



## Governing Regulation, Part I The University of Kentucky (Definition)

### Major Topics

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### A. Statutory Definition

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1. The term University of Kentucky refers to the institution described in the Kentucky Revised Statutes (KRS) in Chapter 164. KRS 164.100 states that the University of Kentucky is hereby recognized as established and maintained. The legislation states that the University of Kentucky is the institution that was founded under the land grant of 1862 by the United States Congress under the corporate designation and title of "Agricultural and Mechanical College of Kentucky." Further, KRS 164.100 provides that the University shall be maintained by the state with such endowment, incomes, buildings, and equipment as will enable it to do work such as is done in other institutions of corresponding rank, both undergraduate and postgraduate, while embracing instruction as well as research.
2. Legislation in KRS 164.120 states that that the colleges, schools, divisions, department, bureaus and offices that are now established and maintained or that in the future may be established by the Board of Trustees shall constitute the University of Kentucky. The legislation also notes that the branches of

learning required by the Land Grant Act of Congress approved July 2, 1862, shall be integral and indispensable courses of instruction at the University.

a. The dates of establishment of the colleges listed in KRS 164.120 are:

- **Arts and Sciences**, 1908;
- **Agriculture**, 1908, now **Agriculture, Food, and Environment**, July 1, 2013 (History: *College of Agriculture*, established 1908; renamed *College of Agriculture, Food, and Environment*, July 1, 2013);
- **Law**, 1908;
- **Education**, May 22, 1923;
- **Graduate School**, 1912;
- **Engineering**, 1918 (History: established through merger of the *College of Civil Engineering*, the *College of Mechanical Engineering*, and the *College of Mines and Metals*, 1918); and
- **Commerce**, 1925, now **Carol Martin Gatton College of Business and Economics**, December 12, 1995 (History: *College of Commerce*, established 1925; renamed *College of Business and Economics*, July 1, 1966; renamed *Carol Martin Gatton College of Business and Economics*, December 12, 1995).

b. In accordance with KRS 164.120, the following colleges have been subsequently established by the Board of Trustees:

- **Pharmacy**, July 1, 1947 (History: established Aug. 16, 1870, as the Louisville College of Pharmacy, an independent institution of higher education; became part of the University of Kentucky in 1947; and part of the newly developed UK Chandler Medical Center in 1966);
- **Medicine**, June 1, 1954;
- **Dentistry**, May 28, 1956;
- **Nursing**, May 28, 1956;
- **Architecture**, July 1, 1964, now **Design**, October 29, 2002 (History: *School of Architecture* separated from the *College of Engineering*, July 1, 1964; raised to *College of Architecture*, May 5, 1970; renamed *College of Design*, October 29, 2002, consisting of the *School of Interior Design*, a new *School of Architecture* to replace the *College of Architecture*, and *Historic Preservation*);
- **Allied Health Personnel**, January 1, 1966, now **Health Sciences**, April 30, 2002 (History: established as *School of Allied Health Personnel*, January 1, 1966; renamed *School of Allied Health Professions*, January 20, 1967; raised to a college, May 5, 1970; renamed *College of Health Sciences*, April 30, 2002);
- **Public Health** (July 1, 2004);
- **Home Economics**, 1916, now **School of Human Environmental Sciences**, July 1, 2003 (History: separated from the *College of Agriculture* as *College of Home Economics*, 1916; merged back into *College of Agriculture*, 1917; separated from *College of Agriculture* as the *School of Home Economics*, July 1, 1967; raised to *College of Home Economics*, May 5, 1970; renamed *College of Human Environmental Sciences*, January 22, 1991; merged into the *College of Agriculture* as the *School of Human Environmental Sciences*, July 1, 2003);
- **Library Science**, April 2, 1968, now **School of Library and Information Science**, June 22, 1993 (History: separated from College of Arts and Sciences as the *School of Library Science*, April 2, 1968; raised to *College of Library Science*, May 5, 1970; renamed *College of Library and Information Science*, April 6, 1982; merged with *College of Communications* as the *College of Communications and Information Studies*, and *Library and Information Science* became the *School of Library and Information Science* within the new college, June 22, 1993);
- **Communications**, May 4, 1976, now **Communication and Information**, July 1, 2012 (History: School of Journalism and Department of Human Communications separated from College of Arts and Science to form the *College of Communications*, May 4, 1976; merged with *College of*

*Library and Information Science as College of Communications and Information Studies, and Library and Information Science became the School of Library and Information Science within the new college, June 22, 1993; renamed College of Communication and Information, July 1, 2012); and*

- **Social Professions**, June 24, 1968, now **Social Work**, May 6, 1980 (History: separated from Arts and Sciences as the *School of Social Professions*, June 24, 1968; raised to *College of Social Professions*, May 5, 1970; renamed *College of Social Work*, May 6, 1980); and
  - **Fine Arts**, May 4, 1976 (History: School of Music, Department of Art, and Department of Theatre Arts separated from the College of Arts and Sciences to form the College of Fine Arts, May 4, 1976).
3. Through KRS 164.125, the legislation provides that the University of Kentucky shall be the principal state institution for the conduct of statewide research and statewide service programs and shall be the primary institution authorized to expend State General Fund appropriations on research and service programs of a statewide nature financed principally by state funds. Further, this legislation states that (a) the University's research and service programs of a statewide nature, as noted in KRS 164.125, shall be programs requiring the establishment and operation of facilities or centers outside of the primary service area of the institution; (b) in carrying out its statewide mission, the University of Kentucky shall conduct statewide research and provide statewide services including, but not limited to, agricultural research and extension services, industrial and scientific research, industrial technology extension services to Kentucky employers, and research related to the doctoral, professional, and post-doctoral programs offered within the University; (c) the University may establish and operate centers and utilize state appropriations and other resources to carry out the necessary research and service activities throughout the state; and (d) the University may enter into joint research and service activities with other universities in order to accomplish its statewide mission. The legislation specifically notes that nothing contained in KRS 164.125(2) shall limit the authority of the Council on Postsecondary Education to establish instructional programs that are consistent with the strategic agenda.

## B. University Programs and Requirements

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1. The University of Kentucky shall provide:
  - a. Upon approval of the Council on Postsecondary Education, baccalaureate programs of instruction;
  - b. Upon approval of the Council on Postsecondary Education, master degree programs, specialist degree programs above the master's degree level, and joint doctoral programs in cooperation with other public postsecondary educational institutions in the state; and
  - c. Upon approval of the Council on Postsecondary Education, doctoral and post-doctoral programs and professional instruction including law, medicine, dentistry, education, architecture, engineering and social professions. (KRS 164.125)
2. The Board of Trustees is an independent agency and an instrumentality of the Commonwealth of Kentucky with exclusive jurisdiction, power over and control of appointments and terminations, qualifications, salaries and compensation, as well as promotions, relations and retirement benefits of all employees of the University.

## C. Vision, Mission and Values

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The University of Kentucky Board of Trustees adopted the following amended Vision, Mission and Values Statement on January 23, 2007, and modified it on March 27, 2012.

## 1. Vision

The University of Kentucky will be one of the nation's 20 best public research universities.

## 2. Mission

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

The University of Kentucky:

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

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

## 3. Values

The University of Kentucky is guided by its core values:

- Integrity;
- Excellence;
- Mutual respect and human dignity;
- Diversity and inclusion;
- Academic freedom;
- Personal and institutional responsibility and accountability;
- Shared governance;
- A sense of community;
- Work-life sensitivity;
- Civic engagement; and
- Social responsibility.

## D. Diversity

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The University is committed to diversity as a vital characteristic of an optimal education and workplace. The University maintains a firm conviction that it must strengthen the diversity of its communities, support free expression, reasoned discourse and diversity of ideas; and take into account a wide range of considerations, including but not limited to, ethnicity, race, disability, and sex, when making personnel and policy decisions. The University is committed to periodically evaluating progress made toward diversity and to communicating the results of such evaluations. Based upon these assessments, the University will give diversity factors consideration to ensure achievement of its mission of instruction, research and service and gain the broadest benefits for the University community.

## E. Shared Governance

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The diverse expertise collectively available to the University in its faculty, administration, staff employees, and students is a valuable resource. The University as a whole will be able to function at maximum effectiveness where there is an environment in which the sharing of this expertise is valued and promoted. If this expertise is shared, it will enable policy-makers at every level of the organization to make better decisions. To achieve this objective in an environment of shared governance, faculty bodies and administrators will reciprocally solicit and utilize the expertise of the other as each makes decisions in their respective areas of policy-making authority. Through these empowering processes of shared governance, the administration, faculty members, staff employees and students all share the responsibility of attainment of the University's goals.

## F. Order of Communication and Reports

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

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

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

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

## G. Use of University Property and Resources

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Kentucky Revised Statutes 164.160 and 164.200, respectively, grant to the Board of Trustees the power to receive, hold, and administer on behalf of the University, all types of property and to establish proper regulations for the government of same.

By virtue of the above, University property and resources, including but not limited to real property, equipment, human resources, and other tangible and intangible assets, shall be used only for educational, cultural or charitable purposes, or other purposes as determined by the President or by the administrative officer to whom the President has delegated this responsibility in accordance with these *Governing Regulations*, *Administrative Regulations*, and *University Senate Rules*.

### 1. Political Activity

The University cannot endorse, support or promote any political candidate or any partisan political activity. Therefore, University resources shall not be used for conventions, rallies, or any campaign activities that would further the interests of a political party<sup>1</sup> or of a candidate or candidates for public

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

office. The resources of the University may be used for public forums to which all legally qualified candidates for a public office are invited to speak provided that all such candidates are given equal access and opportunity to speak.

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

## 2. Religious Activity

In accordance with the Constitution of the Commonwealth of Kentucky, the decisions of the United States Supreme Court, and the opinions of the Office of the Attorney General to the Commonwealth of Kentucky, University resources shall not be used to advance or inhibit religion.

## 3. Tobacco Policy

Kentucky Revised Statute 61.165 requires the Board of Trustees to adopt a written policy related to smoking in buildings owned, operated, or under the jurisdiction of the University. The President is delegated authority to promulgate an Administrative Regulation regarding the use of tobacco products. Pursuant to AR 6:5, the University is a tobacco-free campus.

## 4. Solicitation of Funds

Various charitable organizations desire, from time to time, to conduct on-campus solicitations of contributions from faculty and staff. These charitable solicitations are generally carried out: (1) through use of University mail service; (2) through use of University email systems; and, (3) through access to the payroll deduction system. The University does not intend to convert its mail service, its email systems, or its payroll process into either a limited or unlimited public forum, but prefers to maintain its systems as a non-public forum.

The following criteria will be applied by the President in determining which, if any, charitable organizations will be permitted to engage in the on-campus solicitation of faculty and staff:

- a. Whether the charity maintains a diversity plan;
- b. In cases where access to the payroll deduction is involved, whether the charity can demonstrate that at least 30 percent of the on-campus, University employees have given to the charity in four out of five years or that 30 percent of the on-campus, University employees intend to give to the charity in the current year;
- c. In cases of federated or "umbrella" charities, whether the charity provides a health or human service in Fayette County or the University and the extent of such service in the local area;
- d. Whether the charity maintains a local office or service center;
- e. Whether the charity maintains a reasonable ratio (not more than 15 percent for administration and fund raising) of administrative expenses to program expenses;
- f. In the case of federated or "umbrella" charities, whether the charity makes it a practice to submit to an annual review by local citizens of financial and program activity;
- g. Whether the charity maintains, from year to year, an active board of local volunteers;

- h. In the case of federated or "umbrella" charities, whether the federated charity requires its recipient agencies to maintain operational standards in order to maintain their status as recipients;
- i. Require an annual audit and that the charity receives an unqualified audit opinion;
- j. Whether the charity is a non-profit organization; and,
- k. Whether the charity provides services on an annual basis to employees and students of the University.

## 5. Campus Sales

Solicitations for subscriptions, sales of merchandise of any kind whatsoever, publications, or services upon University property other than by the regularly authorized stores, food service places, departments, or divisions of the University are prohibited except upon written permission of the Dean of Students.

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

## References and Related Materials

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KRS 45A, Kentucky Model Procurement Code

KRS 61.165, Smoking policy for governmental office buildings or workplaces and postsecondary education institutions

KRS 118.015(1), Definitions

KRS 164.100, University of Kentucky recognized

KRS 164.120, Colleges maintained

KRS 164.125, University Programs

KRS 164.131, Board of Trustees of University of Kentucky - Membership - Terms

KRS 164.160, Trustees - power to receive and administer revenue and property

KRS 164.200, Regulations for university - Physical training and discipline of students

## Revision History

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6/14/2005, 10/10/2006, 1/23/2007, 9/11/2007, 4/22/2008, 3/27/2012, 6/11/13

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