

MINUTES

**Meeting of the Board of Trustees
University of Kentucky
1:00 P.M.
March 2, 2004
18th Floor Patterson Office Tower**

Minutes

Accompanying Materials:

President's Report and Action Items

- PR 1 President's Report to the Trustees
- PR 2 Personnel Actions
- PR 3 Appointment of Dean of the College of Medicine
- PR 4 Adoption and Delegation of Authority to Implement Clinical Enterprise Code of Conduct Addendum
- PR 5 Honorary Degree Recipients

Finance Committee Report

- FCR 1 Report of Leases
- FCR 2 Disposition of Personal Property
- FCR 3 Patent Assignment Report
- FCR 4 Name Change for the Development Dimensions International Professorship in Behavioral Health Research in the School of Public Health
- FCR 5 Gift and Pledges to Helen Edwards Abell Endowed Research Fund in Historic Preservation and Changing Name of Fund
- FCR 6 Kentucky Medical Services Foundation Gift and Pledge (1)
- FCR 7 Kentucky Medical Services Foundation Gift and Pledge (2)
- FCR 8 Arthur E. Walker, Jr. Gift and Pledge
- FCR 9 A Resolution of the Board of Trustees of the University of Kentucky Authorizing the Issuance of Said Board's Housing and Dining System Refunding Revenue Bonds, Series N, P, Q and R (Second Series), to be Dated the First Day of the Month in Which Sold; Authorizing Proper Proceedings Relative to the Public Sale of the Bonds and the Disposition of the Proceeds Thereof; Authorizing Execution of a Thirteenth Supplemental Trust Indenture Between the Board and Farmers Bank & Capital Trust Company, Frankfort, Kentucky, as Trustee, in Compliance with the Provisions of the Trust Indenture Dated June 1, 1965
- FCR 10 A Resolution of the Board of Trustees of the University of Kentucky Authorizing the Issuance of Approximately \$54,110,000 of University of Kentucky Consolidated Educational Buildings Refunding Revenue Bonds, Series P, Q and R (Second Series), to be Dated the First Day of the Month in Which the Bonds are Sold
- FCR 11 Authorization to Convey 3.065 Acres, More or Less, Mason County, to the City of Maysville
- FCR 12 Authorization to Convey .407 Acres, More or Less, in Owen County to Department of Highways for Right-of-way Purposes (Temporary Easement)

Minutes of the Meeting of the Board of Trustees of the University of Kentucky,
Tuesday, March 2, 2004.

The Board of Trustees of the University of Kentucky met at 1:00 p.m. (Lexington time) on Tuesday, March 2, 2004 in the Board Room on the 18th Floor of Patterson Office Tower.

A. Meeting Opened

Mr. Steven S. Reed, Chair, called the meeting to order at 1:10 p.m., and Ms. Marian Sims gave the invocation.

B. Roll Call

The following members of the Board of Trustees answered the call of the roll: James F. Hardyman, Marianne Smith Edge, Davy Jones, Michael Kennedy, Pamela R. May, Robert P. Meriwether, Billy Joe Miles, Phillip Patton, Elissa Plattner, Steven S. Reed (Chair), Frank Shoop, Marian Moore Sims, Alice Stevens Sparks, Myra Leigh Tobin, Rachel Watts, JoEtta Y. Wickliffe, Billy B. Wilcoxson, Russ Williams, Elaine A. Wilson, and Barbara S. Young. The University administration was represented by President Lee T. Todd, Jr., Provost Michael Nietzel, Executive Vice President for Finance and Administration Dick Siemer, Executive Vice President for Health Affairs Michael Karpf, Executive Vice President for Research Wendy Baldwin, and Acting General Counsel Barbara Jones.

Members of the various news media were also in attendance. A quorum being present, the Chair declared the meeting officially open for the conduct of business at 1:14 p.m.

C. Consent Agenda

Mr. Reed called attention to the Minutes and other items on the consent agenda. He asked for any questions about the items and called for a motion of approval of the consent agenda. Ms. Sparks moved approval. Her motion, seconded by Ms. Smith Edge, carried without dissent. The items on the consent agenda follow:

Minutes – February 10, 2004

PR 2 Personnel Actions

FCR 5 Gift and Pledges to Helen Edwards Abell Endowed Research Fund in
Historic Preservation and Changing Name of Fund

FCR 6 Kentucky Medical Services Foundation Gift and Pledge (1)

FCR 7 Kentucky Medical Services Foundation Gift and Pledge (2)

FCR 8 Arthur E. Walker, Jr. Gift and Pledge

(See PR 2, FCR 5, 6, 7, and 8 at the end of the Minutes.)

D. Resolution

Mr. Reed said that the Board was going to take a brief deviation from the Board's agenda for an extraordinary occasion. He called on Rachel Watts, Student Government Association President and Student Trustee, to read a Resolution.

Ms. Watts read the following Resolution:

WHEREAS, Jeffrey C. Graham graduated May 23rd, 2003, with a civil engineering degree from the University of Kentucky College of Engineering, and

WHEREAS, during his career as a UK student, Mr. Graham distinguished himself as a student and was inducted into membership of the Civil Engineering Honor Society of Pi Epsilon, and

WHEREAS, Mr. Graham received his engineering training certificate from the Kentucky Board of Registration for Professional Engineers and Land Surveyors, and

WHEREAS, Mr. Graham also was an outstanding member of the UK Reserve Officer Training Corps during his career as a student, rising to become a leader of UK's award winning Pershing Rifles Drill Team, and

WHEREAS, Mr. Graham entered the United States Army upon his graduation from the University of Kentucky as a second lieutenant, tank platoon leader with the U.S. Army, First Battalion, 34th Armored, Fort Riley, Kansas State, First Infantry Division, and

WHEREAS, Lt. Graham was assigned to combat duty in Iraq, where he served with distinction and pride, bringing great honor to himself, his family and friends, his country, his alma mater, and the Commonwealth of Kentucky, and

WHEREAS, Lt. Graham, age 24, was killed February 19th, 2004 in action in Iraq, south of Baghdad, while he was heroically attempting to warn soldiers in his platoon of imminent harm from a roadside bomb he discovered while leading the platoon, and

WHEREAS, Lt. Graham was awarded the Bronze Star Medal and the Purple Heart for his heroism in military action in which he served,

NOW, THEREFORE, BE IT RESOLVED that the University of Kentucky Board of Trustees expresses its grief and extends its most heartfelt sympathy to the family of Second Lt. Jeffrey C. Graham, including his parents, Army Colonel Mark Graham and Carol Shroat Graham, who are attached to the U.S. Army base in Fort Sill, Oklahoma. To his sister, and my sister, Melanie Graham and his fiancée, Stacey Brook Martinez of Elizabethtown, and

BE IT FURTHER RESOLVED that the Board of Trustees extends its gratitude and prayers for safety to all the young men and women of the Commonwealth of Kentucky who place themselves in service to protect the freedom and security of this great land we have come to cherish.

Ms. Watts thanked Mr. Graham's family and fiancée for being in attendance with the Board.

Mr. Reed said that he read the story about Mr. Graham with great interest. The more he read and re-read the story and watched it on the news, he realized how special this was and what a special young man this was. He said he remembered telling his wife when he first read the story that he did not know when the memorial arrangements or services would be, but he wanted to be there – not in a personal capacity but to let the University know that this is one of the most special occasions and honors that the University has ever had.

Mr. Reed said that as tragic as it is and as unfortunate as it is, this is a defining moment for the history of the University and that the Board conveys and expresses its heartfelt love for Mr. Graham's family and for the courage and heroism that was demonstrated by their son. Mr. Reed said that he is proud that Lt. Jeffrey Graham was part of UK and that he is somehow connected to him and his courage. He said that he wanted the family to know how the Board feels, and it would be an honor to say "hello" to each of them and shake their hands.

Mr. Reed, President Todd and members of the Board took this opportunity to greet the family and express their sympathy on the loss of their son, Second Lt. Jeffrey C. Graham.

E. President's Report

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

Senator McConnell visited campus and brought with him a large cardboard check for \$11.36 million. This brings a total of \$22 million for UK's federal earmarks during the previous 12-month period, a record for the campus. It is something that allows the University to move forward with its agenda even in these difficult times. President Todd expressed appreciation for the check.

Campus safety is an issue that has been on a lot of minds. The University's staff worked with the cell phone service providers that cover the campus to develop a special number that students could dial on their cell phones that would immediately ring to the UK police station. That number is #UKPD. The students can actually have that number on their quick dial as they are walking across campus and can get help quickly, if needed. This effort came out of a safety walk that the Commission on the Status of Women had around campus. They actually tried one of the emergency phones, and it did not work. Somebody suggested that everybody has a cell phone nowadays, and there are not a lot of emergency phones around. This was an idea that was borne of that expertise and a suggestion that the University move quickly to make that happen.

President Todd said that PR 2 was on the consent agenda; however, he was going to deviate slightly because of a personnel issue and a special presentation. It is in recognition of a University employee who is celebrating a 30th service anniversary. She actually reached that mark in November, but there was something on order that did not arrive on time.

He said that Peggy Way has actually had 33 years of service with the University of Kentucky when you take into account her first tour of duty. She left the University briefly before coming back for good. She began her new tour in Journalism, spent time in Graduate Studies, and Personnel and Benefits before moving to the President's Office in 1982. He said that he is the fourth President that Peggy has served. Probably more accurately, the fourth President that Peggy has trained.

President Todd said that as you become acquainted with Peggy, you really know that she has two families. She is extremely committed to her true family. She has met all of those challenges in an extremely personal way this last year, which has been challenging for her. He said that he respects Peggy's devotion to that family.

He said that those who have been on the Board longer than he has been in his position know that the Board is family, too, as well as the rest of the University. Peggy is deeply loyal and protective of this family as well.

For those 30-plus years of outstanding service, for dealing with the Administration Building fire, for dealing with four presidents, and for dealing with Board members, President Todd presented a small token of appreciation to Peggy for that service and said that he wanted to let her know how much they feel that she has contributed to the institution in the time of her presence here. Peggy was saluted by a standing ovation from the Board and the audience.

Peggy thanked President Todd for his kind words and the 30-year service award charm.

F. Appointment of Dean of the College of Medicine (PR 3)

President Todd said that PR 3 is the appointment of the Dean of the College of Medicine. He is pleased to recommend the appointment of Dr. Jay A. Perman as Dean of the College of Medicine and Vice President for Clinical Affairs for the Chandler Medical Center effective May 1, 2004.

He reminded the Board that Emery Wilson resigned as Dean of the College of Medicine to return to the faculty. A search committee was appointed and did a national search. There were 42 candidates scrutinized by the committee, and seven finalists were interviewed on campus. Dr. Perman received enthusiastic support across the University and was strongly supported by the search committee. President Todd asked the Board to approve the appointment of Dr. Jay Perman as Dean of the College of Medicine. Dr. Meriwether moved approval of PR 3. Ms. Sims seconded his motion, and it carried without dissent. (See PR 3 at the end of the Minutes.)

President Todd asked Provost Nietzel to introduce Dr. Perman.

Provost Nietzel thanked President Todd. He noted that in the past couple of years a tradition began of introducing new deans at the Board of Trustees meeting where their appointment is considered. He said that he was particularly pleased to be able to make this introduction, and there are at least two reasons why he is especially pleased.

First, the University has hired seven new deans in the past three years. This appointment now brings the University to the full compliment of full-time deans. It is an outstanding group. This group brings some excellent scholarly credentials and leadership abilities to the University. The Board has had an opportunity to meet each of the deans with the exception of one person who could not attend the meeting at the time of her appointment.

A second, and bit more specific, reason why this appointment is meaningful for the University is that it gives time to recognize the contributions that Emery Wilson made to the College of Medicine and to the University. Emery was a senior dean, both on this campus and among colleges of medicine across the country. He was an excellent leader for the College and the University for those many years. Provost Nietzel said that he is particularly glad that Emery will remain on the faculty in the College of Medicine. He will also be directing the Health Research and Development Center in the College of Medicine. Emery has been very helpful in the transition as Dr. Perman has come aboard.

Provost Nietzel said that President Todd had summarized Dr. Perman's credentials briefly; however, he wanted to emphasize one of the qualities that brought him to the attention initially of the committee and won their esteem. That quality is his superb academic record at four different institutions.

Dr. Perman began his academic career at the University of California in San Francisco. He was on the faculty at Johns Hopkins University for more than a decade. He was then at Virginia Commonwealth University and most recently has been at the University of Maryland where he was Chair of the Department of Pediatrics. He has won a number of teaching and research awards and has assumed and been entrusted with leadership positions in gastroenterology, in particular, across a number of years at both the national and international level.

Provost Nietzel said that this appointment is a very visible and important appointment. The College of Medicine is the largest college at the University of Kentucky. It is a vital college with respect to research and preparation of physicians. It had visibility also because it was the first test, if you will, of the new structure in which the Executive Vice President for Health Affairs and the Provost had the opportunity to work together on a very significant appointment. It was a wonderful search. The committee did a great job with the leadership of Paul Bauckner and Don Gash, who are both chairs in the College of Medicine.

Provost Nietzel reported that this was the first chance he and Mike Karpf had to work together. They began the process as colleagues determined to do a good job. They

ended the process as colleagues, but it has also given them the foundation for a friendship. He said that it went that well. They were hand in hand during the process the whole way, and it made this appointment a very good one for the University and also for the structure that has been put into place. He said he wanted to thank publicly Mike Karpf for his role in the search. He does not think they would have made this sterling an appointment without Mike being at the University and taking the really terrific active role that he took.

Provost Nietzel said that it was his pleasure to introduce Dr. Jay Perman. He noted that Dr. Perman's wife, Andrea, is with him on this visit to Lexington. She has been here on several visits and has begun to make acquaintances in Lexington. He said that he and others have become quite confident that the Permans are going to like Lexington from their initial visits. Dr. Perman will be joining the University officially May 1st; however, he is already taking a very active role in the direction and planning for the College of Medicine and has been here a number of times. The schedule will be intensified over the next couple of months. Provost Nietzel said it was both his and Dr. Karpf's pleasure to welcome Dr. Perman. He asked Dr. Perman to come forward and give a few remarks to the Board.

Dr. Perman thanked Dr. Nietzel, Chairman Reed, President Todd, distinguished Trustees, and colleagues. He said he probably would be a little emotional because he is deeply honored and deeply humbled to take on this responsibility and to be the new Dean of the College of Medicine. He said it was made all the more meaningful to him by the fact that he got to know Emery Wilson over a period of a year and a half when he had the privilege of serving in a fellowship program that Emery, on a national level, was gracious enough to design when he recognized that deans of colleges of medicine did not last very long. The University's retiring Dean of the College of Medicine, Emery Wilson, is not one of those. He has been one of the longest serving deans in America, and everyone has something to learn from Emery. Dr. Perman said that he is delighted that Emery is going to be staying on to be a senior counsel to him and to continue to mentor him.

In the annals of American academic medicine, the University of Kentucky College of Medicine is one of the younger colleges. It is about 50 years old, which is relatively young as colleges of medicine go. And yet, in those 50 years, it has had a distinguished record. The University of Kentucky College of Medicine is seen as an innovator in medical education. It is seen as an innovator in rural health. It has brought and will continue to bring many discoveries that will be meaningful for our collective health care – both here in Kentucky and across the nation. For all of those reasons, he said he was hoping to get this job.

Dr. Perman said that he is particularly inspired by the enthusiastic leadership that he has seen at the University, especially the understanding shown by President Todd, Dr. Nietzel, and Dr. Karpf of issues related to medicine within an academic environment. This understanding bodes very well and will make his job easier. This is a very good medical school. A great College of Medicine will be made out of this very good college. He said that he hoped to be able to help the distinguished faculty, the distinguished staff, students, and residents to make it so. He said that he will work very hard, and he is very grateful for this opportunity.

G. Adoption and Delegation of Authority to Implement Clinical Enterprise Code of Conduct Addendum (PR 4)

President Todd said that PR 4 is the Adoption and Delegation of Authority to Implement Clinical Enterprise Code of Conduct Addendum. He reminded the Board of its adoption of the Code of Ethics at the last Board meeting. The clinical operation has certain restrictions pertaining to the acceptance of gifts and relationships with industry that are more stringent than the typical policy; therefore, it is necessary to have an addendum to that agreement.

He reported that the policy has been presented to the Clinical Enterprise Compliance Committee and has been approved by the Committee. In order to implement the policy and to have the flexibility to amend the policy rapidly to correspond to any of the additional regulatory changes that come about, it is further recommended that the Board of Trustees delegate to the Executive Vice President for Health Affairs and the Provost, the two officials who oversee the clinical enterprise, the authority to implement the clinical enterprise Code of Conduct amendment and revise the same from time to time as needed. It is a recommendation to approve the addendum and to provide the authority to implement clinical operation changes to this addendum to the Provost and the Executive Vice President for Medical Affairs. Mr. Shoop moved approval of PR 4. Ms. Wilson seconded his motion.

Dr. Jones said that he would like to offer a small, near friendly amendment. He suggested that an insertion be made in the first line near "...the Board of Trustees Adopt the Attached Clinical Enterprise Code of Conduct Addendum and delegate "through the President" to the University Provost and Executive Vice President for Health Affairs...." He said that he had talked with President Todd about this amendment.

President Todd said that his General Counsel was indicating that it is okay to do that.

Mr. Reed said that Dr. Jones had also talked to him about it and had informed him that he had talked to President Todd earlier. He called for a motion to amend PR 4. Dr. Jones moved that PR 4 be amended. Ms. Young seconded his motion, and the amendment to PR 4 carried. Dr. Meriwether abstained from voting.

Mr. Reed then called for a motion to approve PR 4 as amended. Ms. Smith Edge moved approval. Ms. May seconded her motion, and it carried. Dr. Meriwether abstained from voting. (See PR 4 at the end of the Minutes.)

H. Honorary Degree Recipients (PR 5)

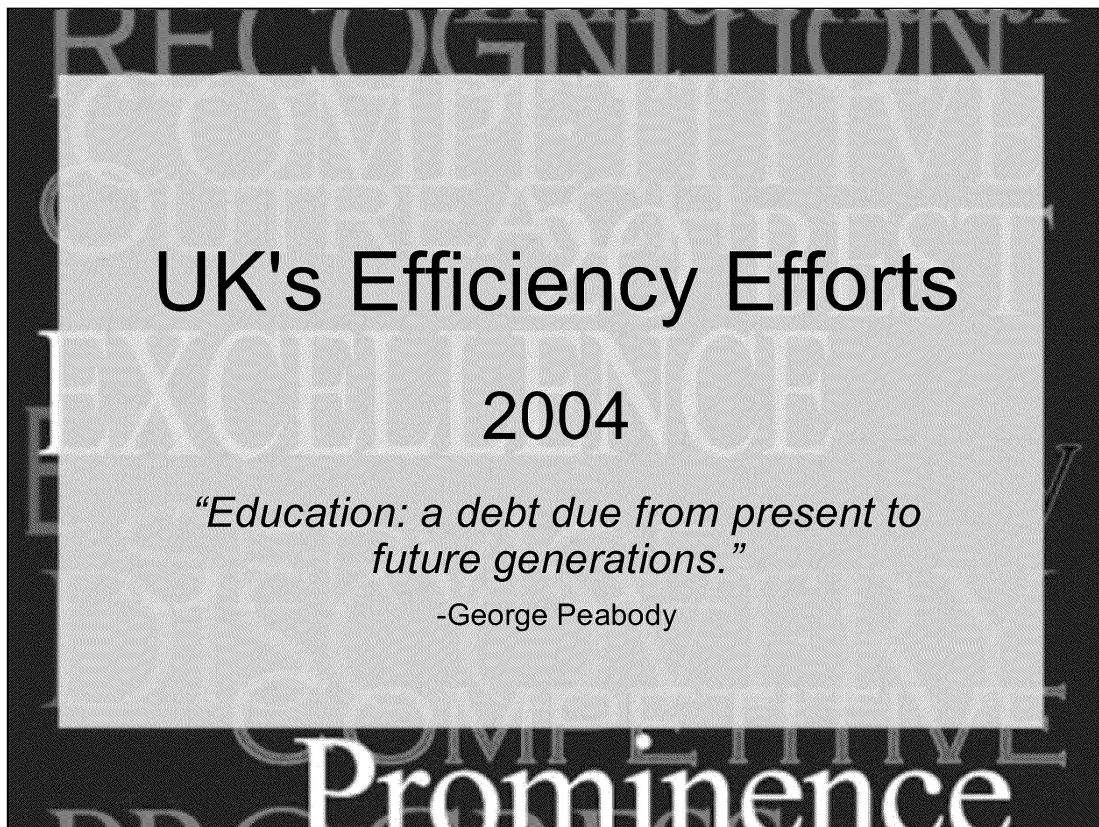
President Todd said that it was his pleasure to recommend that approval be granted to award the honorary degree of Doctor of Science to John D. Baxter, the Doctor of Letters to James W. Stuckert, and the Doctor of Letters to George Carlton Wright. He noted that biographical sketches for the three individuals were attached to PR 5. If the Board approves the recommendation, they will be honored at this year's Commencement

exercises. The Committee on Honorary Degrees has recommended to the Graduate Faculty and the University Senate that honorary degrees be awarded to these individuals. On a motion made by Ms. Smith Edge and seconded by Professor Kennedy, PR 5 carried without dissent. (See PR 5 at the end of the Minutes.)

I. PowerPoint Presentation by President Lee T. Todd, Jr.

President Todd said that he had intended to discuss tuition at this meeting; however, he decided to delay that discussion primarily because the University has not received a final budget. He said that he thought the budget would be received within the next three weeks and that a final tuition proposal would be brought to the Board later.

He said he wanted to let the Board know the administration's thinking process and how they have managed the operation in the last two and a half years in dealing with some of the cuts that have been of significant magnitude. He said that the administration has been working on efficiencies since July 1, 2001 and reviewed the following slides regarding the University's efficiency efforts:



UK UNIVERSITY OF KENTUCKY

State Appropriations - UK

	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>
Original Appropriations	\$313.6	\$305.1	\$295.6
<i>Adjustments:</i>			
Budget Reduction (Recurring)	(\$6.0)	(\$8.6)	(\$5.5)
Budget Reduction (Nonrecurring)	(\$2.5)	\$2.5	(\$16.7)
Benchmark Funding			\$3.1
Other		(\$3.3)	\$0.3
<i>Total Adjustments</i>	<i>(\$8.5)</i>	<i>(\$9.4)</i>	<i>(\$18.8)</i>
State Appropriations per Enacted/Revised Bills	\$305.1	\$295.7	\$276.8

In Millions

3/29/2004 2

Prominence

UK UNIVERSITY OF KENTUCKY

State Appropriations - LCC

	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>
Original Appropriations	\$8.59	\$8.54	\$9.08
<i>Adjustments:</i>			
Budget Reduction (Recurring)	(\$0.05)	(\$0.07)	(\$0.39)
Budget Reduction (Nonrecurring)			(\$0.38)
Benchmark Funding			\$0.36
Other		\$0.61	
<i>Total Adjustments</i>	<i>(\$0.05)</i>	<i>\$0.54</i>	<i>(\$0.41)</i>
State Appropriations per Enacted/Revised Bills	\$8.54	\$9.08	\$8.67

In Millions

3/29/2004 3

Prominence

UK UNIVERSITY OF KENTUCKY

Cumulative Effect of Cuts – Operating UK (Excludes LCC)

	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>	<u>2004-05</u>	<u>Total</u>
Recurring FY 2002	(\$6.0)	(\$6.0)	(\$6.0)	(\$6.0)	(\$24.0)
Recurring FY 2003		(\$8.6)	(\$8.6)	(\$8.6)	(\$25.8)
Recurring FY 2004			\$3.1	\$3.1	\$6.2
Recurring FY 2004			(\$5.5)	(\$5.5)	(\$11.0)
Nonrecurring FY 2002	(\$2.5)				(\$2.5)
Nonrecurring FY 2004			(\$16.7)		(\$16.7)
Total (Dollars)	(\$8.5)	(\$14.6)	(\$33.7)	(\$17.0)	(\$73.8)

**Millions*

3/29/2004 Prominence ⁴

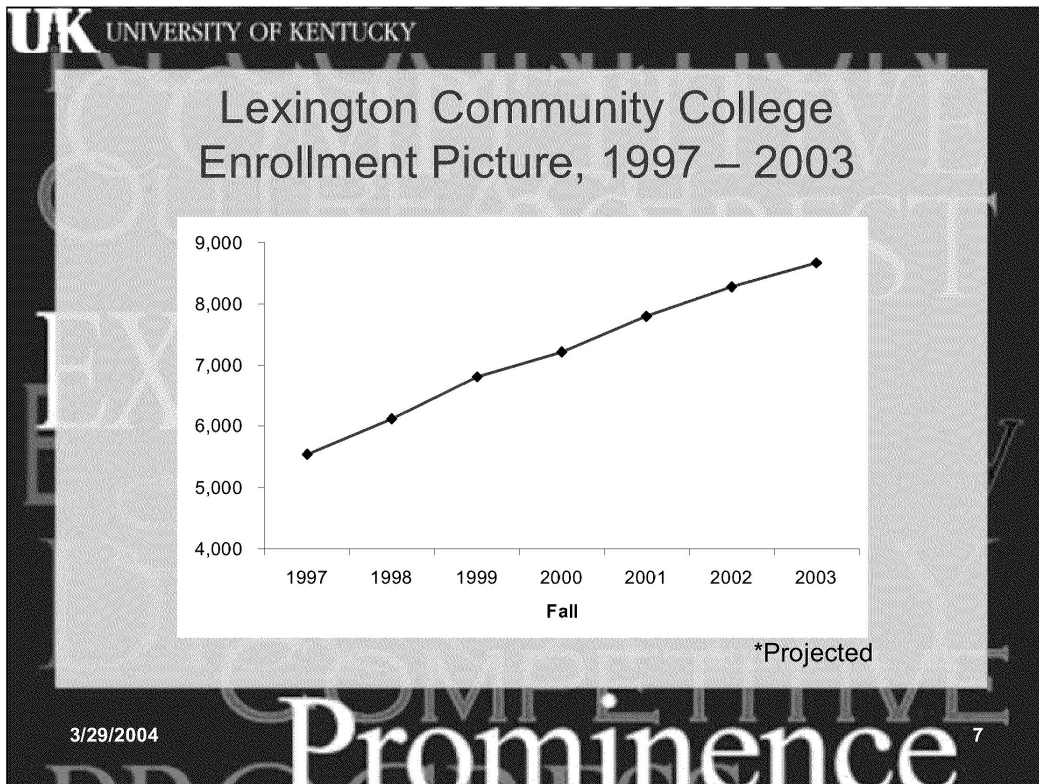
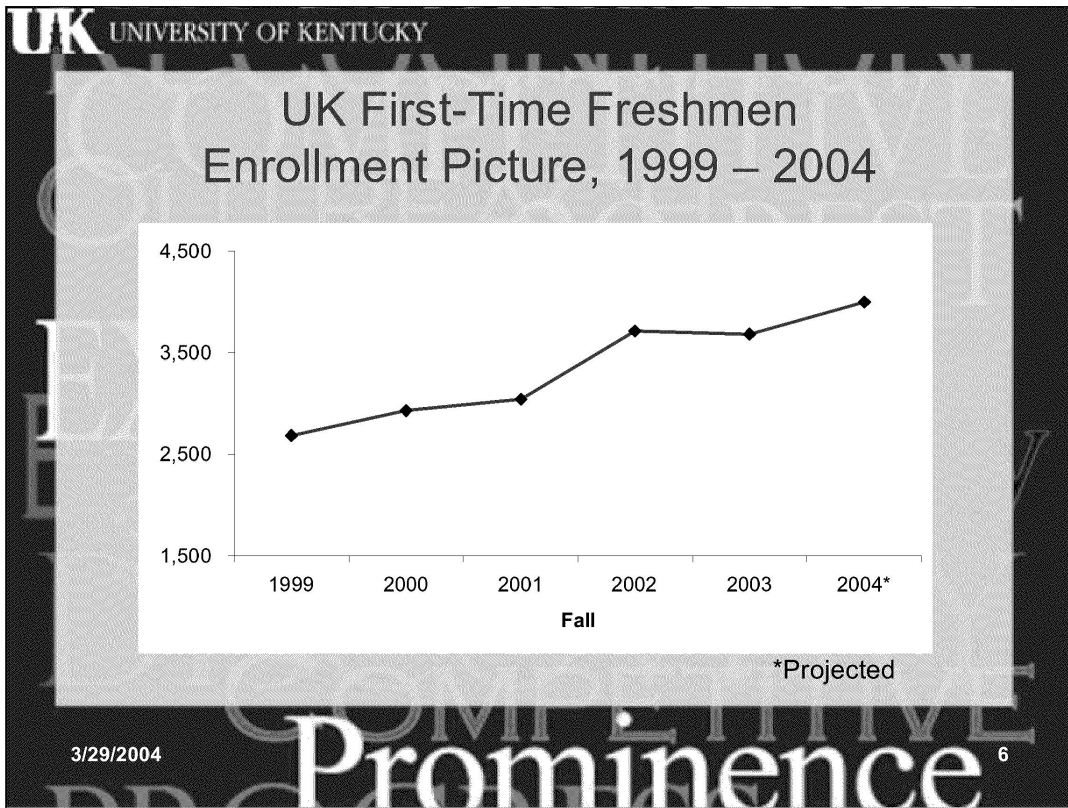
UK UNIVERSITY OF KENTUCKY

Cumulative Effect of Cuts – Operating LCC

	<u>2001-02</u>	<u>2002-03</u>	<u>2003-04</u>	<u>2004-05</u>	<u>Total</u>
Recurring FY 2002	(\$0.05)	(\$0.05)	(\$0.05)	(\$0.05)	(\$0.20)
Recurring FY 2003		(\$0.07)	(\$0.07)	(\$0.07)	(\$0.21)
Recurring FY 2004			\$0.36	\$0.36	\$0.72
Recurring FY 2004			(\$0.39)	(\$0.39)	(\$.78)
Nonrecurring FY 2004			(\$0.38)		(\$0.38)
Total (Dollars)	(\$0.05)	(\$0.12)	(\$0.53)	(\$0.15)	(\$0.85)

**Millions*

3/29/2004 Prominence ⁵



UK UNIVERSITY OF KENTUCKY

UK's Budget Shortfall Managed in three ways:

- Reallocation from efficiency efforts
Reserves / working capital
- Tuition

3/29/2004 **Prominence** ⁸

UK UNIVERSITY OF KENTUCKY

Examples of Efficiency Efforts

- 1) Restructured the UK administrative organization in 2002-2003 by eliminating one college and merging several academic departments resulting in \$1.5 million recurring savings and redirected \$7 million in 2003-2004 from various sources to high priority items. **TOTAL COST SAVINGS: \$8.5 million**
- 2) Implemented a miscellaneous fringe benefits allocation model which allowed the applicable costs to be charged to self-supporting enterprises and federal grants and contracts. **TOTAL COST SAVINGS: \$3.9 million**
- 3) Developed a cost accounting system to allocate the cost of central services (for example, purchasing, payroll, police) to the university's self-supporting units. **TOTAL COST SAVINGS: \$3.1 million**

3/29/2004 **Prominence** ⁹

UK UNIVERSITY OF KENTUCKY

Use of Funds

- 1) \$57.5 million to offset budget cuts, July 1, 2001 – June 30, 2004.
- 2) Faculty and staff salary increases
 - 4% salary increase in 2001-02 (\$11.8 million)
 - 3% one time performance increment in 2002-03 (\$7.5 million)
 - 3% salary increase in 2003-04 (\$9.8 million)
- 3) Provided more health benefits to employees and their families at no additional cost to employees (\$9.3 million).
- 4) Increased institutionally supported scholarships by \$11.6 million since July 1, 2001.
- 5) Enhanced the professional programs of pharmacy, nursing, law and public health.

3/29/2004

Prominence¹⁰

UK's Efficiency Efforts

2004

"Our progress as a nation can be no swifter than our progress in education. The human mind is our fundamental resource."

-John F. Kennedy

Prominence

President Todd said these slides are not a full presentation. The administration will continue to look for efficiencies. The final information will be presented at the April Board meeting. The purpose of the slides is to give the Board a flavor of things that the administration is doing right now. He said that he would be glad to take any questions.

Dr. Jones said that he would like to second the statement about the need to address the part-time faculty. They are transitory. They are not here so they are not vested in the long-term planning of the programs and what is needed in the longer-term policies. He said that he was very glad to see President Todd's attention to that need.

J. Report of Leases (FCR 1)

Mr. Hardymon, Chair of the Finance Committee, reported that the Committee met that morning with all six of the Committee members present. There were a number of items on the agenda; however, some of them were consent items.

He said that FCR 1 recommends that the Board accept the lease agreements that are under \$30,000.00 a year. He explained that the Committee's job is to review the work that the administration has done on these lease agreements. There is a new lease with the UK College of Architecture for 1,050 square feet of meeting room space on Mill Street in Lexington for \$5,250.00 a year or \$5.00 a square foot. He reported that UK had installed an alarm system and made some office improvements which increased the leasehold amount an additional \$770.00 per month. He moved approval of FCR 1. Ms. Sparks seconded the motion, and it carried without dissent. (See FCR 1 at the end of the Minutes.)

K. Disposition of Personal Property (FCR 2)

Mr. Hardymon said that another function of the Committee is the disposition of any personal property. In this case, the University will give 17 plus computers to Central High Magnet Career Academy in Louisville. It is a public high school. The school has received a grant to redo these computers so they can use them in some of their education practices. He recommended approval of FCR 2. Ms. Sims seconded his motion, and it carried without dissent. (See FCR 2 at the end of the Minutes.)

L. Patent Assignment Report (FCR 3)

Mr. Hardymon said that FCR 3 is a quarterly report. This report is for the period of November 1, 2003 through January 31, 2004. It is done on an off month basis because they do not want everything to fall at the end of a calendar quarter. The report is assigning five patents to the University of Kentucky Research Foundation. He reviewed the following patents:

The first patent is to invent a system for automatically correcting distortion of a front projected video display, thus, providing a sharper image.

The second patent is an invention of a possible cancer cure utilizing certain types of cells to induce program cell death in cancerous cells.

The third patent is the regulation of follicular development. Without this, there would be no reproduction.

The fourth patent is the invention of biochemical tools that enable the identification of chemical compounds that are effective in activating or blocking particular hormone defended regulatory pathways in various organisms. Mr. Hardymon noted that Drs. Grace and Davy Jones are involved with this patent assignment. He congratulated Dr. Jones and asked him for any comments. Dr. Jones received a round of applause.

Dr. Jones said that Mr. Hardymon reported it correctly, and he had no comment.

The fifth patent is the invention of a software program and method for more officially modeling a surface. This technology may find use in improving imperative computer generated images.

Mr. Hardymon thanked everyone for their participation. He also thanked Dr. Baldwin for her help. He then moved approval of FCR 3. His motion, seconded by Ms. Sims, carried without dissent. (See FCR 3 at the end of the Minutes.)

M. Name Change for the Development Dimensions International Professorship in Behavioral Health Research in the School of Public Health (FCR 4)

Mr. Hardymon said that FCR 4 changes the name of the Professorship from Development Dimensions International Professorship in Behavioral Sciences to Behavioral Health. It will clarify that the Professorship is for Behavioral Health Research in the School of Public Health. He recommended approval of FCR 4. Ms. Smith Edge seconded the motion, and it carried without dissent (See FCR 4 at the end of the Minutes.)

N. Gifts and Pledges (FCR 5 through 8)

Mr. Hardymon said that FCR 5 through 8 were consent items. He noted that these gifts and pledges total \$875,837.00. They are eligible to be matched with state funds as part of the endowment match program.

O. A Resolution of the Board of Trustees of the University of Kentucky Authorizing the Issuance of Said Board's Housing and Dining System Refunding Revenue Bonds, Series N, P, Q and R (Second Series), to be Dated the First Day of the Month in Which Sold; Authorizing Proper Proceedings Relative to the Public Sale of the Bonds and the Disposition of the Proceeds Thereof; Authorizing Execution of a Thirteenth Supplemental Trust Indenture Between the Board and Farmers Bank & Capital Trust Company, Frankfort, Kentucky, as Trustee, in Compliance with the Provisions of the Trust Indenture Dated June 1, 1965 (FCR 9)

and

A Resolution of the Board of Trustees of the University of Kentucky Authorizing the Issuance of Approximately \$54,110,000 of University of Kentucky Consolidated Educational Buildings Refunding Revenue Bonds, Series P, Q and R (Second Series), to be Dated the First Day of the Month in Which the Bonds are Sold (FCR 10)

Mr. Hardymon said that FCR 9 and 10 are bond refunding issues. They are a result of a continuous review of outstanding bonds. He noted that the sale of bonds has been going on since he first reported one which was approximately 10 years ago. He explained that the sale of these bonds is dependent on interest rates remaining low.

He said that FCR 9 involves Housing and Dining System Refunding Revenue Bonds. It is a \$20.4 million refunding issue for UK's housing and dining system. He hastily pointed out that this is an accumulative savings of \$376,000.00 that comes to the University of Kentucky for an annual savings of \$24,000.00. He said that this one is going to be a little borderline as it goes forward. The savings accrue to the University. The new issuance has a final maturity date of June 1, 2020.

With Chairman Reed's permission, Mr. Hardymon said that he could present FCR 10 at this time because it is very similar and have one motion for FCR 9 and 10. FCR 10 involves the Consolidated Educational Buildings Refunding Bonds, a \$54.1 million refunding issue with accumulative savings of \$787,000.00 and annual savings of \$46,000.00. Again, this is accrued to the University, and this new issuance will have a final maturity date of May 1, 2021. He recommended approval of both FCR 9 and FCR 10. Ms. Wickliffe seconded his motion, and the motion carried without dissent. (See FCR 9 and 10 at the end of the Minutes.)

P. Authorization to Convey 3.065 Acres, More or Less, Mason County to the City of Maysville (FCR 11)

Mr. Hardymon said that FCR 11 is a gift of approximately three acres in Mason County to the city of Maysville for what is called the Clarks Run Road. It is a public road which is near the Maysville Community College. This will allow people that are involved with the College to have two ways to get in and out and also exit in two different directions. This is a gift, but the University will have a public road that will be maintained by the City of Maysville. He moved approval of FCR 11. Ms. Wickliffe seconded his motion, and it carried without dissent. (See FCR 11 at the end of the Minutes.)

Ms. Wickliffe noted that it was brought to the attention of the Finance Committee that this is the road that the illustrious Chairman Hardymon grew up on.

Mr. Hardymon asked that Ms. Wickliffe's comment not be in the Minutes; however, he said that it was true. It was a great life and a great community.

Q. Authorization to Convey .407 Acres, More or Less, in Owen County to Department of Highways for Right-of-Way Purposes (Temporary Easement) (FCR 12)

Mr. Hardymon said that FCR 12 involves another easement. The University has some farm land in Owen County. It purchased four different tracts over a number of years. In this case, the University will convey a temporary easement for about .4 of an acre on Kentucky 22 to the Department of Highways for \$825.00. This easement will end and revert back to the University when the Department of Highways has finished the construction of certain roadway slopes. This land is just going out temporarily and coming back to the University. He recommended approval of FRC 12. Ms. Sparks seconded the motion, and it carried without dissent (See FCR 12 at the end of the Minutes.)

R. Finance Committee Information Item

Mr. Hardymon reported that the Committee had an information item on the agenda that had quite a bit of interest. It involves a new dormitory project that was announced some time ago and the fact that the construction has just started. The Committee wants to get in on the ground floor of what is being tracked, and what its job will be in looking at any changes that go along.

S. Investment Committee Report

Mr. Wilcoxson, Chair of the Investment Committee, reported that the Committee met on March 1st for approximately three hours. He reported that the endowment investments have been allocated among the domestic and international equities as well as fixed income securities. The University has seven professional managers at this time, and each has a specialized philosophy and a style of investing. They help manage the University's endowment assets. At the end of the year, the University was on tract with its allocations. At December 31, 2003, the portfolio invested 60% in common stocks of U.S. companies, 27 percent in U.S. fixed income securities, and 13 percent in international companies.

Mr. Wilcoxson reported that the pooled endowment investments had a market value December 31, 2003 of \$489.1 million. The market value on June 30, 2003 was \$424.6 million; therefore, the investments increased \$64.5 million for that six-month period. Out of the \$64.5 million, \$58.7 million of the increase was investment appreciation, and net contributions were \$5.8 million. He said that he was also happy to report that for the month of January the University's endowment increased by \$11.8 million to a market value of \$500.9 million at January 31, 2004.

He explained that as an Investment Committee, they are not just looking at today. In the past, the University has been able to support a 5 percent spending policy without diminishing the value of the endowment. However, based on expected capital market returns in the next few years, the University cannot support a 5 percent spending policy without considering different investment strategies that will increase the annual return on investments. Therefore, the Committee will be reviewing new investment strategies in the next few months and will also evaluate the University's 5 percent spending policy. Mr. Wilcoxson said he would answer any questions that anybody might have.

President Todd referred to the reports given at the Investment Committee meeting and reported that there was about \$90 million in the endowment. He pointed out that “Bucks for Brains” has helped, and the development effort has helped because the investment policies were modified at that point in time by the Investment Committee to put the University into something other than just short-term secure investments. He applauded the Committee for having made that decision several years ago because the University is beginning to benefit from it now. He also applauded the fact that it was a very interesting meeting – looking at other strategies now to see how to be even more aggressive but limit the risk. It was a good meeting.

T. Other Business

President Todd said that he is the head of the Athletic Association Board of Directors. He reported that the Board met on March 1st and said that he would ask Mitch Barnhart to send each Board member who did not attend the Athletic Board meeting a copy of Rob Mullen’s presentation on finances.

It was an extremely professional presentation. It just continues the trend in athletics where they show you where they overrun and where they under run. They did indicate they had a \$1.8 million achievement in excess revenues over budget. This year they had about \$800,000.00 worth of expenses that they have had to absorb because they are just now learning the whole process in athletics.

President Todd said that they have done a tremendous job of marketing, and there is a report on that for Women’s Basketball. A record attendance was set this year for Women’s Basketball. It was up 50,000 over last year. Previously, UK was 148th in the country in Women’s Basketball attendance. This year it is 16th.

President Todd reported that Mr. Barnhart went through another list of events that UK’s teams have excelled in recently. He said he would also have Mr. Barnhart send that list to the Trustees. He noted that UK had the largest number of scholar-athletes recognized for academic purposes this year in the SEC. This is something that is very important.

President Todd said that he was not totally prepared to give an Athletic Board report, but he would get that information to the Board members who did not attend the meeting. He applauded Mr. Barnhart for the way things are going in athletics.

Ms. Sparks said that she would like to give the Trustees a few dates to get on their calendar. The CATSBY dinner will be April 19th. The Women’s Basketball team begins play Thursday night at 8:30 p.m. central standard time in the SEC Tournament in Nashville. The men will begin play in the SEC Tournament in Atlanta on Friday, March 12th at 1 p.m.

President Todd said that there was one other thing that he would mention on a very sad note. Susan Lester, Dean Tom Lester’s wife, passed away after a very short illness. The University community reached out to Tom, and he was very appreciative. He said that the University was well represented at the funeral and expressed appreciation

to those who could attend. He asked the Board to keep Tom and his daughters in their thoughts and prayers.

Dr. Jones asked if he could have clarification on PR 4, the clinical enterprise code of conduct, because that has an academic component. He said that he could imagine maybe the faculty, the Senate or some academic body would have some ideas on how to make it even better. Since the Board has delegated the authority to amend as required by law, he is thinking in terms of tracking future proposals to modify this. He asked if this meant that modifications that are discretionary and not required by law are still made at the level of the Board and only those that are rushed because of federal law or some other rush has been delegated down to the quick fix or is everything actually intended to be now delegated down.

Ms. Jones, Acting General Counsel, said the intent is that this is an addendum to the code of conduct because these are mandated by federal laws. It goes through the compliance section at the clinical enterprise, and therefore, it would not go to the committee as has been done for the University code. This is totally separate and over and above that.

Dr. Jones asked if in the future there is a discretionary change that maybe the Senate wants to make, does that go to the Board for approval or does that go to the delegated level for final approval?

Ms. Jones said that it would go to the delegated level because it goes through the Compliance Committee. That is the process for this code. She said if he wanted them to report that to the Board, they certainly can do that and would be glad to do that.

Mr. Reed had a final comment before adjournment. He said that he understood that it is someone's birthday among the Trustees. He did not know if that person wanted to take ownership of this birthday. Ms. Tobin said that it was her birthday, and the Board wished her a happy birthday.

U. Meeting Adjourned

With no further business to come before the Board, Mr. Reed adjourned the meeting at 2:20 p.m.

Respectfully submitted,

Russ Williams
Secretary, Board of Trustees

(PR 2, 3, 4, and 5; and FCR 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 which follow are official parts of the Minutes of the meeting.)

PR 1

Office of the President March 2, 2004

1. Senator McConnell Announces \$11.36 Million in Variety of Federal Research Grants

U.S. Senator Mitchell McConnell secured a total of \$11.36 million in federal funding for research and outreach activities at the University of Kentucky. The College of Agriculture received the largest portion -- \$5.86 million -- while the College of Medicine, the Center of Instructional Technology and Learning, the College of Law, and transportation research also benefit. The funding for the College of Agriculture will support new crop opportunities, forage and livestock systems, health education, plant and animal genetics, and an important partnership with the U.S. Department of Agriculture's Agriculture Research Service. The remainder of the funding will go toward biomedical imaging equipment, the Center of Instructional Technology and Learning, improving medication-related outcomes, the College of Law's electronic access project, and transportation research. McConnell placed these funds in the Omnibus Appropriations Conference Report recently passed by the U.S. Congress and will go to President Bush for his signature.

2. UK Physicians Perform State's First Robot-assisted Surgery

Physicians at UK Hospital performed the first surgical procedure utilizing robotic instruments in mid-January, using the machine to assist in a coronary artery bypass grafting operation. The surgery was performed by Chand Ramaiah, M.D., assistant professor of surgery and director of Minimally Invasive Cardiac Surgery in the UK College of Medicine's Division of Cardiothoracic Surgery, on a 69-year-old female patient of Lexington. Ramaiah's team used the minimally invasive system to bypass blockages in the patient's coronary arteries. The system, which eliminated the need to open the patient's sternum, offers greater precision to the surgeons while providing the patient with a faster recovery with less blood loss and scarring, less post-operative pain and discomfort and a reduced risk of infection.

3. UK Establishes Quick-dial Cell Phone Number to Enhance Campus Safety

In February, UK officials established a new, convenient cell phone number that students and employees can use for emergency contact with UK Police. The number, #UKPD or #8573, provides the means to rapidly report an

emergency situation on campus for faster dispatching of UK Police officers. Before the new number was launched, students and employees calling 911 were connected with the Lexington-Fayette Urban County Government Division of Police, rather than UK Police. Other safety measures established in recent weeks expanded free evening and late-night Campus Area Transportation Service; overlapping shifts of UK Police officers in patrol vehicles, on bicycles and on foot; campus-wide safety alerts to inform students and employees about the most recent armed robberies; a card-access system and appropriate check-in procedures in each residence hall; and safety and security advice for residents of residence halls and fraternity and sorority houses from the Office of Student Affairs. President Lee T. Todd Jr. commended the cooperation between UK and Lexington Police to improve patrols and law enforcement on campus and in surrounding neighborhoods.

4. Research Protocol Consults Community

University of Kentucky researchers are seeking community feedback about a proposed research study to investigate the use of a potential blood substitute in treating severely injured and bleeding patients. The researchers are launching a program to explain how patients would be enrolled in the protocol and to solicit community feedback on those plans. The study would be conducted under a federal regulation that allows research to be conducted in certain emergent, life threatening situations using an exception from the requirement for informed consent. In proposing conduct under this "exception from informed consent," the federal regulation requires community consultation to ensure that the community is involved in the University's Medical Institutional Review Board's (IRB) decision-making process. Andrew Bernard, M.D., trauma surgeon, UK Hospital, faculty member, UK College of Medicine, Department of Surgery, would be the principal investigator of the Central Kentucky-area portion of the national clinical trial testing PolyHeme®, an oxygen-carrying blood substitute being developed by Northfield Laboratories, in the treatment of hemorrhagic shock. More information about the test and sites of public meetings are available online at www.uky.edu/PR/News/040219_polyheme_study.htm.

5. UK to Survey Students to Gather Information on Ways to Improve Campus Climate

In an effort to learn how students perceive their social and academic experience at UK, the university is administering a campus climate survey today and Wednesday to approximately 9,000 undergraduate students. The 85-question survey includes demographic questions and queries on the campus environment, personal feelings, estimated frequency of selected behaviors on campus, and the climate in the classroom.

6. Work-Life Office, Advisory Council to Help Balance Life at Home and Work

President Lee T. Todd Jr. created a Work-Life Office and Advisory Council on Work-Life in February to help the university assist its employees in balancing life in the workplace and life at home. The Work-Life Office will provide an integrated, systematic approach to addressing work-life issues, with a focus on culture and institution-wide initiatives. The council will demonstrate and reinforce a long-term commitment to a positive work-life climate at UK. The president's action came as a response to a report filed by the UK Work-Life Task Force. The report was based on months of research, meetings and focus groups conducted by the task force.

7. Teaching and Academic Support Center Unveils Joe Davis Award

The UK Teaching and Academic Support Center (TASC), the new service center for UK faculty, held an open house in February to introduce its services to the campus community. The center offers a variety of services to help faculty enhance and improve teaching methods that will enrich students' classroom experiences. Among the services are course Web sites, animations, audio-visual services, and training in the use of classroom software applications like Blackboard. The event provided the setting for the presentation of the inaugural Joe Davis Fellows Award to Linda Kraus Worley, associate professor of German, and Charles "Chipper" Griffith III, M.D., associate professor of medicine and pediatrics. Davis, the agricultural economics professor who helped establish the UK Teaching and Learning Center in 1991, died last summer after years of vigorous advocacy of superior, cutting-edge teaching.

8. 50th Anniversary of Brown vs. Board of Education Brings Two Conferences to UK

The landmark Supreme Court ruling in Brown vs. Board of Education of Topeka, Kansas, that abolished segregation in public schools 50 years ago will be the focus of two conferences at UK. The President's Commission on Diversity organized the conference "Education Beyond Brown: Future Perspectives" March 24-26 in the College of Law Building. The tenth annual Black Women's Conference, organized by the African American Studies and Research Program in the College of Arts and Sciences, will focus on "African American Women and the Historic Brown Decision: Looking Backward, Going Forward" on March 25 in the UK Student Center. For more information, contact the commission's office at (859) 257-3493.

9. UK Alumni Association Names Great Teachers

The University of Kentucky Alumni Association recently announced the recipients of its 2004 Great Teacher Award. This year's six winners include Chana Akins, Arts and Sciences; George C. Herring, Arts and Sciences; Kevin R. Hopper, Lexington Community College; Brian R. MacPherson, Medicine; John R. Thelin, Education; and John Yannelli, Medicine and Pharmacy.

10. Kentucky Women Writers Conference to Celebrate 25th Anniversary This Month

The Kentucky Women Writers Conference, the oldest writers conference of its kind in the country, marks its 25th anniversary with one of the most celebrated voices in jazz history. Vocalist Shirley Horn will perform during the conference, slated March 25-27. The conference also features photojournalist Harriet Logan in the inaugural Nell Stuart Donovan Exhibit, a one-woman show of a world-class artist made possible by a grant from the Donovan Trust. More information about the conference is available online at www.uky.edu/Conferences/KYWWC/ or by calling (859) 257-6420.

11. Salamander Research May Give Clues to Organ 'Regeneration'

UK researchers in the College of Arts and Sciences' Department of Biology are collaborating with colleagues at the University of California at Irvine to explore the genetic structure of salamanders in hope of discovering clues about regeneration of living tissue. The project, funded by the National Science Foundation, seeks to identify salamander genes that are expressed during limb regeneration.

12. Arts and Sciences Week Features Performances, Readings and Exhibits

The UK College of Arts and Sciences recently concluded its celebration of Arts and Sciences Week, highlighting the many aspects of academic life addressed by its departments. Organized by the Arts and Sciences Student Ambassadors, the event featured live entertainment by the Step Show Dancers of Alpha Phi Alpha, an address by Pulitzer Prize-winning author Douglas Hofstadter, and readings by award-winning Kentucky author and UK writer-in-residence Bobby Ann Mason. Displays and exhibits highlighted books authored and research projects conducted by faculty members.

13. UK Researchers to Be Featured at Ohio Valley Alliance for Life Sciences Conference

Several UK researchers will be among the presenters at the second annual meeting of the Ohio Valley Alliance for Life Sciences in Louisville next week.

The two-day event, hosted by the University of Louisville, focuses on high-technology research with marketplace potential being performed at UK, U of L, Wright State University, and the University of Cincinnati. The event features keynote speaker William Hazeltine, chair and chief executive officer of Human Genome Sciences Inc., discussing his experiences in blending science and commercialization initiatives. More information is available online at www.OVALSgroup.org or by calling (513) 558-1810.

14. UK Celebrates Cultural Diversity at 16th Annual Festival

UK celebrated its 16th annual Cultural Diversity Festival last month during two weeks of displays, events and shows. Among the events were Chinese acrobats, a UK Asia Center film festival, and a performance by the Moscow State Radio Symphony Orchestra.

15. Art Museum Hosts New Exhibits of African Art, Ceramics and John Regis Tuska

Three new exhibits opened at the UK Art Museum on Sunday, offering patrons views of African art, ceramics and the works of Kentucky ceramic artist John Regis Tuska. "African Art With its Shadows: Selections from the Collection of John D. Erickson" runs through May 30 and highlights the collection of a UK College of Arts and Sciences professor. "A Ceramic Continuum" runs through April 25 and includes 85 pieces from the Archie Bray Foundation for Ceramic Arts in Helena, Mont. "Tuska" also runs through April 25. For more information visit www.uky.edu/ArtMuseum or call (859) 257-5716.

16. UK CARES Hosts "Great Jeans Giveaway" to Encourage Healthy Eating Habits

In late February, the UK Counseling, Awareness, Resources and Educational Services program (CARES) of University Health Service hosted the "Great Jeans Giveaway" in collaboration with University Counseling and Testing Center to increase awareness of eating disorders. The program collected students' jeans that no longer fit for donation to local charities.

17. UK Admission and Recruitment Publications Earn National Recognition

For the second consecutive year, admission and recruitment publications by the Office of Undergraduate Admission and University Registrar have won national awards at the Admissions Marketing Report's annual Admissions Advertising Awards. In the category for schools with enrollment exceeding 20,000, UK's recruitment poster and Schedule of Classes book received top honors. The University's recruitment video received a silver award. Other materials also were honored with merit awards. The publications' content,

format and designs were coordinated by Jacquie Hager, associate registrar, and Matt Peterson, publications manager, in the Office of Undergraduate Admission and University Registrar.

18. Engineers Day Open House Brings 2,000 Youngsters to College of Engineering

Some 2,000 elementary, middle and high school students turned out on February 28 for the College of Engineering's annual Engineers Day open house. The four-hour event, geared to encourage youngsters to consider engineering careers, offered a broad variety of contests, displays of engineering students' projects, and exhibits highlighting research by College of Engineering faculty. Among the students' projects featured were BIG BLUE, the balloon-released unmanned glider with potential uses in NASA's exploration of other planets, and the solar-powered car that participated in national competitions last spring.

19. Three Prize-winning Kentucky Poets Will Discuss and Read Their Work This Weekend

Kentucky's three most recent winners of the Yale Younger Poets Prize come together for the Bale Boone Symposium this weekend. The prize is the oldest annual literary award in the country. A reception for Tony Crunk, Davis McCombs and Maurice Manning will be held Friday, March 5, at Black Swan Books in Lexington. On Saturday, March 6, the three will host workshops, readings and panel discussions at UK's Gaines Center for the Humanities. A free poets reading will be held at 8 p.m. Saturday in UK's Memorial Hall, followed by a reception at the Ann Tower Gallery in Lexington. For more information, contact the Gaines Center at (859) 257-1537.

20. Governor's Minority College Awareness Program Holds Expo; Stamp Unveiled

The Governor's Minority College Awareness Program (MCAP) at UK celebrated its ninth annual African American Expo on February 21 with a focus on the Underground Railroad. In addition, the United States Postal Service presented the local unveiling of the 2004 Black Heritage Series commemorative stamp of actor Paul Robeson. The event was initiated by the parents of MCAP students to educate the next generation about their African-American heritage. MCAP is comprised of several early intervention components focused on preparing African-American and other underrepresented minority students, grades 2-12, for success in postsecondary education institutions.

21. U.S. Geologist Discusses What Indonesian Swamps Reveal About Kentucky Coal

Blaine Cecil, a research geologist with the U.S. Geological Survey, discussed how coal was formed in Kentucky and what studies of tropical peat swamps in Indonesia reveal about Kentucky coal in the 2004 Donald Haney Lecture on February 26. Cecil has led American and Indonesian geologists on numerous expeditions to study Indonesia's coastal swamps, rivers and seas. The Haney Lecture, sponsored by the Kentucky Geological Survey (KGS) at UK, is named for Haney, a former KGS director.

22. Nominations Being Sought for 2004 Algernon Sydney Sullivan Medallion

Nominations are being sought for the 2004 Algernon Sydney Sullivan Medallion, presented on Commencement Day to recognize outstanding community service by a graduating male, a graduating female, and a non-student UK employee, alumnus or friend. Nomination materials can be obtained online at www.uky.edu/SullivanAward. Deadline for nominations is 4:30 p.m. Monday, March 29.

23. Tawada Yoko To Be UK Writer-In-Residence

Tawada Yoko, a writer who has produced more than 10 volumes of literature in both Japanese and German, will be a writer-in-residence at UK this month. Among Yoko's books is "Where Europe Begins," a startling collection of stories that move through landscapes of fairy tales, family history, dreams, and everyday reality. Often set in physically disparate locations like Japan, Siberia and Germany, Tawada uses the fragmented world to explore humanity's experience of estrangement in an ever-changing society. Her UK visit is being sponsored by the UK Max Kade House Cultural Center, the UK Japan Studies Program, and UK Asia Center.

24. Student Awards and Achievements

- Russell Lucas, Phil Masterson, Nicholas Rueff and Jason Webb, Mechanical Engineering students who graduated last May, won third place in the American Society of Mechanical Engineers' 2003 international student design competition. The four designed a system to reduce energy needed to remove a simulated ore from an open-pit mine.
- Jennifer Robertson and William Messer, two UK graduates, recently competed in the 44th annual Randolph Hearst Foundation's Journalism Awards Program Opinion Writing Competition. Robertson placed 7th and Messer tied for 15th place overall. Robertson and Messer recently received their bachelor's degrees in journalism from the UK College of Communications and Information Studies. Both had minors in

political science. Robertson is now a reporter for the Lexington-Herald Leader and Messer is in his first year at the UK College of Law. More than 90 students representing 55 universities and colleges across the nation competed in the opinion writing contest. UK also is in fifth place overall in an ongoing Hearst Foundation Intercollegiate Writing Competition which ends April 2004. The Journalism Awards Program consists of six monthly writing contests, three photojournalism competitions and four broadcast news competitions.

25. Faculty and Staff Awards and Achievements

- James W. Anderson, Medicine and Clinical Nutrition, and colleagues published "Carbohydrate and Fiber Recommendations for Individuals with Diabetes: A Quantitative Assessment and Meta-Analysis of the Evidence" in the February issue of the Journal of the American College of Nutrition. Their conclusion is that diets rich in carbohydrates and fiber are the most effective diets for management of blood glucose in persons with diabetes.
- Carolyn S. Bratt, the W.L. Matthews Professor of Law, is among four women to receive Kentucky's most prestigious award for activism on behalf of women. The Kentucky Women Remembered exhibit honors inductees based on women who have strengthened the Commonwealth by strengthening Kentucky women through determination, personal contributions and exemplary leadership in the struggle for women's rights. Bratt was recognized for her lifetime commitment to social justice and women's rights.
- Jim Clark, Social Work, is a visiting associate professor in the School of Social Service Administration, University of Chicago, for the winter and spring quarters 2004.
- Jim Clark, Social Work, co-authored "Consumer Perspectives on Quality of Inpatient Mental Health Services" in the Archives of Psychiatric Nursing.
- Crystal Collins-Camargo and Chris Groeber, Social Work, published "Adventures in partnership: Using learning laboratories to enhance frontline supervision in child welfare" in Professional Development: The International Journal of Continuing Social Work Education.
- Melinda Edgerton, academic adviser in the College of Arts and Sciences, has been awarded the 2004 Frances J. Ockerman International Award by the UK Office of International Affairs for her special efforts to befriend UK's international students.
- Sherry Fairchild, Social Work, co-presented "Global Social Justice and Foreign Policy: Implications for Social Work Education" at the Council on Social Work Education's 50th Annual Program Meeting in Anaheim, Calif.
- Edward T. Jennings Jr., Political Science and Martin School of Public Policy and Administration, won the Charles H. Levine Memorial

Award for Excellence in Public Administration from the American Society for Public Administration and the National Association of Schools of Public Affairs and Administration. He will receive the award at the ASPA's conference in Portland, Ore., on March 28.

- Shelley Kenner, Geological Sciences, published an article about how Earth's underground formations help transfer energy from earthquakes was highlighted in a recent publication of the American Geophysical Union Journal.
- Richard Labunski, Journalism and Telecommunications, published an article about James Madison and the Bill of Rights on The History News Network Web site, which was created in June 2001 to feature articles by historians about current events.
- Derek Lane, Communications, has been named the first recipient of the H. Lester Reynolds Professorship, a three-year professorship aimed at helping improve communication skills of engineers. The professorship grew out of a 2002 gift from Reynolds, a 1939 UK civil engineering graduate.
- Robert Olson, History, published a new book, "Turkey-Iran Relations, 1979-2004: Revolution, Ideology, War, Coups and Geopolitics." One of the first scholarly publications to detail the tumultuous history and politics of Iran and Turkey during the past quarter of a century, the book examines the way the Iraq war affects these two countries.
- Kirk A. Randazzo, Political Science, received a U.S. Speaker and Specialist Grant from the State Department's Office of International Information Programs. As a guest of the American Embassy in Asmara, Eritrea, he will travel to Africa for two weeks beginning March 8 and present several lectures on civil liberties and the rule of law in the United States.

26. Faculty Research Activities

- James Anderson, Internal Medicine, Clinical Trial, A Randomized, Double-Blind, Placebo-Controlled, Multicenter, Parallel-Group Study to Assess the Efficacy and Safety of Topiramate OROS Controlled-Release in the Treatment of Obese, Type 2 Diabetic Subjects Managed with Diet or Metformin.
- James Anderson, Internal Medicine, Clinical Trial, Phase 2, Multicenter, Randomized, Blinded, Placebo Controlled, Proof of Concept Study of Combination Therapy for Safety and Efficacy in Subjects with Uncomplicated Obesity.
- John Baker, OISTL/Engineering Distance Learning, \$25,300, Active Control of Blade Dynamic Response Due to Fluid/Structure Interaction in Turbomachinery: Phase II.
- Andre Baron, Cancer Center-Core Support, \$100,000, Evaluating Low Dose Computed Tomography and the Serum Biomarkers for Lung Cancer Screening.

- Carol Baskin, Biological Sciences, \$2,500, Seed Germination Ecology of Hawaiian Montane Species: A Continuation of Efforts to Acquire, Organize, and Share Data to Facilitate Propagation and Restoration Efforts.
- Christopher Bollinger, Business and Economics Poverty Center, \$19,110, Program Usage and Poverty Among Refugees in the South.
- Crystal Collins-Camargo, Social Work, \$115,000, FRIENDS.
- Mark Dignan, Kentucky Community Cancer Program, \$241,144, Network Site, Cancer Prevention and Control Network (WVU SIP #2).
- Crystal Collins-Camargo, Social Work, \$115,000, FRIENDS.
- Robin Cooper, Biological Sciences, \$39,386, Kentucky Biomedical Research Infrastructure Network - UK Bioinformatics.
- Deborah Danner, Sanders-Brown Center on Aging, \$186,001, Dementia Outreach Lexington: Diagnosis/Treatment and Services for African Americans.
- Willem De Villiers, Internal Medicine, Clinical Trial, A Phase III Multi-National, Multi-Centre, Open Label, 52 Week Safety Study to Assess the Safety of Chronic Therapy With the Humanised AntipTNF PEG Conjugate CDP870 400 mg sc, Dosed 4 weekly to Week 48, in the Treatment of Patients With Active Crohns.
- Willem De Villiers, Internal Medicine, Clinical Trial, A Phase I, Open-Label, Multidose, Dose-Escalation Trial of Fontolizumab to Explore Safety and Pharmacology in Patients with Moderate-to-Severe Crohns Disease.
- Mark Dignan, Kentucky Community Cancer Program, \$241,144, Network Site, Cancer Prevention and Control Network (WVU SIP #2).
- James Drahovzal, Kentucky Geological Survey, \$10,000, Midwest Regional Carbon Partnership.
- Paul Eakin, Mathematics, \$420,375, Appalachian Mathematics and Science Partnership.
- Paul Eakin, Mathematics, \$6,973, Appalachian Mathematics and Science Partnership.
- Ahmed El-Ghannam, Graduate Center for Biomedical Engineering, \$15,000, KSEF: Innovative Delivery System for BMP-2 to Treat Segmental Bone Defect.
- Toufic Fakhoury, Neurology, Clinical Trial, LAM40124 An Assessment of Behavioral Changes Associated with Lamotrigine and Levetiracetam in Patients with Epilepsy.
- James Ferguson II, Obstetrics and Gynecology, \$48,543, Ferguson Scope Effects of Periodontal Therapy on Preterm Birth.
- C. Frost, Law Instruction, \$18,000, Legal Assistance to Inmates.
- Phillip Gerk, Toxicology, \$20,000, In vitro mechanisms of action of ursodeoxycholic acid.
- Kristi Graves, Behavioral Science, \$41,608, Expressive Writing with Cancer Patients.

- Richard Greenberg, Internal Medicine, Clinical Trial, The Safety, Tolerability, and Immunogenicity of ACAM2000 Smallpox Vaccine in Adults With Previous Smallpox Vaccination. A Randomized, Double-Blind, Fixed Dose, Phase 3 Comparison between ACAM2000 and Dryvax Smallpox Vaccines.
- Richard Greenberg, Internal Medicine, Clinical Trial, The Safety, Tolerability, and Immunogenicity of ACAM2000 Smallpox Vaccine in Adults Without Previous Smallpox Vaccination. A Randomized, Double-Blind, Fixed Dose, Phase 3 Comparison between ACAM2000 and Dryvax Smallpox Vaccines.
- Eric Grulke, Chemical and Materials Engineering, \$73,061, Heat Transfer Mechanisms for Nanofluids in Laminar Flow.
- Edward Hall, Spinal Cord and Brain Injury Research Center, \$340,342, Peroxynitrite-Induced Oxidative Damage in TBI NIH/NINDS.
- Carol Hanley, Tracy Farmer Center for the Environment, \$2,500, Extending the NOVA Network through Kentucky IDEAS.
- Issam Harik, Civil Engineering, \$305,000, Carbon Fiber Reinforced Polymer Bonded Repair of I-65 Bridges in Louisville - Federal Aid Research Task No. 126.
- Issam Harik, Civil Engineering, \$400,000, Development and Deployment of Aluminum Bridge Deck Panels - Federal Aid Research Task No. 125.
- Claudia Heath, Business and Economics Poverty Center, \$19,110, Research Center for Families and Children.
- Jerzy Jaromczyk, Computer Science, \$160,320, Kentucky Biomedical Research Infrastructure Network - UK Bioinformatics.
- Helen Johnson, Council on Aging, \$49,990, Bioterrorism Preparedness for Older Persons.
- Michael Kalinski, Civil Engineering, \$29,824, Application of Electromagnetic Geophysics (EMG) Technology to Subsurface Investigations.
- Charles Knapp, Center for Biomedical Engineering, \$24,000, Prototype of an Adjustable Systemic Pulmonary Arterial Shunt.
- Janet Kurzynske, CES/Family and Consumer Sciences, \$34,000, Cooperative Agreement with USDA/CSREES.
- Carl Leukefeld, Center on Drug and Alcohol Research, \$349,358, Prescription Drug Study.
- Nancy Levenson, Physics and Astronomy, \$61,330, Probing Obscured AGN with X-ray Iron Lines.
- Donald Linebaugh, Program for Archaeological Research, \$7,726, A Proposal to Perform Phase I Archaeological Survey for the US 641 Widening, Calloway County, Kentucky Item No. 1-314.00.
- Donald Linebaugh, Program for Archaeological Research, \$5,796, A Proposal to Perform Phase I Archaeological Survey for the Proposed Realignment of KY 911 and KY 115, Christian County, Kentucky Item No. 2-156.00.

- Kaye Lowe, Curriculum and Instruction, \$164,160, Kentucky Reading First Grant.
- James McDonough, Mechanical Engineering, \$24,744, NASA EPSCoR: Implementation of Discrete Dynamical System SGS Models in New LES Code for Turbulent Combustion.
- Beth Miller, Internal Medicine, Clinical Trial, A Multicenter, Double-Blind, Randomized, Placebo-Controlled, Parallel-Group Study Investigating the Clinical Effects of Montelukast in Patients with Perennial Allergic Rhinitis.
- Mari Nikolova-Karakashian, Radiation Medicine, \$15,000, ED Phase III GRID Radiation Project.
- Michael Novak, Dentistry Research and Graduate Studies, \$710,743, Effects of Periodontal Therapy on Preterm Birth.
- Kevin Pearce, Family Practice and Community Medicine, \$106,830, Restricted Scope for Faculty Development in Primary Care.
- Tanya Peres, Program for Archaeological Research, \$6,714, Phase I Archaeological Survey - High Street Bridge and Approaches, Boone County, Kentucky - Item No. 6-1046.0.
- Tanya Peres, Program for Archaeological Research, \$11,737, Phase I Archaeological Survey - Industrial Park Access Road, Warren County, Kentucky - Item No. 3-16.0.
- Robert Perry, Microbiology, Immunology and Molecular Genetics, \$123,574, Attenuated Live and Recombinant Yersinia Pestis Vaccines.
- Luther Pettigrew, Sanders-Brown Center on Aging, \$253,997, Focal Brain Ischemia in the TNF-Alpha-Transgenic Rat.
- David Pollack, Kentucky Archaeological Survey, \$6,000, Phase I Archaeological Survey - KY 2040 Bridge over Levisa Fork at Kentucky River, Johnson County, Kentucky - Item No. 12-297.0.
- Alexander Rabchevsky, Spinal Cord and Brain Injury Research Center, \$99,730, Evaluation of hESC-Derived Oligodendrocyte Progenitors in Spinal Cord Injury Model.
- Kozo Saito, Mechanical Engineering, \$71,120, UV Inspection Techniques Applied to Marine Ballast Tanks.
- Holly Salisbury, Center for the Arts Service Center, \$1,000, Meet the Composer Grant.
- Holly Salisbury, Center for the Arts Service Center, \$10,000, START Technology Infra-structure Plan.
- Eric Scorsone, CES/Agricultural Economics, \$15,000, Entrepreneurship Center.
- Timothy Sineath, School of Library and Information Science, \$6,000, Web Development Project.
- John Slevin, Neurology, Clinical Trial, A Multicenter Open Label Trial to Assess Subject Preference of PARCOPA, Carbidopa/ Levodopa Orally Disintegrating Tablets, Compared to Conventional Carbidopa/ Levodopa Tablets in Subjects with Parkinson's.

- M. Smith, CES/Director's Office, \$250,000, The Kentucky Natural Products Alliance.
- Suzanne Smith, Mechanical Engineering, \$80,000, BIG BLUE: Autonomous Flight Demonstration of Mars Airplane Technology.
- Paul Spring, Otolaryngology Surgery, \$200,000, Multidrug Resistance in Lung Cancer.
- Joe Springer, Anatomy and Neurobiology, \$318,642, COX-2 Pathophysiology in Spinal Cord Injury.
- Charles Staben, Biological Sciences, \$708,878, Kentucky Biomedical Research Infrastructure Network - UK Bioinformatics.
- William Stilwell III, Education Psychology and Counsel, \$28,000, Clinical Training Agreement with Eastern State Hospital.
- Jeffrey Stringer, CES/Forestry, \$40,000, Forest Land Enhancement Program: Public Awareness, Publicity, and Training.
- Patrick Sullivan, Spinal Cord and Brain Injury Research Center, \$304,192, Mitochondrial Uncoupling as a Therapeutic Target in TBI.
- John Thelin, Ed Soc and Phi Studies, \$4,196, The Kentucky Campus: Colleges, Culture and Community in the Commonwealth.
- Patrick Trader, Program for Archaeological Research, \$59,844, Phase I Archaeological Survey - Interstate 65 Interchange, U.S. 31W Access Road, US 68/KY 80 Access Road, Warren County, KY -Item No. 3-16.00.
- Bruce Walcott, Electrical and Computer Engineering, \$5,000, Student Technology Leadership Program.
- David Westneat, Biological Sciences, \$47,173, Kentucky Biomedical Research Infrastructure Network - UK Bioinformatics.

PR 2

Office of the President
March 2, 2004

Members, Board of Trustees:

PERSONNEL ACTIONS

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

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

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

Action taken: Approved Disapproved Other _____

PRESIDENT
AND
EXECUTIVE VICE PRESIDENT
FOR
FINANCE AND ADMINISTRATION

I. BOARD ACTION

A. ADMINISTRATIVE APPOINTMENTS

Executive Vice President for Finance and Administration

Byars, Stephen R., Government Relations Director, External Affairs, effective 2/16/04.

Vice President for Human Services and Information Technology

Carroll, Iva P., HR Manager, Human Resources, Human Services and Information Technology, effective 1/14/04.

B. POST-RETIREMENT APPOINTMENTS

Executive Vice President for Finance and Administration

Cheser, Roger, General Manager, WUKY, effective 3/2/04 through 6/30/04.

II. ADMINISTRATIVE ACTION

A. EARLY RETIREMENTS

Executive Vice President for Finance and Administration

Parks, James R., Jr., Administrative Support Associate I, Plant Assets Inventory, Office of the Controller and Treasurer, after 16 years and 5 months of consecutive service, under AR II-1.6-1 Section III.A.2, effective 1/23/04.

Vice President for Human Services and Information Technology

Beaman, Martha, Radiology Aide, Employee Benefits, after 23 years and 8 months of consecutive service, under AR II-1-6-1 Section III.A.2, effective 1/10/04.

Feedback, Alan Tod, Data Center Analyst Sr., Support Services/Operations, Information Technology, after 27 years and 6 months of consecutive service, under AR II-1-6-1 Section III.A.2, effective 2/27/04.

PROVOST

I. BOARD ACTION

A. ACADEMIC APPOINTMENTS

- Albers, Sheri L., College of Medicine, Clinical Associate Professor, Diagnostic Radiology, 1/5/04 through 6/30/04.
- Chapman, Jane S., College of Health Sciences, Associate Professor* (without tenure), Clinical Sciences, joint appointment as Associate Professor* (without tenure), Physiology, College of Medicine, 8/1/03 through 6/30/04.
- Cornett, Anita F., College of Medicine, Associate Professor (voluntary), Internal Medicine, 2/1/04 through 6/30/06.
- Karpf, Michael, College of Medicine, Clinical Professor, Internal Medicine, 10/1/03 through 6/30/04.
- Kusmirek, Slawomir L., College of Medicine, Clinical Assistant Professor, Internal Medicine, 2/1/04 through 6/30/04.
- Maxson, William T., College of Medicine, Associate Professor (voluntary), Internal Medicine, 2/1/04 through 6/30/06.
- Reid, Michael B., College of Medicine, Professor (with tenure), Physiology, appointed to the Dr. Shih-Chun Wang Professorship in Physiology, 8/1/03 through 6/30/08.
- Warf, Benjamin C., College of Medicine, Associate Professor (voluntary), Surgery, 1/1/04 through 6/30/06.

B. ADMINISTRATIVE APPOINTMENTS

- Raitz, Karl, College of Arts and Sciences, Professor (with tenure), Geography, and Chair, Geography, reappointed Chair, Geography, 7/1/04 through 6/30/06.
- Rosenman, Ellen, College of Arts and Sciences, Associate Professor (with tenure), English, appointed Chair, English, 7/1/04 through 6/30/07.
- Smith, Daniel, College of Arts and Sciences, Professor (with tenure), History, appointed Chair, History, 7/1/04 through 6/30/06.

C. PROMOTIONS

- Baker, Doris J., College of Health Sciences, Associate Professor* (with tenure), Clinical Sciences, to Professor* (with tenure), Clinical Sciences, effective 7/1/04.
- Fleming, Ronald A., College of Agriculture, from Assistant Professor, Agricultural Economics, to Associate Professor (with tenure), Agricultural Economics, effective 6/1/04.
- Mumper, Russell J., College of Pharmacy, Assistant Professor, to Associate Professor (with tenure), effective 1/1/04.

*Special Title Series

Nowak-Rapp, Margaret, College of Pharmacy, Assistant Adjunct Professor, to Clinical Associate Professor, 1/1/04 through 6/30/04.

D. CHANGES

- Gairola, Chandra G., College of Pharmacy, from Research Professor, joint appointment as Research Professor, Toxicology, Graduate School, to Research Professor, Toxicology, Graduate School, 4/1/04 through 6/30/04.
- Ibrahim, Mohamed, College of Medicine, Clinical Assistant Professor, Surgery, from 8/20/03 through 6/30/04 to 1/19/04 through 6/30/04.
- Kaetzel, Charlotte S., College of Medicine, from Professor (with tenure), Pathology and Laboratory Medicine, joint appointments as Professor (without tenure), Oral Health Science, College of Dentistry and Professor (without tenure), Microbiology, Immunology and Molecular Genetics, to Professor (with tenure), Microbiology, Immunology and Molecular Genetics, joint appointments as Professor (without tenure), Oral Health Science, College of Dentistry and Professor (without tenure), Pathology and Laboratory Medicine, effective 2/1/04.
- Zaglul, Horacio F., College of Medicine, from Associate Professor* (without tenure), Pediatrics, to Clinical Associate Professor, Pediatrics, 10/1/03 through 6/30/04.

E. RETIREMENTS

Harover, Anna, Undergraduate Education, Administrative Support Associate I, University Registrar, after 34 years of consecutive service, under AR II-1.6.-1, Section III.B, effective 1/23/04.

F. EARLY RETIREMENTS

- Byers, Charles W., College of Agriculture, Professor* (with tenure), Community and Leadership Development, after 37 years, 5 months of consecutive service, under AR II-1.6-1, Section III.A.2, effective 1/02/04.
- Davis, Britt, Undergraduate Education, Technology Manager II, Teaching and Academic Support Center, after 31 years, 4 months of consecutive service, under AR II-1.6-1, Section III.A.2, effective 1/19/04.
- Embry, Clarence, Undergraduate Education, Videographer, Teaching and Academic Support Center, after 29 years of consecutive service, under AR II-1.6-1, Section III.A.2, effective 1/19/04.
- Hill, David W., College of Agriculture, Cement Mason III, Management Operations, after 28 years, 4 months of consecutive service, under AR II-1.6-1, Section III.A.2, effective 3/17/04.
- Sprester, Paul, Undergraduate Education, TV Engineer Operator Supervisor, Teaching and Academic Support Center, after 28 years of consecutive service, under AR II-1.6-1, Section III.A.2, effective 1/18/04.

*Special Title Series

Strang, Nancy L., College of Agriculture, Agricultural Research Specialist, Community and Leadership Development, after 22 years, 7 months, under AR II-1.6-1, Section III.A.2, effective 12/31/03.

G. POST-RETIRMENT APPOINTMENTS

Blanton, Jack, Graduate School, Professor (part-time), Martin School of Public Policy and Administration, 8/15/03 through 8/14/04.

Burch, Joseph, College of Business and Economics, Interim Development Officer (part-time), College of Business and Economics, 1/12/04 through 6/30/04.

Lawson, James D., College of Agriculture, Assistant Director (part-time), Agricultural Experiment Station for Legal Affairs, 4/1/04 through 3/31/05.

Madden, Donald L., College of Business and Economics, Professor (part-time), Accountancy, 1/1/04 through 6/30/04.

McElroy, Jack, College of Education, Associate Professor (part-time), Curriculum and Instruction, 1/1/04 through 5/15/04.

Stewart, Doug, College of Agriculture, Research Farm Tech (part-time), Management Operations, 2/14/04 through 2/13/05.

Swift, Louis J., College of Arts and Sciences, Professor (part-time), Modern and Classical Languages, Literatures and Cultures, 1/1/04 through 6/30/04.

Tanner, Bonnie, College of Agriculture, Assistant Director, Family and Consumer Sciences, 3/1/04 through 2/28/05.

II. ADMINISTRATIVE ACTION

A. ACADEMIC APPOINTMENTS

Aversa Fessler, Nancy, College of Education, Instructor (part-time), Curriculum and Instruction, 1/1/04 through 5/15/04.

Barnes, Elizabeth W., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.

Beardsley, Betty, College of Education, Instructor (part-time), Curriculum and Instruction, 1/1/04 through 5/15/04.

Bell, Robert J., College of Education, Instructor (part-time), Administration and Supervision, 1/1/04 through 5/15/04.

Bolling, Christopher F., College of Health Sciences, Instructor (voluntary), Clinical Sciences, 2/1/04 through 6/30/06.

Brown, Donald E., College of Health Sciences, Instructor (voluntary), Clinical Sciences, 1/2/04 through 6/30/06.

Carver, Janette B., Libraries, Librarian IV, 2/1/04 through 6/30/04.

Citak, Michael, College of Health Sciences, Instructor (voluntary), Clinical Sciences, 2/1/04 through 6/30/06.

Compton, Ralph E., College of Medicine, Assistant Professor (voluntary), Family Practice and Community Medicine, 1/1/04 through 6/30/06.

Coufal, Jeanette D., College of Agriculture, Instructor (part-time), Family Studies, 1/1/04 through 6/30/04.

- Crow, Ava, College of Education, Instructor (part-time), Administration and Supervision, 1/1/04 through 5/15/04.
- Damron, Stephen D., College of Medicine, Instructor (voluntary), Internal Medicine, 2/1/04 through 6/30/06.
- Davis, Rebecca J., College of Business and Economics, Instructor (part-time), Management, 10/16/03 through 5/15/04.
- Dean, Johnie, College of Fine Arts, Instructor (part-time), Music, 1/1/04 through 4/30/04.
- Fallahzadeh, Hossein, College of Health Sciences, Instructor (voluntary), Clinical Sciences, 2/1/04 through 6/30/06.
- Ferguson, John T., College of Agriculture, Instructor (part-time), Family Studies, 1/1/04 through 5/31/04.
- Gabbert, Doug C., College of Communications and Information Studies, Instructor (part-time), Journalism and Telecommunications, 1/14/04 through 5/31/04.
- Geissler, Janet, College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Giles, Eugene, College of Medicine, Assistant Professor (voluntary), Internal Medicine, 1/1/04 through 6/30/06.
- Hanke, Raymond C., Lexington Community College, Instructor (temporary), Social Sciences and Graphics Technologies Division, 1/1/04 through 5/31/04.
- Hanking, William H., College of Health Sciences, Instructor (voluntary), Clinical Sciences, 1/2/04 through 6/30/06.
- Hastie, Mindy, College of Health Sciences, Instructor (voluntary), Clinical Sciences, 12/1/03 through 6/30/06.
- Hensley, Hunter C., College of Fine Arts, Instructor (part-time), Music, 1/1/04 through 4/30/04.
- Hioki, Kazuko, Libraries, Librarian IV, 4/19/04 through 6/30/04.
- Houchens, Bridget E., College of Health Sciences, Clinical Assistant Professor, Rehabilitation Sciences, 9/18/03 through 6/30/04.
- Jackson, Milton S., College of Health Sciences, Instructor (voluntary), Clinical Sciences, 1/2/04 through 6/30/06.
- Jones, Jill, College of Pharmacy, Assistant Professor (voluntary), 3/3/04 through 6/30/06.
- Jones, Laura, College of Pharmacy, Assistant Professor (voluntary), 3/3/04 through 6/30/06.
- Joshi, Rajan R., College of Health Sciences, Instructor (voluntary), Clinical Sciences, 1/2/04 through 6/30/06.
- Joy, Elizabeth A., College of Medicine, Assistant Professor (voluntary), Family Practice and Community Medicine, 2/1/04 through 6/30/06.
- Kruja, Mira, College of Fine Arts, Assistant Professor (part-time, temporary), Music, 1/1/04 through 4/30/04.
- Lester, Denis, College of Education, Instructor (part-time), Curriculum and Instruction, 1/1/04 through 5/15/04.
- Linhardt, Joan, College of Health Sciences, Instructor (voluntary), Clinical Sciences, 1/2/04 through 6/30/06.

- Little, Vinnette T., College of Medicine, Assistant Professor (voluntary), Internal Medicine, 2/1/04 through 6/30/06.
- Mahmood, Mansoor, College of Health Sciences, Instructor (voluntary), Clinical Sciences, 1/2/04 through 6/30/06.
- Martin, Sharon K., Lexington Community College, Instructor (temporary), Behavioral Sciences and Information Systems Technologies, 1/21/04 through 5/31/04.
- Menke, Kristy K., College of Medicine, Assistant Professor (voluntary), Pediatrics, 2/1/04 through 6/30/06.
- Miller, Virginia, College of Education, Instructor (part-time), Curriculum and Instruction, 1/1/04 through 5/15/04.
- Miracle, Sally, College of Education, Instructor (part-time), Special Education and Rehabilitation Counseling, 1/1/04 through 5/15/04.
- Nelson, Larry, College of Fine Arts, Instructor (part-time), Music, 1/1/04 through 4/30/04.
- Peppiatt, Cecil E., College of Medicine, Assistant Professor (voluntary), Internal Medicine, 1/1/04 through 6/30/06.
- Perry, Jack R., College of Medicine, Assistant Professor (voluntary), Internal Medicine, 2/1/04 through 6/30/06.
- Price, John, College of Education, Instructor (part-time), Curriculum and Instruction, 1/1/04 through 5/15/04.
- Prunuske, Jacob P., College of Medicine, Assistant Professor (voluntary), Family Practice and Community Medicine, 2/1/04 through 6/30/06.
- Reddy, Devender S., College of Medicine, Assistant Professor (voluntary), Family Practice and Community Medicine, 2/1/04 through 6/30/06.
- Rowland, Bruce J., College of Medicine, Assistant Professor (voluntary), Internal Medicine, 2/1/04 through 6/30/06.
- Sheppard-Jones, Kathleen A., College of Education, Instructor (part-time), Educational and Counseling Psychology, 1/1/04 through 5/15/04.
- Spencer, Patricia J., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Strother, Eric, College of Fine Arts, Instructor (part-time), Music, 1/1/04 through 4/30/04.
- Stum, Justin K., College of Agriculture, Instructor (part-time), Family Studies, 1/1/04 through 5/31/04.
- Taylor, Shawn M., College of Medicine, Assistant Professor (voluntary), Pediatrics, 2/1/04 through 6/30/06.
- Vennari, Joseph, College of Pharmacy, Assistant Professor (voluntary), 3/3/04 through 6/30/06.

B. JOINT APPOINTMENTS

- Lele, Subodh M., College of Medicine, Assistant Professor*, Pathology and Laboratory Medicine, joint appointment as Assistant Professor*, Surgery, 1/1/04 through 6/30/04.

C. REAPPOINTMENTS

- Abner, Gerald, College of Education, Instructor (part-time), Special Education and Rehabilitation Counseling, 1/1/04 through 5/15/04.
- Barry, Michael P., College of Design, Instructor (part-time), Architecture, 1/14/04 through 5/15/04.
- Bausch, Margaret, College of Education, Assistant Research Professor, Special Education and Rehabilitation Counseling, 1/1/04 through 6/30/05.
- Berry, Kathryn B., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Bragg, Kimberli, College of Design, Instructor (part-time), Architecture, 1/1/04 through 5/31/04.
- Connell, Robert B., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Crawford, Charles W., College of Communications and Information Studies, Instructor (part-time), Journalism and Telecommunications, 1/14/04 through 6/30/04.
- Eardley, Anthony, College of Design, Instructor (part-time), Architecture, 1/1/04 through 5/31/04.
- Geldhof, Eric, College of Education, Instructor (part-time), Kinesiology and Health Promotion, 1/1/04 through 5/15/04.
- Gibson, Jim, College of Design, Instructor (part-time), Architecture, 1/1/04 through 5/31/04.
- Glixon, Beth, College of Fine Arts, Instructor (part-time), Music, 1/1/04 through 5/15/04.
- Griffen, Ann, College of Education, Instructor (part-time), Special Education and Rehabilitation Counseling, 1/1/04 through 5/15/04.
- Hardesty, Laurie K., College of Fine Arts, Instructor (part-time), Theatre, 1/1/04 through 5/31/04.
- Hauser, Brenda, College of Education, Instructor (part-time), Administration and Supervision, 1/1/04 through 5/15/04.
- Hays, Allison B., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Holdren, Michael R., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Huber, Paul T., College of Agriculture, Instructor (part-time), Family Studies, 1/1/04 through 5/31/04.
- Hull, Barbara, College of Education, Instructor (part-time), Curriculum and Instruction, 1/1/04 through 5/15/04.
- Jacobs, Michael W., College of Design, Instructor (part-time), Architecture, 1/1/04 through 5/31/04.
- Johnson, Wardell, College of Education, Instructor (part-time), Kinesiology and Health Promotion, 1/1/04 through 5/15/04.
- Jones, Darnel E., College of Fine Arts, Instructor (part-time), Theatre, 1/1/04 through 5/31/04.

- Karp, Margaret B., College of Fine Arts, Instructor (part-time), Music, 1/1/04 through 5/15/04.
- Keaton, Duane S., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Kincer, Darrell L., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Land, Lou Ann, College of Education, Instructor (part-time), Special Education and Rehabilitation Counseling, 1/1/04 through 5/15/04.
- Masse, Gerard J., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- McNary, Ross E., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Meyer, Stacie, College of Education, Instructor (part-time), Special Education and Rehabilitation Counseling, 1/1/04 through 5/15/04.
- Mills, Mary T., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Ortwein, Mary C., College of Agriculture, Instructor (part-time), Family Studies, 1/1/04 through 5/31/04.
- Pickett, Joan, College of Education, Instructor (part-time), Curriculum and Instruction, 1/1/04 through 5/15/04.
- Prendergast, Mark, College of Arts and Sciences, Assistant Professor, Psychology, 1/1/04 through 6/30/05.
- Romanowitz, Byron, College of Design, Instructor (part-time), Architecture, 10/16/03 through 6/30/04.
- Saunders, Dudley, College of Communications and Information Studies, Instructor (part-time), Journalism and Telecommunications, 1/14/04 through 6/30/04.
- Shotwell, John, College of Communications and Information Studies, Instructor (part-time), Journalism and Telecommunications, 1/15/04 through 5/15/04.
- Smith, Michelle, College of Education, Instructor (part-time), Kinesiology and Health Promotion, 1/1/04 through 5/15/04.
- Smith, Susan G., College of Agriculture, Instructor (part-time), Family Studies, 1/1/04 through 5/31/04.
- Stofer, Jill L., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.
- Voskuhl, John, College of Communications and Information Studies, Lecturer (part-time), Journalism and Telecommunications, 1/14/04 through 6/30/04.
- Wachs, Diane C., College of Design, Instructor (part-time), Interior Design, 1/1/04 through 6/30/04.
- Weissmeuller, Steven, College of Communications and Information Studies, Instructor (part-time), Journalism and Telecommunications, 1/14/04 through 6/30/04.
- Wheeler, Kathleen S., College of Fine Arts, Instructor (part-time), Art, 1/1/04 through 5/31/04.

D. CHANGES

- Cummins, Karen M., College of Agriculture, from Instructor (temporary), Merchandising, Apparel and Textiles, to Instructor (part-time), Merchandising, Apparel & Textiles, 1/1/04 through 6/30/04.
- Kerr, Mary Lee, College of Business and Economics, from Instructor (temporary), Management, to Instructor (part-time), Management, 1/1/04 through 5/15/04.
- Pulmano, Calixto M., College of Medicine, from Clinical Assistant Professor, Diagnostic Radiology, joint appointment as Clinical Assistant Professor, Neurology, to Assistant Professor (part-time), Diagnostic Radiology, joint appointment as Clinical Assistant Professor (part-time), Neurology, 2/1/04 through 6/30/04.
- Tripure, John, College of Medicine, from Department Administrator III, Kentucky Clinic South, to Department Administrator III, Diagnostic Radiology, effective 2/1/04.

E. TERMINAL REAPPOINTMENTS

- Bensadoun, Eric S., College of Medicine, Assistant Professor*, Internal Medicine, 4/15/04 through 4/14/05.
- Jensen, Jane, College of Education, Assistant Professor, Educational Policy Studies and Evaluation, 1/1/04 through 12/31/04.

F. LEAVES OF ABSENCE

- Adkins, Gwenda, College of Agriculture, County Extension Agent, Cooperative Extension Service, Educational leave with full salary, 2/16/04 through 8/15/04.
- Botkin, Darla R., College of Agriculture, Associate Professor (with tenure), Family Studies, Leave without pay, 7/1/04 through 8/8/04.
- McCormick, Katherine, College of Education, Associate Professor (with tenure), Special Education and Rehabilitation Counseling, Sabbatical leave at full salary, 7/1/04 through 12/31/04.
- Milbourne, Karen E., College of Fine Arts, Assistant Professor, Art, Leave without pay, 7/1/04 through 12/31/04.
- Moran, Susan, College of Education, Assistant Professor*, Special Education and Rehabilitation Counseling, Leave without pay, 1/15/04 through 6/30/04.
- Wever, Jo Ann M., College of Nursing, Associate Professor* (with tenure), Miscellaneous leave without pay, 1/1/04 through 5/31/04.
- Wilkinson, Doris, College of Arts and Sciences, Professor (with tenure), Sociology, joint appointment as Professor (without tenure), Behavioral Science, College of Medicine, Sabbatical leave at full salary, 7/1/04 through 12/31/04.

*Special Title Series

EXECUTIVE VICE PRESIDENT FOR HEALTH AFFAIRS

I. BOARD ACTIONS

A. CHANGES

Higdon, Courtney M., from Planning, Budget and Policy, Planning Director, to Office of Executive Vice President for Health Affairs, Chief of Staff, effective 2/1/04.

B. RETIREMENTS

Johnson, Rowena, Clinical Nurse Coordinator, Nursing Services, after 11 years and 10 months of consecutive service, and a total of 12 years and 3 months, under AR II-1.6-1 Section III.B, effective 1/10/04.

Miniard, Elizabeth J., Patient Services Coordinator, Neurosciences, after 14 years and 11 months of consecutive service, and a total of 15 years and 3 months, under AR II-1.6-1 Section III.B, effective 2/4/04.

Wilhite, Monroe T., Technical Projection Specialist II, after 16 years and 3 months of consecutive service, and a total of 16 years and 9 months, under AR II-1.6-1 Section III.B, effective 2/6/04.

C. EARLY RETIREMENTS

Morton, Wilma J., Senior Radiology Technician, Special Diagnostic Facilities, after 31 years and 10 months of consecutive service, 38 years and 3 months of total service, under AR II-1.6-1, Section III.A.2, effective 2/27/04.

PR 3

Office of the President
March 4, 2004

Members, Board of Trustees:

APPOINTMENT OF DEAN OF THE COLLEGE OF MEDICINE

Recommendation: that the Board of Trustees approve the appointment of Dr. Jay A. Perman as Dean of the College of Medicine and Vice President for Clinical Affairs for the Chandler Medical Center, effective May 1, 2004.

Background: Dr. Emery Wilson resigned as Dean of the College of Medicine to return to the faculty. A search committee was appointed to identify and recommend qualified persons for the position of Dean of the College of Medicine. The search committee considered approximately 42 candidates and 7 finalists were interviewed on campus. Dr. Perman received enthusiastic support across the university and was strongly supported by the search committee.

Dr. Perman currently serves as Chair of the Department of Pediatrics at the University of Maryland School of Medicine. He received a bachelor's degree (1968) from Northwestern University in Evanston and a Doctor of Medicine degree with Distinction (1972) from Northwestern University in Chicago. Following completion of his residency in pediatrics at Northwestern University Children's Memorial Hospital in Chicago, he completed a fellowship in pediatrics at Harvard Medical School and at the Children's Hospital Medical Center in Boston.

Dr. Perman is a member of numerous national and international scholarly organizations. He has served on the Editorial Board of *Gastroenterology*, and co-chaired the Section on Development, Nutrition, and Aging of the American Gastroenterological Association. He has served as Councillor for the Society for Pediatric Research and President of the North American Society for Pediatric Gastroenterology, Hepatology, and Nutrition.

Dr. Perman has the experience and qualifications to be an excellent Dean of the College of Medicine. The University is fortunate to attract such a highly qualified person to this position.

Action taken: Approved Disapproved Other _____

PR 4

Office of the President
March 2, 2004

Members, Board of Trustees:

ADOPTION AND DELEGATION OF AUTHORITY TO IMPLEMENT
CLINICAL ENTERPRISE CODE OF CONDUCT ADDENDUM

Recommendation: that the Board of Trustees adopt the attached Clinical Enterprise Code of Conduct Addendum and delegate to the University Provost and the Executive Vice President for Health Affairs the authority to implement and further amend as required by law the Code of Conduct Addendum – Clinical Enterprise Compliance Policy as an addendum to the University Code of Conduct.

Background: The University of Kentucky Clinical Enterprise (Clinical Enterprise) is subject to a number of restrictions pertaining to the acceptance of gifts and relationships with industry that are more stringent than the regular University Policy concerning the same. The restrictions are found in the Federal Anti-Kickback Law, 42 USC Section 1320a; Stark I and II, 42 USC Section 1395nn and 42 USC Section 1396b(s) and in various announcements of Federal and State regulatory authorities. These restrictions and their interpreting regulations change, from time to time. Violation of these restrictions can lead to serious criminal and civil penalties.

In order to be regulatory compliant, the Clinical Enterprise should have a policy that is more stringent than that which would be applicable to other segments of the University. In addition, in order to accommodate regulatory changes, said policy must be able to be revised, frequently, as needed. The Clinical Enterprise Compliance Office, in conjunction with the University Office of Legal Counsel, has developed a policy (the Policy) as an Addendum to the University Code of Conduct. The Policy is attached hereto as Exhibit A. The Policy has been presented to the Clinical Enterprise Compliance Committee and been approved by the same. In order to implement the Policy and to have the flexibility to amend the Policy, rapidly, to correspond to additional regulatory guidance, it is recommended that the Board of Trustees delegate to the Executive Vice President for Health Affairs and the Provost, the two University officials having direct oversight of the Clinical Enterprise, the authority to implement the Clinical Enterprise Code of Conduct Addendum and revise the same, from time to time, as needed.

Action taken: Approved Disapproved Other Amended – text to come

University of Kentucky
Code of Conduct Addendum - Clinical Enterprise Compliance Policy

Purpose

The federal anti-kickback law is intended to protect patients and the federal health care programs from fraud and abuse by curtailing the influence of money on health care decisions. The law generally states that anyone who receives anything of value that may influence the purchase of items or services billed to Medicare or Medicaid can be subject to fines, prison terms, and/or exclusion from federal health care programs. Federal laws known as “Stark I” and Stark “II” prohibit physicians and other medical providers from referring business to an entity with which they (or an immediate family member) have a financial relationship or from giving or receiving anything of value in exchange for a referral. Additionally, the Kentucky Board of Medical Licensure, the American Medical Association and the U.S. Department of Health and Human Services Office of Inspector General caution medical providers against receiving gifts and other items of value from industry that can implicate federal anti-kickback or Stark laws. Even gifts that may not implicate federal or state laws must also be carefully scrutinized for conflicts of interest or the potential to unduly influence purchasing decisions.

For these reasons activities that are common practices in other industries and other areas within the University of Kentucky may not be appropriate in healthcare settings.

Code of Conduct

Those acting on behalf of the University of Kentucky Clinical Enterprise (Clinical Enterprise) must endeavor to conduct business in a manner that facilitates the delivery of quality and efficient health care and to act in accordance with recognized legal and ethical standards aimed at preventing conduct that may inappropriately influence their judgment. This Code of Conduct reflects the law, regulations, and official published guidelines that are in effect at the time of its adoption. It is a dynamic document that will be reviewed and updated on an annual basis. In the event of a conflict between this policy and subsequent more restrictive regulations or law, the more restrictive regulation or law will control.

This Code of Conduct Addendum is intended to supplement the University of Kentucky Ethical Principles and Code of Conduct by providing guidelines that will assist Clinical Enterprise faculty, staff and students in the review and determination of appropriate gifts and benefits from vendors. Unless specifically addressed by this Addendum the University of Kentucky Ethical Principles and Code of Conduct is applicable. Clinical Enterprise faculty, staff and students are strongly urged to consult with their supervisors to review and evaluate specific situations. While this code of conduct provides guidance, and in some instances interpretation, additional guidance is found in other official University and Clinical Enterprise policies and documents, such as Governing Regulations, Administrative Regulations, Human Resources Policy and Procedure Manual, Hospital and Clinic Policies, Medical Staff Bylaws, College of Dentistry Policy Manual, Corporate Compliance Policies and Procedures, Behavioral Standards in Patient Care, and state and federal law. Neither this Code of Conduct Addendum nor the University of Kentucky Ethical Principles and Code of Conduct apply to any benefit or other value provided to UK faculty or staff from funds collected by Kentucky Medical Services Foundation, Inc.

For purposes of this addendum, the “Clinical Enterprise” is defined as all healthcare delivery and clinical enterprises, including but not limited to the College of Medicine, College of Dentistry, College of Nursing, College of Pharmacy, College of Health Sciences, University of Kentucky Hospital, Kentucky Clinics, Centers for Rural Health, Sanders Brown Center on Aging, Markey Cancer Center, and the Gill Heart Institute. In order to avoid even the appearance of impropriety or conflict of interest, this Code of Conduct applies to all faculty, staff, and students within the Clinical Enterprise, without regard to an individual’s specific job duties or function. Students of other UK Colleges are not subject to the general UK Code of Conduct, however, students of Colleges included in the Clinical Enterprise are covered by the Clinical Enterprise Code because of their involvement, or potential involvement, in clinical or healthcare activities and because of the training value for such students of compliance with regulations pertaining to the healthcare industry.

Clinical Enterprise faculty, staff and students who fail to comply with this code of conduct can be subject to disciplinary action in accordance with University policy and procedure. Faculty, staff and students failing to act in compliance with this code of conduct will be considered to be acting outside the scope of their employment and could be personally liable should government intervention result.

Gifts and Benefits

“Gifts and Benefits” include, but are not limited to anything of value provided at no charge or at discount such as; loans, cash, gift certificates, services, prizes, art objects, transportation, meals, use of a vehicle or vacation facility, stocks or other securities, participation in stock offerings, home improvements, and tickets to sporting and cultural events. The potential list is endless – these are only intended as examples. Gifts do not include reimbursement for reasonable business expenses paid by faculty practice plans or other University of Kentucky related organizations.

In accepting any gift or benefit, the following guidelines must be observed:

1. Clinical Enterprise faculty, staff and students may not accept gifts or other benefits that take into account the volume or value of referrals, purchases, or other business generated.
2. Clinical Enterprise faculty, staff and students may not accept gifts or other benefits in exchange for prescribing certain products or services, or to induce referrals.
3. Clinical Enterprise faculty, staff and students may not accept gifts or other benefits that could be perceived as an attempt by a vendor to interfere with their independent judgment.
4. Discounted goods and services, or those that eliminate or reduce an expense that would have otherwise been incurred, are also considered gifts under this code of conduct.
5. Appropriate gifts must primarily benefit patients or have genuine educational value. (e.g. textbooks and anatomical models.)
6. When otherwise appropriate, gifts to individuals (or to members of their immediate family) from any one source should have a fair market value of less than \$100.00 per gift. Even appropriate gifts should only be accepted occasionally and the annual aggregate should not exceed \$300.00. Single gifts or benefits to individuals valued above \$100.00 or aggregate annual gifts valued at above \$300.00 must be directed to the Vice President for Development, where they can be acknowledged and accepted on behalf of the University in accordance with University policy.
7. Items of nominal value are appropriate if they are primarily related to business. (e.g. pens, notepads, or similar promotional or advertising items with or without company logo).
8. Items intended for the personal benefit of the recipient are not appropriate. (e.g., golf bags, tickets to sporting or entertainment events, sponsorship of departmental parties or social events).
9. Perishable or consumable gifts given occasionally, such as a holiday gift basket or floral arrangement, may be accepted as long as the value is nominal and the items are shared among the clinical area employees or donated to charity.
10. Cash or cash equivalents are not appropriate. (e.g. checks, gift certificates, and stocks)

11. Gifts intended to be passed on to patients for their use must be limited to \$10 per item (maximum \$50 per year). Federal law prohibits offering or transferring to a Medicare or Medicaid beneficiary anything of value that is likely to influence the patient's selection of a particular provider or supplier.

Sponsorship of Continuing Education Meetings, Professional Meetings, and other Scientific and Education Conferences

Industry organizations may not directly or indirectly subsidize a Clinical Enterprise Member's attendance at a conference or meeting. This prohibition includes conference registration fees, travel, meals, entertainment, accommodations, and the attendee's time for attending the conference. An organization may subsidize a conference or meeting by providing a subsidy directly to the conference sponsor who in turn can reduce the conference fee for all attendees.

Modest meals, such as lunches, refreshments, and receptions that are included in the conference fee and available for all attendees are appropriate. In these cases, the meals or receptions should be modest and conducive to discussion among attendees, and the amount of time at the meals or receptions should be subordinate to the amount of time spent at the education activities of the meeting.

Conference Faculty and Public Service

From time to time, industry representatives ask Faculty, Staff or Students to speak at or otherwise serve as faculty or presenters at conferences or meetings, or to serve as a Board Member for a bona fide trade or charitable organization. In such cases, it is appropriate for those individuals to accept a fee based on the fair market value of the services they have provided, reasonable honoraria, and reimbursement for their reasonable travel, lodging, and meal expenses. For clinical Faculty, such fees and reimbursement for expenses are generally not considered income subject to applicable practice plan agreements; however such income remains subject to University policies and regulations. Reimbursement may not be accepted for expenses of a spouse, family member, or other traveling companion.

Consulting Arrangements

It is appropriate for consultants who provide bona fide services to accept reasonable compensation for those services and to be offered reimbursement for reasonable expenses incurred as a result of the consulting relationship if the following guidelines are observed:

1. The arrangement is set out in writing.
2. The written agreement covers all of the services to be provided.
3. The compensation is set out in advance.
4. If the agreement is for periodic, sporadic or part-time services, it must identify the schedule of intervals, precise length and exact charge for such intervals.
5. The term of the agreement is for no less than one year.
6. There is legitimate need for the services.
7. The services are actually provided.
8. The compensation is based on the Fair Market Value.
9. The compensation is not determined in a manner that takes into account the volume or value of any referrals or other business generated.
10. All these facts are documented prior to payment.

Compensation given for "consulting" for attending meetings or conferences in a primarily passive capacity is inappropriate. Vendor relationships with physicians or other medical providers where compensation is paid for marketing activities such as speaking, research, preceptor, "shadowing" arrangements or time spent listening to sales reps marketing their products are suspect and payment may

not be accepted as “consulting” fees, even if the physician is required to perform services such as completing minimal paperwork or accessing a website.

Compensation for consulting arrangement should be handled pursuant to applicable practice plan agreements. Consulting agreements must be reviewed by the Clinical Enterprise Legal Office or Corporate Compliance Office prior to acceptance.

Meals - Educational or Scientific Presentations

Meals are appropriate in connection with educational or scientific presentations if the following guidelines are followed: (This does not include sales or marketing presentations)

1. The presentation must be educational and unbiased in content.
2. The presentation must have independent value by an authoritative speaker.
3. The meals must occur only occasionally.
4. The meal must be modest by local standards.
5. The meal must occur in a venue and manner conducive to learning and discussion.
6. Spouse or other guest attendance is not appropriate.
7. Meals in connection with presentations that are strictly for sales or marketing purposes may not be accepted.
8. Take out meals or meals without a company representative being present are not appropriate.
9. Entertainment or recreational events associated with the presentation are not appropriate.

Scholarships

Scholarship funds and other special funds to permit medical students, residents, and fellows to attend carefully selected educational conferences may be appropriate where the selection of the recipients is made by the academic institution.

Conferences that qualify as "carefully selected educational conferences" are in general terms defined by the major educational, scientific, or policy-making meetings of national, regional, or specialty medical associations.

Training and Site Visits

On occasion UK faculty or staff may be required to travel to other locations in order to view or train on new equipment or systems that UK uses, intends to use, or is considering purchasing. Such travel is only considered legitimate if the product, equipment or training cannot reasonably be brought to UK. The following guidelines should be observed:

1. All site visits must comply with the Commonwealth of Kentucky Model Procurement Code, UK Purchasing rules, and in coordination with the UK Purchasing Division.
2. Generally, if UK is evaluating a product or service, the site visit should be considered an operating expense of the Clinical Enterprise area which is considering the purchase. All costs related to the site visit will be the responsibility of the Clinical Enterprise area that visits a particular location.
3. If UK has purchased or has agreed to purchase an item or service, and a site visit or training is included as part of the purchase agreement, it is appropriate for the vendor to pay for the travel, meals and lodging. However, Entertainment associated with the travel is not appropriate and the travel, lodging, and meals must be reasonable.

Entertainment

Gifts of entertainment have no related business value and should not be accepted. This includes items such as tickets to performances and sporting events, or use of a vacation house. The only exception is events that take place solely to benefit a bona fide charitable organization (e.g. University of Kentucky Children’s Hospital, American Heart Association, American Cancer Association, etc.) such as a golf

scramble or dinner dance. The entertainment must be limited to the activity that is the subject of the event and invitations to such events should be accepted infrequently.

Clarifications and Reporting Violations

For additional interpretation, counsel or advice, regarding this policy, contact the Clinical Enterprise Office of the University Legal Counsel or the Clinical Enterprise Corporate Compliance Office. Reports of suspected misconduct should be made to the University of Kentucky Chandler Medical Center's Corporate Compliance Office according to the Corporate Compliance Program's Operating Policies and Procedures which are available at <http://www.mc.uky.edu/compliance>. Reports must be made within 24 hours of discovery and may be made directly to the Corporate Compliance Officer at 323-6044, by pager at 1-888-898-1872, or anonymously at 1-877-898-6072. All credible reports will be investigated properly and fully within a reasonable time period.

NOTE: Nothing in this code of conduct is intended to place additional limitations on official gifts and endowments made to the University of Kentucky under University Administrative Regulations. Nor is it meant to prevent industry sponsored health fairs aimed at educating the general public or industry support of nationally accredited continuing education programs for health care professionals through educational grants to the University of Kentucky.

References:

42 U.S.C. 1320a-7b(b) Federal Anti-kickback

42 CFR 1001.951 Federal Anti-kickback

42 CFR 1001.952 Federal Anti-kickback

42 U.S.C., sec. 1395nn Stark

42 U.S.C., sec. 1396b(s) Stark

42 CFR 411.350 Stark

DHHS OIG; Special Advisory Bulletin; *Offering Gifts and Other Inducements to Beneficiaries*

2/13/04

PR 5

Office of the President
March 2, 2004

Members, Board of Trustees:

HONORARY DEGREE RECIPIENTS

Recommendation: that approval be granted to awarding the honorary degree of Doctor of Science to John D. Baxter, Doctor of Letters to James W. Stuckert, and Doctor of Letters to George Carlton Wright.

Background: The Committee on Honorary Degrees has recommended to the Graduate Faculty and the University Senate that honorary degrees be awarded to John D. Baxter, James W. Stuckert, and George Carlton Wright. These three bodies have expressed their approval of the recommendation.

Biographical sketches of the three recipients are attached.

Action taken: Approved Disapproved Other _____

JOHN D. BAXTER

Dr. John D. Baxter is professor of medicine and biochemistry and biophysics at the University of California San Francisco, where he also served as director of the Metabolic Research Unit from 1981-2000 and as chief of the division of endocrinology from 1980-1997. He completed a term as president of the international Endocrine Society in 2003.

A Lexington native, Dr. Baxter graduated cum laude from the University of Kentucky with a bachelor's in chemistry 1962. He was inducted into the UK's Hall of Distinguished Alumni in 1980.

He went on to Yale Medical School where he won several academic awards. In 1970, he became the Dernham Senior Fellow in Oncology at University of California San Francisco, joining the faculty in 1972. His research seeks to understand how receptors in the nucleus of a cell affect human health and disease

He has produced important research while at UCSF, including cloning growth hormone genes for medical and agricultural purposes. In 1979, he cloned the gene for human growth hormone, which was only the second genetically engineered product to receive government approval. He is the author or co-author of more than 300 publications, and his work has been honored with the Henry Christian Award (1990), the Demuth Award (1990), the Goldblatt Award (1988), and the Honorable Mention Award for excellence in medical publications from the American Medical Writers Association (1982). Many of his students have gone on to win awards and recognition for their research as well.

In addition to his work at UCSF, Dr. Baxter has served as editor-in-chief of the journal *DNA* (which he founded in 1981), on the editorial boards of over ten scientific journals, and on the committees of more than twenty professional and academic organizations. He is also the founder and director of several successful biotechnology companies that have partnered with the pharmaceutical industry to develop and market treatments for heart failure, flesh wounds, obesity, high cholesterol, diabetes, hepatitis, and cataracts.

His dedication to his research has met with much acclaim. He received the George W. Thorn Award for outstanding researcher from the Howard Hughes Medical Institute (1978), a "Citation for Distinguished Service" from the American Society for Clinical Investigation (1983), the Dautrebande Prize (1985), the Albion O. Bernstein M.D. Award (1987), and the Edwin B. Astwood Outstanding Research Award (1997). Most recently, he received an honorary doctorate degree from the Karolinska Institute and was elected into the National Academy of Science and the Institute of Medicine.

For his contribution to science, industry, and public health, Dr. Baxter is recommended for an Honorary Doctor of Science degree.

JAMES W. STUCKERT

Chairman and chief executive officer of Hilliard Lyons Inc., James W. Stuckert has been a tireless supporter of the University of Kentucky.

Mr. Stuckert graduated from UK in 1960 with a bachelor's in mechanical engineering and earned his master's in business administration from UK in 1961. A year later, he joined W. L. Lyons and Company, which later merged with J. J. B. Hilliard. After making partner in 1968 and serving on the board of directors since the company's incorporation in 1972, Mr. Stuckert was elected as chairman and CEO in 1995. He now leads a company with more than 3,000 employees at 120 branches in 16 states.

In addition to his service to Hilliard Lyons Inc., Mr. Stuckert is chairman of the board of the Senbanc Fund and on the boards of Royal Gold Inc. and Thomas Transportation Group. He has served on the board of governors for the Securities Industry Association and is currently the chair of the SIA Regional Firms Committee and a member of the nominating committee for the New York Stock Exchange.

While a student at UK, Mr. Stuckert amassed an impressive record, gaining membership in five academic honorary societies while also serving as business manager of the *Kentucky Engineering Magazine*, student government representative from the College of Engineering, and president of his social fraternity.

His involvement with UK did not end with graduation. His commitment to the university is evident through his forty years of leadership in the Jefferson County Alumni Club, which he helped re-establish in the mid-1960's. He has also served as president of the UK Alumni Association, remaining on the board of directors to this day. His support of UK includes serving as chair of a 2000-2003 fund-raising campaign committed to raising more than \$600 million for the university and as current chair of the UK Development Council. He also chaired the Corporate and Foundation Committee for the W. T. Young Library campaign and was a member of the Presidential Search Committee in 2000 and 2001.

Mr. Stuckert has already received much recognition for his service to UK. He has been the recipient of the UK Alumni Association's Distinguished Service Award as well as the Jefferson County Alumni Club's All American Award. He was elected into the UK Hall of Distinguished Alumni and into the halls of fame for both the Carol Martin Gatton College of Business and Economics and the School of Engineering. In 2001, the UK Career Center was named after Mr. Stuckert in recognition of his philanthropic activities on behalf of the university, including membership in the UK Fellows Society at the Presidential Level. He is also a Blue and White Fund Fellow, Library Fellow, and UK Alumni Association Fellow.

For his business leadership and his unflinching devotion to the success of the University of Kentucky, Mr. Stuckert is recommended for an Honorary Doctor of Letters degree.

GEORGE CARLTON WRIGHT

George Carlton Wright's 2003 appointment as the seventh president of Prairie View A&M University is but the apex of a long and distinguished career as a professor, college administrator, and community leader.

Lexington native Dr. Wright attended the University of Kentucky, receiving his bachelor's in history in 1972 and his master's in history in 1974. Upon completing the doctoral program in history at Duke University in 1977, Dr. Wright returned to UK as an assistant professor before moving to the University of Texas at Austin.

Dr. Wright's research focuses on the lives of Kentucky's post-civil war Black population. He has published three books about Kentucky, two of which received the Governor's Award for the best book on Kentucky and one of which won an "Outstanding Book" designation from the Gustavus Myers Center for the Study of Human Rights in the United States. His research interests have also led to his co-direction of two television documentaries: "Trouble Behind" about the 1919 Corbin race riot and "Upon This Rock: the Black Church in Kentucky."

Dr. Wright's career includes an impressive list of appointments: executive vice president for academic affairs and provost (2000-2003) at the University of Texas Arlington; William R. Kenan Jr. Professor of American History (1993-1996), vice provost for university programs (1993-1995), and director of African and Afro-American Studies Program (1993-1995) at Duke University; and Mastin Gentry White Professor of Southern History (1990-1993), vice provost for undergraduate education (1990-1993), and director of the Center for African and Afro-American Studies (1986-1990) at the University of Texas at Austin.

His tenure at the University of Texas at Austin (1980-1993) received much acclaim. In addition to winning five different teaching awards, students repeatedly voted Dr. Wright onto the "Best Faculty Poll" before assigning him in the "Best Professor Hall of Fame" in 1992.

Dr. Wright's contributions extend beyond the halls of academe. He served on the board of directors of both the City of Arlington Chamber Foundation and the Medical Center of Arlington. He was also a member of the Brackenridge Hospital Foundation Board (1986-1991) and has been a yearly participant in Black History Month presentations to school, church and civic assemblies.

This college administrator, author of award winning books, recipient of numerous teaching and professional awards, and supporter of many community programs is recommended to receive an Honorary Doctor of Letters Degree.

FCR 1

Office of the President
March 2, 2004

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 (College of Architecture) and Lexington Arts and Cultural Council, Inc., 161 North Mill Street, Lexington, Kentucky, for space located at 141-143 East Main Street, Lexington, Kentucky, effective September 1, 2003 through June 30, 2004, for the use of 1,050 square feet of meeting room space, at an annual rate of \$5,250.00, be accepted and made a matter of record.

An addendum to a lease between the University of Kentucky (Center on Drug and Alcohol Research) and Limestone Square, LLC, c/o Limestone Square Apartments, 129 Transcript Avenue, Lexington, Kentucky, for space located at 915 South Limestone Street, Lexington, Kentucky, effective February 1, 2004 through June 30, 2005, for the cost of installation of an alarm system and office modules, at a cost of \$13,085.95 to be amortized over the remaining seventeen (17) months of the lease, 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 2

Office of the President
March 2, 2004

Members, Board of Trustees:

DISPOSITION OF PERSONAL PROPERTY

Recommendation: that the Board of Trustees approve the transfer of the surplus property listed on Attachment I to Central High Magnet Career Academy, a public high school located in Louisville, Kentucky.

Background: Kentucky Revised Statute 164A.575 requires that the Board of Trustees approve the disposition of surplus property. Administrative Regulation II-1.3-3, approved by the Board of Trustees on August 16, 1994 establishes the policies and procedures for the disposition of personal property. In accordance with AR II-1.3-3, the Board of Trustees must be provided with a description of the property, the reason for disposition and the method of disposition. Attachment I includes the required information for the requested disposition of personal property.

Action taken: Approved Disapproved Other _____

UNIVERSITY OF KENTUCKY
REQUEST FOR DISPOSITION OF PERSONAL PROPERTY

Description

Nine (9) IBM 100Mhz 5686 79T PC and Displays
Six (6) PowerMAC 7200/90 PC and Displays
One (1) HP 486 DX2 PC and Display
One (1) IBM LBV 200Mhz PC-350 and Display

**Reason for
Disposition**

Dean Philip Greasley, University Extension, and Provost Mike Nietzel concur that the obsolete computer equipment is surplus to the needs of University Extension and recommend transfer to Central High Magnet Career Academy (a public high school located in Louisville, Kentucky that has a grant to refurbish computers for high school usage). Eugene R. Williams, Vice President for Information Technology and Human Services, approved the recommendation that supports the University's Partnership Agreement with Central High Magnet Career Academy established in October 2000 by Dr. Charles T. Wethington, Jr.

Dean Greasley further states that the University's highest-achieving African-American undergraduate students come from Central High Magnet Career Academy. The school sends a large number of students to the Governor's Scholars Program, the Governor's School for the Arts, and to several of America's most prestigious universities. Conveying the property would further the enhancement of the computer skills and educational development of Central High Magnet Career Academy students and be in the best interest of the University of Kentucky.

FCR 3

Office of the President
March 2, 2004

Members, Board of Trustees:

PATENT ASSIGNMENT REPORT

Recommendation: that the patent assignment report for the period November 1, 2003 through January 31, 2004 be accepted.

Background: FCR 5, dated March 4, 1997, authorized that all future copyright and patent filings and prosecutions be conducted by the University of Kentucky Research Foundation (UKRF), and that the Vice President for Research and Graduate Studies or his designee be authorized to execute any needed documents to obtain appropriate patent or copyright protection. Quarterly reports on patent and copyright applications are to be submitted to the Finance Committee of the Board.

Action Taken: Approved Disapproved Other _____

PATENT ASSIGNMENT
QUARTERLY FOR THE PERIOD NOVEMBER 1, 2003 THROUGH
JANUARY 31, 2004

Patents

The following assignments on behalf of the Board of Trustees to the University of Kentucky Research Foundation have been executed:

1. U.S. Patent Application Serial Number: (to be assigned), filed December 3, 2003, titled "MONITORING AND CORRECTION OF GEOMETRIC DISTORTION IN PROJECTED DISPLAYS" Inventors: Dr. Christopher O. Jaynes and Dr. Robert M. Steele. The present invention provides a technique, and associated system and computer-executable program code on a computer-readable storage medium, for automatically correcting distortion of a front-projected display under observation by at least one camera. The technique may be employed in a myriad of front-projected display environments, e.g., single or multiple projectors and cameras are used. The technique includes: observing a first image, projected from at least one projector, comprising at least one target distribution of light intensities; for each conglomeration of white pixels of a difference image, compute a bounding box comprising a corresponding conglomeration of pixels in a framebuffer information of the camera, compute a bounding box comprising a corresponding conglomeration of pixels in a framebuffer information of the projector, compute an initial homography matrix, Htemp, mapping pixels of the projector's bounding box to those of the camera's bounding box, optimize the initial homography matrix, compute a central location, (CX, cy), of the camera's bounding box using the initial homography matrix; and using a plurality of correspondence values comprising the correspondence, compute a corrective transform to aid in the automatic correcting of the display.
2. U.S. Patent Application Serial Number: (to be assigned), filed December 4, 2003, titled "IDENTIFICATION OF A UNIQUE CORE DOMAIN OF PAR-4 SUFFICIENT FOR SELECTIVE APOPTOSIS INDUCTION IN CANCER CELLS" Inventors: Dr. Vivek M. Rangnekar, Dr. Nadia El-Geundy, Dr. Yanming Zhao and Dr. Sushma Gurusurthy. The present invention provides Par-4 mutants which cause apoptosis in cancer cells that are sensitive to Par-4 and also induce apoptosis in cancer cells that are resistant to Par-4. The present invention also relates to methods of using the Par-4 mutant to treat certain cancers, as well as to kits, vectors, and polypeptides for same.
3. U.S. Patent Application Serial Number: (to be assigned), filed October 30, 2003, titled "REGULATION OF FOLLICULAR DEVELOPMENT AND OVULATION BY CYTOSKELETAL GENES AND GENE PRODUCTS" Inventors: Dr. Tae H. Ji and Dr. Inhae Ji. The present invention provides for the regulation of follicular development and ovulation by modulating

cytoskeletal genes and gene products. More particularly, this invention relates to the use of tubulin, tropomyosin-4 and kinesin heavy chain to control follicular development and/or the ovulation cycle.

4. U.S. Patent Application Serial Number: (to be assigned), filed November 24, 2003, titled "MUTANTS AND ASSAY SYSTEM TO IDENTIFY USP/RXR LIGANDS" Inventors: Dr. Grace Jones and Dr. Davy Jones. The present invention provides mutant nuclear hormone genes that encode mutant nuclear hormone receptors, in which particular amino acid residues are substituted with respect to wild type, so as to be able to detect ligand binding to the mutant receptor by either a change in a physical property of the mutant receptor and/or an transcriptional induction of a nuclear hormone receptor construct. The invention also relates to a nuclear hormone receptor response element denoted by the formula YDRXZ comprising a direct repeat (DR) comprising two half sites separated by X nucleic acid bases; wherein Z indicates the presence of at least one DR oriented in either a forward or reverse orientation; wherein Y equals 1 to 8 forward and/or reverse direct repeats; and X equals 1 to about 12.

5. U.S. Patent Application Serial Number: 10/462,297, filed June 16, 2003, titled "SUBDIVISION SURFACE-BASED GEOMETRIC MODELING SYSTEM" Inventors: Dr. Fuhua Cheng and Dr. Junhai Yong. The present invention provides a method for surface modeling of images to produce realistic images or to provide simulations with accurate surface information. More particularly, the present invention relates to a new subdivision depth computation technique and to an improved label-driven adaptive subdivision technique for use in Catmull-Clark subdivision surface modeling systems. The method comprises computing a subdivision depth to determine the number of recursive subdivisions that may be performed on a control mesh to generate a plurality of finer mesh elements while preserving a predetermined error tolerance, and using the computed subdivision depth to construct an adaptively refined mesh that is substantially similar to the control mesh within the predetermined error tolerance. Limit control surfaces with and without extraordinary vertices may be analysed using the method of the invention. In another aspect, a software program for accomplishing the method of the present invention is provided.

FCR 4

Office of the President
March 2, 2004

Members, Board of Trustees:

NAME CHANGE FOR THE
DEVELOPMENT DIMENSIONS INTERNATIONAL PROFESSORSHIP
IN BEHAVIORAL HEALTH RESEARCH IN THE SCHOOL OF PUBLIC HEALTH

Recommendation: that the Board of Trustees approve changing the name of the Development Dimensions International Professorship in Behavioral Sciences in the School of Public Health to the Development Dimensions International Professorship in Behavioral Health in the School of Public Health.

Background: The name change is requested to insure that no misunderstanding exists regarding use of the professorship for behavioral health research in the School of Public Health and not behavioral science research in the Department of Behavioral Science.

Development Dimensions International, a management consulting firm headquartered in Bridgeport, Pennsylvania, made a pledge of \$100,000 in October 2000 to establish a professorship that would support behavioral research in the School of Public Health. The pledge, matched by the state's Research Challenge Trust Fund, has been paid.

Action taken: Approved Disapproved Other _____

FCR 5

Office of the President
March 2, 2004

Members, Board of Trustees:

GIFT AND PLEDGES TO HELEN EDWARDS ABELL
ENDOWED RESEARCH FUND IN HISTORIC PRESERVATION
AND CHANGING NAME OF FUND

Recommendation: that the Board of Trustees accept \$64,837 in gifts from 11 donors and \$11,000 in pledges from three donors to the Helen Edwards Abell Endowed Research Fund in Historic Preservation in the College of Design, and that the fund be re-designated as the Helen Edwards Abell Chair in Historic Preservation as a result of all gifts and pledges made to the fund since it was established in 2000 now totaling more than \$1,000,000.

In accordance with the Council on Postsecondary Education guidelines, the Board of Trustees acknowledges that it has primary responsibility for the implementation of the Endowment Match Program and is responsible for providing oversight of all endowment funds.

Background: The research fund was established in 2000 with a gift of \$375,000 by Irvin Abell III, Mrs. Abell's son. That gift was matched by the state's Research Challenge Trust Fund (RCTF), as was a subsequent gift of \$50,000 by friends and associates of Mrs. Abell, a nationally-known advocate of historic preservation who died in 1996. Today's gifts and pledges totaling \$75,837, when matched by RCTF, will bring the total of gifts and pledges to the fund to more than \$1,000,000, the minimum required for a chair. Mrs. Abell was a Louisville native and was active in the National Trust for Historic Preservation including serving as its chairwoman in 1970-71.

Action taken: Approved Disapproved Other _____

FCR 6

Office of the President
March 2, 2004

Members, Board of Trustees:

KENTUCKY MEDICAL SERVICES FOUNDATION GIFT AND PLEDGE (1)

Recommendation: that the Board of Trustees accept a gift of \$50,000 and a pledge of \$200,000 from Kentucky Medical Services Foundation, Inc., of Lexington, Kentucky, to create and endow the Child Psychiatry Professorship in the College of Medicine's Department of Psychiatry.

In accordance with the Council on Postsecondary Education guidelines, the Board of Trustees acknowledges that it has primary responsibility for the implementation of the Endowment Match Program and is responsible for providing oversight of all endowment funds.

Background: The Kentucky Medical Services Foundation (KMSF) is among the University's most generous supporters. This commitment by KMSF will allow the Department of Psychiatry an opportunity to recruit and retain outstanding individuals to provide psychiatric research. The \$200,000 pledge will be fulfilled with five \$40,000 annual payments ending in January 2009. This gift is eligible for matching funds from the state's Research Challenge Trust Fund.

Action taken: Approved Disapproved Other _____

FCR 7

Office of the President
March 2, 2004

Members, Board of Trustees:

KENTUCKY MEDICAL SERVICES FOUNDATION GIFT AND PLEDGE (2)

Recommendation: that the Board of Trustees accept a gift of \$50,000 and a pledge of \$200,000 from Kentucky Medical Services Foundation, Inc., of Lexington, Kentucky, to the Evalyn A. Edwards Professorship, an endowed fund in the College of Medicine's Department of Psychiatry.

In accordance with the Council on Postsecondary Education guidelines, the Board of Trustees acknowledges that it has primary responsibility for the implementation of the Endowment Match Program and is responsible for providing oversight of all endowment funds.

Background: The Kentucky Medical Services Foundation (KMFS), one of the University's most generous benefactors, is making this gift and pledge to supplement a professorship that has existed in the Department of Psychiatry since 1979. It was originally funded with \$324,516 from the estate of Evalyn A. Edwards, a Colorado resident who established the fund in memory of her daughter. The Edwards professorship supports research in schizophrenia and related disorders. This \$250,000 commitment, which is eligible for matching funds from the state's Research Challenge Trust Fund, will move the fund toward the department's goal of \$1,000,000, the amount required for an endowed chair. The \$200,000 pledge will be fulfilled with five \$40,000 annual payments ending in January 2009.

Action taken: Approved Disapproved Other _____

FCR 8

Office of the President
March 2, 2004

Members, Board of Trustees:

ARTHUR E. WALKER, JR. GIFT AND PLEDGE

Recommendation: that the Board of Trustees accept a gift of \$60,000 and a pledge of \$240,000 from Arthur E. Walker, Jr., of Mount Sterling, Kentucky, to support the activities of the Department of Athletics.

Background: Mr. Walker is president of The Walker Company in Mount Sterling and has been a long-time supporter of UK athletics and the College of Engineering. His pledge will be paid over four years. The gift will be used at the discretion of the Director of Athletics.

Action taken: Approved Disapproved Other _____

FCR 9

Office of the President
March 2, 2004

Members, Board of Trustees:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF KENTUCKY AUTHORIZING THE ISSUANCE OF SAID BOARD'S HOUSING AND DINING SYSTEM REFUNDING REVENUE BONDS, SERIES N, P, Q AND R (SECOND SERIES), TO BE DATED THE FIRST DAY OF THE MONTH IN WHICH SOLD; AUTHORIZING PROPER PROCEEDINGS RELATIVE TO THE PUBLIC SALE OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AUTHORIZING EXECUTION OF A THIRTEENTH SUPPLEMENTAL TRUST INDENTURE BETWEEN THE BOARD AND FARMERS BANK & CAPITAL TRUST COMPANY, FRANKFORT, KENTUCKY, AS TRUSTEE, IN COMPLIANCE WITH THE PROVISIONS OF THE TRUST INDENTURE DATED JUNE 1, 1965.

Recommendation: that the Board of Trustees approve a Resolution authorizing the issuance of approximately \$20,425,000 of University of Kentucky Housing and Dining System Refunding Revenue Bonds, Series N, P, Q and R (Second Series), to be dated the first day of the month in which the Series N, P, Q and R (Second Series) Bonds are sold.

The Resolution authorizes the issuance of approximately \$20,425,000 of Series N, P, Q and R (Second Series) Bonds for the purpose of refinancing the outstanding University of Kentucky Housing and Dining System Revenue Bonds, Series N (Second Series), Series P, Series Q and Series R, which were originally issued to finance or refinance (i) the construction of new student housing, the reconstruction of three dormitories, the acquisition of Linden Walk – Rose Lane Apartments, and additions to the Student Center, (ii) renovations to Donovan Hall, Haggin Hall and Greg Page Stadium View Apartments, (iii) renovations to Cooperstown/Shawneetown, Donovan Hall, Kirwin-Blanding and other student housing and (iv) Patterson Hall Renovation, Holmes Hall HVAC, Cooperstown/Shawneetown III (including Student Housing Fire Safety), Blanding I-IV Sprinklers (Blanding Low Rise), Keeneland Hall Sprinklers and Blazer Hall Sprinklers, respectively, for housing and dining purposes, all of which are a part of the University's Housing and Dining System.

The Resolution also approves the offering for sale of the Series N, P, Q and R (Second Series) Bonds upon the advice of the Financial Advisor, First Kentucky Securities Corporation on a date to be determined by the Treasurer of the University, upon the advice of said Financial Advisor (expected to be March 18, 2004). The Resolution further authorizes the acceptance of the bid for the sale of the Series N, P, Q and R (Second Series) Bonds by the Treasurer. The exact principal amount of Series N, P, Q and R (Second Series) Bonds to be sold will be determined on the date of sale as the amount required to refund the N, P, Q and R (Second Series) Bonds; provided that the refunding of each series of bonds may be undertaken separately and independently if

conditions prevailing in the municipal bond market are favorable for the refunding of one series and not the other series such that adequate debt service savings would not be realized for one of the series.

Background: The University presently has outstanding Housing and Dining System Revenue Bonds, Series I, K, M and O (Second Series), N (Second Series), P, Q, R and S (the "Outstanding Bonds"), all secured by a pledge of the Revenues derived from the operation of the University's Housing and Dining

System (the "System") and by a statutory mortgage lien against all of the buildings of the System. The Resolution authorizes the execution of a Thirteenth Supplemental Trust Indenture with Farmers Bank & Capital Trust Company, Frankfort, Kentucky, as Trustee, Bond Registrar, Transfer Agent and Payee Bank, which provides for the execution of an appropriate parity certification establishing that the "coverage" of projected income of the System over debt service will meet the 1.30 test necessary to establish that the Series N, P, Q and R (Second Series) Bonds will rank on a parity with the Outstanding Bonds, and the execution of the Certificate of the Director of Physical Plant.

Action taken: Approved Disapproved Other _____

FCR 10

Office of the President
March 2, 2004

Members, Board of Trustees:

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF KENTUCKY AUTHORIZING THE ISSUANCE OF APPROXIMATELY \$54,110,000 OF UNIVERSITY OF KENTUCKY CONSOLIDATED EDUCATIONAL BUILDINGS REFUNDING REVENUE BONDS, SERIES P, Q AND R (SECOND SERIES), TO BE DATED THE FIRST DAY OF THE MONTH IN WHICH THE BONDS ARE SOLD.

Recommendation: that the Board of Trustees approve a Resolution authorizing the issuance of approximately \$54,110,000 of University of Kentucky Consolidated Educational Buildings Refunding Revenue Bonds, Series P, Q and R (Second Series), to be dated the first day of the month in which the Series P, Q and R (Second Series) Bonds are sold.

The Resolution authorizes the issuance of approximately \$54,110,000 of Series P, Q and R (Second Series) Bonds for the purpose of refinancing the outstanding University of Kentucky Consolidated Educational Buildings Revenue Bonds, Series P, Q and R, which financed (a) a new Communications and Networking and Ancillary Programs Facility and a Clinical Teaching/Support Labs Renovation; (b) Seaton Center Addition/Renovation and Parking #2 Expansion/Renovation/Replacement; and (c) Chiller Replacement – Cooling #3, Cooling Plant #1 Expansion and Communication Project (which constituted the original Series P Project, Series Q Project and Series R Project, respectively) (the "Series P, Q and R Project"); the Series P, Q and R Project being located upon the campus of the University in Fayette County in the Commonwealth of Kentucky, which projects are a part of the University of Kentucky Consolidated Educational Buildings Project of the University (the "Project").

The Resolution also approves the offering for sale of the Series P, Q and R (Second Series) Bonds upon the advice of the Financial Advisor, First Kentucky Securities Corporation on a date to be determined by the Treasurer of the University, upon the advice of said Financial Advisor (expected to be March 17, 2004). The Resolution further authorizes the acceptance of the bid for the sale of the Series P, Q and R (Second Series) Bonds by the Treasurer. The exact principal amount of Series P, Q and R (Second Series) Bonds to be sold will be determined on the date of sale as the amount required to refund the Series P, Q and R Bonds; provided that the refunding of each series of bonds may be undertaken separately and independently if conditions prevailing in the municipal bond market are favorable for the refunding of one series and not the other series such that adequate debt service savings would not be realized for one of the series.

Background: The University presently has outstanding twelve series of University of Kentucky Consolidated Educational Buildings Project Revenue Bonds, Series E, J, L (Third Series); G, H, I (Second Series); K (Third Series); M; M (Second Series); N (Second Series); O (Second Series); P; Q; R; S and T (the "Outstanding Bonds") all secured by a pledge of the Revenues (registration fees) and by a statutory mortgage lien against all of the buildings of the Project. The Bond Resolution approves the appointment of the J.P. Morgan Trust Company, National Association (successor to Bank One Trust Company, NA), Louisville, Kentucky, as Trustee, Bond Registrar, Transfer Agent, Payee Bank and Depository Bank, with respect to these Bonds, provides for the execution of the appropriate parity certification establishing that the "coverage" of projected income of the Project over debt service requirements will meet the 1.25 test necessary to establish that the Series P, Q and R (Second Series) Bonds will rank on a parity with the Outstanding Bonds.

Action taken: Approved Disapproved Other _____

FCR 11

Office of the President
March 2, 2004

Members, Board of Trustees:

AUTHORIZATION TO CONVEY 3.065 ACRES, MORE OR LESS,
MASON COUNTY
TO THE CITY OF MAYSVILLE

Recommendation: that the Board of Trustees authorize the Executive Vice President for Finance and Administration to convey 3.065 acres, more or less, in Mason County, Kentucky to the City of Maysville for a public road.

Background: The City of Maysville built and is prepared to maintain Clarks Run Road, across the Maysville Community College property. This road is of substantial benefit to the Maysville Community College, and provides an additional entrance to the Maysville Community College campus as well as access to the industrial park.

The City has already built the road and proposes to maintain the road in return for conveyance of the property in fee simple. In light of the on-going expense to the City, and the benefit to the Maysville Community College, the conveyance is without consideration.

Documents to be executed by the University include a Memorandum of Agreement and a Deed conveying the property in fee simple to the City of Maysville.

Action taken: Approved Disapproved Other _____

FCR 12

Office of the President
March 2, 2004

Members, Board of Trustees:

AUTHORIZATION TO CONVEY .407 ACRES, MORE OR LESS,
IN OWEN COUNTY
TO DEPARTMENT OF HIGHWAYS FOR RIGHT-OF-WAY PURPOSES
(TEMPORARY EASEMENT)

Recommendation: that the Board of Trustees authorize the Executive Vice President for Finance and Administration to convey a temporary easement in .407 acres, more or less, in Owen County, Kentucky to the Department of Highways for public highway improvement.

Background: The Department of Highways proposes to perform a hazard elimination and safety project on KY 22 in Owen County, Kentucky.

The Department of Highways proposes to pay a total of \$825.00 to convey a temporary easement to the property for the purpose of constructing roadway slopes. The easement terminates and reverts upon completion of same. This purchase price is based upon comparable land sales in Owen County, as reviewed and determined by the Department of Highways.

Documents to be executed by the University include a Memorandum of Agreement and a grant of easement.

Action taken: Approved Disapproved Other _____