

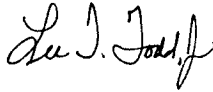


UNIVERSITY OF KENTUCKY

Office of the President
101 Main Building
Lexington, KY 40506-0032
(859) 257-1701
Fax: (859) 257-1760
www.uky.edu

MEMORANDUM

TO: M. Scott Smith, Interim Provost
Kumble Subbaswamy, Provost Elect
Frank A. Butler, Executive Vice President for Finance and Administration
Wendy Baldwin, Vice President for Research
Michael Karpf, Vice President for Health Affairs
Terry B. Mobley, Vice President for Institutional Advancement
William H. Turner, Vice President for University Engagement
Mitchell S. Barnhart, Athletic Director
Douglas A. Boyd, Chief of Staff
Barbara W. Jones, General Counsel

FROM: Lee T. Todd, Jr. 

RE: House Bill 3 and Criminal Background Checks

DATE: May 11, 2006

As you are aware, the 2006 General Assembly passed House Bill 3, which substantially amended the Kentucky Statutes in relation to criminal offenders, with particular emphasis on sex offenders and violent offenders. This legislation, which becomes effective on July 12, 2006, imposes a duty on each public institution of postsecondary education to conduct a "criminal history background check on all initial hires." While this legislation was progressing through the legislature I appointed a committee to review and evaluate it as well as our employment practices and to recommend policies and procedures that the university could adopt in order to comply with the legislation. It is critical that the university maintain a safe and secure environment and at the same time protect the privacy rights of our students, faculty, and staff.

I received the committee report and recommendations on April 19, 2006. I have reviewed the report and have met with Dean Vestal and others to discuss the recommendations. I agree with the committee's assumptions and recommendations and believe they are consistent with the university's goal to provide a safe and secure environment while respecting personal privacy. I have attached for your review the committee charge and its report and recommendation. These documents are also posted on the Legal Office website at www.uky.edu/legal/.

I am asking that each of you become familiar with this report and that you share it with your direct reports to ensure that the recommendations are implemented. Human Resources and the Legal Office will work with you and your staff to implement these recommendations which will bring us into full compliance with the legislation. In addition, the university is developing guidelines to assist you and your supervisors in making employment decisions on students, faculty, or staff if a situation arises where an applicant does have a criminal history.

I want to thank Dean Vestal and all members of the committee for their timely and studied response to this complicated legislation. I also thank each of you for your assistance in carrying out these additional responsibilities.

c: Allan Vestal, Dean, College of Law
Scott Smith, Interim Provost
Terry Allen, Vice President, Employment Equity
Jeannine Blackwell, Dean, Graduate School
Jay Blanton, Director, Public Relations and Marketing
Allison Connelly, Director, College of Law Legal Clinic
Kyle Dippery, President, Staff Senate
William Fortune, Professor, College of Law
Marlene B. Huff, Pediatrician, Health Sciences
Barbara W. Jones, General Counsel, Office of Legal Counsel
Carol Jordan, Director, Center for Research on Violence Against Women
Thalethia Routt, Associate General Counsel, Office of Legal Counsel
Bill Swinford, Director, Policy Analysis
David S. Watt, Associate Provost, Academic Affairs
Kim Wilson, Associate Vice President, Human Resources
Ernie J. Yanarella, Chair, Senate Council