

A History of the Establishment of the University of Kentucky Extension Title Series

In the fall 2004 academic semester, the University of Kentucky Provost announced an intention to promote discussion on the future status of the faculty Special Title Series, including its possible abolition. The Provost also announced that he would ask the College of Agriculture to use the occasion to assess the status of the Extension Title Series, which is a form of Special Title Series. Toward providing an informational base of context on how the Extension Title Series came to arrive in its present form, to enable a more informed discussion on what its future ought to be, this history of the Extension Title Series is provided. It is organized along the lines of the following progression of important historical events, which highlight particular issues that have arisen that affect the nature of agricultural Extension as a University discipline, that affect University policy for agricultural Extension, and that affect the application of that policy to individual Extension faculty.

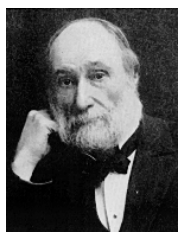
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I. Extension Faculty Prior to 1963

A series of laws passed in 1880 established the independence of the educational institution that we know today as the University of Kentucky. Among those laws was a statute empowering the Board of Trustees to hire

“... professors, assistants, and tutors and to determine the salaries, duties and official relations of each.”

This law still exists today as KRS 164.220.¹ Under that law, the University by 1911 had recognized professors, associate professors, assistant professors (and instructors) as the primary series ranks of the University employees understood as titled “Professor.”^{2,3} However, there was not a system of different kinds of professorial titles, each with its own series of ranks or own specialized duties.



Consequent to the Federal 1887 Morrill Act, there was also established, as an administrative part of the University, the “Agricultural Experiment Station.” As President **James Patterson** described it in 1908, he felt the Experiment Station functioned as “a self-contained entity, having little or no relationship to the instructional branch of the institution.”⁴ Exercising authority delegated by the Board of Trustees, the Board of Trustees Executive Committee in 1910 made the Agriculture Experiment Station to be a part of the College of Agriculture.⁵ It

was not until the 1910-1911 academic year that the University Bulletin listed all together both the persons (1) whose sole appointment was with a professorial title in academic departments of the College of Agriculture and (2) who held a staff appointment in the Experiment Station and who held academic professorial title in an academic were department of the College.⁶ Specifically, the chiefs of divisions and the chiefs of staff of the Experiment Station were to rank as professors, while the chief assistants were to rank as assistant professors.^{7,8}

In 1914, there was established by the Federal “Smith-Lever Act” the “Cooperative Extension Service,” (CES) conceptualized as a cooperative interaction between the county, state and federal governments to extend education from the land grant institutions to the citizens of the states.^{9,10} The federal act specifically limited how the federal funds to the CES could be spent, i.e., that “no portion of said moneys shall be applied, directly or indirectly, ... in college-course teaching, lectures in colleges...” and that persons appointed under the Smith-Lever Act for extension work were to be “joint representatives” of the U.S. Department of Agriculture and of the College of Agriculture.¹¹ The first person to hold both a professorial appointment in the College of Agriculture and an “Extension Specialist” appointment in the CES under this arrangement, as reported in the University Bulletin, was in 1916.¹² The framework of the UK Cooperative Extension Service (CES), with its personnel placed into every county of the state, made the Dean of the College of Agriculture in a very politically powerful situation, because through those CES personnel in each county the Dean could cultivate considerable political support.^{13,14}

In 1950, the state legislature passed and the Governor signed a law that raised much ire within the University, in that it placed the University in a Division of the Department of Education, and made its employment system as under the jurisdiction of the state government Division of Personnel in the Department of Finance, which was administratively supervised by the Governor. This placed the Governor in a potential position of utilizing the Cooperative Extension Service as a framework through which the Governor could cause to be hired and placed into each county persons who politically supported the Governor. The potential for such political intrusion spawned an in-depth report by a committee of the Kentucky Chapter of the American Association of University Professors (AAUP), chaired by **Howard Beers** (Department of Sociology) that laid bare the political mischief that this legislation had enabled.¹⁵ This report was picked up by the Louisville Courier newspaper, which in a two-page spread lambasted the legislation.¹⁶ As a result, in the next legislative session (1952), a law was passed (KRS 164.225 today) stating



“Anything in any statutes of the Commonwealth to the contrary notwithstanding, the power over and **control of appointments**, qualifications, salaries, and compensation payable out of the State Treasury or otherwise, promotions and official relations **of all employees** of the University of Kentucky, as provided in KRS 164.220, and, subject to any restrictions imposed by general law, the retirement ages and benefits of such employees **shall be under the exclusive jurisdiction of the board of trustees** of the University of Kentucky, which shall be an independent agency and instrumentality of the Commonwealth.”¹⁷

Several academic and political forces then intersected in 1955-1960. These forces included that the AAUP was approaching the peak of its influence within the University in concerns of matters of faculty tenure and academic status. That circumstance intersected with the position of the Dean of Agriculture as one of much influence within the University administration during that time (in part by way of the statewide influence of the CES). In further intersection, by 1955, there had become established a (typically M.S.-level) position in the Cooperative Extension Service of “Extension Specialist,” and the (typically M.S.-level position) in the Agricultural Experiment Station of “Research Specialist.”¹⁸⁻¹⁹ The result of a revision to the Governing Regulations in 1955 was the addition of the following **new language** to the definition of a department:

“A departmental staff shall consist of professors, associate professors, assistant professors, instructors, **research specialists, field agents**, or graduate assistants who may be appointed to give instruction or to conduct experiments, research or field studies...”

In 1960, there was further amendment to the Board’s Governing Regulations concerning tenure. Back in 1918, the Board’s regulations had been revised to prescribe that tenure (“continuous employment”) could be awarded to faculty with the rank of Associate Professor or Professor,²⁰ but in 1947, the Board of Trustees amended its regulations to limit appointment to either rank to persons who have a Ph.D.²¹ In essence, a faculty could not acquire tenure without a Ph.D. However, in the 1960 revisions, that requirement of a Ph.D. for appointment as Associate Professor or Professor was removed, and the tenure regulations rewritten to read as shown below:

“Each person in the following categories shall also have continuous tenure at the University, either on appointment or following a probationary period of employment on a year-to-year

basis, the total probationary period to be from one to five years, as approved by the President: (1) all persons of the rank of assistant professor or higher, (2) other persons adjudged by the President to hold equivalent ranks, including **research** or **extension personnel** and professional librarians.”²²

These changes placed Extension Specialists (and Research Specialists) and Assistant Professors in a position to acquire tenure, just as did Associate Professors and Professors, but instead by the mere act of their continued reappointments for longer than five years (i.e., “*de facto* tenure”).^{23,24}

II. Establishment Under President Oswald of the “Regular Title Series” and Its Qualifications, 1963

In fall of 1963, the newly appointed UK President **John Oswald** was given a mandate from the Board of Trustees to lead UK out of its status as a local institution of primarily teaching emphasis and into the ranks of national research universities. However, there was no written higher University-level framework establishing merit-measures of faculty performance.²⁵ In consultation with the Faculty Council (= Senate Council today),²⁶ President Oswald promulgated in October of 1963 a statement of University-wide criteria for faculty appointment, promotion and merit salary increase that reflected this philosophy.²⁷ That policy stated, in part:



“Four areas of activity are important in the evaluation of faculty for appointment, promotion and merit increase:

1. teaching
2. research and other creative activity
3. professional status and activity
4. University and public service

..... a major consideration in any appointment or promotion which carries tenure must be superior intellectual attainment as evidenced both in teaching, and in research or other creative activity.”

That 1963 policy memo became what we know today as the President’s Administrative Regulation for appointment, promotion and tenure of “Regular Title Series” faculty (AR II-1.0-1.V, of today).²⁸ Particularly eye-raising for many faculty and administrators was the emphasis that the policy placed on performance of research, and that faculty who would be titled “Professor” (or “Associate Professor” or “Assistant Professor”) would be expected to perform with superior attainment in both research and teaching, and with “effectiveness” in University or Public Service. Thus, it became immediately clear that the academic departments and the Area Committees would have difficulty in applying those criteria to the retention, tenure and promotion of certain of the nonresearch faculty in various colleges. In some colleges, the nonresearch faculty were primarily performing teaching, and in some, primarily public service.²⁹ In addition, the research-only assignment of some other persons precluded their performing in either teaching or public service.³⁰

III. Implications of Regular Title Series Criteria Policy for Agricultural Extension Faculty

The President met personally with the Faculty Council at its November 1963 meeting, little more than a week after circulating the new criteria for tenure that required excellence in both teaching and research activities, and effectiveness in service. The minutes of that meeting show that “the following points were made [including]:

decision must be made concerning the agricultural extension group”³¹

For the remainder of 1963 and all of 1964, there was much discussion in the University Faculty Council as to whether alternative titles or alternative ranks were needed to accommodate specialized needs of Agriculture and Medicine. In January 1964, the Faculty Council discussion generated the suggestion:

“... that consideration be given to adding “Part-time” to the title of a part-time faculty member, and broad terms, to include those in non-teaching research in the Medical School and **the College of Agriculture**, such as “**Assistant Agronomist**”, “Physicist”, “Assistant Surgeon”, be used for research titles.”³²

There was also discussion as to whether the “Lecturer” ought to be made a tenure-track series with a progression of multiple ranks, and applied to Extension faculty. Shortly thereafter, in there was in the Faculty Council

“substantial discussion of the matter of needs for special ranks to meet the needs of particular colleges. Dr. **Ed Pelligrino** [Faculty Council Vice Chair and the Chairman of the Department of Medicine, College of Medicine] presented problems that would be created by the proposed **lecturer** and associate ranks for people in the clinical area whose responsibilities did not fit the teaching research concept of the professorial series.... [t]his led to the point that there were other areas such as **Agriculture** where the problems of specialized activities suggested that perhaps other series of ranks might be needed that would more appropriately define the functions of individuals It was felt that there was need to explore further the possibility that still other needs of this type existed in other colleges in the University and that prior to making a position the Faculty Council might well consult with appropriate faculty members to define these needs more completely ...”³³



IV. Discussions Occur on Potential Solutions to the “Title Problem” for Extension Faculty

February 1964 was a particular moment of urgency for this problem, because at this moment the newly established Area Committees were starting to meet and assess the spring 1964 dossiers for promotion and/or tenure, including those from faculty who were assigned in the specialized needs of colleges that did not entail significant time assignment in each of research, teaching and service. With the Faculty Council still wrestling with the issue two weeks later

“Dr. **[Ralph] Weaver** [Faculty Council Chair] was requested, through personal interview, to ask each of the deans to submit recommendations for faculty titles in those areas where the criteria for regular professorial ranks would not be appropriate for retention and promotion, emphasizing that the Council would insist on these [Oswald 1963] criteria for the regular professorial ranks.”³⁴ (underlining in original)



Unfortunately, over the course of the next month of Faculty Council meetings,

“The Chairman reported that the Council could not proceed on the matter of defining special ranks to meet the needs of particular colleges until all recommendations were in from the applicable college deans. In this connection, he reported that he had received a letter from the Dean of the College of Commerce which he read to the Council.”³⁵“The Chairman reported receipt of a negative reply from the Art Department toward special academic ranks and Dr. Pellegrino reported negatively for the College of Medicine. The Chairman commented on the lack of progress being made in this area.”³⁶

The College of Agriculture was one of the colleges for which no response was received, unfortunately for those persons whose dossiers from the College of Agriculture were already being evaluated in that cycle by the Area Committees. In one February 1964 case of a person possessing a terminal degree, the Area Committee wrote

“It is the opinion of the Committee that although Mr. [] appears well qualified to do extension work in [department], it does not appear that Mr.[] will have any responsibilities outside the area of extension work. It is the opinion of the Committee that appointment to a professorial rank is not justified for work in this area and that **Extension** titles should be used for **Extension** personnel.”³⁷

The June 1964 Board of Trustees minutes show that subsequently that individual (and a second individual from Agriculture) being appointed as “Assistant Extension Professor.”³⁸ That is, the title of the individuals would not be “Professor” but rather “Extension Professor.” However, this was an *ad hoc* arrangement for spring 1964, that is, no “Extension Professor” alternative title series was yet officially promulgated as policy.³⁹

Finally, in May 1964, after the spring cycle of dossier evaluation had completed, **Dean Seay** corresponded to both University Faculty Council and President Oswald with separate policy proposals for titles of personnel in the College of Agriculture.⁴⁰ Dean Seay’s letter to President Oswald



expressed a managerial intent of “flexibility” in assignment of duties to Extension faculty, which he justified on the basis of a newly broadened mission of the college to include economic development:

“We believe that the titles assigned to **Extension** staff members should fit the organization and be descriptive. They should be **flexible** and **not hamper** the individual in the performance of his duties...Our program is no longer restricted to agriculture, home economics and youth program in the narrow sense but currently include considerable emphasis in the broad field of **over-all economic development** ... The prefix “agriculture,” as currently used is meaningless for men working primarily in economic development programs.”⁴¹

(Nearly forty years later, the College of Agriculture administration articulated

“As the pace of **economic** and agricultural transition accelerates, we need to become more adaptable, more **flexible** and more responsive as an organization.”

“The [Cooperative Extension] program delivery process involves **Extension** faculty, county agents, advisory council members, volunteer leaders and the general public. ... We emphasize: ... Being locally-driven, **flexible**, and responsive; we reach millions of Kentucky residents each year with educational programs in agriculture and natural resources, family and consumer sciences, 4-H and youth development, and **community and economic development**.”^{42,43})

Dean Seay’s May 1964 proposal for academic Extension personnel titles, cast in the above context, was to propose three ranks for County Extension Agent and their respective criteria, another title of “Area Specialist,” and finally (with an eye on the still in-force, above-quoted 1960 Governing Regulations for tenure) the proposal:

“The titles Extension Specialist, Assistant Extension Professor, Associate Extension Professor, and Extension Professor will be used for resident staff and where appropriate for area specialists. Resident extension staff including those area workers with Extension professorial titles can earn **job security** after a probationary period not to exceed seven years.”⁴¹

Dean Seay’s May 1964 correspondence directly to the Faculty Council instead⁴⁰ was focussed on the research aspect of “*personnel in the College of Agriculture and Home Economics in the college and Experiment Station*”:

In addition to professional academic personnel holding the ranks of instructor, assistant professor, associate professor and professor ... we would recommend ... **Research Specialist** or **Regulatory Specialist** – minimum education a Master of Science Degree...This rank would be the equivalent of an Extension Specialist or Extension Assistant Professor. Personnel with this title will be able to earn **job security** after probationary period not to exceed seven years.”⁴⁴

During the summer of 1964 following these late spring proposals by Dean Seay, President Oswald and the University Faculty Council developed an amendment to the section of the Governing Regulations pertaining to tenure, that would more closely capture the intent of his new policies for tenure criteria, and which would also close the ‘loophole’ that persons might acquire tenure by the *de facto* route of mere reappointment beyond the probationary period. This amended language would shortly precipitate additional events for Extension faculty.⁴⁵⁻⁴⁷

Meanwhile, the Vice President for the Medical Center, **William Willard**, was quite strident in his position that the clinical (teaching/patient care) faculty of the Colleges of Medicine and Dentistry, who were not performing “research” as that term was conventionally understood, ought nevertheless have access to the Regular Title Series. He was convinced that if a second title system were implemented for the clinical faculty, that the clinical faculty would become stigmatized with a second-class status. He expressed to President Oswald in September of 1964 his apparent awareness of Dean’s Seay’s May 1964 proposal,



“I understand that the College of Agriculture has such a system of titles but I am not clear that these apply to many faculty members who are active in teaching on the Lexington campus; the application of dual titles to county agents and home demonstration agents who have little formal teaching responsibility in the usual academic sense is hardly parallel.”⁴⁸

V. Establishment of a Single, University-wide “Special Title Series” as an Alternative to Regular Title Series, 1965

By December of 1964, the next cycle of Area Committee evaluation of promotion dossiers loomed just a month or two away. Dean Seay continued his correspondence with President Oswald’s office, through the Special Assistant to the President, **Tom Lewis** (who later became the Dean of Law). That activity resulted in Dr. Lewis’ drafting in mid-December 1964 of rank definition statements and criteria for ranks of “Extension Professor,” “County and Home Demonstration Agent, Research Specialist and Area Specialist” and also “Extension Specialist.”⁴⁹ A month later, President Oswald disapproved the proposals from Dean Seay for a faculty status, indeed a tenureable faculty status, of the Extension Specialists and Research Specialists. Contributing to this shift and decision by President Oswald was an unpalatable (for Oswald) outcome of the new ‘tenure-or-out’ regulations that the Board of Trustees had adopted at Oswald’s request at its September 1964 meeting. Dean Seay combined the academic political influence of the college with that 1960 *de facto* tenure regulation (that had listed extension specialists as being included in the group that could acquire *de facto* tenure) to cause the President and Board of Trustees to publicly recognize that **45** Extension Specialists possessed tenure.⁵⁰ Thus, although the subsequent actions of President Oswald closed the door to any further faculty status by Extension Specialists after that time, for the next several decades there continued to be employed at the University of Kentucky those Extension Specialists who by the 1965 Board action possessed tenure. The last person to retire who was in this group of 1965-tenured Extension Specialist retired from UK in 1988.⁵¹



Thus, for a second year, the Area Committees had the unenviable task of dealing with dossiers for individuals who did not have significant assignment in each of teaching, research and service, and who thereby would not satisfy the October 1963 Regular Title Series policy that set forth the criteria for award of the unqualified title “Professor.” Dossiers from the College of Agriculture relating to specialists and Extension faculty were again affected by the lack of a final policy for such situations.^{52,53}

Meanwhile, the Faculty Council accepted in principle President’s January 1965 proposal for a single, alternative, University-wide title series, but with several substantive modifications,^{54,55} which the Deans Council,⁵⁶ and the full University Senate⁵⁷ endorsed, and the President accepted and promulgated as the final, new Special Title Series policy.⁵⁸ First, it would be named as the “Special Title Series,” to place the emphasis on that each position to be created in this title series was for a “specialized” activity. Second, the new series would only be used for positions in which the very nature of the specialized teaching or service activity was so different from that performed by persons in the Regular Title Series that the criteria used to evaluate teaching and service of Regular Title Series faculty were inappropriate to use to evaluate persons in this alternative title series. Very important for the future understanding of the basis of use of this title series was the stipulation of intent that:

“[The October 1963 Regular Title Series [criteria] appear to be satisfactory for the great majority of positions. There are, however, a few areas **where research and creative work, in the usually accepted sense, do not constitute a significant part of a staff member’s activity** ... Yet the University has established programs in some of these areas and has the need for professionally competent people to meet the teaching and public service responsibilities required by these programs. To meet these responsibilities effectively and to maintain a competitive position in the manpower market, it is proposed that a “Special Title” professorial series be established...

“Therefore, the appointment or promotion of an individual to the Special Title Series should be recommended only where teaching or other needs are so specialized in character that they can be met with greater effectiveness by faculty members in the special series...

“Appointment to a Special Title position **will not** normally imply a specific responsibility to engage in **research**.”⁵⁸

Executive Vice President A.D. Albright oriented the college deans and Area Committees about how provisions within the established Special Title Series policy were designed in several ways to protect the integrity of the Special Title Series. As he elaborated,

-if the nature of the teaching or service activity to be performed was to be just the same as a Regular Title Series faculty member would perform, then it would be inappropriate to establish a Special Title Series position for that activity, and instead a Regular Title Series faculty member(s) should be identified to perform that activity.⁵⁹

-to maintain faculty oversight with the President on the special criteria that would be created *ad hoc* (“specially”) for appointment, promotion and tenure into each Special Title Series position, before any hire into the position, a proposal of special criteria would be developed by the department” and then, above the dean, the criteria would be further reviewed by an Area Committee (on behalf of the Faculty Council), prior to final approval by the President.⁵⁸

-using a proposal from the College of Nursing as an example, the Area Committee and President Oswald disapproved a proposal for a Special Title Series position forwarded by the Dean, expressly because the Dean had included in the proposed description of the job assignments for the position and the associated promotion criteria, that the hired individual would be responsible to perform research that resulted in research publications. The proposal was approved only after the Dean

“revised the proposed definition of “Associate Professor of Clinical Nursing” and “Professor of Clinical Nursing” to eliminate the implications of research achievements, **therefore distinguishing these positions from regular faculty titles.**”⁶⁰

VI. College of Agriculture and the Special Title Series Policy

While a number of colleges during the last half of 1965 submitted proposals for establishment of Special Title Series positions relevant to particularized needs within their respect colleges, the College of Agriculture did not submit any proposals for establishment of Special Title Series positions in relation to Extension faculty.⁶¹ As far as the College of Agriculture was concerned, the situation appeared to come to a head in January 1966, just as the 1966 spring cycle of promotion and tenure dossier consideration was in the offing. Executive VP A.D. Albright was contacted by an official from the College of Agriculture dean’s office on an issue relating to potential appointment of a new Extension faculty member.⁶² In order for the individual, a recent UK graduate, to be appointed as an **Assistant Extension Professor**, and not violate the 1960 regulation that recent graduates can not be employed at UK as a “teacher” or “research” worker at the rank of Instructor or higher,⁶³ Executive VP Albright explained that the person could not be

“appointed as a teacher or research worker as those terms are used in the [Regular Title Series] regulation...If made this appointment **would be in the Special Title Series** ...the criteria [for Special Title Series] may differ from those for the regular professorial series. No criteria have been adopted for a Special Title Series in Agriculture as no formal request has been made for the establishment of such a series.”⁶²



The above admonition apparently got the attention of the College of Agriculture administration. At the President’s direction, Provost Lewis Cochran then appointed a committee, Chaired by **William Garrigus** (Animal Sciences), to draft a statement of “*criteria for a Special Title series of Extension professorships.*” A goal for that committee’s efforts was to develop a criterial statement that “*might not only apply to the Agricultural Extension Service but throughout broader areas of the University.*”⁶⁴ The resultant committee product was proposed by Provost Cochran to Executive VP Albright for approval in April 1966, with the Provost noting

“These criteria are **somewhat general** but may be the best that we can obtain in the beginning.”⁶⁴

However, Executive VP Albright enforced that the Special Title Series was to be used only for positions so specialized that the position descriptions would be need to be fashioned on a case-by-case basis, rejecting the notion that a single approved statement of criteria would ‘flexibly’ subserve all of the various Extension positions throughout the entire University (including the College of Education and the College of Business and Economics).⁶⁵ Hence, when Executive VP A. D. Albright responded to Provost Cochran on May 6, 1966, he limited the application of the proposed performance criteria to the College of Agriculture:

“The criteria for appointment and promotion are approved provisionally; these may require further development over the next year as their use would indicate... The criteria, as they are further developed, might well be considered for use in the University generally”⁶⁶ (underline added here)

The criteria for Associate Professor or Professor ranks in this approved Special Title Series of Extension could be grouped into three areas of assignment: (1) Professional Status and Activity, (2) Instructional and Organizational Skills in the individual’s extension program of assignment, and (3) University Community Service Activity:⁶⁷

- 1-“**Achievement of professional status** beyond the University... [leadership, participation in professional organizations, requests to serve as consultant, recognition for outstanding service by clientele serve in the field of specialization]
- 2-“**Achievement as instructor, organizer**” [i.e., the extension public service component] “with the term instructional broadly conceived so as to include such activities as:
 - Production of training or instructional *programs*
 - Preparation of public information materials
 - Achievement as a creative person, in producing innovations of materials ... as a scholar ... who applies and develops new knowledge relevant to his work
 - Coordination of* teaching or training *programs...[o]rganization* of groups for study, or for action to apply knowledge
 - innovations of ... methods, or approaches to the problems he encounters in his work
- 3-“**faculty government** assignments, either as elected by the faculty or as appointed by the administration.”

Several months later, the first College of Agriculture faculty member to be appointed to the newly approved Special Title Series of Extension professorships was so appointed (Donald LaBore, Dept. of Veterinary Sciences) with the official title in the Board of Trustees minutes⁶⁸ of “Associate Extension Professor.” In subsequent actions of approval of proposals for appointment or promotion to this title series, the official notifications of approval actions to Dean Seay from Executive Vice President A.D. Albright were styled as:

“...the promotion of Dr. _____, Department of _____, to the rank of Associate Extension Professor (**Special Title**), with tenure....”⁷⁴

VII. Establishment of Area Committee for Extension, 1968

In addition to the October 1963 policy he promulgated on appointment and promotion criteria,²⁷ President Oswald in October 1963, together with the University Faculty Council, also established the policy that appointments or promotions to the rank of Assistant Professor and higher (later, to Associate Professor and higher) must be evaluated by a University-level faculty “Area” committee.⁷⁵ Provost Cochran proposed and Executive VP Albright approved, in May 1966, that the committee that drafted that Extension Title Series criterial statement would serve at least initially as the first Area Committee for appointments and promotions in the Extension Special Title Series.⁶⁴ In March of 1968, though, the Faculty Council made note that it wanted the committee to be officially established (i.e, through the University Senate framework of a short list provided by the Senate Council, etc.).⁷¹ By December 1968, Albright requested that the Senate Council submit a short list of names of faculty for formal appointment to a newly and formally established Area Committee for Extension.⁷²

VIII. Codification of in Administrative Regulations of “Special Title Series for Extension”



Shortly after his appointment as the new University of Kentucky President in fall 1969, **Otis Singletary** desired to codify the various Oswald-era faculty personnel policy memos into a manual of “Administrative Regulations.”⁷³⁻⁷⁵ The Administrative Regulation on the “Special Title Series for Extension” was drafted,⁷⁶ examined by the University Senate Council⁷⁷ and finally promulgated in March of 1972, expressly stating that it was designed for

“those University faculty whose **primary** assignment is to one of the University **extension programs** serving the citizens of the Commonwealth.”⁷⁸ (AR II-1.0-1.V, 1972)

The criteria for the rank of Associate Extension Professor as codified in the new Administrative Regulation closely dovetailed the criteria for that rank as approved in 1966 as a “Special Title Series for Extension Professorships” (i.e., centered on same basic three Areas of Activity of professional status; instructional/organization skills *toward the extension program of primary assignment*; and University/community service).

IX. Distinction of Extension Title Series From Regular Title Series Preserved by Unique Definitions for Activities of Assignment and Distribution of Effort

The Administrative Regulation codified in 1972 for the Special Title Series for Extension placed several restrictions on the assignments of duties and on the distribution of effort, that ensured that the faculty appointed into the title series have in common a “specialized” focus of duties, reflecting its “specialized” nature, that is *functionally different from what a Regular Title Series faculty member could be assigned*.

The first restriction is in the opening sentence to the 1972 Administrative Regulation for this title series:

“The Special Title Series for Extension **consists of**: (1) assistant extension professor; (2) associate extension professor; and (3) extension professor.”⁷⁸

By its grammatical use of the phrase “consists of”, and not “may consist of” or “in part consists of,” this important requirement establishes the integrity of this title series being an inseverable whole unto itself. There is no such thing as a “split title series” assignment, in which a faculty member is partly Extension Title Series and partly some other title series. This language specifies that this title series consists of the stated three ranks, and the remainder of the regulation specifically defines the three ranks in terms of consisting of the following areas of assigned duties:

- 1 - in professional status/activity,
- 2 - in instructional/organizational skills *toward the extension program of primary assignment*, (i.e., this is the ‘extension public service component’) and
- 3 - in University/community service.

Those activities in those three areas specifically define and constitute as a whole and in toto an assignment in the Special Title Series for Extension (notice there is no area of assignment for “teaching” or “research” as those terms are used for Regular Title Series faculty). The Administrative Regulation by its language does not allow managerial ‘flexibility’ to sample from unique assignments that characterize other title series, patchwork them together, and then label it as an assignment to a position in the Special Title Series for Extension.

For example, it would not be compliant for a D.O.E. assignment to be 10% from Librarian Title series work, 30% from Community College System Title Series work, 19% from Clinical Title Series patient care work, and then 51% generic “Extension” assignment. It would not be compliant for two reasons: (1) neither Librarian Title-type work, nor CC System Title-type work, nor Clinical Title-type work are any of the three specified areas of assignment for Extension faculty and (2) the definition in the regulation for the three professorial ranks in the Special Title Series for Extension is for assignment in all three specified areas, one of three of which must be the primary (>50% time) assignment of an extension program, and thus once the primary of the three areas is assigned as minimally 51% time (to be “primary”) there is no room left in the generic “51% Extension” assignment for other two required areas of activity (i.e., professional activity and University service). Thus, not only would the above assignments be in violation of the above regulatory requirement securing the integrity of the Special Title Series for Extension, they would be to the detriment of the professional status of the individual, since the individual is being assigned duties that are not commensurate with making due progress toward requirements for tenure in the Special Title Series for Extension (see the current AR II-1.0-5.B.3,⁷⁹ AR II-1.0-1.IV.I⁸⁰).

The above particular restriction codified in the 1972 Administrative Regulation has been continued for the past three decades, verbatim and without change, exactly as codified in 1972 (see AR II-1.0-1.VI of today⁸¹).

The fact that the above definition of assignable areas of activity for ETS faculty does not include Regular Title Series-style “teaching” in Senate-approved courses in Senate-approved curricula, nor Regular Title Series-style “research,” is further attested by the controlling Board of Trustees Governing Regulations of 1970. In defining those faculty eligible for election to the University Senate, those regulations prescribed:

“The elected faculty membership shall consist of and represent proportionally the members of the full-time **teaching** and/or **research** faculty with the rank of assistant professor or higher...”⁸²

However, as discussed in Section XII below, under this provision *no Extension Title Series faculty were eligible* for election to the University Senate. The University Senate, the President, and the Board of Trustees itself (all three being above the level of a dean) each made this same interpretation, because each later agreed that the qualifying activities of “teaching” and “research” did not encompass the Extension Title Series, and that different definitional language would be needed to allow inclusion of the Extension Title Series faculty. It was not until the Board of Trustees changed its Governing Regulations in 1986 to specifically name the Extension Title Series faculty as also being eligible, that the extension faculty gained that eligible status.⁸³ That is, the activities of Extension Title Series faculty under the regulations of their assignments were not doing “teaching” or “research” within the meaning of the Regular Title Series faculty (where *all of Regular Title Series faculty were eligible* for election to the Senate). “Teaching” in the sense of Regular Title Series teaching, and “research” in the sense of Regular Title Series research were not activities assignable to Extension Title Series faculty and therefore the Extension Title Series faculty were not eligible for election to the Senate.

(Implications for Overload Salary Payment. The above restriction is the basis for the salary overload payment that has been made to Extension faculty when a Dean desires that the Extension faculty member provides conventional ‘class teaching’ activity for a class in which curricular credit is awarded to the students. Such a teaching activity is not one of the three areas of assignment that make *in toto* the whole assignment to each Extension faculty member. Therefore, under the higher President’s Administrative Regulations, if the Dean is going to avail, or to require, an Extension faculty member to perform such conventional teaching that is outside the definition of areas of activity of Extension faculty (e.g., obvious examples would be teaching evening/weekend classes for student credit, or teaching such for-credit classes off-site or in Distance Learning), then it is required that an overload salary payment be made to the Extension faculty member.⁸⁴)

The second restriction is a requirement intended to ensure a high level of homogeneity in assignments, reflective of the policy (adopted on the very next page in the 1972 Administrative Regulation, for the remainder of “Special Title Series”, AR II-1.0-1.VI⁷⁸) that each Special Title Series position

-is intended to be unique (requiring its own job description and corresponding unique promotion and tenure criteria), or

-that a number of individuals can be hired into positions served by a single Special Title Series position description/promotion-tenure criteria, if the hired individuals are really each going to have essentially the same duties that are those prescribed in that one position description

This restriction, that preserves the integrity of “the” Special Title Series position of “Extension Professor,” is stated at the outset of the 1972 Administrative Regulation of this title series, where is written the requirement that the regulation applies to

“those University faculty whose **primary** assignment is to one of the University **extension programs** serving the citizens of the Commonwealth.”⁷⁸

The consequence of this requirement is that no Extension faculty member is to receive a primary assignment in an area of activity other than an assignment of instruction/organization toward an extension program. Not only would a contrary primary assignment be a violation of this requirement for the Special Title Series for Extension, it would be to the detriment of the professional status of the individual since the individual is being assigned duties that are not commensurate with making due progress toward requirements for tenure in the Special Title Series for Extension (see AR II-1.0-5.B.3,⁷⁹ AR II-1.0-1.IV.⁸⁰). This particular requirement codified in the 1972 Administrative Regulation remains today exactly as codified in 1972 (see AR II-1.0-1.VI of today⁸¹).

The third restriction was newly added at the 1972 codification of the “Special Title Series for Extension,” which established that evaluation of faculty performance is to be weighted by the distribution of effort assignment. For the case of the “Special Title Series for Extension,” at the end of the subsection A.2 in AR II-1.0-1.V (1972)⁷⁸, after that section has prescribed the **three** areas of activity of professional development, instruction/organizational skills toward the extension program of primary assignment, and University/community service, the regulation next requires:

“Application of the above criteria should be weighted in terms of the individual’s assignment”

The *very important* consequence of this requirement (which provides a protective safety net for Extension faculty; see below) is that in order for the promotion/tenure evaluation to be “weighted” in terms of the “assignment” in these three areas, the Distribution of Effort form for the individual must accurately and separately record and show the percent of effort assigned to the individual in each of these three areas. Merely recording on a Distribution of Effort form of a single number, e.g., that an individual is “100% Public Service,” does not accurately record or show the percent of time that is assigned in each of these three different areas and therefore does not comply with this regulation. Such a D.O.E. recording tactic is not in compliance, because it makes it impossible to use the D.O.E. form, as prescribed, during a promotion exercise, to weigh the evaluation for the respective percent efforts in each of the above three areas (see AR II-1.0-5.B.3,⁷⁹ AR II-1.0-1.IV.I⁸⁰). This particular requirement codified in the 1972 Administrative Regulation has been continued for the past three decades, verbatim and without change, exactly as codified in 1972.⁸¹

X. Issues Arising Subsequent to 1972 Concerning the Academic Status of Extension Title Series

Over the course of the several decades subsequent to 1972, issues have arisen as to the relationship between the regulations as actually codified versus the Special Title Series in Extension as practiced at a college level.

A Legal Backdrop. An important legal backdrop that highly profiled these issues was the 1982 ruling against the University of Kentucky by the KY Court of Appeals (later upheld by the KY Supreme Court) in the “Hayse tenure case.” In that case, the written Administrative Regulations prescribed that the procedures to be used in promotion/tenure processes were to be certain specific procedures.⁷⁸ Those procedures were not used by the dean and higher officials in Hayse’s promotion/tenure exercise, for which the University’s defense to the court was that “*the procedure was altered by custom and application*,” and that all promotion/tenure exercises for all faculty were procedurally practiced in the same way as Hayse’s exercise was procedurally practiced, and therefore Hayse was treated both fairly and correctly.⁸⁵ The Court of Appeals (and Supreme Court) rejected that a dean or other administration officer possesses such managerial flexibility, firmly holding that

“The University contends that as a matter of custom and practice [the procedure is done a certain way] ... This is not the procedure established by the regulations which have been adopted and custom cannot be allowed to supercede the duly adopted procedures.”⁸⁵

Hayse was entitled to the procedures as prescribed in the Regulations - a contrary practice could not be imposed.

The above concept, though simply stated by the KY Supreme Court, is sometimes difficult for faculty (or unit administrators) to grasp. It may happen that a faculty member is hired, and over the years reappointed, promoted and tenured, all under a custom and practice in the college that is actually in violation of the higher (controlling) University regulations. Since that faculty member has not known any other process than the custom and practice of his/her unit, and since that faculty member was successfully promoted and tenured under that practice, the faculty member may be convinced that the custom and practice in his/her unit is the actual University regulation (when it is not), or that at least it is ‘permissible.’ However, as the Supreme Court in the Hayse case firmly held, the existence of a contrary custom and practice, even if acquiesced to by some willing unit faculty, does not create an obligation for other faculty members of the unit to submit to the practice if the other faculty members demand instead to be treated in accordance with the written, duly adopted procedures.

Additional Safety Net Relating to Faculty Assignment. Also related to issues of Extension faculty assignment is an Administrative Regulation (AR II-1.0-1.IV.I) and its parent Governing Regulation (GR

X.B.11) that dates to 1947 in a case that involved the College of Agriculture.⁸⁶ These regulations establish that there is no general ‘catch-all’ that allows an administrator unfettered overriding discretion to change faculty assignments in a way that would violate other University regulations. These restrictions draw a narrow circle around the administrative discretion to only overriding that subset of regulations that are on faculty academic freedoms/privileges (i.e., no discretion to override other regulations relating to other employment parameters), and even in the narrow case of overriding faculty academic freedoms/ privileges, such override is only permissible if the change in assignment does not harm the professional status of the faculty member.

University Senate Council Relays Agriculture Faculty’s Faulting of Regular Title Series Criteria Being Applied to Extension Faculty. In 1982, the Senate Council discussed,⁸⁷ and then related by letter to President Singletary, the following concerns about the application of criteria for promotion of Extension faculty from Associate Extension Professor to Extension Professor:

“Dear President Singletary....
....The criteria applied for promotion of an Extension Professor seem unrealistic in light of such people’s responsibilities. The nature of the job often precludes anything more than a regional influence...The objections came, incidentally, from members of the Agriculture College faculty ...
The **criteria** appear to the Council to be **derived from the research series** rather than being applicable to the extension folk.”⁸⁸

The following year the Senate Council reported to the full University Senate that

“There are approximately 80 extension faculty members... it appears that almost all of them spent a considerable amount of time engaging in functions that regular faculty perform, i.e., **teaching** and **research**.”⁸⁹

The Senate Council formally proposed to President Singletary changes to the 1972 Administrative Regulation on Extension faculty, designed specifically to differentiate between the promotion and tenure expectations of the Extension discipline from the expectations of the Regular Title Series faculty. For example, the Senate Council requested that President Singletary insert “appropriate” into the 1972 regulation to now read:

“Publication of useful and creative articles in **appropriate** professional journals”

to focus the evaluation on the kinds of professional journals that were outlets appropriate to the nature of the kinds of extension program assignments being made to Extension faculty (often necessarily of regional, not national, scope). To further distinguish the nature of “educational” activities of the Extension discipline from the conventional “teaching” activities as that term is used in the Regular Title Series regulation, the Senate Council, with approval of the Agriculture Senate Council member Wilbur Frye, also obtained the changes⁹⁰:

“Assistant Extension Professor...
... a candidate shall possess the essential **teaching instructional** and organizational skills prerequisite to successful development and administration of a University service program.”

“Associate Extension Professor ...
... Development of training or **instructional extension education** programs.”

“Extension Professor
... National recognition in **teaching extension education** and in planning and developing programs.”

These changes (incorporated in 1983) have been the only substantive changes to these personnel Administrative Regulations for Extension faculty from 1972 to 2004.⁹¹

University Senate Committee General Findings on Custom and Practice re: Extension Title Series. Despite the above specific, distinguishing clarifications incorporated into the Extension faculty Administrative Regulations, and despite that the duly adopted Administrative Regulations had remained unchanged since 1972 in defining the three specific (nonresearch) areas of activity of Extension faculty, in 1986 an *ad hoc* University Senate “Committee for Review of Special Title Series” rendered a report that found a contrary custom and practice:

“Role of ETS [Extension Title Series] has changed in the last ten years – many now involved in **research**.”⁹²

University Senate Appeals Committee Findings in Specific Case on Custom and Practice re: Extension Title Series. Against the above backdrop of the University Senate committee’s finding of increasing “research” assignment being made to Extension faculty, and against the legal backdrop of the Hayse case, there shortly thereafter occurred the following individual Extension faculty personnel case, in which the University Senate appeals committee found that the requirements for the Special Title Series for Extension had not been followed:

“the members of the Committee on Privilege and Tenure concluded unanimously that there was a significant lack of correspondence between the explicit job responsibilities assigned to Dr. [] and the position requirements implicit in the evaluation criteria applied by the Area Committee. As a consequence, Dr. [] was placed in an untenable situation in which the conscientious performance of [his/her] assigned duties could jeopardize [his/her] chances for promotion. The Committee on Privilege and Tenure[’s] concern was whether conflicting job performance expectations of [his/her] administrative superiors and the Area Committee unduly influenced the promotion decision... this may well have been the case. For example, the nature of Dr. []’s job ... required that [s/he] exercise responsibility in a wide variety of areas...[yet] the Area Committee found [his/her] to lack a ‘focussed area of specialization and achievement.’ Similarly, the Area Committee faulted him/her for failing to produce publications indicating ‘scholastic achievement,’ but the production of such publications does not appear to have been part of [his/her] extension duties.” The SACPT “suggests that [a] re-evaluation be conducted by an ad hoc committee rather than by the Area Advisory Committee for the Extension Title Series, which would necessarily be guided by the criteria it previously employed.”⁹³

The University President “concurred” with the findings and implemented the recommendation.⁹⁴ The following year, there was yet another case that yielded the same finding by this Senate appeals committee, concerning

“an extension person, who appealed on the basis that he was evaluated on contractually inconsistent criteria. The Committee recommended an ad hoc committee review with the correct criteria; that recommendation was accepted and carried out.”⁹⁵

New College of Agriculture Policy Affecting Extension Faculty. Four years later, a new Dean of College of Agriculture, **C. Oran Little**, issued a written statement of policy establishing a new instrument for the evaluation of faculty, including Extension faculty. The controlling University-level framework specifically compelled that the performance review be weighted for the activities and functions of the faculty member, which the regulations premise as being accurately shown in the distribution of effort.⁹⁶ In addition to this University-level regulation, the specific Administrative Regulation for Extension faculty made additional requirement that the weightings were to be made for the distribution of effort in each of the three specific areas of Extension activity: (1) professional status/activity, (2) instruction/organizational skills toward their particular extension program of assignment, and (3) University/ community service. However, by the Dean’s newly promulgated practice for the College of Agriculture, the University service activity would be splintered apart, and the sub-fragments of the University service activities were to be inserted into the evaluation of other activities “Research” or “Resident Teaching” or “Cooperative Extension” that the Extension faculty member had performed.



“Service includes those activities necessary for the effective functioning of the department, college, university and profession that are not strictly teaching, research and cooperative extension ... Service activities relating to instruction, research, extension, special assignments or special title assignments shall be considered in the evaluation of contributions in the area to which they are most closely related”⁹⁷ (underlining added here)

The official policy for faculty performance review states “*A rating will be assigned for each area of D.O.E.*” In contrast, that newly promulgated college-level custom and practice was not concordant the written language of the University’s higher, duly adopted Administrative Regulations for Extension faculty, because the above splintering of the University service D.O.E. of Extension faculty made it impossible to provide the weighting to that service D.O.E. component as an unsplintered whole, as is required by the President’s specific Administrative Regulations for Extension faculty. The official University policy for the College of Agriculture

D.O.E. form mandated then (and still does) that University-level service activities be recorded in a separate area of assignment unto itself on the D.O.E. form,⁹⁸ yet there was no corresponding place on the new 1990 “Faculty Performance Evaluation” form on which to assign a rating for that area of University-level service assignment (for either Regular or Extension faculty). There was no place on that performance review form to assign separate rating to any of the three areas of Extension faculty assignment.

Language of University Policy and Language of College Policy: An Outcome. This discordance of the 1990 college-level policy and form with the University-level regulations was felt soon thereafter in a number of faculty personnel actions. For example, a Chancellor-level merit appeals committee in 1993 specifically wrote to Chancellor Hemenway about this situation, stating:

“The Committee is also concerned about the apparent lack of a mechanism for recognizing service contributions in DOEs within the College of Agriculture. This issue has also arisen in the recent past during deliberations within the Academic Area Advisory Committee for the Biological Sciences. Dean Little’s explanation that service is taken into account in assigning merit scores within other categories was not reassuring.”⁹⁹

Language of University Policy and Language of College Policy: Another Outcome. In the early 1990’s was another example Extension faculty case reaffirming that custom does not trump the written regulations, no matter how many other faculty in the title series are similarly (incorrectly) treated. The President adopted the findings and recommendation below from the University Senate appeals committee (Privilege and Tenure)

“most glaring problem was the failure of the area committee to review [his/her] accomplishments in the context of [his/her] DOE and position description Dr. []’s DOE was comprised of 100% Service every year since his/her initial appointment. Expectations in such an appointment do not include basic research, grants to secure external funding or publication in referred journals. Dr. []’s position description includes ... no expectation of activities usually associated with promotion of faculty primarily involved in research and teaching.... Proposals for external funding developed by [the faculty member] were stopped at the Dean’s level... In conclusion, the Senate Advisory Committee concurred with [the faculty member] that [his/her] promotion materials had been inadequately, and in some aspects, inaccurately reviewed... and suggests that you, as President of the University, order a de novo review by the current extension area advisory committee. Addenda to the letters from [the faculty member’s] department chair and College Dean should be forwarded to the area committee which clearly delineate the unique expectations of his position and DOE.”¹⁰⁰

Findings of the Area Committee for Extension Concerning Policies for Evaluating Extension Faculty. The Academic Area Advisory Committee for Extension itself (which is a University-level committee appointed by the President from a short-list provided by the Senate Council) subsequently urged the University President toward enforcement actions that would better serve compliance with the Administrative Regulation on the Special Title Series for Extension. In particular, the Area Committee voiced its concern that there was such wide variation in the job assignments from one Extension faculty member to the next that the criteria prescribed in the Administrative Regulation were no longer uniformly useful to evaluate the merits of Extension faculty performance (as the regulation ought to be useful if all Extension faculty were really being assigned similar job duties under the single Special Title Series for Extension description). In the Area Committee’s own words:

“Persons in the Extension Title Series who were evaluated this year had quite different types of job responsibilities. The committee attempted to base their judgements on existing Administrative Regulations. However, it was extremely difficult to evaluate some of these cases using only these criteria. The committee felt that a) inclusion of some type of job description or brief plan of work in the promotion dossier, and b) inclusion of those portions of departmental rules related to evaluation of job performance would provide additional tools to more objectively measure how someone meets departmental expectations. Chairs should encourage departmental faculty to use the departmental rules as a guide in writing evaluation letters.”¹⁰¹

Parallel Issues Arising for the Special Title Series in Medical Center. The Special Title Series outside of the College of Agriculture during the same time period has also experienced similar noncompliance problems. For example, annual end-of-the-year reports of the Medical Center Clinical Sciences Area Committee reported:

“... most of the Committee members believe criteria for Special Title Series ranks are not sufficiently specific. They acknowledge that trying to be too precise would be restrictive and would, perhaps, interfere with a qualitative judgment. They believe, however, that because the present criteria are so general and nonspecific, many individual faculty members and Committees make positive recommendations because they cannot say with confidence that a candidate fails to meet criteria.”¹⁰²

“So many of our problems ... could be resolved if department Chairpeople chose to put faculty in the appropriate series.”¹⁰³

The similar situations that developed for the Special Title Series in the Medical Center as developed for the Special Title Series in Extension for the College of Agriculture could have further implications for the prospects of Extension faculty. In response to a request by Medical Center Chancellor **James Holsinger**, relative to the School of Public Health (now a college), the University President interpreted that the current Administrative Regulations allow that the Medical Center established faculty positions in the Special Title Series for Extension in that Public Health academic unit. According to the President, Extension faculty in the environment of the Medical Center would also be appointed to the Area Committee that handles appointment, promotion and tenure of Extension faculty.¹⁰⁴



XII. Aspects of the Present Environment of the Special Title Series for Extension

Expressions of Potential Future Policy. During the development of the proposal in 2002 to establish the new Department of Community and Leadership Development, policy consideration was given by the College of Agriculture to the future role and assignments to Extension faculty:¹⁰⁵

“In evaluating the implications of this proposal for the availability of resources and opportunities for research, teaching and service activities, we have concluded the following:

1. There will be increased opportunities for **extramural funding** for instructional development as well as research and **outreach** programs.
2. There will be an increase in resources required to support current and prospective instructional commitments.
3. The Agricultural Communications faculty who currently have substantial **DOE commitments to service** unit activities will make a significant shift **to research, instruction, and extension** activities administered in the new department. The Rural Sociology faculty **with 100% extension** appointments will also likely diversify their DOEs to **include research and/or instruction.**”

In another expression of policy, in 2002 the University and College of Agriculture administration challenged Cooperative Extension to broaden its mission, to “re-envision” itself. An administratively appointed College of Agriculture Re-Envisioning Transition Team considered the future of Extension and reported¹⁰⁶

“This committee met during the spring and summer of 2002, and submitted its report in July 2002. The Re-Envisioning Committee collected a great deal of new and existing information and input from personnel in the organization, and from clientele and stakeholders. This input was used to develop program and structural scenarios and recommendations to respond to the charge of the Deans. The results are highlighted in the summary below....

“... There should be specific incentives for tenured Extension faculty to address important Extension program issues.

“... **More grant and grant writing** support will be needed for counties, regional issues committees, and multi-county and regional programs.

“... We should explore the feasibility of **faculty status for agents.**”

Current Custom and Practice Relating to Extension Faculty D.O.E. Two years after the above reports, the present author in fall 2004 obtained by Open Records the Distribution of Effort of all full-time University faculty in four areas of teaching, research, University/Public service and assignment to administrative positions. The following statistics were evident for the Extension faculty in the Special Title Series for Extension.

1. With respect to the 51 full professors in the Special Title Series for Extension, at least 13 (25%) have a D.O.E. assignment of $\geq 20\%$ that is assigned outside of the “primary” area of ‘Public Service’ in an extension program, and which are in assignments that are actually outside any of the three areas which comprise the total Extension assignment. Therefore, under the University’s post-tenure review system (where any assignment area of $>20\%$ can trigger a review), those Extension faculty could theoretically be dismissed from their tenured faculty positions on account of their performance in these other areas (e.g., “teaching” and “research”) that are outside of what is supposed to be either their “primary” ($>50\%$) area and other two areas (professional activity, University service) of Extension assignment.

2. Six of the 51 Extension full professors have an assignment in “Research” that is $\geq 20\%$ of their total assigned D.O.E. time. Perhaps of yet greater note, 4 of the 7 untenured Assistant Extension Professors (57%) have an assignment in “research” that is $\geq 20\%$ of their assigned time. That is, the untenured Extension faculty are carrying a greater proportional burden of putative “research” responsibility than are the tenured Extension full professors.

3. The official University D.O.E. form for the College of Agriculture, by mandate of higher University policy⁹⁸ contains separate areas for the required entry of assigned (evaluated) time:

- (1) “teaching” activities relating to courses for credit (e.g., “resident instruction”),
- (2) “research” activities sponsored by extramural funds or supported by departmental (“state”) funds,
- (3) “public service” as performed by Extension faculty as their part of an extension program, and
- (4) University service, such as those involving University faculty governance activities (e.g., University Senate, Graduate Council) or service as Directors of Graduate Studies, etc..

The data for the 79 Extension faculty shows uniformly zero time assignment for any University service activities, except for 6 faculty for whom the service time is for assignment to administrative position, and none of whom are the nine elected College of Agriculture faculty in the University Senate. In fact, two of those nine College of Agriculture faculty senators in addition to being in the University Senate, and in addition to being on University Senate committees, are also on the frequently-meeting University Senate Council. Yet, despite that the official University policy for the College of Agriculture D.O.E. form requires that their Senate Council activity must be recorded and shown on their D.O.E. form,⁹⁸ there is zero time shown for these activities on their D.O.E. forms.

Because the University policy requires that merit evaluation and promotion/tenure are to be weighted by the assignments in the areas as shown on the D.O.E. form, it is not possible to accurately comply with the University regulations in such merit and promotion/tenure evaluations, including such evaluations for Extension faculty, when these University governance service assignments (and thereby their % weighting) are in fact missing from the D.O.E. form.

Role of Extension Faculty in University Faculty Governance Processes. The above custom and practice of not recording and showing the D.O.E. time in University governance service that the Extension faculty are performing in University-level governance activities is a very unfortunate outcome of the long struggle that the Extension faculty have made in gaining a standing to participate in these activities.

In 1960, the Board’s Governing Regulations restricted the elected faculty membership in the University Faculty (= University Senate today) to those faculty performing teaching and research, which by definition thereby excluded the “public service”-assigned Extension faculty:

“The University Faculty shall be composed of ... members of the teaching and research staff with the rank of assistant professor or higher... any member of the instructional or research staff may attend a meeting of the Faculty as a visitor.”¹⁰⁷

The 1966 Special Title Series for Extension description that was approved for application to the College of Agriculture, it was expected that the Extension faculty would join these faculty governance activities:

“Achievement as a citizen of the University community in performing committee and other **faculty government assignments**, either as elected by the faculty or as appointed by the administration.”⁶⁷

However, when the Board’s Governing Regulations were heavily revised in 1970, to reflect the changes under President Oswald that further generally strengthened the University faculty’s governance status in University policy-making, the 1966 language that would have included the Extension faculty was not included. The definition of elected faculty membership to the University Senate was stated as:

“The elected faculty membership shall consist of and represent proportionately the members of the full-time teaching and/or research faculty with the rank of assistant professor or higher in the various colleges and University libraries.”^{82,108}

The Extension faculty remained the only tenure-track faculty excluded from eligibility. Finally, through much important effort by College of Agriculture Senator **Wilbur Frye** in 1983, the University Senate Council approved,¹¹⁰ and the University Senate approved,¹¹¹ that the Extension Title Series faculty were eligible for election to the University Senate:



“The University Senate shall be composed of both elected and ex officio membership ... elected faculty members shall be apportioned each spring among the colleges and the University Libraries according to ...the number of full-time teaching and/or research faculty, except those appointed in **the extension series** (although **they are eligible for election to membership**), research title or visiting series, with the rank of assistant professor or higher in the colleges or the University Libraries...”^{83,110}

Yet, as described above, under the current custom and practice, the University Senate faculty governance activities of the Extension faculty are invisible to the University community on their D.O.E. forms, despite the duly adopted University regulations requiring that these activities be recorded and shown on the D.O.E. form.

Fortunately, the years of exclusion of the Extension faculty from the University Senate were never been extended to the educational policy-making faculties of colleges and faculties of departments. In defining the membership of the college faculty bodies and the department faculty bodies, the Governing Regulations have defined members of those bodies as being those full-time faculty at or above the rank of Assistant Professor who are tenured or in a tenure track title series (i.e., Regular Title faculty, Special Title faculty, and **Extension Title faculty**). In addition, these Governing Regulations of the Board have defined the educational policy-making jurisdiction of each department faculty body as being over not just instructional programs and research programs, but also over the “**service programs**” of the department. This empowering language ensures that the Extension faculty are members of the department faculty body as that faculty body establishes the unit policies for its (extension) service programs that the department Chair and Dean then administratively facilitate.

The Status of the Qualifier “Extension” in the Title. A final historical consideration in this report will be the presence of the qualifier “Extension” in the title of Extension faculty. Just as Medical Center Vice President Willard was concerned that designation of clinical faculty with a “Special Title Series” designator would mark his clinical faculty for a second class status within the University,⁴⁹ so too did Dean Seay have a corresponding concern about the Extension Special Title Series faculty. Dean Seay urged upon Tom Lewis, Special Assistant to President Oswald, the same recommendation as had Willard, i.e., that the “Extension” designation would not be a part of the public title of the individual.¹¹² However, at the origin of the Special Title Series in 1965, as approved by the University Faculty Council and the President, the title itself of the faculty member appointed to a Special Title Series position was to include a descriptor that identified the specialized nature of that professorial position, in distinction to the Regular Title Series professorial positions. Thus, at the same time during the 1960’s that the PR2 to the Board of Trustees minutes showed the format “Professor of **Clinical** Medicine (Special Title Series),” the format for the PR2 for Extension faculty was similar: “**Extension** Professor (Special Title Series)”. Later too,

that format became similarly abbreviated as “Professor of Clinical Medicine*” and “Extension Professor*”. However, while the Special Title Series made the final step to dropping the descriptive qualifier (e.g., dropping “Clinical”), and merely retained the * on internal personnel documentation, the opposite happened to the Extension faculty. In 1984, the * was dropped from the PR2 nomenclature, but the descriptor “Extension” was retained, not just for internal documentation purposes, but retained as part of the public professorial title of the individual.¹¹³ The reason why there were implemented two opposite outcomes for these two branches of Special Titles is not clear in the available historical record. However, very soon thereafter (1986) University Senate “Committee for Review of Special Title Series” issued the finding that

“The majority of the ETS faculty are not happy with the “Extension” qualifier in their professorial title ... The “Extension” qualifier should be dropped from the professorial titles, including its use in the Administrative Regulations.”¹¹⁴

This recommendation was reiterated yet again a decade later, by the 1998 report of the University Senate *Ad Hoc* Committee on Faculty Titles Series and approved the University Senate.¹¹⁵ However as of the end of 2004, the qualifier “Extension” remains in the title of the Extension faculty.

XIII. Summary of Certain Issues

The above examples of findings of University-level committees, including the Extension Academic Area Advisory Committee, document that issues have arisen that have affected the careers of a number of Extension faculty, in particular relation to those regulations aimed at preserving the integrity of the nature of the Special Title Series for Extension as that nature is still codified in the University regulations. The issues have involved

- performance expectations that were found by University-level committees to be inconsistent with the Administrative Regulations for the Extension Title Series (e.g., the use of grants expressly as a criterion to deny promotion when grants are not specified as a criterion in the controlling University regulation),
- areas of assignment to Extension faculty that are not within the Extension discipline as currently codified, and that are more appropriately expectations of Regular Title Series faculty (relates to question of whether in the future there will be a substantive difference in assignments made to Regular Title Series vs. Extension Title Series faculty; also relates also to ensuring overload salary payment when Extension faculty teach classes),
- failure to separately and accurately show on the Distribution of Effort form the actual assignment of duties in each of the three areas of evaluation (e.g., for University service or for professional development activities),
- failure to weight the merit/promotion/tenure evaluation by the percent of effort assigned in each of the three specified areas for the Extension faculty member’s assignment (also relates to lack of three lines on merit review form for entry of separate, weighted ratings on the three areas specified for Extension faculty assignment).
- the faculty governance role of Extension faculty, and their departmental colleagues, in establishing departmental educational policy concerning the departmental Extension service programs
- use of the qualifier “Extension” in the professorial title of Extension faculty
- the effect of the future use of the Extension Title Series by the Medical Center (e.g., College of Public Health) on the nature of performance expectations for University of Kentucky Extension faculty generally (e.g., Area Committee expectations when it comes to contain Extension faculty not from Agriculture)

There have been recently articulated alternative potential futures of nature of the University of Kentucky Extension faculty and their discipline. These expressions of potential future policy have direct implications for resolution of the issues enumerated above. As the University has now entered into the fourth decade of a codified Special Title Series for Extension, and in the context of the personnel history of this title series over the last three decades, decisions are at hand about the future nature of Extension as a discipline and on the application of present or revised policy to the situations of individual Extension faculty.

References

¹ KRS 164.220, web-posted at [KRS 164.100 - 164.280](#)

² University Bulletin, 1910-1911 academic year, is the first faculty listing in the Bulletin to move the

“Assistant Professors” from the misc. group of “Instructors and Assistants,” and list the Assistant Professors instead along with the Associate Professors and Professors

³ Board of Trustees Governing Regulations, 1918, Section VIII, defining the College faculty as consisting of Professors, Associate Professors, Assistant Professors and Instructors

⁴ Minutes, Board of Trustees, June 2, 1908. The functioning of the Experiment Station separately from the teaching departments in a significant part was due to the restriction in the federal law against using federal funds to the station to support the teaching salary of persons providing instruction in the academic curriculum of the College of Agriculture. As President Patterson explained to the Board of Trustees: “It is readily conceded that in accordance with the rulings of the Department of Agriculture at Washington no part of the fund accruing to the [Agricultural Experiment] Station from the general government can be used for instructional purposes.”

⁵ Minutes, Board of Trustees Executive Committee, June 20, 1910

⁶ University Bulletin, 1910-1911 academic year, e.g. listing “Mary LeGrand Didlake ... Assistant Professor of Entomology and Botany” [i.e., no Experiment Station appointment] and “Erle Cleveland Vaughn ... Assistant Professor of Entomology and Botany, and Chief of Division of Entomology and Botany, Experiment Station,” [i.e., appointment in both the College department and in the Experiment Station] page 20. Prior to the 1910-1911 academic year, the University Bulletin listed the persons employed in the Agricultural Experiment Station separately from the professorial “Faculty” of the University who were appointed into academic departments.

⁷ “The College of Agriculture of the University of Kentucky,” J. Allan Smith, Published by the Kentucky Agricultural Experiment Station, page 87

⁸ By the 1930’s, a three-level staff ranking had developed at the Agricultural Experiment Station (e.g., “Agronomist,” “Associate Agronomist,” and “Assistant Agronomist”), which could parallel the professorial appointments with the academic departments of the College of Agriculture (e.g., “Professor of Agronomy,” “Associate Professor of Agronomy,” and “Assistant Professor of Agronomy”), although there were cases in which the ranking held by an individual at the Experiment Station was not correspondent with the ranking in the academic unit (e.g., an Associate Agronomist in the Experiment Station would be an Assistant Professor of Agronomy in the academic department of the College of Agriculture). Source: “The College of Agriculture of the University of Kentucky,” J. Allan Smith, 1981, Published by the Kentucky Agricultural Experiment Station.

⁹ The Cooperative Extension Service was administratively established in a distinct department within the College of Agriculture, by act of the Board of Trustees Executive Committee in summer 1914. Minutes, Board of Trustees Executive Committee, July 17, 1914; Minutes, Board of Trustees, June 18, 1917

¹⁰ After some administrative difficulties the Director of the CES was in 1917 made to be expressly under the direct administrative supervision of the Dean of the College of Agriculture. Minutes, Board of Trustees, January 24, 1917. (Later, the Dean of the College came to occupy the positions of Director of the Experiment Station and Director of the Cooperative Extension Service)

¹¹ “The College of Agriculture of the University of Kentucky,” J. Allan Smith, 1981, Published by the Kentucky Agricultural Experiment Station, page 117

¹² University Bulletin, 1910-1911 academic year, listing “William Durrett Nichols ... Associate Professor of Farm Management, Extension Specialist in Dairying,” page 21.

¹³ “Report of the Investigating Committee of the University of Kentucky to the Board of Trustees.” 1917, page 99. In fact, during that review of the University in 1917 commissioned by the UK Board of Trustees, the committee reported “the position of Director of Extension affords an unusual opportunity for the organization of men all over the State which is quite possible to misuse as well as to use properly... the possibilities of this situation were very forcibly brought home to the Committee by the testimony of Mr. J. E. Crider, Jr., of Caldwell County, who is in the Extension Service, having been appointed by the present Director of Extension. The general tenor and effect of his testimony was that there was such an organization in his section of the State, of which he had control, which had sufficient strength to disrupt the plans of the administration before the legislature if the administration did not carry out such policies as would be entirely satisfactory to and in conformity with the ideas of that organization.”

¹⁴ When UK President David Roselle discussed of selling the College of Agriculture Coldstream Farm for the purpose that the funds would be used for the University’s general budget, rather than for the College of

- Agriculture budget, President Roselle quickly learned of the reach of influence of the College of Agriculture throughout the state. As reported by the Lexington Herald-Leader on February 23, 1988: “[HOUSE OKS BILL RESTRICTING FUNDS IN FARMLAND SALE TO UK AG COLLEGE](#) Source: Jamie Lucke Herald-Leader education writer FRANKFORT -- Money from the sale or lease of University of Kentucky farmland could be used for the College of Agriculture -- and nothing else -- if a bill that sailed through the House yesterday becomes law. Talk of developing or selling UK's Coldstream Farm to bolster the university's budget alarmed farmers and prompted the bill, said the sponsor, Rep. Clay Crupper, chairman of the House Agriculture Committee. House Bill 450, which was passed 95-0 and now goes to the Senate...”
- ¹⁵ “Relationships Between State Government and the University of Kentucky. Report and Recommendations adopted by the University of Kentucky Chapter of the American Association of University Professors.” Lexington, March, 1951;
- ¹⁶ “Professors Seek to Make Political Control Over the U. of K. Impossible,” Courier-Journal, June 16, 1951.
- ¹⁷ KRS 164.225, web-posted at [KRS 164.100 - 164.280](#)
- ¹⁸ Board of Trustees Governing Regulations, 1955, Section VIII
- ¹⁹ During the mid-1980’s former Chairperson of the UK Department of Entomology Bobby Pass told this writer that Charles Barhhart is the individual to be credited for effectuating that the hiring and pay of Research Specialists and Extension Specialists are administratively handled for personnel purposes internally by the College of Agriculture, instead of by the University Human Resources. Charles Barnhart was from 1962-1966 the Associate Director of the Agricultural Experiment Station and who from 1966-1988 was the Dean of the College of Agriculture.
- ²⁰ Board of Trustees Governing Regulations, 1918, Section XIII
- ²¹ Board of Trustees Governing Regulations, 1947, Section X.1
- ²² Board of Trustees Governing Regulations, 1960, Section XI.3
- ²³ September 30, 1964 memorandum from Tom Lewis to Paul Oberst. As Special Assistant to the President Tom Lewis explained to Paul Oberst by September 30, 1964 memorandum: “... Past practice appears to be an extremely weak basis for a interpretation that tenure must be grounded in an express recommendation to that effect. Investigation reveals, for example, that Agriculture has not recommended tenure as such, but has recommended reappointment beyond the probationary period on the theory that this automatically confers tenure...Persons currently in their fifth year, who have not acquired tenure by earlier specific recommendation, normally would acquire by a reappointment beyond this year.”
- ²⁴ October 30, 1964 memorandum from Special Assistant to the President Tom Lewis to Deans of the Academic Colleges. “...persons presently having tenure appointments. These are: ...b) Persons now at Assistant Professor rank or higher who have more than five years full-time service with this University at the rank of Instruction or higher. Tenure is indicated for this group by the 1960 regulation on tenure which created a five-year probationary period.”
- ²⁵ [The Case of Gladys Kammerer](#)
- ²⁶ Minutes, Faculty Council, October 15, 1964
- ²⁷ [President Oswald’s Oct 1963 Memo on Faculty Appt/Promotion/Tenure Criteria](#)
- ²⁸ AR II-1.0.-1.V [Page V - Appointment and Promotion Regular Titles, dated 9/20/1989](#)
- ²⁹ That is, “Teaching” in Arts & Sciences, “Extension” in Agriculture, and “Patient Care” in Medicine/Dentistry
- ³⁰ That is, Research Specialists, for example, who by the 1960 Board Governing Regulations had academic access to tenure and were members of each academic departmental “staff.”
- ³¹ Minutes, Faculty Council, November 7, 1963
- ³² Minutes, Faculty Council, January 20, 1964
- ³³ Minutes, Faculty Council, February 1, 1964
- ³⁴ Minutes, Faculty Council, February 17, 1964
- ³⁵ Minutes, Faculty Council, March 2, 1964
- ³⁶ Minutes, Faculty Council, March 24, 1964
- ³⁷ February 21, 1964 Area Committee letter to President Oswald
- ³⁸ Minutes, Board of Trustees, June 12, 1964
- ³⁹ A similar ‘treading water’ outcome was devised in spring 1964 for those individuals in the College of Agriculture for persons in research-only assignment. In one example case, the solution proposed by the Faculty Council several months earlier in January 1964 (e.g., “Assistant Agronomist”) was utilized. In that

- later spring case, Executive VP A. D. Albright wrote to Dean Seay of the final decision that he concurred with the Area Committee not to offer Mr. [] *“the post of Assistant Professor of [department]...As Mr. [] apparently will be doing no teaching, the Assistant Professor title is inappropriate. The title “Assistant [discipline-derived name]” is suggested.* Source: July 20, 1964 letter from Executive Vice President A.D. Albright to Dean Seay
- ⁴⁰ Minute, Faculty Council, May 13, 1964
- ⁴¹ May 12, 1964 letter from Dean Seay to Faculty Council Chair Ralph Weaver. In that correspondence Dean Seay clearly has the goal to continue the tenurability (without expressly red-flagging it by calling it “tenure”) of the Research Specialist position, as codified in the 1960 Governing Regulations. (He also obviously has a goal to hopefully dovetail into the approval process the new acquisition of a tenurable status for Regulatory Specialists as well).
- ⁴² <http://ces.ca.uky.edu/ces/mission.htm>
- ⁴³ <http://ces.ca.uky.edu/ces/welcome.HTM>
- ⁴⁴ May 4, 1964 letter from Dean Seay to President Oswald. With an obvious eye on trying to secure continuation of a tenurable, faculty status for Extension Specialists (and which he appears here to seek to establish “Extension Specialist” as the entry-level rank for tenure-track Extension faculty), Dean Seay’s proposal included detailed criteria for Extension Specialists (that borrowed language directly from the October 1963 policy²⁷ issued by President Oswald for promotion and tenure of Regular Title Series faculty):
- “develop an imaginative program...well-planned program effectively implemented ... continuing growth and personal education to keep up-to-date ... arouse interest and curiosity to stimulate further thought and study on the part of extension and lay people ... creative activity in the development of programs...techniques, approaches and ideas ... Scholarly publications and preparation of educational materials ... National recognition by Extension and/or professional organizations or by state or national industrial groups...”
- ⁴⁵ Minutes, Board of Trustees, September 15, 1964. The amended language to the Governing Regulations on this point were adopted by the Board of Trustees in September 1964, and stated:
- following appropriate review periods not exceeding in duration those described above, all persons of assistant professor rank (or equivalent ranks as adjudged by the President) shall (1) be promoted to associate professor with tenure, (2) be transferred to a non-research rank with tenure, or (3) have their appointments terminated.”
- Although this new language removed the express reference to the extension and research personnel that was contained in the 1960 regulations, it still allowed the possibility that the President might adjudge that the Specialists were “equivalent” to an Assistant Professor. Notice that as envisioned by the President and Faculty Council, those who obtain tenure without performing research would not have the rank name “Professor” or “Associate Professor,” but would have some other, distinguishable “non-research rank.”
- ⁴⁶ Minutes, Faculty Council, October 1, 1964. Also about this time, the President, apparently feeling that he needed to better understand the University Cooperative Extension Service, arranged with the University Faculty Council for establishment of a “University Faculty Advisory Committee on University Extension” (the membership of which he appointed from a short-list supplied by the Faculty Council). On Oct. 1, 1964 the Faculty Council approved a short list of names from which the President would appoint the membership of the committee, which it transmitted to Oswald by Oct. 2, 1964 cover memo.
- ⁴⁷ The formal charge to the committee included that it
- “shall advise and consult with the University Administration in reviewing the total philosophy and program of University Extension in light of the University’s increasing needs and responsibilities. It shall report to the University Faculty on its activities and shall make recommendations for Faculty action on policies and programs that require Faculty consideration.” Minutes, Faculty Council, October 29, 1964
- ⁴⁸ September 18, 1964 memorandum from VP William Willard to President John Oswald
- ⁴⁹ December 16, 1964 cover letter with draft attachments from Tom Lewis to Dean Seay
- ⁵⁰ Minutes, Board of Trustees, January 15, 1965
- ⁵¹ Apparently, Shirley H. Phillips (who went on to become in 1980 Associate Director of the CES) was the last of the group of 1965-tenured Extension Specialists to retire (1988; <http://www.uky.edu/USC/Minutes/Webminutes021201.doc>). Also in that group, John Kenneth Evans, Extension Specialist in Agriculture Engineering at the time of tenure, retired from the Department of Agronomy as an

Extension Specialist on August 31, 1987. Stephen Quince Allen, Agricultural Economics, retired as a tenured Extension Specialist in 1981 (Minutes, Board of Trustees, March 10, 1981)

⁵² For example, in one case the Area Committee for Biology and Medicine wrote
“Mr. [] appears to be well qualified as a **research specialist** in [] production and it is recommended that he be employed subject to completion of his work for the Ph.D. degree. It is noted, however, that there is not immediate prospect that Mr. [] will engage in teaching and the question arises as to whether an appointment as Assistant Professor is appropriate.” Source: January 14, 1965 letter from Area Committee for the Biological and Medical Sciences to President Oswald

⁵³ In another example case, the candidate was not afforded a Regular Title Series position of “Assistant Professor,” but instead President Oswald approved the candidate’s appointment as with the still *ad hoc* title that included the qualifying word “Extension”:
“Assistant Extension Professor ... contingent upon his completing all the requirements for the Ph.D. degree.” Source: February 15, 1965 letter from President Oswald to Dean Seay

⁵⁴ Minutes, Faculty Council, February 12, 1965

⁵⁵ “Special Title Professorial Appointments” approved by Faculty Council February 12, 1965

⁵⁶ March 3, 1965 memorandum from President Oswald to College Deans

⁵⁷ Minutes, University Senate, April 12, 1965

⁵⁸ April 28, 1965 memorandum from President Oswald to Deans and Department Chairmen
<http://biology.uky.edu/djones/PDF/5/5.ix/IX.J.pdf>

⁵⁹ November 24, 1965 letter from Executive VP A.D. Albright to Don Jacobson, Chair, Area Committee for Biological and Medical Sciences

⁶⁰ July 29, 1965 letter from VP William Willard to President John Oswald

⁶¹ By the beginning of the new academic year in fall of 1965, the Faculty Council had
“Discussed with President that certain new titles and ranks yet remain to be defined and approved.”
Source: Minutes, Faculty Council, September 4, 1965.

⁶² January 10, 1966 Apparent A.D. Albright memo to file re: inquiry from Schneider (Agriculture)

⁶³ Board of Trustees Governing Regulations, 1960, Section XI.1

⁶⁴ April 26, 1966 letter from Provost Lewis Cochran to Executive VP A.D. Albright. For the next (spring 1967) cycle of promotion and tenure exercises, that committee was called the “Special Area Committee for Extension.”

⁶⁵ Examples of Extension use in Business and Education

⁶⁶ May 6, 1966 letter from Executive Vice President A.D. Albright to Provost Lewis Cochran

⁶⁷ “Criteria for Classifying University of Kentucky Staff in a Professorial Series for Those Involved in Off-Campus and Field-Service Activities”

⁶⁸ Minutes, Board of Trustees, October 21, 1966

⁶⁹ For example, April 2, 1968 notification letter from Executive Vice President A.D. Albright to Dean Seay

⁷⁰ Minutes, Faculty Council, October 24, 1963

⁷¹ Minutes, Faculty Council, March 13, 1968 re: Extension Area Committee

⁷² December 12, 1968 letter from Executive Vice President A.D. Albright to Paul Sears, Senate Council Chair

⁷³ The President exercised his position as Chair of the University Senate (as per Board of Trustees Governing Regulations May 1970, Section III)

⁷⁴ In his capacity as Chair of the Senate, President Singletary sought the assistance of the “University Senate Advisory Committee on Appointment, Promotion and Tenure,” which consisted of the Chairpersons of the various Academic Area Advisory Committees of the University Senate. Source: October 7, 1970 letter from Senate Council Chair William Plucknett to President Otis Singletary

⁷⁵ The committee was chaired by William Garrigus. Source: January 27, 1968 letter from President Otis Singletary to William Garrigus

⁷⁶ “Procedures for Appointment, Promotion, Tenure and Termination of Faculty,” March 31, 1971
[Univ. Senate Adv. Comm. on Appt., Promotion and Tenure Mar. 31, 1971](#)

⁷⁷ Minutes, June 1, 1971, University Senate Council

⁷⁸ [First Issuance of AR II-1.0-1 on March 1, 1972](#)

⁷⁹ Administrative Regulation AR II-1.0-5 [Faculty Performance Review](#)

⁸⁰ Administrative Regulation AR II-1.0-1.IV [Page IV - Academic Employment](#)

81 Administrative Regulation AR II-1.0-1.VI [Page VI - Appointment and Promotion Extension](#)

82 Board of Trustees Governing Regulations 1970 Section IV

83 Board of Trustees Governing Regulations 1986 Section IV

84 Administrative Regulation AR II-1.1-1 [Consulting and Other Overload Employment](#)

85 *Board of Trustees of the University of Kentucky vs. Hayse*, Ky., 782 SW 2d 609 (1990)
[Supreme Court Decision](#)

86 <http://biology.uky.edu/djones/facgov/facgov5.html#5XVI> (O'Bannon Case)

87 Minutes, Senate Council, October 27, 1982

88 October 29, 1982 letter from Senate Council Chair Donald Ivey to President Singletary

89 Minutes, University Senate, October 19, 1983

90 Minutes, Senate Council, January 20, 1983

91 Late in his term of office, Dean of the College of Agriculture, **Charles Barnhart**, proposed an amendment to the Administrative Regulations for "Policies of Faculty Performance Review" directly aimed at those Extension faculty who were housed in academic units outside the College of Agriculture, such as the College of Home Economics (later College of Human Environmental Sciences). The proposal, approved by the University Senate Council, changed the policy that such faculty would be performance evaluated by their department Chairperson and the Dean of the college in which their department was housed to instead the policy:

"The performance of each faculty member appointed in the extension title series will be reviewed by the chairman of the department to which the individual is assigned and the dean of the college in which the individual's position is funded, using the evaluation instrument and appeal process of the college in which the individual's position is funded." AR II-1.0-5.A new para. 3 issued October 20, 1987

This new policy placed the subject Extension faculty members in the difficult position that their immediate chairperson, who provides immediate performance guidance, is in turn guided by the Dean of the college over that department Chairperson (for which that college has a faculty performance review instrument), but the Extension faculty member is instead subject to the evaluation of the Dean of the College of Agriculture who does not supervise that Chairperson and whose college has a different faculty performance evaluation instrument. Seventeen years later, the College of Human Environmental Sciences was moved by the Board of Trustees to be a School within the College of Agriculture, which removed these difficulties of 'serving two supervisors' (although the language still remains in the Administrative Regulation).

92 Report of University Senate "Committee for Review of Special Title Series," 1986, Chair, Wilbur Frye

93 October 26, 1986 letter from Chair, Senate Advisory Committee on Privilege and Tenure to President Singletary

94 President Singletary's November 4, 1986 letter to Chancellor Art Gallaher

95 October 14, 1987 Minutes, University Senate Council

96 AR II-1.0-5.A.1; AR II-1.0-5.A.3, AR II-1.0-5.B; [Faculty Performance Review](#)

97 October 1, 1990 letter from Dean Oran Little policy letter the College of Agriculture Faculty. Further frustrating the compliance with the University policy to provide a weighting of each of the three areas of Extension faculty activity as per the D.O.E. for each -- that are then used in assigning a rating in each area of those three areas of the D.O.E. -- was the layout of the "Faculty Performance Evaluation" form promulgated by Dean Little. Although that form allows a separate evaluation rating to be assigned for the D.O.E. areas for Regular Title Series faculty of "Resident Instruction" and "Research," it does not provide separate lines for each of the three areas of activity of the Extension faculty. In fact, although the official University policy for the College of Agriculture D.O.E. form mandates that University-level service activities be recorded in a separate area of assignment on the D.O.E. form,⁹⁸ there is no corresponding place on the "Faculty Performance Evaluation" form on which to assign a rating for that area of University-level service assignment (for either Regular Title Series faculty or Extension faculty). For the Extension faculty, in fact, there is only a single category line of evaluation, labeled "Extension", making it impossible to use the 1990 form to assign and record a separate rating for each of the three areas of activity that the President's Administrative Regulation requires to be separately weighted in evaluation of Extension faculty.

98 <http://www.uky.edu/Regulations/BPM/E-13-3.pdf>

- ⁹⁹ March 26, 1993 letter from “Ad-Hoc Appeals Committee” to Chancellor Robert Hemenway
- ¹⁰⁰ Spring 1994 letter from Chair, Senate Advisory Committee on Privilege and Tenure to President
- ¹⁰¹ 1994 Area Committee Report submitted to Chancellor Robert Hemenway
- ¹⁰² February 27, 1984 letter from Chair of Academic Area Advisory Committee for the Medical Center Clinical Sciences to David Cowen, Acting Dean, College of Medicine
- ¹⁰³ August 31, 1983 letter Chair of Academic Area Advisory Committee for the Medical Center Clinical Sciences to Chancellor Peter Bosomworth
- ¹⁰⁴ May 1, 2001 letter from University President to Chancellor James Holsinger
- ¹⁰⁵ <http://www.uky.edu/USC/agenda/20020422/ItemA4.22.02.pdf>
- ¹⁰⁶ http://ces.ca.uky.edu/extensionadministration/re_envisioning_ces/Re-EnvisioningCESreport.pdf
- ¹⁰⁷ Board of Trustees Governing Regulations, 1960, Section III
- ¹⁰⁸ The restriction of elected faculty membership to the “teaching and/or research faculty” effectively re-excluded the Extension faculty who in 1966 had otherwise gained a status of eligibility for election to the University Senate. This restrictive language continued through the 1982 revision to the Governing Regulations: “The University Senate shall be composed of both elected and ex officio membership ... elected faculty members shall be apportioned each spring among the colleges and the University Libraries according to ...the number of full-time teaching and/or research faculty, except those appointed in the research title or visiting series, with the rank of assistant professor or higher in the colleges or the University Libraries...” Board of Trustees Governing Regulations, 1982, Section IV
- ¹⁰⁹ Minutes, Senate Council, July 14, 1983. Excerpt from discussion:
 “[Connie] Wilson: I don’t like give a college more representation.
 [Brad] Canon: The President asked for a recommendation on this issue, so technically, we are in a recommending position only – and to him. Further, if the first suggestion is endorsed by the Council [i.e., Agriculture directly gets two more seats and two other colleges lose each one seat], some members of the Senate may vote against the proposal simply because it may cause the loss of a Senate seat in their college.
 Grimes: I like the idea of keeping the numbers [of senators per college] as they are – just including the Extension professors on the eligibility roster.
 [Wilbur] Frye: The number of seats was not a motivating factor in any way. I’ve had contact with numerous persons in the College of Agriculture and there is no objection to keeping the numbers as they are.”
- ¹¹⁰ July 14, 1983 Minutes, Senate Council. Notice, however, that the Extension Title Series faculty were still not included in the head count that determined how many University Senate seats would be apportioned to the College of Agriculture. Finally, over a decade later in the fall of 1999, the University Senate approved amending the Board’s Governing Regulations to include the Extension faculty in the head count for apportionment. At the October 1999 meeting of the University Senate, the following language was approved: “The 94 elected faculty seats shall be apportioned each spring among the colleges and the University Libraries according to ... the number of the following individuals, all of whom shall be considered “faculty” for purposes of this Rule: (a) full-time faculty with the rank of assistant professor or higher, (b) full-time faculty appointed in the **extension**, librarian, research, and clinical title series, and (c) full-time lecturers and instructors;” Minutes, University Senate, October 4, 1999 <http://www.uky.edu/USC/Minutes/sen1012.html>
- ¹¹¹ October 10, 1983 Minutes, University Senate
- ¹¹² 02-16-65 letter from Dean Seay to Special Assistant to the President William Willard.
- ¹¹³ The last occasion for which the Board of Trustees minutes used the asterisk to denote an Extension Title Series faculty member as being in the Special Title Series was the September 1984 Board meeting. The last Extension Title Series faculty in the alphabetical list in those minutes with the asterisk next to their title were:

“Witt, Mary, Associate Extension Professor (with tenure)* and
 “Witt, William W., Associate Extension Professor (with tenure)*

- ¹¹⁴ Report, 1986, Senate “Committee for Review of Special Title Series”, Chaired by Wilbur Frye
- ¹¹⁵ 10-12-98 Minutes, University Senate

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