board under the laws of the Commonwealth of Kentucky.

C. Summary suspension

1. Grounds

Whenever reasonable belief exists that immediate action must be taken in the interest of quality care or to protect the safety of patients, the practitioner or to others because of the risk of harm, the Chief of Staff, or the Chief of Clinical Service (department chairperson), or the Hospital Director, or the Clinical Board, or the Board of Directors shall have the authority to suspend all or any portion of the Affected Practitioner's clinical privileges and/or Medical Staff appointment. Summary suspension may be instituted at any time, including during the pendency and processing of a Request for Corrective Action Investigation, described in Article VIII, Section 1.B.

2. Immediate Effect and Coverage Arrangement

Summary suspension shall be effective immediately upon imposition. The Chief of Staff and/or Chief of Clinical Services (department chairperson) shall arrange for appropriate alternate coverage by a member of the medical staff to patients of the Affected Practitioner, so that continuity of care is not interrupted or compromised.

3. Notice

Notice to the Affected Practitioner may first be made orally, but must be in writing and delivered to the Affected Practitioner in person or by certified mail within 24 hours. The notice shall identify or describe any act, incident, problem, deficiency or risk that is reasonably believed to constitute grounds for Summary Suspension and shall inform the Affected Practitioner of his/her right to request a Hearing, within thirty (30) business days from the date he/she first is notified that Summary Suspension has been imposed. A copy of the written notice shall be delivered as soon as practicable to the Clinical Board, the Chief of Clinical Service (department chairperson) and the Hospital Director.

4. Request for Summary Suspension Reconsideration

a. The Affected Practitioner whose privileges and/or appointment have been summarily suspended may request a reconsideration before the Chief of Staff by delivering a written request to the Chief of Staff within 24 hours from the date and time the Affected Practitioner first received written notice that his/her privileges and/or appointment have been summarily suspended.

5. Summary Suspension Reporting

Any Summary Suspension in effect for fourteen (14) days or longer shall be reported to appropriate licensure board under the laws of the Commonwealth of Kentucky by the Chief of Staff, and if in effect for thirty (30) days or longer shall be reported to the National Practitioner Data Bank by the Chief of Staff.

D. Voluntary Remediation

1. It is in the best interest of the Hospital, through its Medical Staff, to enhance patient care quality and for issues or potential issues involving the clinical competency and/or conduct or behavior of practitioners to be identified early and, if possible, remedied in a productive manner. Depending on the particular circumstances presented, determined on a case-by-case basis, remediation may be sought by voluntary, non-confrontational and informal means, rather than by formal Corrective Action.

2. Voluntary Remediation may be appropriate when a problem or potential problem, though cause for concern, may or may not constitute grounds for formal Corrective Action and is of such a nature that voluntary measures can be taken to resolve it. Nothing in this Article, however, limits or restricts in any way the taking of Corrective Action, at any time when warranted, nor shall Voluntary Remediation be interpreted as a mandatory first step or pre-condition to taking Corrective Action.

3. Voluntary Remediation is an authorized peer review activity of the Hospital and its Medical Staff. It can, depending on circumstances, function through a variety of ways, including, but not limited to, informal interviews between a practitioner with the Chief of Staff and/or the Clinical Board. It may involve the use of outside consultants, reviewers, mediators and monitors. Those participating in Voluntary Remediation shall be deemed agents of the Hospital. Voluntary Remediation sessions shall not constitute a formal Corrective Action Hearing. No attorneys shall attend any Voluntary Remediation session. Voluntary Remediation sessions, those participating in them and the data presented are considered to be peer review protected by the confidentiality and immunity provisions under these Bylaws, as well as by federal and Kentucky law.

4. Any of the following -- the Chief of Staff or the Hospital Director (or his/her designee) or the Chairman (Chief of Clinical Services) or other physician -- may request Voluntary Remediation.

5. Voluntary Remediation, which may include, but is not limited to, education, training, monitoring, counseling, treatment or therapy, may be continued, as warranted, with the goal, if reason exists, of having the physician voluntarily sign a Remedial Action Plan that outlines what steps that physician needs to take to remedy the problem. The

Remedial Action Plan may also contain language providing for Corrective Action if the terms of the Voluntary Remedial Action Plan are violated.

6. A copy of the Remedial Action Plan shall be kept in the practitioner's credentialing file. As a product of peer review, it shall be marked "Confidential" and shall not be disclosed or released to any party without written authorization by the practitioner.

7. Because Voluntary Remediation does not constitute a "professional review activity," as described by the Health Care Quality Improvement Act of 1986, Voluntary Remediation shall not be deemed a reportable event to the State Medical Board of Kentucky or to the National Practitioners Data Bank.

SECTION 2 PROFESSIONAL REVIEW ACTIVITY HEARING AND APPEAL

A. Right to Hearing

1. **No Right to Hearing.** The following Practitioners shall not be entitled to a Professional Review Activity Hearing:

- a. an applicant or practitioner whose application, appointment and/or privileges has lapsed, expired or automatically suspended.
- b. an applicant who does not have his/her application for appointment and/or clinical privileges granted because that applicant does not meet the minimum prescribed training, education and experience requirements necessary to qualify for appointment and/or to exercise privileges.
- c. an Affected Practitioner for whom Corrective Action has been imposed that does not revoke, restrict or limit his/her Medical Staff membership and/or ability to exercise clinical privileges for (thirty) 30 days or more and is, thus, not reportable to the applicable licensure board under the laws of the Commonwealth of Kentucky, nor the National Practitioner Data Bank, according to the Health Care Quality Improvement Act of 1986 and the regulations promulgated thereunder, as each may be amended from time to time.

2. **Right to a Professional Review Activity Hearing.** The following Practitioners shall be entitled to request a Professional Review Activity Hearing:

- a. any Practitioner whose appointment or reappointment to the Medical Staff has been denied because of quality reasons or concerns.

- b. any Practitioner whose clinical privileges have been curtailed, Summarily Suspended, revoked, restricted or denied because of quality reasons or concerns.
- c. any Practitioner who has received any adverse Corrective Action recommendation from the Clinical Board that would affect that Practitioner's Medical Staff membership and/or ability to exercise clinical privileges (thirty) 30 days or more, and if imposed, constitute a "professional review action" reportable to the National Practitioner Data Bank, according to the Health Care Quality Improvement Act of 1986 and the regulations promulgated thereunder, as each may be amended from time to time.

B. Request for A Professional Review Activity Hearing

- 1. The Affected Practitioner must request in writing a Professional Review Activity Hearing. The Request must be delivered to the Clinical Board through the Chief of Staff within (thirty) 30 calendar days from the date notified of an action that gives rise to a right to a Professional Review Activity Hearing.
- 2. Failure by the Affected Practitioner to request a Professional Review Activity Hearing within the time required above shall constitute a waiver.

C. Scheduled Professional Review Activity Hearing

- 1. A Professional Review Activity Hearing shall be scheduled no early than 30 days and no later than 60 days following receipt of the Request for Professional Review Activity Hearing by the Affected Practitioner.
- 2. The Clinical Board shall notify the Affected Practitioner of the date, time and place of the scheduled Professional Review Activity Hearing.
- 3. Either the Affected Practitioner or the Clinical Board may, for good cause, request a continuance of the Professional Review Activity Hearing. Both parties shall cooperate in good faith in re-scheduling the hearing at a mutually-convenient time.

D. The Hearing Body

- 1. The Clinical Board shall conduct the hearing. Members shall be entitled to all protection and immunity afforded by Federal and Commonwealth law.

2. No member of the Clinical Board shall be in direct competition with the Affected Practitioner.

E. Hearing Officer.

1. The Clinical Board may appoint an attorney to act as a hearing officer for purposes of conducting the hearing process.

2. The hearing officer may answer procedural questions and other questions as related to these Bylaws and federal and Commonwealth legal requirements, but he/she shall not vote or otherwise participate in any deliberation resulting in a recommendation made.

F. Exchange of Exhibits and Witness Lists

1. The Affected Practitioner and the Clinical Board shall exchange proposed Exhibit and Witness lists as soon as reasonably practicable, but no later than 5 business days prior to the scheduled hearing. Each party shall inform the other of any changes in the Exhibit or Witness lists prior to the hearing.

2. Documents, if necessary, may be reproduced, provided that reasonable precautions are taken to ensure their confidentiality, since these documents shall be considered matters of peer review.

G. Due Process and Fairness Rights

1. The Professional Review Activity Hearing is a confidential peer review action that shall be closed to the public.

2. The Affected Practitioner has the right to be present at the Professional Review Activity Hearing. Failure to be present without good cause shall constitute a waiver to the right of a Professional Review Activity Hearing.

3. The Affected Practitioner requesting the hearing shall be entitled to be represented at the hearing by an attorney or any other person of the practitioner's choice. The attorney or other person representing the practitioner may participate fully in the hearing.

4. The Chief of Staff, who shall present the case on behalf of the Hospital and its Medical Staff, shall be represented by an attorney.

5. Both parties shall have the opportunity to submit written memoranda at the beginning and at the conclusion of the Professional Review Activity Hearing.
6. Both parties shall have the opportunity to make opening statements and closing arguments.
7. Both parties shall have the opportunity to introduce written exhibits and testimony of witnesses in the form of reliable reports and/or direct and cross examination, which may include rebuttal and impeachment. Formal rules of evidence that would apply in a court of law need not be strictly followed; however, documents and testimony should be relevant and may be excluded by the hearing officer if not relevant or helpful or if duplicative.
8. The Hospital, through the Chief of Staff, shall proceed first in the presentation of the case, unless otherwise agreed by the parties and the Clinical Board.
9. The Clinical Board may ask questions of both parties at any time.
10. The burden of proof of showing, by a preponderance of evidence, that the Corrective Action is not warranted shall rest with the Affected Practitioner
11. A record, by stenographic or audio means, shall be made of the entire Professional Review Activity Hearing.

H. Recess and Need for Additional Information.

1. It is the intent to complete a thorough and fair Professional Review Activity Hearing in as few of sessions and as quickly as practicable unless circumstances and fairness warrant the need for additional sessions and time.
2. The chairperson of the Clinical Board may recess the hearing and reconvene the same within fifteen (15) days for the convenience of the participants or for the purpose of obtaining new or additional evidence or consultation, all without special notice.

I. Deliberation and Report

1. Upon conclusion of the presentation of oral and written evidence, the hearing shall be closed. The Clinical Board may, at a time convenient to itself, conduct its deliberations outside the presence of the Affected Practitioner for whom the hearing was convened.

2. Within fifteen (15) calendar days of the final adjournment of the hearing, the Clinical Board shall make a written report and recommendation to the Board of Directors. Such report and recommendation shall include a statement of the basis for the recommendation. The report may recommend confirmation, modification, or rejection of the adverse action. A copy of that report and recommendation shall be sent to the Affected Practitioner on the same day it is forwarded to the Board of Directors.

J. Final Action by the Board of Directors

1. Within thirty (30) calendar days after receipt of the report and recommendation, the Board of Directors shall meet at a regular or special meeting and render a written decision in the matter, including a statement of the basis for the Board's decision, and shall forward a copy of its decision to the Hospital Director for transmittal to the practitioner for whom the hearing was held. The decision by the Board of Directors is final

2. Any reporting to the National Practitioner Data Bank and/or applicable licensure board under the laws of the Commonwealth of Kentucky shall be made by the Board of Directors through the Chief of Staff.

ARTICLE IX

CHIEF OF STAFF

SECTION 1. Qualifications and Selection

The Chief of Staff shall be a member of the Active Medical Staff. A qualified and competent candidate for the position of Chief of Staff shall be nominated by the Dean of the College of Medicine and the Director of University Hospital, recommended by the Clinical Board, and appointed in accordance with University Governing Regulations.

SECTION 2. Term of Office and Removal

A. The Dean and Hospital Director, shall periodically review and evaluate the duties, activities, performance, accomplishments and appointment of the Chief of Staff. Such review shall be completed at least annually.

B. Removal

The Chief of Staff may, at any time, be removed for the convenience of the University.

SECTION 3. Vacancies in Office

A. In the event the Chief of Staff should be temporarily unable to fulfill the duties of the office for a period of no more than four (4) months, the duties shall be assumed by an acting Chief of Staff appointed by the Dean, and reported to the Hospital Board of Directors and University Board of Trustees.

B. In the event the position becomes permanently vacant, an Acting Chief of Staff shall be nominated by the Dean of the College of Medicine of the University of Kentucky and the Director of University Hospital, recommended by the Clinical Board and appointed in accordance to University Governing Regulations. Within one year from the time the post becomes vacant, a permanent appointment shall be made or a written review of the reason why an acting appointment must be continued for an additional period shall be made to the Clinical Board, and University Officials as defined in University of Kentucky Governing Regulations.

SECTION 4. Duties of the Chief of Staff

The Chief of Staff shall serve as the Chief Administrative Officer of the Medical Staff. Duties of the Chief of Staff include, but are not limited to:

- A. acting in coordination and cooperation with the Hospital Director in all matters of mutual concern within the Hospital;
- B. serving in the absence of the Dean as Chairman of the Clinical Board;
- C. calling, being responsible for the agenda for all regular and special meetings of the Medical Staff and the Clinical Board;
- D. serving as ex-officio member of all other Medical Staff committees without vote;
- E. being responsible for the enforcement of Medical Staff Bylaws and Rules and Regulations, for implementation of corrective action where these are indicated, and for the Medical Staff's compliance with procedural safeguards in all instances where corrective action has been requested against a practitioner;
- F. annually recommending to the Dean for appointment, committee chairmen and committee members to all standing, special and multi-disciplinary Medical Staff committees except the Clinical Board;
- G. representing the views, policies, needs and grievances of the Medical Staff to the Hospital Director;
- H. being responsible for the continuing educational activities of the Medical staff;
- I. representing the views, policies, and needs of the Medical Staff to the Administration of the University of Kentucky Medical Center; and being the spokesman for the Medical Staff in its external professional and public relations;
- J. in cooperation with the office of the Hospital Director, maintaining accurate up-to-date files on all staff members, which shall include all application and reapplication forms, recommendations, evaluations and any other information pertinent to the medical staff members functions and membership status.
- K. Requesting from National Practitioner Data Bank and State Licensure Boards information regarding Medical/Dental and related Health Professions Practitioners at the time of application for medical staff or clinical privileges; and biannually at the time of reappointment thereafter and bringing information so obtained to the attention of the Clinical Board at the time of appointment or reappointment.

- L. Reporting to National Data Bank, State Licensure Board and other organizations as required by law (1) restriction, reduction, cancellation or non-renewal of privileges for Quality Care reasons; (2) malpractice settlements or judgments.
- M. Delegating duties and activities as deemed necessary and appropriate.

ARTICLE X

ORGANIZATIONAL STRUCTURE AND OPERATION

SECTION 1. Departmental Organization

The direct patient care segment of the University Hospital, administrative organization shall be structured parallel to the major clinical activities of the Chandler Medical Center. The Clinical Departments shall be as follows:

Anesthesiology	Pediatrics
Dentistry	Physical Medicine & Rehabilitation
Emergency Medicine	Preventive Medicine & Environmental Health
Family Practice	Psychiatry
Internal Medicine	Diagnostic Radiology
Neurology	Radiation Medicine
Obstetrics/Gynecology	Surgery
Ophthalmology	
Pathology	

SECTION 2. Functions of Departments

Subject to the authority of the Clinical Board and Board of Directors, departments/services shall perform the following, delegated functions:

- A. oversee the provision, evaluation and improvement of quality patient care and periodically report to the Clinical Board.
- B. require and provide appropriate continuing medical and professional education of Practitioners, residents, medical students, health related professional staff members, nursing and other health personnel.
- C. review and recommend for approval by the Clinical Board and Board of Directors rules, regulations, policies and standards regarding qualifications and requirements for determining current competence, credentialing, governing, promoting effective interdisciplinary communication and function, and governance. These recommendations, which must be consistent with these Bylaws, and the Medical Staff Rules, Regulations and Policies, as well as the Hospital's Rules, Regulations and Policies, shall not be effective until reviewed and approved by the Clinical Board and the Board of Directors.

SECTION 3. Chiefs of Services/Chairpersons

- A. Each Chief of Service shall be Board Certified, or demonstrate equivalent competence and shall be a member in good standing of the Active Medical Staff.
- B. Chiefs of the Clinical Services within the University Hospital shall usually be those appointed as Chairmen of the respective departments, and/or divisions, in the Colleges of Medicine and Dentistry with concurrence of the Clinical Board and confirmation by the Board of Directors. In unusual circumstances, an individual may be made chief of a clinical service who is not a department or division chairperson. Such appointments shall be made by the deans of the specific colleges, subject to approval by the Clinical Board and the Board of Directors in accordance with the selection qualification criteria and process described in the Governing Regulations.
- C. Every person appointed to be a Chief of Service and/or department chairperson shall, prior to his/her beginning service, undergo an orientation and training, at which time duties, responsibilities and expectations of the office shall be reviewed.

SECTION 4. Duties of the Chief of Service/Department Chairperson

The Chiefs of Services/Department Chairperson shall have corporate responsibility for the care and treatment of the patients in their departments. Responsibilities of Chief of Service/Department Chairperson includes:

- A. Membership on the Clinical Board.
- B. All clinically related activities of the department to include:
 1. Continuous assessment and improvement of the quality of care and services provided.
 2. Recommending to the Clinical Board clinical privileges for each member of the department.
 3. Continuous surveillance of the professional performance of all individuals in the department who have delineated clinical privileges.
 4. Recommending to the medical staff criteria for clinical privileges relevant to the care provided in the department.
 5. Determining the qualifications and competence of department or service personnel who are not licensed practitioners and who provide patient care services, unless otherwise provided for by the Hospital.

C. All administratively related activities of the department to include:

1. Acting as the presiding officer at departmental meetings.
2. Oversight responsibility for education and research programs in the department.
3. Orienting staff to Medical Staff Bylaws, Rules and Regulations; Hospital Policies; and enforcing bylaws, rules, regulations, policies, and procedures within the department.
4. Integrating the department into the primary functions of the Hospital.
5. Coordinating and integrating interdepartmental and intradepartmental services.
6. Participating in every phase of administration of the department through promoting interdepartmental and interdisciplinary communication including, without limitation, cooperation with the Nursing Service and the Hospital Administration in matters affecting patient care, including personnel, supplies, special regulations, standing orders and techniques;
7. Assessing and recommending to the Clinical Board or the Hospital, through the Chief of Staff or Hospital Director, off-site sources of needed patient care service not provided by the department and/or the Hospital or Kentucky Clinic.
8. Recommending a sufficient number of qualified and competent persons to provide care and service.
9. Maintaining quality control programs as appropriate.
10. Oversight to ensure that members of the department or service receive appropriate continuing medical education.
11. Considering appointing an Associate Chief of Service who shall, in case of the Chief of Service's incapacity or absence from the community, assume the duties of Chief of Service. This Associate shall be identified to the Dean, the Chief of Staff and the Hospital Director. The Associate Chief shall be the only acceptable alternate to attend Clinical Board meetings.

SECTION 5. Term of Office, Evaluation and Removal

The term of office shall be in accordance with the terms prescribed in the University's Governing and Administrative Regulations.

SECTION 6. Vacancies

In the event a Chief of Service is temporarily unable to fulfill the duties of office, such duties shall be assumed by the Associate Chief of Service. In the event the position becomes permanently vacant, the Associate Chief of Service shall serve as Acting Chief of Service until such time as a new Chief of Service is appointed according to the procedure described in Section 3.

ARTICLE XI

COMMITTEES

SECTION 1. Clinical Board

There shall be an executive committee of the medical staff called the Clinical Board.

SECTION 2 Composition

The Clinical Board shall consist of the Chiefs of the Clinical Services, the Dean and Chief of Staff of the College of Medicine, and the Hospital Director. The Deans of all the Colleges of the Medical Center, the Chief Operating Officer of the Group Practice Governance Council, the Director of the University Health Service, the Associate Dean for Veterans Affairs, the Director of Nursing of University Hospital, Director of the Lucille Parker Markey Cancer Center, Director of Sanders-Brown Center on Aging, and the Chancellor for the Medical Center (or their respective designates) shall be ex-officio without vote.

The Dean of the College of Medicine shall serve as the Chairman of the Clinical Board; the Hospital Director shall serve as Secretary.

SECTION 3 Functions

A. The Clinical Board is empowered to transact business on behalf of the medical staff and to act for the medical staff in the intervals between medical staff meetings. The Clinical Board shall receive and act on reports and recommendations from medical staff committees, clinical departments, and assigned activity groups. The Clinical Board shall be responsible for making recommendations on matters pertaining to medical staff and related issues directly to the Hospital Board of Directors for its approval.

B. Recommendations shall pertain to at least:

1. The medical staff structure.
2. The mechanism used to review credentials and to delineate individual practitioner privileges.
3. Granting of Medical Staff membership.
4. The specific delineation of clinical privileges for each eligible practitioner.
5. The participation of the Medical Staff in organization performance-improvement activities.
6. The mechanism for Medical Staff membership termination.
7. The mechanism for fair-hearing procedures.

8. The modification of medical policy and programs.

D. Meetings

The Clinical Board shall meet at least ten times per year. Minutes of the Clinical Board shall be forwarded to the Hospital Board of Directors. Those members attending and capable of voting shall constitute a quorum.

ARTICLE XII

MEDICAL STAFF MEETINGS

SECTION 1. Regular Meetings

- A. An annual meeting shall be held in June or another suitable date. The agenda of such meeting shall include review of activity and accomplishments of the past year and plans for the coming year by the Chief of Staff, the Hospital Director, Chief Operating Officer of the Group Practice Governance Council, and the Dean of the College of Medicine. Complex reviews and reports shall be provided in writing. Appropriate new and old business shall be transacted.
- B. Other regular meetings may be held during each fiscal year. These meetings may consist of brief reports by the Dean, the Hospital Director, the Director of the Kentucky Clinic and the Chief of Staff. Any necessary business of the medical staff may be conducted.
- C. The agenda of the required meeting may be adjusted in order to provide opportunity for the staff to receive a scientific presentation or another pertinent presentation of general interest. In this event, reports which would have otherwise been made, shall be made available to staff by other means.

SECTION 2. Special Meetings

- A. The Dean or Chief of Staff may call a special meeting of the Medical Staff at any time. The Dean or Chief of Staff shall call a special meeting within thirty days after receipt by him/her of a written request for same, signed by not less than one-fourth of the active staff and stating the purpose of such meeting. The Chief of Staff shall designate the time and place of any special meeting.
- B. Written or printed notice stating the purpose, the place, day and hour of any special meeting of the active Medical Staff shall be delivered, either personally or by mail, to each member of the active staff not less than seven nor more than thirty days before the date of such meeting, by or at the direction of the Chief of Staff (or other persons authorized to call the meeting).

SECTION 3. Quorum

The presence of those members in good standing, present and attending, and capable of voting shall constitute a quorum, for all other actions. If an appropriate quorum is not present, the Clinical Board shall, at its next meeting, act for the staff on all issues requiring vote.

SECTION 4. Attendance Requirements

Each member of the Active and Associate Medical Staff shall be required to attend the regular meetings of the Medical Staff. A member who is compelled to be absent from any regular staff meeting shall promptly submit to the Chief of Staff in writing, his/her reason for such absence. Unless excused for cause by the Chief of Staff, the failure to meet the foregoing annual attendance requirements shall be grounds for action possibly leading to automatic transfer of Medical Staff Category or revocation of Medical Staff membership. Reinstatement of members whose membership has been revoked because of absence from staff meetings shall be made only upon application, and all such applications shall be processed in the same manner as applications for original appointment.

SECTION 5. Parliamentary Authority

All meetings of the Medical Staff shall be conducted according to Robert's Rules of Order, Revised, except in cases where such rules are inconsistent with these Bylaws.

SECTION 6. Manner of Action

The action of a majority of the members present at a meeting at which a quorum is present shall be the action of a committee or department. Action may be taken without a meeting by unanimous consent in writing (setting forth the action so taken) signed by each member entitled to vote thereat.

SECTION 7. Minutes

Minutes of each regular and special meeting of a committee or department shall be prepared and shall include a record of the attendance of members and the vote taken on each matter. The minutes shall also show whether any member recused himself/herself from voting on any matter. The minutes shall be signed by the Dean and copies thereof shall be promptly submitted to the attendees for approval and after such approval is obtained, forwarded to the Chief of Staff. Medical Staff Committee Minutes shall also be forwarded to the Clinical Board and Hospital Director for appropriate review and action. Each committee and department shall maintain a permanent file of the minutes of each meeting.

ARTICLE XIII

COMMITTEE AND DEPARTMENT MEETINGS

SECTION 1. Regular Meetings

Committees may, by resolution, provide the time for holding regular meetings without notice other than such resolution. Departments shall hold regular meetings at least ten times a year to review and evaluate the clinical work of practitioners with privileges in the department. Reports of all committee and departmental meetings shall be forwarded to the Chief of Staff within fifteen days of the meeting.

SECTION 2. Special Meetings

A special meeting of any committee or department may be called by or at the request of the Chairperson; by the Chief of Staff; or by one-third of the group's then members, but not fewer than two members.

SECTION 3. Notice of Meetings

Written or oral notice stating the place, day and hour of any special meeting or of any regular meeting not held pursuant to resolution shall be given to each member of the committee or department not less than five days before the time of such meeting, by the person(s) calling the meeting.

SECTION 4. Quorum

Members in good standing of the active Medical Staff members of a committee or department, but not fewer than two members, shall constitute a quorum at any meeting.

SECTION 5. Manner of Action

The action of a majority of the members present at a meeting at which a quorum is present shall be the action of a committee or department. Action may be taken without a meeting by unanimous consent in writing (setting forth the action so taken) signed by each member entitled to vote thereat.

SECTION 6. Rights of Ex-Officio Members

Persons serving under these Bylaws as ex-officio members of a committee shall have all rights and privileges of regular members except they shall not be counted in determining the existence of a quorum and they shall not be entitled to a vote.

SECTION 7. Minutes

Minutes of each regular and special meeting of a committee or department shall be prepared and shall include a record of the attendance of members and the vote taken on each matter. Minutes shall also show whether a member recused himself/herself from voting on any matter. The minutes shall be signed by the presiding officer and copies thereof shall be promptly submitted to the attendees for approval and after such approval is obtained, forwarded to the Chief of Staff. Medical Staff Committee Minutes shall also be forwarded to the Clinical Board and Hospital Director for appropriate review and action. Each committee and department shall maintain a permanent file of the minutes of each meeting.

ARTICLE XIV

CONFIDENTIALITY AND IMMUNITY FROM LIABILITY

The following shall express conditions to any practitioner's application for, or exercise of, clinical privileges at this Hospital:

First, that any act, communication, report, recommendation, or disclosure, with respect to any such practitioner, performed or made in good faith and without malice and at the request of any authorized representative of this or any other health care facility, for the purpose of achieving and maintaining quality patient care in this or any other health care facility, shall be confidential/privileged to the fullest extent permitted by law.

Second, that such privilege shall extend to members of the Hospital's Medical Staff and of its governing body, its other practitioners, its executive officers and representatives and to third parties, who supply information to any of the foregoing authorized to receive, release, or act upon the same. For the purpose of this Article IV, the term "Third Parties" means both individuals and organizations from whom information has been requested by an authorized representative of the governing body or of the Medical Staff.

Third, that there shall, to the fullest extent permitted by law, be absolute immunity from civil liability arising from any such act, communication, report, recommendation, or disclosure, even where the information involved would otherwise be deemed privileged.

Fourth, that such immunity shall apply to all acts, communications, reports, recommendations, or disclosures performed or made in connection with this or any other health care institution's activities related, but not limited to:

- applications for appointment or clinical privileges,
- periodic reappraisals for reappointment or clinical privileges,
- corrective action, including summary suspension,
- hearing and appellate reviews,
- medical care evaluations,
- utilization and PSRO reviews,
- other Hospital, departmental, service or committee activities related to quality patient care and inter-professional conduct.

Fifth, that the acts, communications, reports, recommendations and disclosures referred to in this Article IV may relate to a practitioner's professional qualifications, clinical competency, character, mental or emotional stability, physical condition, ethics, or any other matter that might directly or indirectly have an effect on patient care.

Sixth, that in furtherance of the foregoing, each practitioner shall upon request of the Hospital execute releases in accordance with the tenor and import of this Article IV in favor of the individuals and organizations specified in paragraph "second", subject to the requirements, of good faith and absence of malice.

Seventh, that the consents, authorizations, releases, rights, privileges and immunities provided by Article V, Section 1.a. of these Bylaws for the protection of this Hospital's practitioners, other appropriate Hospital officials and personnel and third parties, in connection with applications for initial appointment, shall also be fully applicable to the activities and procedures covered by this Article IV.

ARTICLE XV

REVIEW AND PUBLICATION OF BYLAWS AND RULES AND REGULATIONS

The Bylaws and the Rules and Regulations of the medical staff of the University of Kentucky Hospital, will be reviewed annually by the Clinical Board who will make recommendations for necessary changes in accordance with Articles XVII and XVIII of these Bylaws. If changes are made, such changes will be published and appropriately communicated to the members of the medical and related health professions staff. At least once every four (4) years and as frequently as annually, if the number of changes require, the complete up-to-date Bylaws will be republished and distributed to the medical and related health professions staffs.

ARTICLE XVI

RULES AND REGULATIONS

The Medical Staff shall adopt such rules and regulations as may be necessary to implement more specifically the general principles found within these Bylaws, subject to the approval of the Board of Directors. These shall relate to the proper conduct of Medical Staff organizational activities as well as embody the level of practice that is to be required of each practitioner in the Hospital. Such rules and regulations shall be a part of these Bylaws, except that they may be amended or repealed at any regular meeting of the Clinical Board at which a quorum is present and without previous notice or at any special meeting on notice by a two-thirds vote of those present of the active Medical Staff. Such changes shall become effective when approved by the Board of Directors.

If there is a conflict between the Medical Staff Bylaws and the Rules and Regulations, the Medical Staff Bylaws shall prevail.

ARTICLE XVII

AMENDMENTS

These Bylaws may be amended after submission of the proposed amendment at any regular or special meeting of the Clinical Board. A proposed amendment shall be referred to a special committee which shall report on it at the next regular meeting of the Clinical Board or at a special meeting called for such purpose. To be adopted, an amendment shall require a two-thirds vote of total Clinical Board members. Amendments so made shall be effective when approved by the Board of Directors and the Board of Trustees.

Notwithstanding, nothing shall be deemed to limit the authority of the Board of Directors and Board of Trustees of the University.

ARTICLE XVIII

ADOPTION

These Bylaws shall be adopted at any regular or special meeting of the Clinical Board, shall replace any previous Bylaws, and shall be come effective when approved by the Board of Directors of the Hospital and the Board of Trustees.

FCR 1

Office of the President
September 16, 1997

Members, Board of Trustees:

ACCEPTANCE OF AUDIT REPORT
FOR THE UNIVERSITY OF KENTUCKY FOR 1996-97

Recommendation: that the Board of Trustees accept the University of Kentucky financial statements for the year ended June 30, 1997, consisting of the Consolidated Balance Sheet, Consolidated Statement of Changes in Fund Balances, Consolidated Statement of Current Funds Revenues, Expenditures and Other Changes, Summary of Significant Accounting Policies, and Notes to Financial Statements.

Background: The Finance Committee of the University of Kentucky has reviewed the consolidated financial statements for the year ended June 30, 1997, which have been audited by Deloitte & Touche LLP, Certified Public Accountants. The consolidated financial statements are presented on a comparative basis for fiscal year 1995-96 and 1996-97, and include the financial operations of the University of Kentucky and its affiliated corporations, consisting of the University of Kentucky Research Foundation, The Fund for Advancement of Education and Research in the University of Kentucky Medical Center, University of Kentucky Athletic Association, University of Kentucky Mining Engineering Foundation, Inc., University of Kentucky Business Partnership Foundation, Inc., University of Kentucky Humanities Foundation, Inc., University of Kentucky Equine Research Foundation, Inc., University of Kentucky Center on Aging Foundation, Inc., and Health Care Collection Service, Inc.

Action taken:

Approved

Disapproved

Other _____

University of Kentucky

**Financial
Report**

For the Year Ended June 30, 1997

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INDEPENDENT AUDITORS' REPORT

To the Board of Trustees of the
University of Kentucky

and

the Secretary of Finance and
Administration Cabinet of the
Commonwealth of Kentucky

We have audited the accompanying consolidated balance sheet of the University of Kentucky (an agency of the Commonwealth of Kentucky) and affiliated corporations as of June 30, 1997, and the related consolidated statements of changes in fund balances and current funds revenues, expenditures and other changes for the year then ended. These financial statements are the responsibility of the University's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, such consolidated financial statements present fairly, in all material respects, the financial position of the University of Kentucky and affiliated corporations as of June 30, 1997, and the changes in their fund balances and their current funds revenues, expenditures and other changes for the year then ended in conformity with generally accepted accounting principles.

As described in Note 1 to the consolidated financial statements, in 1997 the University changed its method of accounting for investments.

Deloitte & Touche LLP

Louisville, Kentucky
August 29, 1997

**CONSOLIDATED BALANCE SHEET
UNIVERSITY OF KENTUCKY AND AFFILIATED CORPORATIONS
JUNE 30, 1997**

with comparative totals at June 30, 1996
(in thousands)

	1997					1996
	Current Funds	Loan Funds	Endowment and Similar Funds	Plant Funds	Total	Total
ASSETS						
Cash and cash equivalents	\$ 118,333	\$ 3,795	\$ 80	\$ 179,439	\$ 301,647	\$ 287,872
Notes, loans and accounts receivable (less bad debt allowances of \$17,074 in 1997 and \$14,720 in 1996)	138,800	19,754	555	2,473	161,582	124,711
Investments	106,979		194,456	50,676	352,111	315,590
Property, plant and equipment				1,350,448	1,350,448	1,262,565
Inventories and other	20,763				20,763	15,431
Total Assets	\$ 384,875	\$ 23,549	\$ 195,091	\$ 1,583,036	\$ 2,186,551	\$ 2,006,169
LIABILITIES AND FUND BALANCES						
Liabilities						
Accounts payable	\$ 41,446	\$ 34		\$ 7,578	\$ 49,058	\$ 32,016
Accrued expense	21,547			3,319	24,866	23,208
Employee withholdings and deposits	22,958				22,958	18,637
Other liabilities	7,415			1,798	9,213	4,906
Liability for self insurance	40,751				40,751	33,158
Deferred income	12,666				12,666	11,947
Bonds payable				318,478	318,478	332,279
Capital lease obligations				38,548	38,548	34,101
Total Liabilities	146,783	34		369,721	516,538	490,252
Interfund Balances	16,976			(16,976)		
Fund Balances						
Current-Unrestricted						
Working capital	129,395				129,395	101,697
Future operations	21,856				21,856	25,324
Other	7,916				7,916	9,477
Current-Restricted	61,949				61,949	54,206
Loan						
Unrestricted		61			61	60
Restricted		5,741			5,741	5,641
U.S. Government		17,713			17,713	17,572
Endowment and Similar Funds						
True			\$ 120,327		120,327	94,373
Term			7,440		7,440	5,562
Quasi			62,980		62,980	57,137
Annuity and life income			4,344		4,344	4,303
Plant						
Unrestricted				136,971	136,971	158,140
Restricted				95,056	95,056	74,551
Net investment in plant				998,264	998,264	907,874
Total Fund Balances	221,116	23,515	195,091	1,230,291	1,670,013	1,515,917
Total Liabilities and Fund Balances	\$ 384,875	\$ 23,549	\$ 195,091	\$ 1,583,036	\$ 2,186,551	\$ 2,006,169

See notes to consolidated financial statements.

CONSOLIDATED STATEMENT OF CHANGES IN FUND BALANCES
UNIVERSITY OF KENTUCKY AND AFFILIATED CORPORATIONS
FOR THE YEAR ENDED JUNE 30, 1997
(in thousands)

	1997				
	Current Funds	Loan Funds	Endowment and Similar Funds	Plant Funds	Total
REVENUES AND OTHER ADDITIONS					
Unrestricted current fund revenues	\$ 990,565				\$ 990,565
Gifts	21,690	\$ 1	\$ 8,130	\$ 2,418	32,239
Endowment and investment income	6,684	141	388	11,396	18,609
Net increase in fair value of investments	61		30,334	(15)	30,380
Interest on loans receivable		424			424
State appropriations for capital construction funds				25,133	25,133
Grants and contracts	143,465	326		3,547	147,338
Expended for plant facilities (including \$23,687 charged to current expenditures)				98,531	98,531
Retirement of indebtedness				21,869	21,869
Proceeds from sale of property	18,404				18,404
Other sources	3,230	2			3,232
Total Revenues and Other Additions	1,184,099	894	38,852	162,879	1,386,724
EXPENDITURES AND OTHER DEDUCTIONS					
Unrestricted current fund expenditures	914,240				914,240
Restricted current fund expenditures	165,155				165,155
Expended for plant facilities				74,844	74,844
Noncapitalized expenditures				1,263	1,263
Retirement of indebtedness				21,869	21,869
Interest on indebtedness				18,667	18,667
Disposal of plant facilities				35,643	35,643
Other deductions		721	52	174	947
Total Expenditures and Other Deductions	1,079,395	721	52	152,460	1,232,628
TRANSFERS AMONG FUNDS - ADDITIONS/(DEDUCTIONS)					
Mandatory					
Debt service					
Educational and general	(29,745)			29,745	
Hospital and clinics	(1,998)			1,998	
Auxiliary enterprises	(5,879)			5,879	
Lease payments	(2,054)			2,054	
Matching grants	(88)	88			
Total Mandatory Transfers	(39,764)	88		39,676	
Net Increase Before Nonmandatory Transfers	64,940	261	38,800	50,095	154,096
Nonmandatory					
Plant					
Educational and general	(42,205)			42,205	
Hospital	5,561			(5,561)	
Auxiliary enterprises	(1,837)			1,837	
Endowment and other	3,953	(19)	(5,084)	1,150	
Total Nonmandatory Transfers	(34,528)	(19)	(5,084)	39,631	
NET INCREASE FOR THE YEAR	30,412	242	33,716	89,726	154,096
FUND BALANCES, June 30, 1996	190,704	23,273	161,375	1,140,565	1,515,917
FUND BALANCES, June 30, 1997	\$ 221,116	\$ 23,515	\$ 195,091	\$ 1,230,291	\$ 1,670,013

See notes to consolidated financial statements.

**CONSOLIDATED STATEMENT OF CURRENT FUNDS
REVENUES, EXPENDITURES AND OTHER CHANGES
UNIVERSITY OF KENTUCKY AND AFFILIATED CORPORATIONS
FOR THE YEAR ENDED JUNE 30, 1997**
with comparative totals for the year ended June 30, 1996
(in thousands)

	1997			1996
	Unrestricted	Restricted	Total	Total
REVENUES				
Educational and general				
Student tuition and fees	\$ 129,794		\$ 129,794	\$ 124,397
Government appropriations				
Federal	15,313		15,313	14,719
State	345,939		345,939	330,055
County	6,026		6,026	6,041
Government grants and contracts				
Federal	882	\$ 91,426	92,308	85,771
State	1,136	35,992	37,128	34,453
Private gifts and grants	43,354	30,936	74,290	32,733
Indirect cost reimbursement	17,791		17,791	16,581
Endowment income	744	4,450	5,194	4,954
Investment income	9,517	1,226	10,743	10,034
Increase in fair value of investments	105	61	166	11
Sales and services	55,361		55,361	40,527
Other	454	2,204	2,658	756
Total educational and general	626,416	166,295	792,711	701,032
Hospital and clinics	300,934		300,934	227,908
Auxiliary enterprises	63,215	17	63,232	61,061
Total Revenues	990,565	166,312	1,156,877	990,001
EXPENDITURES AND MANDATORY TRANSFERS				
Educational and general				
Instruction	244,435	18,634	263,069	229,901
Research	46,663	72,610	119,273	113,496
Public service	107,566	20,762	128,328	88,533
Libraries	23,487	20	23,507	21,243
Academic support	36,781	3,648	40,429	36,893
Student services	25,406	837	26,243	24,076
Institutional support	44,707	932	45,639	41,536
Operation and maintenance of plant	38,825	440	39,265	40,814
Student financial aid	16,039	44,467	60,506	56,788
Other		801	801	451
Total educational and general	583,909	163,151	747,060	653,731
Hospital and clinics	278,205		278,205	201,472
Auxiliary enterprises	52,126	2,004	54,130	53,453
Total Expenditures	914,240	165,155	1,079,395	908,656
Mandatory Transfers				
Debt service				
Educational and general	28,275	1,470	29,745	27,684
Hospital and clinics	1,998		1,998	1,997
Auxiliary enterprises	5,879		5,879	5,741
Lease payments - educational and general	2,054		2,054	1,374
Matching grants	401	(313)	88	147
Total Expenditures and Mandatory Transfers	952,847	166,312	1,119,159	945,599
OTHER TRANSFERS AND ADDITIONS/(DEDUCTIONS)				
Nonmandatory Transfers				
Plant fund				
Educational and general	(18,990)	(23,215)	(42,205)	(17,467)
Hospital and clinics	5,561		5,561	(39,674)
Auxiliary enterprises	(1,837)		(1,837)	(1,698)
Endowment and other	218	3,735	3,953	3,047
Excess restricted receipts over transfer to revenues		27,222	27,222	8,377
Total Other Transfers and Additions/(Deductions)	(15,048)	7,742	(7,306)	(47,415)
NET INCREASE FOR THE YEAR	\$ 22,670	\$ 7,742	\$ 30,412	\$ (3,013)

See notes to consolidated financial statements.

UNIVERSITY OF KENTUCKY
NOTES TO FINANCIAL STATEMENTS

1. Summary of Significant Accounting Policies

Scope of Statements

The consolidated financial statements of the University of Kentucky (the University) include the operations of the University, its consolidated for-profit subsidiaries (Health Associates of Kentucky, Inc. and CHA Service Company) and its affiliated corporations (entities that are financially accountable as defined by Statement No. 14 of the Governmental Accounting Standards Board) as follows: The University of Kentucky Research Foundation and its consolidated for-profit subsidiary (Kentucky Technology, Inc.); The Fund for Advancement of Education and Research in the University of Kentucky Medical Center; University of Kentucky Athletic Association, Inc.; Health Care Collection Service, Inc.; University of Kentucky Mining Engineering Foundation, Inc.; University of Kentucky Business Partnership Foundation, Inc.; University of Kentucky Equine Research Foundation, Inc.; University of Kentucky Humanities Foundation, Inc.; and the University of Kentucky Center on Aging Foundation, Inc.

All significant balances and transactions among the above entities have been eliminated.

Fund Accounting

The University maintains its accounts and reports its financial transactions in accordance with the principles of fund accounting. This is the procedure by which resources for various purposes are classified for accounting and reporting purposes into funds that are in accordance with activities or objectives specified. Funds that have similar characteristics are combined for reporting purposes into fund groups.

Within each fund group, fund balances restricted by outside sources are so indicated and are distinguished from unrestricted funds allocated to specific purposes by action of the Board of Trustees. The Board retains full control over allocated fund balances to use in achieving its institutional purposes.

Restricted gifts, grants, appropriations, endowment income and other restricted resources are accounted for in the appropriate restricted funds. Restricted current funds are reported as revenues and expenditures when expended for current operating purposes.

True endowment funds are subject to the restrictions of gift instruments requiring in perpetuity that the principal be invested and the income only be utilized. Term endowment funds are similar to true endowment funds except that upon the passage of a stated period of time or the occurrence of a particular event, all or part of the principal may be expended as well. Quasi-endowment funds are established by the Board for the same general purposes as other endowment funds, and any portion may be expended. Substantially all income from endowment funds is restricted. Annuity and life income funds are funds received under deferred-giving agreements and provide that an income be paid to the donor, the donor's designee, or a combination thereof for the lifetime of the recipient(s) or for a fixed period of time.

Ordinary income derived from investments, notes receivable, and the like, is accounted for in the fund owning the assets, except that income derived from investments of endowments and similar funds and the majority of current restricted funds is accounted for in the fund to which the income is designated.

All unrestricted revenue is accounted for in the unrestricted fund.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to use estimates and assumptions. The accompanying financial statements include estimates for items such as bad debt allowances, accrued expenses and other liability accounts. Actual results could differ from those estimates.

Current Funds

The statement of current funds revenues, expenditures, and other changes is a summary of financial activities of current funds related to the current reporting period.

To the extent that current funds are used to finance plant asset acquisitions, the amounts are accounted for as: (1) expenditures, in the case of replacement of movable equipment and library books; (2) mandatory transfers in the case of required provisions for debt amortization and interest; and (3) a transfer of a nonmandatory nature for all other cases.

The Board allocates unrestricted current funds fund balances for specific purposes. These purposes include: (a) working capital needs of the University (including the hospital, the housing and dining system, and auxiliary enterprises); (b) certain unrestricted income from private sources; and (c) budget appropriations for future operating purposes.

Cash and Cash Equivalents

Cash and cash equivalents are deposited in local banks (\$3,911,664), invested in U.S. Government/agency repurchase agreements (\$80,959,714) and held on deposit with the Commonwealth of Kentucky (\$216,775,465). Deposits with local banks and investment in repurchase agreements are covered by federal depository insurance or collateralized by securities held in the University's name by its agents. Deposits with the Commonwealth are covered by federal depository insurance or collateralized by securities held by the Commonwealth in the Commonwealth's name.

Investments

Investments are stated at fair value. The University adopted the provisions of Governmental Accounting Standards Board Statement No. 31 (GASB 31), Accounting and Financial Reporting for Certain Investments and for External Investment Pools, effective July 1, 1996. GASB 31 requires that investments in marketable equity securities that have readily determinable fair values, debt securities and certain other securities be recorded at their fair values with gains and losses recognized as revenue in the operating statement. GASB 31 also requires that the Statement be applied retroactively by restating financial statements for the prior period. The following table summarizes the effect of recording investments at fair value (an increase of \$12,499,191) on fund balances as previously reported at June 30, 1996:

	Current Funds	(in thousands) Endowment Funds	Plant Funds
June 30, 1996 fund balances, as previously reported	\$ 190,692	\$ 148,904	\$ 1,140,549
Record investments at fair value	<u>12</u>	<u>12,471</u>	<u>16</u>
June 30, 1996 fund balances, as restated	<u>\$ 190,704</u>	<u>\$ 161,375</u>	<u>\$ 1,140,565</u>

The effect of this change on the June 30, 1997 statement of changes in fund balance was to add \$20,943,000 to the net increase in the endowment fund balance, representing unrealized gains in investment securities. The effect of this change was not material on the current funds and plant funds net increase in fund balances.

Pooled Endowment Funds

The University employs the total return concept of investment management for setting investment objectives and determining investment performance. This concept recognizes traditional yield (dividends and interest), plus or minus realized and unrealized gains or losses, in determining the total return earned during any particular period. The market value method of accounting for pooled endowment funds is employed to ensure proper distribution of market price changes, realized gain/loss on sales, accrued income earned, and distribution of investment earnings for expenditure by participating funds.

Spendable return from the endowment is determined using the total return philosophy. This philosophy recognizes a prudent amount of realized gains as spendable return in addition to traditional yield. Distribution of investment earnings for expenditure by participating funds is supported first by traditional yield earned and, if necessary, a transfer from endowment of any prior years' accumulated earnings (unexpended traditional yield) or net realized gain on sales. For the year ended June 30, 1997, \$1,593,275 was transferred from endowment realized gains on sales to current funds to support spending.

Inventories

Inventories are stated principally at the lower of average cost or market.

Property, Plant and Equipment

Land, land improvements, buildings, equipment and library books are stated at cost at date of acquisition or, in the case of gifts, at fair market value at date of gift except for the following: (1) the University has title to certain tracts of land which were either donated or purchased at a nominal price with no book value assigned to these properties; and (2) buildings acquired prior to June 30, 1958, were recorded at appraised value of \$33,000,000 at that date.

2. Notes, Loans and Accounts Receivable

Notes, loans and accounts receivable as of June 30, 1997, net of allowances, are as follows:

Current funds:	(in thousands)
Hospital	
Third-party payor receivables; Medicare, Medicaid and other	\$ 77,049
Commonwealth of Kentucky	11,051
Private pay and other receivables	5,448
Estimated settlements with third-party payors	<u>1,695</u>
Total hospital receivables	95,243
Reimbursable costs - grants and contracts	17,243
Other	<u>26,314</u>
Total current funds receivables	<u>138,800</u>
Loan funds: Student notes receivable	<u>19,754</u>
Endowment funds: Accrued interest receivable	<u>555</u>
Plant funds: Accrued interest receivable	<u>2,473</u>
Total notes, loans and accounts receivable	<u>\$ 161,582</u>

3. Investments

A comparison of the fair value and cost as of June 30, 1997 of the University's investments is shown below:

(in thousands)

	<u>Fair Value</u>	<u>Cost</u>
Type of investment		
United States Government Securities	\$ 110,510	\$ 110,408
Common stocks	83,742	61,846
Pooled equity funds	47,719	36,623
Corporate bonds and notes	42,317	41,849
Repurchase agreements	41,572	41,572
Pooled fixed income funds	16,165	16,163
Cash and cash equivalents	8,216	8,216
Equity in cooperatives	1,724	1,724
Other	<u>146</u>	<u>146</u>
	<u>\$ 352,111</u>	<u>\$ 318,547</u>

(in thousands)

	<u>Fair Value</u>	<u>Cost</u>
Fund group		
Unrestricted current	\$ 20,630	\$ 20,597
Restricted current	86,349	86,233
Endowment	194,456	161,041
Plant	<u>50,676</u>	<u>50,676</u>
	<u>\$ 352,111</u>	<u>\$ 318,547</u>

All investments of the University are registered in the name of the University of Kentucky or held in the University's name by its agents and trustees.

4. Investment in Plant

The major components of property, plant and equipment as of June 30, 1997 are as follows:

	(in thousands)
Land and improvements	\$ 66,048
Buildings and structures	807,875
Equipment and library books	394,196
Construction in progress	<u>82,329</u>
	<u>\$1,350,448</u>

The estimated cost to complete construction under contract at June 30, 1997 is approximately \$43,508,000. Such construction is principally financed by Commonwealth of Kentucky appropriations and proceeds from long-term bonds payable.

5. Risk Management

The University is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. These risks are covered by (1) the State Fire and Tornado Insurance Fund (the Fund), (2) Sovereign Immunity and the State Board of Claims or, (3) in the case of risks not covered by the Fund and Sovereign Immunity, commercial insurance, participation in insurance risk retention groups or self insurance.

The Fund covers losses to property from fire, wind, earthquake, flood and other named perils between \$250 and \$300,000 per occurrence. Losses in excess of \$300,000 are insured by commercial carriers up to \$200 million per occurrence on an actual cash value basis. As a state agency, the University is vested with Sovereign Immunity and is subject to the provisions of the Board of Claims Act, under which the University's liability for certain negligence claims is limited to \$100,000 for any one person and \$250,000 for multiple claims resulting from a single act of negligence. Claims against educators' errors and omissions and wrongful acts are insured through a risk retention group. There have been no significant reductions in insurance coverage from 1996 to 1997. Settlements have not exceeded insurance coverage during the past three years.

The University and its agents are insured against medical malpractice by a combination of self-insurance and an excess liability fund established by the Commonwealth of Kentucky. The malpractice liability at June 30, 1997 is based on the requirements of Governmental Accounting Standards Board No. 10, which requires that a liability for claims be recorded if it is probable that a liability has occurred and the amount of loss can be reasonably estimated. The liability includes an estimate for claims that have been incurred but not reported at June 30, 1997.

The University is self-insured for the long term disability income program and has established a 501(c)(9) trust for purposes of paying claims and establishing necessary reserves. The estimated long term disability payments for known claims at June 30, 1997 are reported at their present value assuming an investment yield of 7.5%.

The University also self-insures certain employee benefits, including worker's compensation, unemployment claims, and a long term disability supplemental reserve, to the extent not covered by insurance. The University has recorded an estimate for asserted claims at June 30, 1997.

Changes in the liability for self insurance for the year ended June 30, 1997 are as follows:

	(in thousands)			
	<u>Malpractice</u>	<u>Long Term Disability</u>	<u>Other</u>	<u>Total</u>
Liabilities at July 1, 1996	\$ 22,730	\$ 8,104	\$ 2,324	\$ 33,158
Accruals for current claims/ changes in estimates	5,237	2,558	5,330	13,125
Investment Income	1,074	334		1,408
Claims paid	<u>(1,931)</u>	<u>(2,043)</u>	<u>(2,966)</u>	<u>(6,940)</u>
Liabilities at June 30, 1997	<u>\$ 27,110</u>	<u>\$ 8,953</u>	<u>\$ 4,688</u>	<u>\$ 40,751</u>

Effective July 1, 1997 the health insurance plans of the University will be self insured.

6. Bonds Payable

Bonds payable at June 30, 1997, consist of the following:

	(in thousands)	
	<u>Outstanding</u>	<u>Current Maturities 1997-98</u>
Lexington Campus and Medical Center:		
Consolidated Educational Buildings Revenue Bonds, issued 1987 to 1995, maturities to 2013, interest rates 2.85% to 7.25%.	\$128,625	\$ 11,770
Consolidated Housing and Dining System Revenue Bonds, issued 1965 to 1997, maturities to 2023, interest rates 2.80% to 5.875%.	31,321	2,095
Others, issued 1958, maturities to 1998, interest rates 4.0% to 4.5%.	7	7
Hospital Revenue Bonds, issued 1993, maturities to 2006, interest rates 2.5% to 5.5%.	16,605	1,320
Community Colleges:		
Consolidated Educational Buildings Revenue Bonds, issued 1969 to 1994, maturities to 2011, interest rates 3.0% to 7.2%.	101,850	6,080
Lexington-Fayette Urban County Government Governmental Project Revenue Bonds Series 1994 (University of Kentucky Alumni Association, Inc. Commonwealth Library Project), issued 1994, maturities to 2024, interest rates 6.5% to 6.75%.	<u>40,070</u>	<u>515</u>
Total	<u>\$ 318,478</u>	21,787
Interest		<u>16,320</u>
Total debt service for 1997-98		<u>\$ 38,107</u>

The aggregate amount of maturities for the next five years is as follows:

	(in thousands)
1998	\$21,787
1999	\$22,390
2000	\$21,675
2001	\$22,795
2002	\$23,925

All bonds are callable by the University at various rates ranging from 100% to 103% of face value after ten years from issuance.

Revenues from student housing and dining facilities, certain other auxiliary enterprises, hospital and student fees are pledged for the retirement of the bonds related to those activities. All bonds, with the exception of the Hospital Revenue Bonds, are collateralized by land and buildings.

Trust account assets and a total liability for defeased bonds of \$59,630,000 at June 30, 1997 are not included in the financial statements.

7. Capital Lease Obligations

The University has utilized capital leases to acquire the following: Woodford County farm, \$11,500,000; football stadium, \$11,699,545; life safety improvements to buildings, \$24,621,000; and various items of equipment, \$8,909,797.

The minimum future lease payments on the capital lease obligations, which are principally with the Commonwealth of Kentucky, are as follows:

	(in thousands)
1998	\$ 6,905
1999	6,682
2000	4,668
2001	4,617
2002	3,833
2003-2016	<u>30,765</u>
Total	57,470
Less: Amount representing interest	<u>(18,922)</u>
Present value of net minimum lease payment	<u>\$ 38,548</u>

8. Funds Held in Trust by Others

The University is the income beneficiary of various trusts which are held and controlled by independent trustees. For the year ended June 30, 1997, the University received income from these trusts amounting to \$1,244,339. The University has no equity interest in the principal of the trusts which, accordingly, is recorded at a nominal value of \$1 each. The 1997 income received from these trusts is recorded as endowment income in the current unrestricted fund (\$466,379) and in the current restricted fund (\$777,960).

9. Pension Plans

Regular full-time employees, including faculty, are participants in the University of Kentucky Retirement Plan, a defined contribution plan. The University of Kentucky Retirement Plan consists of five groups as follows:

- Group I Established July 1, 1964, for faculty and certain administrative officials.
- Group II Established July 1, 1971, for staff members in the clerical, technical and service categories.
- Group III Established July 1, 1972, for staff members in the managerial, professional and scientific categories.
- Group IV Established January 1, 1973, for staff members having U.S. Civil Service Retirement entitlement.
- Group V Established July 1, 1987, for staff members covered under the Federal Employees Retirement System that replaced Civil Service (those whose employment began during the period from January 1, 1984 to March 31, 1987). Staff members whose employment began after March 31, 1987 are under one of the above University of Kentucky Retirement Plans.

Participation in the University of Kentucky Retirement Plan in groups I, II, and III is mandatory for all faculty and staff members, age 30 and older, who have completed one year of service. Participation is voluntary to age 30 (after completion of one year of service). Participation in groups IV and V is voluntary. The University contributes 10% to group I and 9.75% to groups II and III of eligible compensation. Employees contribute 5% to group I and 4.875% to groups II and III of eligible compensation.

The University has authorized three retirement plan carriers, effective July 1, 1988, as follows:

Teachers Insurance and Annuity Association/College
Retirement Equities Fund (TIAA/CREF)
Fidelity Institutional Services Company
Twentieth Century Investors, Inc.

Under the fully funded group retirement plan, the University and plan participants make contributions to provide fully vested retirement benefits to employees. The University's contributions and costs for 1997 were \$37,847,409 and the employees contributed \$18,834,687. The University's total payroll costs were \$576,974,366. The payroll for employees covered by the retirement plan was \$382,876,860.

In addition to retirement benefits provided from the group retirement plans, the University provides supplemental retirement income benefits to certain eligible employees in each of the retirement groups (see Note 10).

10. Minimum Annual Retirement Benefits and Supplemental Retirement Income

Employees in retirement groups I, II and III, referred to in Note 9, who were age 40 or older prior to the date of establishment of each group plan, and who were employed by the University prior to that date, qualify for the minimum annual retirement benefit provisions of the retirement plan. Benefits for these eligible employees are based upon a percentage, determined through years of service, of the participant's annual salary in the last year of employment prior to retirement. Retirement benefits as determined are funded by each individual retiree's accumulation in the group retirement plan, with the balance, if necessary, provided by the University as supplemental retirement income.

The Legislature of the Commonwealth of Kentucky has appropriated funds to the University for the payment of supplemental retirement income benefits since adoption of the group retirement plans, and is expected to continue this practice. However the Constitution of the Commonwealth of Kentucky prohibits the commitment of future revenues beyond the end of the current biennium. Accordingly, the University does not recognize the liability for supplemental retirement income benefits during the service life of covered employees, but recognizes its costs when funds are appropriated by the Legislature and payments are made. The University intends to continue paying supplemental retirement income benefits contingent upon the Legislature continuing to appropriate funds required to make these payments. Supplemental retirement benefit payments were \$4,686,100 for 1997.

The latest actuarial valuation was prepared as of June 30, 1996 by TIAA. The actuarial present value of vested and non-vested accumulated supplemental retirement income benefits as determined by this valuation, utilizing an assumed rate of return of 7%, was \$35,756,000.

11. Health Insurance Benefits for Retirees

The University provides health care benefits to retirees who have a minimum of fifteen years service. The University recognizes the cost of providing those benefits by expensing the insurance premiums in the year paid. These premiums were \$2,399,700 for the year ended June 30, 1997. At June 30, 1997, 1,376 retirees met the service requirement and were receiving benefits.

12. Contingencies

The University is defendant in several lawsuits. However, University officials are of the opinion, based on advice of in-house legal counsel, that the effect of the ultimate outcome of all litigation will not be material to the future operations or financial position of the University.

13. Pledges

Pledges totaling approximately \$31,010,000 are expected to be collected over the next ten years. Deferred gifts through insurance, known bequests and irrevocable trusts in which the University has a remainder interest are estimated to be approximately \$46,800,000.

The University records contributions as revenue when the cash is received.

14. Grants and Contracts Awarded

At June 30, 1997, grants and contracts of approximately \$88,000,000 had been awarded to the University and the University of Kentucky Research Foundation but not expended. These amounts will be recognized in future periods as revenues and expenditures as the funds are expended.

15. Reclassifications

Certain reclassifications to fiscal 1996 comparative amounts have been made to conform with the fiscal 1997 classifications.

16. Kentucky Postsecondary Education Improvement Act of 1997

The General Assembly of the Commonwealth of Kentucky during the 1997 Extraordinary Session enacted House Bill 1, the Kentucky Postsecondary Education Improvement Act of 1997. One of the objectives of this legislation is to enhance the status of the University of Kentucky, a major comprehensive research institution, to a national ranking among the top 20 public universities by the year 2020. Also, under the new law, the University of Kentucky Community College System, with the exception of Lexington Community College, will become a part of a newly-created Kentucky Community and Technical College System (KCTCS), although ownership of the Community College System will be retained by the University of Kentucky. Management responsibility for the Community College System will be delegated to the KCTCS Board of Regents effective no later than July 1, 1998. The effect of the change of management responsibility of the University of Kentucky Community College System on the consolidated financial statements of the University of Kentucky is not presently known.

FCR 2

Office of the President
September 16, 1997

Members, Board of Trustees:

REPORT OF LEASES

Recommendation: that the Board accept the President's Report of the following lease agreements in accordance with Board Policy:

A new lease between the University of Kentucky (Rural Health) and Evarts Multi-Purpose Center, P. O. Box 218, Evarts, Kentucky, for space located on Highway 38, Evarts, Kentucky, effective September 1, 1997 through June 30, 1998, for the use of 2,480 square feet for a fitness program, at an annual rate of \$1,000.00, be accepted and made a matter of record.

A new lease between the University of Kentucky (Kentucky Home Place) and the Housing Authority of Todd County, P. O. Box 69, Guthrie, Kentucky, for space located at 150 Pennyriple Court, Guthrie, Kentucky, effective September 1, 1997 through June 30, 1998, for the use of 60 square feet of office space, at an annual rate of \$600.00, be accepted and made a matter of record.

Background: FCR 5, dated October 5, 1985, authorized the President or his designated representative to enter into leases and easements not exceeding \$30,000 in value and required that all leases entered into under this authority be reported to the Board.

Action taken: Approved Disapproved Other _____

FCR 3

Office of the President
September 16, 1997

Members, Board of Trustees:

UNIVERSITY OF KENTUCKY
CAPITAL REQUEST 1998-2000
(University System, University Hospital
and Community College System)

Recommendation: that the 1998-2000 capital requests for the University System, the University Hospital, and the Community College System be approved for submission to the Council on Postsecondary Education.

Background: The 1998-2000 Capital Request has been developed consistent with the goals and objectives established within the University Strategic Plan. Separate requests are included for the University System, the University Hospital, and the Community College System. The Kentucky Community and Technical College System (KCTCS) Board of Regents approved the 1998-2000 Community College System Capital Request on August 25, 1997. The 1998-2000 capital requests meet the guidelines for capital project requests as developed by the Council on Postsecondary Education pursuant to Kentucky Revised Statutes Chapter 164.

Action taken:

Approved

Disapproved

Other _____

FCR 4

Office of the President
September 16, 1997

Members, Board of Trustees:

PHILIP MORRIS, INC., CONTRIBUTION

Recommendation: that the Board of Trustees accept a gift of \$314,000 from Philip Morris, Inc., of Richmond, Virginia, to the College of Agriculture.

Background: Philip Morris has been a major supporter of the College of Agriculture for many years and has contributed significantly to the success of the college's research, instruction and service programs. This gift is for undergraduate scholarships, graduate fellowships, the leadership development program and tobacco research.

Action taken:

Approved

Disapproved

Other _____

FCR 5

Office of the President
September 16, 1997

Members, Board of Trustees:

ESTATE OF MARGARET W. PEAL

Recommendation: that the Board of Trustees accept a bequest of \$200,000 from the Estate of Margaret W. Peal for the W. Hugh Peal Book Endowment.

Background: Margaret Peal was a resident of Leesburg, Virginia, and the widow of University of Kentucky graduate and library benefactor, W. Hugh Peal. In 1985, Mr. and Mrs. Peal donated a substantial portion of his private library of rare manuscripts and publications, valued at \$5 million, to the UK Libraries. In the years since Mr. Peal's death, Margaret Peal has continued to contribute to UK book endowments. She also contributed additional books from Mr. Peal's library, as well as two framed Audubon prints. The bequest will be added to the W. Hugh Peal Book Endowment to enhance the Peal Book Collection.

Action taken: Approved Disapproved Other _____

FCR 6

Office of the President
September 16, 1997

Members, Board of Trustees:

G. D. SEARLE & COMPANY

Recommendation: that the Board of Trustees accept a gift of \$100,000 from G. D. Searle & Company, Chicago, Illinois, for the College of Medicine.

Background: G. D. Searle & Company made the gift in recognition of the work and international reputation of James E. Muller, M.D., Vice Chairman of the Department of Internal Medicine and Division Chief of Cardiology. A pharmaceutical company, Searle designated the contribution to support the College of Medicine's cardiovascular program and the Kentucky Heart Institute.

Action taken:

Approved

Disapproved

Other _____

FCR 7

Office of the President
September 16, 1997

Members, Board of Trustees:

ESTABLISHMENT OF STITES & HARBISON PROFESSORSHIP OF LAW
AND QUASI-ENDOWMENT

Recommendation: that the Board of Trustees establish the Stites & Harbison Professorship of Law to be funded by gifts from Stites & Harbison, a Lexington, Kentucky, law firm, and establish a quasi-endowment fund with matching contributions from the College of Law.

Background: Stites & Harbison, a long-time supporter of the College of Law, has pledged \$48,000 for the professorship payable in four annual installments of \$12,000 through 2000. The law firm's total commitment to the professorship is \$85,000, which includes \$37,000 in previous gifts. The College of Law is supporting the Stites & Harbison Professorship by establishing a quasi-endowment fund of \$100,000. When fully funded, the Stites & Harbison Professorship will provide a \$10,000 annual salary supplement to a senior faculty member with special distinction.

Action taken:

Approved

Disapproved

Other _____