

Brothers, Sheila C

From: Deaton, Marcy
Sent: Monday, October 29, 2012 10:51 AM
To: Blonder, Lee
Cc: Brothers, Sheila C; Greissman, Richard
Subject: GR VIII - Faculty Appointments 12-11-12.docx
Attachments: GR VIII - Faculty Appointments 12-11-12.docx

Good Morning,

Attached is the Draft of GR VIII, which was presented to the Board for a first reading at the September Board meeting. It is scheduled for final approval at the December meeting.

In order to comply with GR XIII, which requires the University Senate to have the opportunity to recommend on GR revisions, I am sending you the draft to share with the Senate as you think most appropriate. The Background, as explained in the PR which was on the Board's agenda in September is below for your reference. If you think the GR needs to be presented to the full Senate, could it go on the November 12th agenda? However, if you think the Senate Council can review it, or it can be shared via email only, please let me know.

Marcy

September 11, 2012, PR 3

Background: The proposed revision of Section B in Governing Regulation VIII permits the president to delegate to the Provost, as the chief academic officer of the University, the authority to take final action on a wide range of faculty personnel matters, and to issue the concluding judgment on those faculty personnel decisions, such as the granting of tenure, that must be sent to the Board of Trustees for final action. Upon appeal, the President has the authority to sustain or reverse the Provost's decision. Any delegation of presidential authority in faculty appointments, reappointments, promotions, and the granting of tenure shall be codified in Administrative Regulation 2:1 (Procedures for Faculty Appointment, Reappointment, Promotion and the Granting of Tenure). This amendment makes the Governing Regulation consistent with AR 2:1, which was vetted and supported by appropriate constituencies, and approved by the president.

Furthermore, the proposed revision of GR VIII.B modifies the language on the initial faculty appointments based on salary that are submitted to the Board of Trustees for final action. Rather than identify a fixed dollar amount (currently \$100,000) as the threshold for such reporting, the revised language establishes a formula for the calculation of that threshold. Relying on a formula has the distinct advantage of permitting a recalibration of the threshold as faculty salaries increase over time without having to propose ongoing revisions to Governing Regulation VIII. The initial formula for calculating that threshold shall be submitted to the Board of Trustees for its review and approval, and any subsequent revision of the formula shall also require final action by the Board of Trustees.

The initial formula reads as follows:

The president shall report to the Board of Trustees any initial faculty salary that exceeds 125% of the rolling three-year average of the starting salary at the equivalent rank and title series in the educational unit of the faculty appointee.



UNIVERSITY OF
KENTUCKY
Regulations

Governing Regulation, Part VIII

Responsible Office: Board of Trustees

Date Effective: [DRAFT 3/27/2012](#)

Supersedes Version: [3/27/2012 6/14/2005](#)

University Appointments

A. Administrative Appointments

1. Regular Appointments

The President is appointed by the Board of Trustees with the advice of a joint committee of the Board of Trustees, University Faculty, staff employees, student body, and alumni. The committee shall consist of six (6) members of the Board of Trustees, at least one (1) of whom shall be from among the three (3) alumni trustees, appointed by the Chair of the Board of Trustees; three (3) regular full-time faculty members, selected by a procedure determined by the University Senate; one (1) regular full-time staff employee appointed by the Chair of the Board of Trustees from a list of three (3) staff employees selected by a procedure determined by the Staff Senate; two (2) full-time students, one (1) undergraduate and one (1) graduate or professional student, appointed by the Chair of the Board of Trustees from a list of three (3) undergraduate students and three (3) graduate or professional students selected by a procedure determined by the Student Government Association; and one (1) member of the alumni appointed by the Chair of the Board of Trustees from a list of three (3) alumni selected by the Board of Directors or the Executive Committee of the University of Kentucky Alumni Association. The committee shall provide opportunity for discussion among representatives of administration, University Faculty, staff employees, student body, alumni groups, and prospective presidential candidates.

The Provost, executive vice presidents, vice presidents, chief administrative officers of educational units (deans, directors, and chairs), and every administrative and professional employee of the University who is to report directly to the President or whose position is at Level 50 or above in the Administrative and Professional Classification System shall be appointed by the Board of Trustees, acting upon recommendation of the President. Except in the cases of those individuals who report directly to the President, a recommendation from an appointee's superior officer shall be obtained prior to recommending an appointment or reappointment by the Board of Trustees. Staff employees, other than those described above may be appointed by the President, Provost, or appropriate executive vice president or vice president. The President shall report all appointments at Levels 47 through 49 in the Administrative and Professional Classification System to the Board of Trustees. The President, Provost, or the appropriate executive vice president or vice president may delegate the power to appoint personnel whose appointments are not made by the Board of Trustees to other appropriate administrative officers. If the Board of Trustees does not accept the recommendation of the President with respect to an appointment, it shall call upon the President to make another recommendation. Likewise, the President may refuse to approve a recommendation, but, in each such case, the President shall ask for a new recommendation from the same or a new search committee. The same principle shall apply at all levels of the administrative organization.

2. Acting Appointments

When vacancies occur in administrative positions other than the presidency, the President or the Provost or the appropriate executive vice president or vice president may appoint acting officers to fill the positions until it is possible to make regular appointments by the established procedure. When the officer is one who does not report directly to the President, the President or the Provost, or an executive vice president or a vice president, as appropriate, shall request a recommendation from that officer's superior. Acting appointments shall be for a maximum term of one (1) year; however, reappointments may be made after a satisfactory review. All appointments of acting officers shall be reported to the Board of Trustees. With the approval of the next higher administrative level, a regular administrative officer may designate a temporary officer to service in an acting capacity for a period not to exceed four (4) months while the regular officer is away from campus on University business or approved leave.

If the officer administers a college, center, school, or department, the Provost also shall request a recommendation on matters of acting appointment or acting reappointment from a committee which includes faculty members from that unit.

In the selection of an acting Provost, the President shall request a recommendation from a committee which includes faculty members and also recommendations from the University Senate Council.

The search processes for an acting provost or chief administrative officers of colleges, schools, departments and centers shall include the participation of staff employees of the unit, and shall provide for the participation of other affected groups as appropriate.

3. Search Committees

Recommendations on the appointment of a Provost or of the chief administrative officers of all educational units of the University shall be made after advice from search committees.

When vacancies in administrative positions are anticipated, search committees shall be appointed sufficiently in advance of the vacancy to avoid the appointment of an acting administrator.

When unanticipated vacancies occur, search committees shall be appointed as soon as the established procedures for appointment can be carried out. The selection of faculty members for membership on search committees for administrative appointments above the level of dean shall be made after consultation with the University Senate Council.

Recommendations of the search committee shall be transmitted to the President through the established administrative channels, along with the recommendation of the administrative officer responsible for the appointment. Recommendations on the appointment or reappointment of a chair of an academic department or division, or for the dean of a college or the director of a school that does not contain departments or divisions, shall be accompanied by written statements from at least the tenured members of the college, school, department or division.

Search committees for deans of colleges shall be appointed by the Provost after consultation with the University Senate Council, and either the faculty or elected faculty council of the college.

Search committees for directors of schools shall be appointed by the deans of the colleges after consultation with the appropriate bodies as these bodies are identified in the rules of the respective school faculty.

Search committees for chairs of academic departments shall be appointed by the deans of the colleges after consultation with (1) the associate dean or director of the school within the college if the department is in such a school; (2) the faculty of the department; and (3) the Dean of the Graduate School if the department is involved in a graduate program.

Search committees for directors of interdisciplinary research centers or institutes or interdisciplinary instructional programs shall be appointed, after consultation with the appropriate bodies, by the Vice President for Research, or other officer to whom administrative responsibility has been delegated.

The search processes for a provost or for chief administrative officers of colleges, schools, departments and centers shall include the participation of staff employees of the unit and shall provide for the participation of other affected groups, as appropriate.

4. Terms of Chairs and Directors

(a) Department Chairs

The term of a department chair's appointment shall be four (4) years, except in the Colleges of Agriculture, Dentistry, Medicine, Nursing, and Pharmacy where it shall be six (6) years.

Ordinarily, a department faculty member will be asked to serve as chair for only one (1) term. A chair may be reappointed, however, when the faculty advisory committee appointed to review the work of the department (AR 1:4) finds that the particular circumstances and needs of the department make such a reappointment desirable. Reappointment beyond the second term may occur under exceptional circumstances when it is deemed to be in the best interests of the University. This practice may vary from discipline to discipline.

(b) Chairs of Interdisciplinary Instruction Programs

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

(c) Directors of Multidisciplinary Research Centers and Institutes

The director of a multidisciplinary research center or institute shall be appointed for a term of six (6) years. A director may be reappointed, however, when an ad hoc committee appointed to review and evaluate the center or institute (AR 1:4) finds that the particular circumstances and needs of the center or institute make such a reappointment desirable.

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

1. The Board of Trustees, acting upon the recommendation the President or the President's designee, shall take final action on all appointments and promotions of faculty members to positions which involve:

(a) an actual or equivalent academic rank of associate professor or professor;

(b) tenure; or

(c) an initial salary above a set of monetary thresholds approved by the Board of Trustees.

~~All appointments and promotions of faculty members to positions which involve (1) an actual or equivalent academic rank of associate professor or professor, (2) tenure, or (3) an initial salary above \$100,000 shall be made by the Board of Trustees, acting upon recommendation of the President. Appointments and promotions of faculty members to positions which involve an actual or equivalent academic rank below associate professor and an initial salary not exceeding \$100,000 shall be made by the President who shall report such actions to the Board of Trustees.~~

2. The President, or the President's designee, shall take final action on ~~may delegate the authority to make~~ appointments, reappointments and promotions that do not require approval by the Board of Trustees. Such final actions shall be reported to the Board of Trustees through the Office of the President.
3. The President, following consultation with the University Senate Council, shall establish such review ~~procedures systems~~ as are appropriate to assist the President, or other appropriate administrative officers designated by the President, in making informed judgments concerning ~~academic faculty~~ appointments, reappointments, promotions, and the granting of tenure. Those procedures shall be codified in AR 2:1. Any delegation of presidential authority in faculty appointments, reappointments, promotions, and the granting of tenure shall also be codified in AR 2:1.

References and Related Materials

KRS 164.220, Appointment, salaries and retirement benefits of university personnel

KRS 164.225, Board's exclusive jurisdiction over appointments, qualifications, compensation, promotions, and retirement programs

AR 1:4, The Planning, Budgeting, and Assessment Cycle

Revision History

12/11/2001, 6/14/2005, 3/27/2012

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