

Minutes of the Special Meeting of the Board of Trustees
University of Kentucky
Thursday, September 11, 2025

The Board of Trustees of the University of Kentucky met on Thursday, September 11, 2025, in the Gatton Student Center, Harris Ballroom.

I. Call to Order

E. Britt Brockman, chair of the Board of Trustees, called the meeting to order at 12:33 p.m. and asked Assistant Secretary Thro to call the roll.

II. Roll Call

The following members of the Board of Trustees were in attendance: Alex Boone, E. Britt Brockman, Todd Case, McKenna Dowell, David Figg, Ron Geoghegan, Brenda Gosney, Jim Gray, Janie Greer, Lance Lucas, Hannah Myers, Karen Petrone, Paula Pope, Frank Shoop, Zach Stacy, Hollie Swanson, Bob Vance, Clark Williams and Elaine Wilson. Elizabeth McCoy was absent, and Skip Berry arrived at 12:45 p.m.

Secretary Thro announced a quorum was present.

III. Faculty Tenure Revocation

Chair Brockman reported that there was one item on the agenda – the Termination of Tenured Faculty Proceedings involving Dr. Scott Stanley who waived the hearing.

Chair Brockman explained the President has submitted a statement of charges, Dr. Stanley has responded, and the University has filed a Reply. As a result, the Board must decide the matter based on the filings they have to date.

However, Chair Brockman explained, Board members may have questions. Anticipating that potential, both Dr. Stanley's attorney Ms. Keith and the University of Kentucky Assistant General Counsel Stepp-Gay are present to answer any questions.

Chair Brockman stated, "With the prerogative of being chair, I would like to ask the first questions of Ms. Keith and then Ms. Stepp-Gay can respond. After reading both briefs, I am confused as to the actual vote before the Faculty Hearing Committee. My questions are (1) what was the vote that Dr. Stanley committed a violation; and (2) what was the vote that Dr. Stanley should be removed."

Ms. Keith replied that her understanding from the email provided with the results that six members of the faculty hearing committee determined that there was sufficient evidence to support Dr. Stanley's removal; two individuals abstained; one individual said there was sufficient evidence, but disciplinary action less than revocation was appropriate; and two found that there was not sufficient evidence. Ms. Stepp-Gay concurred.

Chair Brockman recognized Trustee Vance who asked, "In Dr. Stanley's various responses, Dr. Stanley never explicitly denies that he communicated false results as it pertains to the subject sample (B1-022843). Ms. Keith, is it Dr. Stanley's position that despite this sample never being opened – it was twice tested before he communicated the negative results?"

Ms. Keith stated, "I think the thrust of all our documents reflect the fact that without additional information, Dr. Stanley cannot speak to this specific allegation. There are a number of inaccuracies that allow us to question the overall integrity of that specific finding. Number one, that was a B sample, and we have never seen a photograph of the alleged unopened sample. In addition to that, all samples are received in more than one vial. Assuming that there was a discovery of one unopened vial in the Equine Analytical Chemistry Lab (EACL) refrigerator, that is not conclusive evidence that no testing had been performed."

Chair Brockman recognized Ms. Stepp-Gay for comment who stated, "I disagree that four vials would have been delivered to Lab B. Ms. Keith is correct, it was a B sample, meaning that Lab A might have received four vials, which is very custom, but Lab B is not going to get four vials, because Lab A is not going to give you the entire sample. They sent one tube, which would be the B sample. It is not custom to send four of the same sample to Lab B. The purpose of Lab B is to confirm the initial screening from Lab A. So, there would be no need for them to send four to Lab B."

Ms. Keith responded that her understanding was that in addition to the B sample that is provided, any additional untested sample is transmitted along with the set-aside Lab B sample. So, it is possible that in addition to the one vial that is designated Lab B, there is additional materials that can be tested.

Ms. Stepp-Gay responded that it is highly unlikely, and if witness testimony was included in the meeting, a witness from the Horseracing Integrity and Welfare Unit (HIWU) Lab was prepared to explain that only one vial was sent to Lab B.

Ms. Keith disagreed that HIWU would not have been responsible for sending the samples to the lab and therefore HIWU's testimony as to what was sent to the lab is immaterial. Ms. Stepp-Gay responded that HIWU and UK Internal Audit's investigations will show that one vial was sent to Lab B. Ms. Keith stated she had not been provided with any of this evidence.

Chair Brockman recognized Trustee Boone for a question. Mr. Boone stated, "Ms. Keith, regarding the blind sample that was sent by the Racehorse Medication Testing Consortium, the University says Dr. Stanley directed that the sample be reported as negative, despite the presence of Triamcinolone. What is the excuse or rationale for missing that or reporting it falsely? Given that this was the quality control sample sent to all the accredited labs and every other lab reported it correctly, how does Dr. Stanley explain the discrepancy?"

Ms. Keith replied that she was not present as a proxy to testify on behalf of Dr.

Stanley and cannot provide an explanation for a particular sample result. She added, "It is our understanding that in the absence of having the documentation that confirms that it was, in fact, reported inaccurately, we cannot really speak to that. Which is, in essence, in all of our pleadings before this board, we have said, in the absence of the underlying data that supports the conclusions that you all have received in connection with the UKIA or the HIWU report, we cannot drill down to offer a legitimate defense to any of these accusations, because we don't have the data."

Chair Brockman recognized Ms. Stepp-Gay for a response.

Ms. Stepp-Gay stated, "Our only response is that the data Ms. Keith is referencing does not belong to the University, it belongs to HIWU and or the Horseracing Integrity and Safety Authority (HISA). There are federal laws that prevent the disclosure of certain data, and we cannot change that as a university. That was not on us to produce that information. We have received some documentation in connection with a subpoena served to HISA, and that does not include information that relates explicitly to the samples at issue in their report. We sought that data directly from HIWU and HISA in connection with these proceedings, along with seeking whatever data and information the University had to support its audit. As you can see from the materials that were submitted, there has been no shortage of requests for that data. It is not in any part due to a lack of persistence on the part of Dr. Stanley to attempt to get the information that he needs in order to be able to fully respond to these questions."

Vice Chair Case asked, "Ms. Keith, as I understand it, the Racehorse Medication Testing Consortium (HRTC), which is independent of the Horseracing Integrity and Welfare Unit and not involved in HIWU's investigation, suspended the University's Equine Analytical Chemical Laboratory's accreditation for non-compliance. Does Dr. Stanley believe that the Racehorse Medication Testing Consortium (RMTC) is also conspiring against him? If so, how has that taken place?"

Ms. Keith replied, "The removal of the accreditation by the HRTC was done after Dr. Stanley's removal from the Equine Analytical Chemistry Lab (EACL), and it is my understanding, again, from Dr. Stanley that that had to do with the fact that his replacement, did not possess the credentialing required to maintain that, and that it was not in connection with some separate and independent, analysis of the EACL and or Dr. Stanley's conduct."

Ms. Stepp-Gay stated that any response would most likely be speculation, but it is her understanding that Dr. Stanley lost his accreditation with the Racing Medication and Testing Consortium (RMTC) because of the lack of compliance and the lack of controls within the lab.

Chair Brockman recognized Trustee Lucas who asked, "Dr. Stanley claims that one untested sample allegation is the only confirmed issue – but HIWU notes 146 samples that failed initial screening and were not put through confirmatory analysis. Given why these samples are being tested in the first place, does Dr. Stanley not think this is a significant issue? If not, why not?"

Ms. Keith stated that Dr. Stanley does not have any specific information related to the samples that were allegedly, not put through confirmatory testing. She added, "I believe both UKIA's audit and the HIWU report seem to suggest that the record for confirmatory testing is reflected in the LIMS system, and it is not. So, those confirmatory tests are reported in... they are not reported in connection with the sample numbers in the Laboratory Information Management System (LIMS). So, there is an additional piece of information that we have not seen referenced in either the HIWU report or in the UKIA report, where the actual results for confirmatory tests are kept."

Chair Brockman recognized Ms. Stepp-Gay for response, who remarked, "In short, the investigations revealed that these confirmatory tests were actually not occurring. On top of that, the documentation was not being kept. With science, if there is no documentation, it did not happen. Science must be able to repeat itself. In this situation, Dr. Stanley was not using the proper documentation within the lab, and he was not performing confirmatory analysis, which is why we have no record of it. So not having it is part of the problem, and it would not be in LIMS. There were some issues with software implementation, as they pointed out in their responses, but HIWU actually created an alternative for reporting to prevent whatever was happening from happening in the future, and Dr. Stanley still refused to confirm to the protocol."

Ms. Keith stated, "I do not see any evidence of Dr. Stanley's refusal to confirm to the protocol, but I will tell you, Dr. Stanley denies that confirmatory tests were not being performed. They were, in fact, the UK Gluck Center is where the confirmatory test for the Erythropoietin (EPO) product is. It is not at the EACL, so while technically correct that the EACL lacked capacity for confirmatory testing, it is not true that UK lacked capacity. Nor is it true that it did not perform confirmatory testing. Dr. Stanley has no access to any of the records that were in his lab, and certainly, if given access he could perhaps point the University to where the records are kept for the confirmatory testing that was allegedly not performed. Dr. Stanley denies that confirmatory tests were not being performed. He also denies false reporting of results, and he denies fraudulent billing. He has done so explicitly in his papers."

Ms. Stepp-Gay responded, "Since we are left to the documentation in the file, I will just note that if Dr. Stanley was, in fact, performing confirmatory analysis, he would have detected the prohibited substance that was found in the blind sample that was sent by the RMTC, which, again, was sent to every accredited lab, and everyone found the prohibited substance except Dr. Stanley's lab, because he was not performing confirmatory analysis."

Trustee Myers asked, "The University is relying on the Internal Audit Report and the HIWU Report. Does Dr. Stanley concede that he has these reports and understands how the University is using these reports? Does he concede that the University has not relied on any other evidence?"

Ms. Keith responded, "Dr. Stanley does concede that the University is relying on the UKIA and the HIWU reports in connection with this revocation proceeding. He does note that those two reports contain conclusions that are the culmination of investigative

work. He has none of the underlying data or documents or interviews from which these conclusions are derived. In the absence of having the actual evidence, Dr. Stanley submits that his due process rights in connection with this proceeding have not been satisfied.”

Ms. Stepp-Gay responded, “Dr. Stanley, opted not to participate in either investigation. So, the reports might look differently had he participated, and supported his position, but he has not.”

Chair Brockman recognized Trustee Swanson, who stated, “I have concerns about, evidence in the report that indicates that Dr. Stanley did not use standard operating procedures, which included lack of a positive and negative controls which are essential for these types of scientific analysis. Could you comment?”

Ms. Keith reiterated that she was not there to testify on behalf of Dr. Stanley, and that she could not speak or answer any specific questions regarding that issue. She added, “He does maintain that there were standard operating procedures, and standard operating procedures were followed in connection with the lab's testing of all of its samples.”

Chair Brockman exclaimed, “Dr. Stanley references collusion between HIWU and the University. Please elaborate on what motive either entity would have to harm Dr. Stanley or the Equine Analytical Chemical Laboratory by going through this process?”

Ms. Keith exclaimed, that she could not speculate as to the motives of the Horseracing Integrity and Safety Authority (HISA) or HIWU, or the University of Kentucky, but added, “There is an email from Lisa Lazarus at HISA to Dean Nancy Cox that explicitly says, before either investigation was undertaken, that Dr. Stanley needs to not work in the horse racing industry again, and that needs to be accomplished by making the public aware of what he has done. This email exchange was in early March, and the HIWU report was September 17 and the University of Kentucky's internal audit was published officially and formally in October. So, there is communications between HISA and the University of Kentucky outcome determinative for the removal of Dr. Stanley before either report were concluded, and that is the basis for our assertion that there is collusion.”

Ms. Keith continued, “Moreover, in connection with HISA's report, it reflects frequently that Dr. Stanley was a vocal critic of the rollout of the new procedure in connection with, HISA's protocol, and as such he was not a darling of HISA or HIWU. So, their desire to remove him, is likely based on his vocal criticism of their program and its inadequacies.”

Ms. Stepp-Gay replied, “Dr. Stanley was heavily recruited to the University of Kentucky to run this lab. We are a flagship university in Kentucky, which the horse industry is obviously very prominent in Kentucky. I disagree there would be any motive for the University to go through this. No university would want this type of stain.”

Chair Brockman called on Ms. Keith for comment.

Ms. Keith remarked, "I would say that the University does not have the stain. I would say that my client is the one who has the stain. The University has put all the flaws and weaknesses of the EACL on Dr. Stanley. So, I do not think the University is experiencing the stain, but Dr. Stanley's career is over as a result."

Trustee Vance asked, "Why did Dr. Stanley not cooperate with either the UK Internal Audit or HIWU investigations?"

Ms. Keith stated, "Again, I do not want to risk testifying on behalf of Dr. Stanley, in connection with this proceeding. But Dr. Stanley did participate in the Office of Equal Opportunity's (OEO) investigation into his wrongdoing. He believed, in connection with that he was subject to unfair treatment, including inquiry related to unsubstantiated allegations of sexual harassment and discrimination, and based on his participation in the first inquiry and investigation. He did not feel as though he would have adequate opportunity to reflect his side of the story."

Ms. Stepp-Gay replied, "The OEO's investigation is completely irrelevant to Stanley's performance. It had nothing to do with whether he was performing in his role as the director of the EACL. I will note that while he claims he was treated unfairly, he was found not responsible in that situation, so I am not sure why that would be relevant either."

Ms. Keith suggested, "That because the OEO determined that there was insufficient evidence of sexual harassment or inappropriate misconduct on the part of Dr. Stanley, yet the UKIA continued to investigate that allegation, in spite of its own internal conclusion that there was insufficient evidence. That is case in point that he was being treated unfairly. A determination that there is insufficient evidence should have ended the inquiry into Dr. Stanley's alleged inappropriate misconduct, yet it was included in the 30-page audit."

Ms. Stepp-Gay stated, "OEO's investigation was relative to whether or not sexual harassment in the workplace was taking place. Dr. Stanley somewhat participated. The young lady who was involved did not participate, so there was not enough information to move forward. The other inquiry by the internal audit, dealt more with the conflict of interest, as you all saw in the packet. Dr. Stanley's writing a cover letter for a potential applicant, and then he hires that applicant. So, that has nothing to do with sexual harassment or allegations of sexual harassment. So, internal audit was looking into the conflicts of interest. OEO was looking into, was there sexual harassment; two separate issues that should not be conflated."

Ms. Keith stated, "The audit alleged an inappropriate relationship, including the use of university funds to pay for a hotel room for the Student and Temporary Employment Placement Service (STEPS) employee. So, clearly, it was addressing alleged inappropriate conduct."

Ms. Stepp-Gay replied that it "Never explicitly says he paid for a room for the STEPS employee. There were two flights purchased, and one room paid for."

Chair Brockman recognized Trustee Case.

Vice Chair Case stated, "Dr. Stanley claims that there are documents, which would prove his innocence. Can you describe those documents and how they would prove that Dr. Stanley actually performed the tests?"

Ms. Keith and Ms. Stepp-Gay discussed the current restrictions of the documents by the court and were not able to comment.

Chair Brockman called on Trustee Shoop for comment, who explained his experience with equine testing. Adding that, "The credibility of the industry and thoroughbred races in this state, and other states too, relies on the testing reputation of your testing facility."

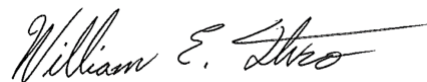
Chair Brockman asked if there was any further discussion. Hearing none he asked for a motion. Vice Chair Case moved that the Board terminate Dr. Stanley's tenure and dismiss him from university employment. Trustee Vance seconded the motion. Chair Brockman asked if there was any discussion. Trustee Swanson moved for an amendment to the motion for the Board to go into closed session for discussion, which was seconded. Chair Brockman asked for any discussion, hearing none he called for a vote the amended motion to go into closed session which did not pass with three approvals from Trustees Petrone, Stacy and Swanson and 16 opposed.

Chair Brockman then called for any further discussion concerning the motion to terminate Dr. Stanley's tenure and dismissal from university employment. Hearing no further discussion, Chair Brockman called for the vote. The motion passed with 18 approvals and one abstention from Trustee Petrone.

IV. Adjournment

Chair Brockman asked if there was any further business to come before the Board. Hearing no further business, the meeting adjourned at 1:05 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William E. Thro".

William E. Thro
Assistant Secretary