



**University Senate Council
Office of the Chair**
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August 21, 2013

Derek Lane, Ph.D., Chair of the Senate Advisory Committee on Faculty Code
Department of Communication
310 H. Lucille C. Little Fine Arts Library/Little Library
University of Kentucky

Dear Professor Lane and Members of the Senate Advisory Committee on Faculty Code:

In a recent meeting that I had with President Capilouto, he brought to my attention the lack of a range of sanctions available in addressing violations of the faculty code by faculty members- short of dismissal. I have copied Senate Rule 7.4.0 below that describes current sanctions. In a subsequent meeting with Chief Legal Counsel Bill Thro, Bill and I discussed this further and agreed that the SACFC might be the appropriate committee to develop a more detailed and graded set of sanctions that could then be incorporated into the Senate Rules. I am writing to you to ask that you develop additional sanctions that go beyond the list in SR 7.4.0. In particular, we would like you to recommend sanctions that go beyond a simple letter in the personnel file, but stop short of dismissal. Currently, the only such sanction that fills that requirement is *C: Forfeiture of pay from present salary for actual monetary damage suffered by the University through unauthorized use of University property*. However, there may be a range of situations that reflect a faculty member's (including a unit administrator's) lack of compliance as covered below:

“G. Comply with the Governing Regulations, the *Administrative Regulations*, and the *University Senate Rules*.” (SR 7.2.1.G)

For example, the individual may be found to have not correctly recorded overtime hours of a supervised employee; perhaps one disciplinary action would be to require the individual to attend training on the University's policies for supervising hours and wages. Or, if the individual exhibited improper conduct in relation to accommodation of a disability, the individual would be required to attend appropriate training. There is an array of other possible examples in which some other disciplinary action would be appropriate. Without trying to enumerate all possible situations, we need for the 'Sanctions' available section of the Senate Rule for your charge to be updated to include a more appropriate range of commensurate sanctions.

I would be most appreciative if you would prioritize this task as the President would like recommendations in place by November 2013.

Thank you very much.
Sincerely,

Lee X. Blonder Ph.D.
Senate Council Chair

From University Senate Rules:**7.4.0 SANCTIONS**

Sanctions which may be recommended by the SACFC include:

- A.** A warning that conduct violates the Code as interpreted.
- B.** A reprimand:
 - 1.** Informal (to accused only);
 - 2.** Formal (to accused with notice to his/her administrative superior).
- C.** Forfeiture of pay from present salary for actual monetary damage suffered by the University through unauthorized use of University property.
- D.** Recommendation for proceeding under KRS 164230, dismissal for reasons of "incompetency, neglect of or a refusal to perform his/her duty, or of immoral conduct." Note: Nothing in this document is intended to inhibit in any way the right of the Provost to initiate charges against a faculty member under KRS 164.230 in accordance with the procedures established by the *Governing Regulations* so long as no written report has yet been received by the SACFC from the dean.