

A History of the Origin of University of Kentucky Librarian Title Series

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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 Libraries to use the occasion to assess the status of the Librarian Title Series, which is a form of Special Title Series. Toward providing an informational base of context on how the Librarian 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 Librarian 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 librarianship as a academic professional area, that affect University policy for the Librarian faculty as a group, and that affect the application of that policy to individual Librarian faculty.

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I. The Early Librarian Years: Faculty or Not Faculty?

When the University of Kentucky was first established by state law as an independent institution of education in 1880, the state law expressed recognized the existence of “professors” and “instructors” as employees of the University, and designated “the faculty of the university” as a body to which that law conferred authority. The 1880 laws also created the Board of Trustees as the governing body of the University, and empowered the Board to create the divisions and units of the university, and to assign duties to University employees, as the Board saw fit to serve the University’s welfare. Those laws are still in existence today as KRS 164.210 and KRS 164.220.¹

Those laws did not establish a category of employee of “Librarian,” nor did the Board of Trustees initially in its early Governing Regulations establish a “Library” as a separate division or unit of the university. The Board in its first Governing Regulations (1882) did implement the state law that recognized the body called “the faculty of the university,” by defining in the regulations that this body, the “University Faculty,” was composed of “the President and the professors.”² However, because there was no separate university unit called “the Library,” there were no “Librarian” employees, so “the University Faculty” in 1882 was composed only of “Professors.”

II. The First Librarian Member of “the University Faculty”

In 1912, the Board of Trustees appointed **Margaret I. King**, the former secretary UK President James Patterson, as the first “University Librarian.”³ As a part of that action, the Board directed that Margaret King be a member of the body, the “University Faculty.” Although the Board did not confer to her a professorial title, she was thus made a member of the educational policy-making body, “University Faculty.” In 1918, upon the arrival of new President McVey, the Board heavily revised its Governing Regulations, and in so doing renamed the body, University the Faculty, as the “University Senate.” The Libraries were placed under the jurisdiction of the “University Senate” - therefore the Board also directed that “the Librarian” shall be a member of that University Senate.⁴



III. The Librarians Continue as ‘Faculty’ who are not “Faculty”



In 1941, the Board of Trustees abolished the University Senate, and replaced it with a purely administrative body that was titled, paradoxically, “the University Faculty.”⁵ The Board on that occasion also created a new dean above all deans, the “Dean of the University,” who reported directly to the President (similar to today’s “Provost”).⁵ This first Dean of the University, **Leo Chamberlain**, requested that the University President Donovan have the Board of Trustees clarify the academic status of some members of the University Libraries. At its May 1945 meeting, the Board of Trustees acted upon the President’s recommendation that it “officially recognize” a number of “equivalent” ranks of 13 members of the University Libraries,⁶ some of whom are relisted below:

“University Library

Librarian	Margaret I. King	Professor
Head of Cataloging Dept.	Ellen B. Stutsman	Asst. Professor
Head of Circulation Dept.	Daisy T. Croft	Asst. Professor
Head of Archives Department	Jacqueline Bull	Asst. Professor
Assistant Reference Librarian	Kate T. Irvine	Instructor”

While the Board action noted that Margaret I. King, having a status “equivalent” to Professor thereby also “*shall be considered to have continuous tenure*,” the Board in listing these librarians also hedged, stating that these academic ranks for each individual would not be listed in the University catalog (i.e., “Bulletin”),

“but that they would be assigned for the purpose of defining the privileges available.”⁶

This hedging qualification turned out to have very substantive effects for Librarians. For example, when the Board’s Governing Regulations were again revised in 1947, the above ‘equivalencies’ of professorial ranks with Librarian ranks were not prescribed or stated, only a provision that the single “University Librarian”

“shall also have continuous tenure, 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”⁷

Upon the next revision of the Governing Regulations in 1955, this language was retained, except to refer to the “Director of University Libraries.”⁸

IV. Further Clarification of the Tenure Status of Librarians

During the late 1950’s the American Association of University Professors (AAUP) was approaching a high level of influence nationally, and at the University of Kentucky in particular. The University of Kentucky Chapter of the AAUP in 1959 was concerned that although the University had a mechanism to provide tenure to individuals, it did not have a “probationary period” mechanism that would ensure that Instructors and Assistant Professors were not maintained endlessly at those ranks. The Executive Committee of the UK Chapter of the AAUP submitted a report on the situation to the University administration, including:

“The regulations on tenure do not conform to the national A.A.U.P standard. Tenure is not granted to assistant professors and instructors after the probationary period. We also note that the [regulation] that ‘Ordinarily a person will not be retained at the rank of an instructor for more than five years’ is not followed in practice. We recognize that there [are] problems involved in clarification of this section in particular, with respect to special categories of employees such as **professional librarian staff**. We recommend that the tenure status of such special categories be clarified.”⁹



Vice President Leo Chamberlain wrote to President Frank Dickey his opinion of the report that *“I am reasonably certain that we will not want to incorporate several of the proposals.”*¹⁰ However, influence of the AAUP on UK tenure policy at that time can be seen in the subsequent efforts of AAUP member **Paul Oberst** (a UK Law Professor) in working with Vice President Leo Chamberlain. The revisions to the following year to the Board’s Governing Regulations included:

“No person shall be deemed to have tenure in a specific administrative position” [e.g., the Director of Libraries] ...each person in the following categories shall ... 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**.”¹¹

V. New President John Oswald Immediately Attends to Simmering Librarian Issues

In 1963, the Board of Trustees appointed the new University President **John Oswald**,¹² who was given a mandate by the Board to lead the University into the national ranks of research universities. President Oswald quickly launched a number of a major initiatives toward that goal. One initiative was to promulgate, at the direction of the Board of Trustees, a University-wide system of criteria by which faculty would be evaluated for tenure, or terminated, at the end of the specified probationary period. Reflecting the mandate to lead the University into the national ranks of research universities, the criteria prescribed that the individual being evaluated must show superior attainment in both research and teaching. A second initiative of President Oswald was to convince the Board of Trustees to adopt a real faculty retirement system on par with those of the other leading universities to whose national status the University of Kentucky aspired.¹⁴ Another initiative was expressed by President Oswald to the Chair of the Faculty Council (= Senate Council today) in January 1964:



“Since the Library plays such an important part in the future plans of the University, I feel it might be advisable if the Faculty Library Committee would take as their task the examination of the Academic Plan of the Library”¹⁵



which **Lawrence Thompson**, the Director of Libraries, had submitted to the President’s office. In a hint of the issues that President Oswald may already have put his finger on, the President further requested:

“In looking over Dr. Thompson’s plans and considering the future of the Library, I would appreciate it if they would examine its staffing, administration, and needs and the advisability of an outside survey.”

The Senate Council Chair **Ralph Weaver** quickly reported the President’s request to the Faculty Council, which immediately took action to effectuate the President’s request.¹⁶ Within two months, the committee was ready to submit its report.



VI. University Faculty Library Committee’s Report Bluntly States the Issues



Bennett Wall, the Chair of the Library Committee, met with the Faculty Council in March 1964¹⁷ to go over the important points of the committee’s report.

“This report pointed up current and long-range problems in all areas, problems of administration and organization, staff needs ... Dr. Wall stated that the Library Committee would finalize its report and address it to the Council. The Council stated that it would, in turn, submit it to the President, together with a letter of transmittal...”^{17,18}

The following day, the Faculty Library Committee submitted its written report. The report opened by immediately addressing the problem of the autocratic management of the Director of Libraries, Lawrence Thompson. The report described¹⁹

“...there was and had been for some time a constant erosion of staff morale, possible due to faulty administrative procedures. The Library staff [sub]committee was enthusiastically in favor of an outside survey. They and all other Library department heads consulted indicated an urgent need for change in the application to the Library system of administrative procedures and principles.

“...The Faculty Library Committee found evidence that there have been few promotions and merit increases to reward service. The Library staff has indicated dissatisfaction with this situation.

“There is evidence of failure of the Director of Libraries to solicit and seriously consider staff proposals in making major policy decisions and in considering many problems connected with library operation.”²⁰

“With the stimulation of an interested administration, the solution of Library personnel problems, the establishment of adequate administrative principles and procedures ... the University of Kentucky Library in a relatively short interval could become of one of the nation’s outstanding Libraries.”

The next day, the Faculty Council Chair Ralph Weaver transmitted the report to President Oswald, stating in a cover letter

“A system of ranks and titles is needed for the library staff so that promotions and merit increases may be used to better advantage. The faculty library committee could be used to much greater advantage.”²¹

VII. Negative Impact of the Librarian Academic ‘Equivalencies’ Policy is Starkly Demonstrated

If the frank assessment of the Faculty Library Committee and of the Faculty Council on the plight of the librarians was not enough, the budgeting process in spring of 1964 laid bare the untenability of their situation. As the Executive Vice President **A.D. Albright** explained it in a September 1964 memo to the “Library Professional Staff”:



“The older instructor and professional ranks assigned, according to minutes of the Board of Trustees [in 1945], were essentially equivalencies – **a kind of you-do-have-but-you-don’t-have condition** – that in reality diminished somewhat the worthship of those designations. Moreover, when the new policies and procedures were adopted last year for academic faculty appointments and promotions, the criteria to be employed would, under the older designations, have placed professional librarians, who cannot because of service loads devote a major part of their time and energy to research, publication and teaching, at a distinct disadvantage, and we felt, at an unfair disadvantage ... Incidentally, the same problem has been present with other professional personnel and steps are being taken in those cases also [note: See Chapter “History of the University of Kentucky Special Title Series”]. ... In the matter of benefits, particularly retirement ... The new TIAA retirement system was not funded to the full amount justified and requested ... Here again, the equivalency aspect of the appointments of professional librarians was not advantageous to them. So, the matters of professional status and retirement were inextricably bound together.”²² (bold added)

The Executive Vice President committed that a committee including outside consultants would be appointed to make recommendations for solution to the issues identified by the Faculty Library Committee.

VIII. Recommendations of the President's Special Library Committee

That same month President Oswald appointed a 12-member "Special Library Committee," chaired again by Bennett Wall, and charged it to (in consultation with an outside survey team)

"recommend a system of titles and benefits to give librarians professional status comparable to academic standing."²³

In October 1964, the Special Library Committee submitted its report to President Oswald, with copy to the Faculty Council. The recommendations of the report²⁴ included:

"We recommend that members of the professional staff of the University of Kentucky libraries be accorded rank and status comparable to academic standing. This recognition of the Professional Librarian as a member of the academic community shall impose responsibilities, obligations and privileges corresponding to those with academic standing.

"We suggest specifically the following SYSTEM OF RANKS AND TITLES. Statements are appended concerning tenure, procedures for implementing appointments, and qualifications for promotions. Some benefits and privileges are also specified."

The system of ranks and titles recommended were, listing from highest rank to lowest:

<u>Rank</u>	<u>Title</u>
Librarian V	Director of Libraries (tenure)
Librarian IV	Librarian (tenure)
Librarian III	Associate Librarian (tenure)
Librarian II	Assistant Librarian (can be tenure)
Librarian I	Librarian Assistant
Library Intern	Library Intern

The qualifications for promotion in rank were summarized as quoted below; but first note that the report was prepared at a time when there was much anxiety in the University faculty that persons who were not performing research were not being recommended for tenure in the Regular Title Series, and that no other title series yet existed (the Special Title Series was not promulgated until the following year, see below). Hence, there can be detected in the report to the President an effort to profile the activities of Librarians as being amenable to research, although in fact this was not a primary area of librarian activity:

"A. Professional Competence. A librarian's duties require fulltime teaching and counseling skills, and a public relations task of a special kind. In this instance, teaching should be interpreted to mean that kind of instruction of individuals or groups, whether direct or indirect, which promotes the intelligent and effective use of library resources by students and faculty members alike. The administrative duties and responsibilities of the professional librarians should be recognized in evaluating them for promotion and salary adjustment."

"B. Creative Activity. Research and creative writing should be encouraged, but creativity should not be defined in terms of research and writing only. Professional librarians who work a minimal forty hour week and hold twelve month appointments have little free time for sustained research. As the emphasis on faculty research increases the demands on the knowledge and time of the librarian will grow."

"C. Group Activities. Membership in national and local professional organizations and active participation in their programs are encourage as is significant service in groups which promote the welfare of the university and this community."²⁴

The recommendations were reviewed by the Faculty Council in November 1964,²⁵ and submitted to the March 1965 meeting of the University Faculty.²⁶

IX. Implementation of Special Library Committee Recommendations Stalls

During the year 1964 that the above activities were transpiring relating to faculty status of professional librarians, there was brewing a much larger context of issues relating to the academic status, promotion and tenure of all of the university faculty. As mentioned above, the October 1963 policy¹³ promulgated by new President Oswald to the effect that faculty would be promoted and tenured only upon excellence in both teaching and research created immediate problems for faculty in several colleges in which specialized needs existed that were not related to research (e.g., clinical faculty in the College of Medicine) or not related to either research or teaching (e.g., extension faculty in the College of Agriculture). The Faculty Council expressly identified this issue, and during 1964 interacted with President Oswald, often through the President's Special Assistants Doug Schwarz (Professor of Anthropology) and Tom Lewis (later, Dean of UK College of Law), to identify titles and ranks other than Instructor, Assistant Professor, Associate Professor and Professor that would apply to faculty whose activities were focussed on specialized University mission needs. By February of 1965, those efforts had culminated in the Faculty Council's recommendation to President Oswald that there be established a "Special Title Series," intended to be rarely used, for persons performing specialized kinds of duties that were not of the same qualitative nature of teaching duties, or research duties, or service duties, as would be performed by someone in the Regular Title Series. These specialized duties not being of a kind that Regular Title Series faculty would perform, the criteria for evaluation of the kinds of teaching, research and service done by Regular Title Series faculty were not appropriate for evaluating Special Title Series faculty; hence, specialized position-by-position criteria would need to be proposed and approved for evaluation of the specialized duties of the individual hired into each unique Special Title Series position.²⁷

When the Special Library Committee's recommendation for a Librarian series of ranks and titles was presented in the March 1965 meeting of the University Faculty, the Faculty Council's proposal to the President for a Special Title Series solution to all the specialized faculty niches had been transmitted by the President to College Deans for comment,²⁸ but had not yet been presented at a meeting of the University Faculty. Thus, it was unclear how the proposed Librarian ranks and titles would relate to the Special Title Series, and in effect discussion of the Librarian proposal stalled until the proposal for the Special Title Series came to its final outcome. At the end of April 1965, the President implemented University-wide the Special Title Series alternative to the Regular Title Series criterial policy for promotion and tenure.²⁹ However, the end of the academic year was at hand, and no further action happened on the Librarian proposal. After the summer recess, at its September 1965 meeting the Senate Council reminded President Oswald "*Certain new titles and ranks remain yet to be identified and approved,*"³⁰ to which he responded that copies of the write-up of these would be provided soon to the Senate Council.

X. The Pace Toward Board Approval of the Librarian Special Title Series Quickens

An interesting event that occurred subsequent to the Faculty Library Committee report, that faulted the management of Director of Libraries Lawrence Thompson, was that the following year he was no longer Director of Libraries ... that position came to be held by **Stuart Forth**. Executive Vice President Albright asked Forth to review the recommendations on the Special Library Committee relating to professional librarians, which Forth replied that he strongly supported.³¹ Forth also followed up in correspondence to Albright that the professional librarians in the Community Colleges must not be forgotten and that the finally adopted title series and ranks should also be applied to those librarians as well.³² VP Albright responded positively, requesting that Stuart Forth work together with the Dean of the Community College System, Ellis Hartford, to develop how the Librarian Special Title Series proposal would be implemented if applied to the Community College System Librarians.³³ Albright also directed that the proposed order of academic ranking should be reversed (i.e., Librarian I, II, III and IV, as the highest to lowest ranking). In addition to Albright thereby establishing the nomenclature that we use today, Albright also removed the existence of a special tenured title and ranking for the administrative position of Director of Libraries, consistent with the policy of the 1960 Board Governing Regulations that tenure shall not be afforded to an administrative position.



XI. Board Renders Final Approval of Librarian Special Title Series

The following month, a proposal for adoption by the Board of Trustees was submitted to the University Senate Council before the February meeting of the Board of Trustees (i.e., no time to submit it to the full University Senate).³⁴ At the Senate Council meeting, which occurred the day before the Board meeting,

“A motion was made and passed that the Senate Council looks favorably upon the establishment of a **special title series** for librarians, in which, specifically, the ranks of Librarian, Grades III and IV, have tenure in accordance with University Regulations.”³⁵

The proposal approved the next day by the Board of Trustees provided for tenure to Librarian I and Librarian II (as equivalent to Professor and Associate Professor), and opened access to the TIAA/CREF retirement programs, effective July 1, 1966.³⁶ (Notice that for the draft the Senate Council saw, the ordering of the rank designations had not be changed to the order directed by Executive VP Albright, however, by the time the proposal went to the Board, the order was as specified by Albright). The Board’s action was subsequently reported to the full University Senate.³⁷ In accordance with the policy for Special Title Series, the Board directed that the Director of Libraries recommend criteria for the ranks (“grades”) to the Executive Vice President, who would in turn consult with a faculty committee (e.g., of the nature of an Area Committee), and then submit a recommendation to the President for his final approval. Six months later, the President implied to the Board that this process had happened (the Executive Vice President obtaining the advice of a faculty committee, in devising and establishing the criteria for the ranks of the Librarian Special Title Series). However, the President did not actually expressly state that process indeed transpired nor did he actually relate to the Board what criteria for ranks had been established pursuant to that process.

XII. Application of University Tenure Policies to Librarian Faculty

Although the Board of Trustees had approved the policy to establish of a Librarian Special Title Series, and to establish criteria for its ranks, the criteria had not yet been applied to the existing professional librarians. An even more sensitive issue remaining to be addressed was how that faculty status for existing Librarians related to the University’s 1960 Governing Regulations that created a *de facto* tenure system for faculty whose employment had continued beyond the length of the probationary period. This question had been resolved previously for Regular Title Series faculty and for agricultural extension faculty, where at the January 1965 Board of Trustees meeting,³⁸ 80 Regular Title Series Assistant Professors and 45 Extension Specialists were recognized to have tenure, on account of their having been employed in tenure-accruing positions longer than the probationary period. Recalling, the phrasing in the 1960 Board Governing Regulations was:

each person in the following categories shall ... 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.**”

Hence, at the first meeting of the Board of Trustees after the effective date establishing the Librarian Special Title Series, the Board in August 1966 took the first step,³⁹ by approving the President’s recommendations on what level of Librarian rank each of the existing professional Librarian staff possessed. By way of the Board action, 10 individuals were conferred the rank of Librarian I, 6 the rank of Librarian II, 18 the rank of Librarian III, and 7 the rank of Librarian IV, which action was reported to Stuart Forth and Ellis Hartford by A.D. Albright.⁴⁰ However, it was not until a year later, at the July 1967 Board meeting,⁴¹ that it was finally sorted out which of those faculty possessed tenure. According to the Board action, it was 9 Librarian I faculty, 5 Librarian II faculty, and 6 Librarian III faculty, (Close inspection of subsequent Board of Trustees minutes indicates that the last person to be conferred tenure at the rank of Librarian III, pursuant to a not-de-fact-tenure-situation, appears to have been John Bryant, in May 1975).⁴²

The current Administrative Regulations for the Librarian Title Series contain several echoes of these past occasions to confer tenure at the rank of Librarian III, despite some apparent disagreement between Director Stuart Forth and Executive Vice President A.D. Albright on this point. Director Forth wrote to A.D. Albright in

December 1965²⁸ to urge that tenure could be awarded to Librarian III faculty, but in the policy memo disseminated by A.D. Albright for the Librarian Special Title Series in August 1967,⁴³ this possibility was omitted. When the new President Otis Singletary was appointed in the fall of 1969, he initiated a process to collate and codify into an 'administrative manual,' the policies that had been promulgated by memo during the Oswald era. That codification process generated the "Administrative Regulations" that we have today. With respect to codifying the various policies relating to faculty personnel actions, President Singletary, as Chair of the University Senate,⁴⁴ utilized the Senate Advisory Committee for Appointment, Promotion and Tenure,⁴⁵ which was composed of the Chairs of the various Academic Area Advisory Committees (which were also Senate committees).⁴⁶ President Singletary charged that committee to codify the faculty personnel action policy memos.⁴⁷ The committee submitted its work product in March of 1971,⁴⁸ which was evaluated by the University Senate Council in June of 1971.⁴⁹ Comparison of the August 1967 policy memo on criteria for Librarian ranks issued by A.D. Albright⁴³ with the 1971 draft⁴³ showed reappearance of the provision allowing tenure for Librarian III rank.

"At any time deemed appropriate during the seven year probationary period, tenure may be granted to a **Librarian III...**".

When President Singletary codified the above 1971 draft in 1972 as the first AR II-1.0-1,⁵⁰ he removed the express reference to Librarian III in that sentence, as follows, to be the language that we have today

"At any time deemed appropriate during the probationary period, the granting of tenure may be recommended ... by the Director of Libraries."⁵¹

However, the language codified by President Singletary still did not prohibit tenure being recommended for a Librarian III (and in fact the 1972 language was even more liberal by passively enabling a recommendation to be forwarded for awarding tenure to a Librarian IV as well). No such enabling provisions for recommending of tenure for Assistant Professors (or Instructors) exist in any of the regulations for other title series. Reaffirming the apparently liberal intent of this provision, is another provision in the Librarian Title Series regulation (again from 1972), that we also still have today, stating:

"If tenure was not granted while on appointment as **Librarian III**, the individual shall be granted tenure at the time of promotion to Librarian II."⁵²

XIII. Criteria for Appointment, Promotion and Tenure in the Librarian Special Title Series

The Board of Trustees having approved the assignment of ranks to the individual Librarian faculty, and having approved the award of tenure to certain of those faculty, there finally remained the actual future application to Librarians of the criteria for appointment, promotion, tenure and evaluation. It was not until a year later, in August of 1967, that Executive Vice President A.D. Albright sent a memorandum to all Librarian faculty, announcing

"Pursuant to the memorandum of President Oswald, date April 28, 1966 (sic), on Special Title Professorial Appointments, general criteria and guidelines for appointment, promotion and tenure of the professional library staff ensue ... The President's memorandum on the establishment of Special Title positions encompassed Librarians"^{37,53}

Albright then proceeded to elaborate the criteria for the various Librarian ranks. In an interesting omission, while Albright noted he had followed the directive of the Board of Trustees to incorporate the recommendations of the Director of Libraries into that criterial policy, he did not describe that he had also complied with the Board's directive that he in turn consult with an appropriate faculty committee (e.g., Area-like Committee) prior to final action on behalf of the President (although the President himself had intimated compliance to the Board of Trustees).³⁹

Another interesting new addition to the 1972 AR II-1.0-1 was the new language that

“In no case shall the assignment of administrative duties be a requirement for promotion to the rank of Librarian II or Librarian I.”⁵⁰

This provision was first inserted into the March 1971 draft submitted to President Singletary,⁴⁸ and there was no Librarian Area Committee existing at that time (hence no Chair of such an Area Committee existed to be on the Senate SACAPT committee⁴⁵ that prepared this March 1971 draft). It is not clear from the available record how the above specific provision came to be in the committee’s work product, or why it did in terms of the circumstances and practices of the time. Another provision that was new language in the 1971 draft⁴⁸ and 1972 AR II-1.0-1,⁵⁰ which was not found in the 1967 memo, but which reflects the origin of the Librarian series of ranks as a Special Title Series, is the provision:

“Appointment as a librarian will not normally imply a specific major responsibility to engage in research and writing.”

This is very similar to a provision found in the adjacent section of AR II-1.0-1 on Special Title Series, which states:

“Appointment to a Special Title position will not normally imply a specific responsibility to engage in research.”⁵⁴

XIV. Procedures for Processing Proposals for Appointment, Promotion and Tenure of Librarians

Consequent to the court actions in the ‘Hayse tenure case,’ (in which the KY Supreme Court ultimately held that, as written, AR II-1.0-1 did not permit a dean to stop a dossier proposal recommending tenure) President Singletary in 1982 directed Special Assistant **Paul Sears** to considerably revise AR II-1.0-1 to expressly show the authority of college deans to make the final decision to stop tenure proposals. However, of all the sections in AR II-1.0-1 formally reissued the next year on the promotion and tenure policies for the various title series, the most extensively rewritten was the section for the Librarian Title Series.⁵⁵ The criteria for promotion and tenure were essentially unchanged, but the description of procedures for processing of the Librarian dossier were substantively revised. A distinguishing feature of the 1972 section AR II-1.0-1 on Librarians from the sections on the other title series, was that each of the Special Title Series, Extension Title Series and Adjunct Title Series sections cross-referenced the procedures of the Regular Title Series, on how dossiers were initiated and processed, and that section in turn referred to a processing flow chart, which showed that the process ultimately ended at the Board of Trustees.⁵⁰ Specifically different was that in all but the Librarian Title Series, the administrator “Department Chairperson” was assigned the authority to “initiate” promotion or tenure proposals, which were then forwarded to the respective college dean, and on up the chain through either the Lexington Campus Vice President or the Medical Center Vice President, to the President, and to finally the Board of Trustees. As the processing flow chart was written in 1972, the dean was to add recommendation or commentary and then forward the dossier up to the next level; i.e. the dean was not the initiating administrator, nor, as written, a final stopping authority either.



However, the section of AR II-1.0-1 for the Librarian Title Series was essentially written in 1972⁵⁰ as a self-contained set of procedures, without reference to the template for the Regular Title Series, and in fact without any reference to the processing flow chart. No reference is made to any administrator below the level of Director of Libraries as “initiating” a proposal for promotion or tenure, nor is any express reference made to the Director stopping a tenure proposal, except to the extent that refusal to initiate a tenure proposal could be a tenure denial. Nor in the 1972 language is there reference to an Area Committee, merely an “appropriate committee.” In addition, the language referring to the establishment and use of an advisory committee to a college dean is different than the language referring to such for the Director of Libraries. Further, by the time of the 1982 University reorganization into a Chancellor System, a “Director of the Medical Center Library”

position had developed a special role in relation to the “Director of Libraries.” Hence, clear effort was made in the 1983 revision to make the processing for Librarian promotion and tenure more directly parallel to that occurring for the other title series. For example, the language that was finally issued as the new Librarian Title Series regulation, in April 1983, for the first time expressly stated:

“...the Director of Libraries or the Director of the Medical Center Library shall have the same authority and responsibilities as those of a dean of a college.”⁵⁵

However, the 1983 Administrative Regulation language was not (and currently still is not) completely clear to the unspecialized reader on procedural parallelism between the processing of Librarian Series proposals and proposals for other series. For example, section AR II-1.0-1.VIII.C.2 on “appointment” to the rank of Librarian II or Librarian I stated (and still states) that the Director may consult with the “Director’s Advisory Committee on *Personnel*,” whereas in section AR II-1.0-1.VIII.D.2 on “promotion” to either of those same two ranks it states the Director may consult with the “Director’s Advisory Committee on *Promotion and Tenure*.” The further nonparallelism existing around this situation, and its implications for Librarian faculty as a group, is discussed further below.

Although Academic Area Advisory Committees had been established (as committees of the Senate) in 1963, subsequent to the 1966 establishment of the Librarian Title Series there was not established an Academic Area Advisory Committee for the Librarian Title Series. (An Extension Title Series Academic Area Advisory Committee had become established in 1968, after that title series was established in 1966).^{55a} Instead, the practice was that the Vice President (Lewis Cochran) appointed an ad hoc committee titled the “Senate Library Committee” to perform that function. The University Senate Council discussed in February 1983 that (finally) an Academic Area Advisory Committee for Librarians was being established, for which the Senate Council would provide to the President a short list of nominees.⁵⁶ The Librarian Series Area Committee became formally in existence for the first time during the 1983-1984 academic year.⁵⁷

Another procedure promulgated in the President’s Administrative Regulations in 1983 that is not parallel for the other faculty title series was that for the case of appointment or promotion to the ranks of Librarian IV or III, the Director of the Medical Center Library could make the final decision for appointment, with reporting to the Board of Trustees through the Medical Center Chancellor.⁵⁸ However, for cases of appointment or promotion to Librarian II or I, it was not the Director of the Medical Center Library, but the Director of Libraries, who submitted the recommendation, and the recommendation was not to the Medical Center Chancellor, but to the Lexington Campus Chancellor.⁵⁹ In 1989, the procedural language on this point was further modified to reflect that recommendations from, or reports through, the Director of Libraries were not submitted to the Chancellor of the Lexington Campus, but rather to the Vice President for Information Systems.⁶⁰ This unusual dichotomy in the reporting above the two Directors was apparently ended in 2002, when a revised Administrative Regulation was posted at the official UK web site, reflecting the change to a Provost System, and in which either Director submits reports of actions or recommendations in all cases to the Provost (AR II-1.0-1.X, 2002).⁶¹

XV. Librarians: the Orphaned Faculty Among the Faculty Bodies of the Colleges

The above history has chronicled the journey of UK professional librarians to fully obtain individual academic appointments, promotion and tenure as faculty, in the same processing and meaning as for faculty in the other UK faculty title series. However, the librarian faculty are enduring an even longer journey toward an official, codified status as a faculty governance body, in the same meaning that “the College Faculty” is a policy-making governance body for each college. From the original appointment of Margaret King as the first “Librarian” in 1912, there was no recognition of the professional Librarians as a single entity, a body, until 1960.

As a Part of the Larger Body, the Statutory “faculty of the university”: Faculty Trustee Election. In 1960, the state law (KRS 164.130) was amended to provide for the election of two nonvoting Faculty Trustees to the Board of Trustees, from the “teaching or research” faculty, at or above the rank of assistant professor. (The law

in 1972 was further amended to make each Faculty Trustee a voting member of the Board of Trustees). In view of that the October 1964 Special Library Committee report to President Oswald had characterized that “[a] librarian’s duties require fulltime teaching and counseling skills and a public relations task of a special kind,” and in view of the Board’s 1966 action to establish the Librarian Title Series and its professorial rank equivalents, the Librarians at or above the rank of Librarian III appeared to gain the status to vote for, or serve as, an elected Faculty Trustee. However, an interpretation of the Senate in 1967 appeared to exclude the Librarian faculty from voting in the Faculty Trustee election. However, the new Administrative Regulation AR II-1.0-1 for Librarian Title Series adopted in 1972 added a statement not contained in the Board’s 1966 action, which specifically stated that Librarian faculty have the same “privileges” as the Regular Title Series faculty, which ensured that thereafter the Librarian Title Series faculty had the status to vote for, or serve as, Faculty Trustee. Much more recently, there was a discussion among the Librarians as to the nonvoting status of Librarian IV faculty.⁶² This status is the same nonvoting status as the “Instructor” rank for the other faculty title series, and reflects the restriction in state law that voting status is afforded to those of assistant professor rank or higher.⁶³

A Governance Body for Purposes of the University Senate. The Board of Trustees since 1941 had an established governance policy that the faculty bodies of each of the colleges would elect from their own respective faculty ranks their representatives to “the University Senate” (actually, called “University Faculty 1941-1965). However, in 1941 the professional librarians were not also designated as such a college body that would elect, from its membership, representatives to the “University Senate.” Finally, the revisions to the Governing Regulations of December 1960 newly included that in this election process,

“Elected members shall represent the following [15] groups ... (15) **Libraries.**”⁶⁴

This level of recognition continued when the Board of Trustees in 1966, in establishing the Librarian Title Series, specified that

“**Senate membership** and service on faculty committees be **open to Librarians on the same basis** as for faculty members of equivalent rank.”³⁵

This language was incorporated into the 1974 and subsequent versions to the Board’s Governing Regulations, as that the elected faculty senators

“shall be apportioned each spring among the colleges and **University Libraries** ...”⁶⁵

Through 2005, this codification remains the only codification by the Board of Trustees expressly establishing any governance purpose for which the Librarians constitute a decision-making body in and of itself, rather than being an array of individual staff at the discretion of a higher administrator.

A Decision-Making Governance Body for the Purposes of Establishing Libraries Programmatic Service Policy. When the Board of Trustees revised its Governing Regulations in May 1970, codifying (as the regulations we have today) many of the policies initiated by President Oswald, that placed educational-policy-making authority squarely in the hands of the college faculties, for which the Dean’s capacity is as parliamentary Chairperson of the college faculty body. Each College Faculty became empowered, and held responsible, to establish its own committee and council structure that it deemed necessary for that educational policy-making function, and became further empowered to promulgate its own internal Rules for the exercise of that policy-making function.⁷⁶ For example, if we consider the instructional area of curricular policy-making, in a clear example that has no budget/resource implications, if a college faculty, at a meeting presided over by the Dean, were to decide by vote that it would use a +/- grading system, the Dean under University regulations has no standing whatsoever to “disapprove” or overrule that decision. The Dean must operationally implement that college faculty body decision. However, if the college faculty’s curricular decision was for a new curriculum that required the purchase of a one-billion dollar orbiting telescope, the Dean would be authorized in the Dean’s

second, managerial capacity (Chief Administrative Officer of the college) to state “There is insufficient budget for this. I cannot implement this for financial reasons.” That is, the Dean has no standing, as parliamentary Chairperson, to disapprove of the College Faculty’s programmatic decision on its academic merits, but in the Dean’s second capacity as Chief Administrative Officer of the college, the Dean can perhaps identify nonacademic reasons not to implement the college faculty’s curriculum decision. But instead of the Dean then picking an alternative curricular decision, that decision would go back to the College Faculty again.

Very, very important in the Board of Trustee’s 1970 action to place “educational policy-making” under the control of the College Faculty body, was that it provided a definition on what areas are encompassed in “educational policy-making.” Rather than it narrowly meaning ‘curricular policy-making,’ it was defined to include programmatic policy-making in all three mission University areas of instruction, research and service.⁷⁵ What does “educational policy-making” mean in areas outside of making policy on curricula? It means, in the area of research program policy for example, that, say, if three faculty members retire and a decision has to be made as to what programmatic area(s) the new faculty hires will be in, that the identification of the programmatic area is an educational policy-making responsibility of the faculty of the educational unit. The premise is that the faculty of the educational unit (who the University administration assures the Board are hired as leading professionals in their areas) are the most qualified to identify what are the cutting edge “Top 20” programmatic areas versus what areas are not new or not cutting edge.

So, if we take the University President’s professional area as an example (Engineering), if the faculty of the educational unit identify that the cutting edge area in which new faculty need to be hired toward “Top 20” objectives is, say, “nanotechnology,” but the Dean personally favors instead “manufacturing,” it is still the programmatic area of “nanotechnology” in which the Dean ought hire the new faculty. The Dean (or department chair’s) only role in this programmatic decision is as Chairperson of the unit faculty body, providing the Chairperson leadership that facilitates the decision-making process of the faculty body. In the second, different capacity as managerial Chief Administrative Officer, the Dean is responsible to make the final personnel decision (with “advice” from the faculty) on which of the interviewed candidates (who all specialize in nanotechnology) is to be hired into the position(s), and final decisions on budget, space assignment, etc. that are necessary to further implement the academic policies.

How would the above governance framework apply to the Libraries, if the Libraries were raised to an “educational unit” instead of merely being an administrative “support unit”, and if the Librarians were raised to a faculty governance body, equivalent of a College Faculty, for which the Dean’s role was as parliamentary academic Chair of the faculty body? If for example we consider the Libraries programmatic/service areas that directly involve interfacing with and instruction to student/patrons, there are broad programmatic policy issues, such as: Where ought such services be delivered for greatest effectiveness? What new facilities need to be planned/sought for future targeted service areas and what ought those service areas be? What new internet technological area is in the offing for which new faculty expertise would enable higher quality accomplishment of the service mission? Ought any open Librarian faculty positions be targeted for that area? In areas not directly involving student/patron instruction, such as cataloging, if several faculty lines are to be lost due to budget cuts, what parts of that program have the highest priorities to be protected from loss of faculty lines? All of these kinds of broad, programmatic/service policy would be, for the “educational unit” of Libraries, the areas of “educational policy” decision-making by the Librarian faculty body, made under the parliamentary Chairpersonship of the Dean.

A Governance Body for Purposes of Advising on Dean’s Managerial Decision-Making. As described above, the Dean wears a second “hat” of Chief Administrative Officer, responsible for operationally implementing and managing the operations of the College. In that capacity, the Dean makes and enforces all necessary managerial policy. The University regulations make specific provision to recognize the status of college faculties also as bodies that are advisory to the respective college dean, as the dean exercises *managerial* processes. Two examples illustrate the quandary on this point that exists for the UK Librarian faculty. In the first example, the Board’s Governing Regulations set a policy, that is implemented in the

President's Administrative Regulations, that in appointment, reappointment, promotion and tenure processes, the academic unit faculty are an entity that, as a body, has an "opinion" (singular tense) about the merits of the individual case, and that the unit administrator (e.g., Dean) is obligated to transmit that "opinion," in addition to any contrary opinion of the unit administrator. Further, if that unit administrator does cotransmit a contrary opinion, the unit administrator is obligated to notify the unit faculty.⁶⁶ Thus, it is not a case that there is the unit administrator (e.g., Dean), and there are only numerous individual faculty as "staff" with individual opinions. Rather, from the expressed individual opinions, the unit administrator is obligated to also discern and transmit the "opinion" (singular tense) of the faculty body for this purpose. However, while this Governing Regulation by its terms expressly applies to the faculties in each of the academic colleges,⁶⁷ the Board's Governing Regulations do not expressly make the Librarian Faculty as being a body equivalent to a College Faculty body for this purpose. The serious consequence is that if a Dean of Libraries were to use the ambiguity to assert that the Librarian Faculty have no such equivalent status, then that Dean of Libraries operates independently of the above regulatory requirements, and would cotransmit the "opinion" (singular tense) of the Librarian Faculty body only at the whim of his/her intramural benevolent discretion, and with no obligation to notify that Librarian Faculty if the Dean's recommendation was contrary to the Librarian Faculty opinion.

In the second example, at the request of the University Senate, President Singletary in 1974 newly added to the Administrative Regulations a provision that each college dean shall establish an advisory committee on matters of appointment, promotion and tenure, ostensibly as a source of independent faculty advice to the dean.⁶⁸ However, the way that regulation became implemented by many college deans was that the dean unilaterally made the appointments to the committee, much nullifying the intended independence of the committee. Upon complaint about this in 1989 to President **David Roselle**,⁶⁹ the President revised the Administrative Regulations on this point to place the membership of this committee under the control of the College Faculty, either by direction election from the College Faculty, or by submission of recommendations to the dean by the "appropriate faculty body." For example, in processes of appointment, reappointment, and terminal reappointment, the revised President's Administrative Regulations required:



"Each college shall have an advisory committee which is concerned with matters related to faculty appointments. It can be **elected by the faculty** or established by the dean after consultation with **an appropriate faculty body** of the college. Prior to making a recommendation or decision on terminal reappointments or non-renewals of appointment, the dean must seek advice from such a committee."⁷⁰

and in the processes of promotion and tenure required:

"Each college shall have an advisory committee, established by the dean after consultation with an **appropriate faculty body** of the college or **elected by the faculty**, which is concerned with matters related to faculty promotion and tenure...the dean is required to obtain a written recommendation from the advisory committee (1) when an assistant professor must be considered for promotion with tenure in the sixth or next-to-last year of the individual's probationary period, (2) when an associate professor must be considered for tenure in the next-to-last year of a probationary period, and (3) when a professor must be considered for tenure in the first half of a one-year probationary period."⁷¹

Whether the process would be direct election from the College Faculty, or appointment by the dean following consultation with the "appropriate faculty body" is determined and codified by the College Faculty body in its College Rules (the Board of Trustees in its Governing Regulations GR VII.A.4 directly empowering the College Faculty body to decide and codify in its Rules document what faculty council or committee constitutes the "appropriate faculty body" for the faculty's functions).⁷² That is, the "appropriate faculty body" is not something the dean decides, but something the faculty decides, the dean's contrary preference notwithstanding. Unfortunately, because the Board of Trustees has never directly made equivalency between a "College Faculty" body and the "Librarian Faculty" body, it has never been as clear as it ought to be how that the above regulation

language empowers, or does not, the “Librarian Faculty” body in the appointment of these committees in the same way that it empowers the “College Faculty” bodies.

This situation has important governance consequences for the Librarians, because if a Dean of Libraries at some point decides to interpret the ambiguity as meaning that Librarians do not have an equivalent status as a “Librarian Faculty” body for the purposes of this regulation as do “College Faculty” bodies, then it becomes purely a benevolent discretion of a Dean to comply with the faculty decision or consultation on the membership of the promotion and tenure advisory committee – i.e., one day a Dean of Libraries could wave his or her hand and decide to unilaterally make the committee appointments. However, if the Board of Trustees was to codify that the “Librarian Faculty” body exists as an equivalent of a “College Faculty” body, then the Dean of Libraries has no such discretion, because the authority of the “Librarian Faculty” body then comes directly from the Board and President, above the level of the Dean of Libraries. (There is another problem about this committee,⁷³ on an aspect in the current Administrative Regulations on promotion and tenure of Librarians. In addition, the current Libraries policy on annual reappointment of untenured faculty appears to violate University regulations in effect since 1970, if the Librarian faculty have at this time the equivalent status of a College Faculty for the purpose of the University Regulations on untenured reappointments⁷⁴).

As of 2004, the Board of Trustees has not codified in its Governing Regulations that the Libraries is the equivalent of a college educational unit, nor that Librarian Faculty have an equivalent status of a College Faculty, for the purpose of decision-making authority in the formulation of instructional, research or service programmatic policies for the Libraries. In 2002, the Board of Trustees initiated such a recognition by changing the title of Director of Libraries to “Dean” of Libraries,⁸¹ but the Board has yet to complete that recognition by codifying a policy that the Librarian Faculty, as a body, has an equivalent status of a College Faculty. In this vacuum, the Librarian Faculty remain, in the 1964 words of Executive Vice President A.D. Albright, in “*a kind of you-do-have-but –you-don’t-have condition*,” being more functionally the “staff” of the Dean of Libraries, to whom at this time remains defaulted the authority to make the decisions on the educational policies of the Libraries.^{22,82}

References

¹ <http://lrc.ky.gov/KRS/164-00/210.PDF> and <http://lrc.ky.gov/KRS/164-00/220.PDF>, respectively

² Board of Trustees Governing Regulations, 1882, regulation 6.

³ 1912 Minutes, Board of Trustees³

⁴ Board of Trustees Governing Regulations, 1918, Section V, page 16

⁵ 04-01-41 Minutes, Board of Trustees

⁶ 05-28-45 Minutes, Board of Trustees

[Board Action of 1945 to Declare Certain Librarian Positions as Equivalent to Faculty Asst. Professor Rank](#)

⁷ Board of Trustees Governing Regulations, 1947, Section GR X.3

⁸ Board of Trustees Governing Regulations, 1955, Section GR XI.4

⁹ “Proposals of the A.A.U.P. Executive Committee on Revision of the Governing Regulations of the University of Kentucky.”

¹⁰ 05-29-59 letter from Vice President Leo Chamberlain to President Frank Dickey.

¹¹ Board of Trustees Governing Regulations, 1960, Section GR XI.3

[First reference in Gov. Regs. \(1960\) to potential faculty status of "librarian" employees](#)

¹² 05-31-63 Minutes, Board of Trustees

¹³ 10-28-63 [President Oswald’s Oct 1963 Memo on Faculty Appt/Promotion/Tenure Criteria](#)

¹⁴ 04-07-64 Minutes, Board of Trustees

¹⁵ 01-27-64 letter from President John Oswald to Senate Council Chair Ralph Weaver

¹⁶ 02-03-64 Minutes, University Faculty Council

¹⁷ 03-30-64 Minutes, University Faculty Council

¹⁸ 03-30-64 letter from Bennett Wall, Library Committee Chair, to Faculty Council Chair Ralph Weaver

stated "...faculty committees should be placed on the mailing list of orders and directives sent to deans and department heads. In at least one of the areas under consideration by the Library Committee much time could have been saved had we been aware of existing directives of the administration."

¹⁹ 04-01-64 "Report responding to Dr. John W. Oswald's letter"

²⁰ 11-29-63 letter from Executive Vice President A.D. Albright to Director of Libraries Lawrence Thompson, severely admonishing Thompson for his "indiscretion" in comments about other administrators

²¹ 04-02-64 letter from Faculty Council Chair Ralph Weaver to President John Oswald

²² 09-15-64 Memorandum from Executive V.P. A.D. Albright to "Dr. Lawrence Thompson and Library Professional Staff" [Ex. VP Memo Describing Need for Librarian Title Series Sept. 15, 1964](#)

²³ 09-64 statement of charge from President Oswald to "Special Library Committee" as documented in 03-08-65 minutes of the University Faculty (this author has not located a copy of the President's memo of charge)

²⁴ 10-23-64 Report "Recommendations regarding status and benefits for Professional Library staff", submitted by "Special Library Committee" [President's Special Library Committee Recommends Librarian Title Series Oct. 23, 1964](#)

²⁵ 11-09-64 Minutes, University Faculty Council

²⁶ 03-30-65 Minutes, University Faculty

²⁷ 02-12-65 Minutes, University Faculty Council

²⁸ 03-30-65 transmittal from President Oswald to College Deans

²⁹ 04-28-65 Memorandum from President Oswald to College Deans

[President Oswald's 4/28/65 memo announcing establishment of Special Title Series](#)

[President Oswald's 4/28/65 memo attachment establishing of criteria for STS: position-specific descriptions](#)

³⁰ 09-04-65 Minutes, University Senate Council

³¹ 12-14-65 letter from Director of Libraries Stuart Forth to Executive Vice President Albright

[Director of Libraries Summarizes Special Library Committee Report Dec. 14, 1965](#)

³² 12-17-65 letter from Director of Libraries Stuart Forth to Executive Vice President Albright

[Director of Libraries Advocates Inclusion of Community college System Librarians in new Librarian Title Series Dec 17, 1965](#)

³³ 01-31-66 letter from Executive Vice President A.D. Albright to Director of Libraries Stuart Forth

[Ex VP Changes Proposed Librarian Rank Titles and Accepts Inclusion of CC Librarians Jan 31, 1966](#)

³⁴ 02-17-66 Minutes, Senate Council

³⁵ 02-18-66 Minutes, Board of Trustees

[Board of Trustees establishes Librarian Title Series Feb 18 1966](#)

³⁶ 07-19-66 Minutes, Board of Trustees

[Board Action to Award Librarian Title Ranks to Specific Librarian Faculty Aug 19, 1966](#)

³⁷ 04-11-66 Minutes, University Senate

³⁸ 01-15-65 Minutes, Board of Trustees

³⁹ 08-19-66 Minutes, Board of Trustees

⁴⁰ 08-19-66 letter from Executive Vice President A.D. Albright to Stuart Forth and Ellis Hartford

[Ex VP Notifies Director of Libraries of Board Action to Award Librarian Title Ranks to Specific Librarian Faculty Aug 19, 1966](#)

⁴¹ 07-21-67 Minutes, Board of Trustees; [Board Confers First Tenure to Librarian Faculty at Ranks I, II, III July 21, 1966](#)

Of the six Librarian III faculty who received tenure, three subsequently retired as tenured Librarian III (one in 1968, one in 1970 and one in 1972); the other three were promoted by the Board June 24, 1968 to Librarian II; one of those subsequently retired in 1983, another retired as Librarian I in 1987, and there is no record in the Board minutes as to when the final one retired. In addition, in fall 1967 two additional Librarian III faculty were awarded *de facto* tenure (Board minutes, November 10, 1967). One of those two was promoted to Librarian II at the May 1, 1984 Board meeting, retired in 1988 and still lives locally. The other was the last tenured Librarian III in UK history, being a tenured Librarian III until promotion to Librarian II at the June 24, 1985 Board meeting, and retired about a decade later, but died in Lexington in December 2004.

⁴² 05-06-75 Minutes, Board of Trustees. The individual was promoted to Librarian II July 1, 1977, then Librarian I June 23, 1981, retired 12-11-90, and deceased in 2004.

⁴³ 08-04-67 Memorandum from Executive Vice President A.D. Albright to "Professional Library Staff"

⁴⁴ Board of Trustees Governing Regulations, 1970, Section III

⁴⁵ Senate Rules Charge to "Senate Advisory Committee on Appointment, Promotion, and Tenure," (SACAPT)

adopted Oct. 29, 1970: “...shall comprise the chairmen of the academic area advisory committees on appointment, promotion and tenure...It shall recommend to the University Senate on criteria for appointment, promotion and tenure as they may affect the broad academic policies of the University. It shall advise the President, of the administrative officers designated by him as appropriate, on the police for appointment, promotion and tenure and shall report to the Senate on these policies.”

⁴⁶ 10-15-63 Minutes, University Faculty Council

⁴⁷ [President Singletary's Jan 27, 1971 memo to members](#) of “University Senate Advisory Committee on Appointment, Promotion and Tenure”

⁴⁸ [Univ. Senate Adv. Comm. on Appt., Promotion and Tenure Mar. 31, 1971](#) work product

⁴⁹ 06-01-71 Minutes, University Senate Council

⁵⁰ March 1972 Administrative Regulation publicly circulated under an April 1972 cover memo from President Singletary to UK faculty; [First Issuance of AR II-1.0-1 on March 1, 1972](#)

⁵¹ (AR II-1.0-1.X.F, 2002) [Page X - Appointment and Promotion Librarian](#)

⁵² (AR II-1.0-1.X.D.2, 2002) [Page X - Appointment and Promotion Librarian](#)

⁵³ The actual date was April 28, 1965

⁵⁴ Section VI.D.1 of the March 1972 AR II-1.0-1 [First Issuance of AR II-1.0-1 on March 1, 1972](#)

⁵⁵ AR II.1.0-1.VIII.C.1 04/04/83

^{55a} From: Davy Jones [<mailto:djones@uky.edu>] Sent: Thursday, February 17, 2005 12:57 PM To: mleach@pop.uky.edu Subject: Margaret, I am doing some research on the Area Committees. The Librarian Area Committee started in 1983. So I am trying to see if the University used some other "surrogate" committee above the level of the dean for Librarian promotion cases before 1983, and if so, what was the "name" of that committee. One way to determine this would be to take a peek inside the Provost-level (actually, back in the 1970's it would have been the VP-level) personnel files for Librarians whose cases reached the VP. I checked the Board of Trustees minutes, and there was a promotion to Librarian II for "John Bryant" in 1976 and then promotion to Librarian I in 1981. I am not interested to know the recommendations of the VP-level committee on his case, but only to know if there was a VP-level committee and by what name it was referred to. Can you kindly check on this for me? Thanks. Davy
Date: Mon, 21 Feb 2005 09:37:48 -0500 From: "Leach, Margaret" <mleach@email.uky.edu>
To: "Davy Jones" <djones@uky.edu> 21 Feb 2005 14:37:49. I looked in John Bryant's promotion file and the committee was the "Senate Library Committee." It was a special committee appointed by Dr. Lewis Cochran to consider P&T cases for University Libraries. It was chaired by Dr. Joseph R. Jones at that time. Margaret.

⁵⁶ 02-17-83 Minutes, University Senate Council

⁵⁷ President's annual committee memo 1983-1984

⁵⁸ (AR II-1.0-1.VIII.C.1, D.1., 1983)

⁵⁹ (AR II-1.0-1.VIII.C.1, D.1., 1983)

⁶⁰ AR II-1.0-1.X, issued 09-20-89

⁶¹ AR II-1.0-1.X, issue 04-08-02

⁶² (03-29-02 Minutes, Librarian Faculty Meeting; 03-23-02 Minutes, Librarian Faculty Meeting)

⁶³ KRS 164.131(3) <http://lrc.ky.gov/KRS/164-00/131.PDF> make this

⁶⁴ Board of Trustees Governing Regulations 1960, Section GR III

⁶⁵ Board Governing Regulations 05-01-74

⁶⁶ GR VII.B.5, last para.

⁶⁷ GR VII.A.4, para. 3

⁶⁸ AR 1974

⁶⁹ Senate minutes 1989 event

⁷⁰ AR II-1.0-1.II.E <http://www.uky.edu/Regulations/AR/ar007.pdf>

⁷¹ AR II-1.0-III.E <http://www.uky.edu/Regulations/AR/ar008.pdf>

⁷² GR VII.A.4, para 3, sent. 1

⁷³ In the 1989 version of AR II-1.0-1.X for promotion of Librarians, subsection D.2 referred to the consultation with the advisory committee on promotion and tenure as per “Section III.F.1,” which is the section describing the required consultation with the committee in promotion and tenure processes for the Regular Title Series. Similarly, the subsection F of AR II-1.0-1.X referred to the “Section III.G” that also requires consultation with this advisory committee. However, in 1993, with the introduction of the “Teaching Portfolio,” a new Section C was introduced into Section III on Regular Title Series processes, which then caused renumbering of Section III.F.1 to be Section III.G.1, and renumbering of Section III.G to be Section III.H. However, on that 1993 occasion, the cross-referencing language in AR II-1.0-1.X for Librarian

promotion and tenure was not changed to reflect the renumbering, and so the current language in AR II-1.0-1.X sections D.2 and F now cross-reference subsections in Section III that do not literally exist. This is further unfortunate because this cross-reference would otherwise strengthen a Librarian Faculty interpretation that by cross-reference to the Section III that requires the existence of an advisory committee whose membership is controlled by “the faculty” or by the faculty’s “appropriate faculty body,” it means a recognition of and authorization to the “Librarian Faculty” as a decision-making (committee membership controlling) body in and of itself.

⁷⁴ The Board of Trustees Governing Regulations at GR VII.B.5, para. 1 identifies which faculty of the unit are required to be consulted, and from which letters are to be obtained, in the reappointment or terminal reappointment of untenured faculty. During the 1970 codification of this section of the Governing Regulations, the University Senate recommended and the Board concurred to make as inclusive as possible the consultative process in decisions on appointment, reappointment and terminal reappointment. Thus, for tenure decisions, it is only necessary for the tenured faculty to be consulted, and for promotion, it is only necessary to consult/obtain letters from those faculty with higher rank than the candidate. However, these are not the categories of faculty for consultation in appointment, reappointment and terminal reappointment. Because tenure or promotion with tenure are permanent decisions for the University, only faculty with permanent status are required to be consulted. However, for those decisions that do not permanently affect the University, the University Senate decided that the untenured faculty must be consulted as well. Therefore, what GR VII.B.5, para. 1 actually requires is that for an annual reappointment decision, not only must the tenured faculty be consulted, but also those untenured faculty at or above the rank of assistant professor who have been members of the unit for two years. For initial appointment or terminal reappointment decisions, not only must consultation include these untenured faculty, but written judgments must be obtained from these untenured faculty as well. However, the written Libraries procedures for reappointment of Librarian faculty (<http://www.uky.edu/Libraries/ptsug.doc>) restrict the consultation only to tenured faculty. This is a serious issue, as in 2004 there was a case in which a Regular Title Series assistant professor was placed on terminal contract when only the tenured faculty had been consulted. The assistant professor appealed to the Senate Advisory Committee on Privilege and Tenure, and won on the point that the procedure used in his case errantly did not include consultation with the untenured assistant professors who had been in the department for two years. Upon this finding by the appeals committee, the President ordered that the consultative process be performed again, this time including consultation with, and obtaining written judgments from, those untenured assistant professors.

⁷⁵ Board of Trustees Governing Regulations, 1970 GR III; and current GR II

⁷⁶ Board of Trustees Governing Regulations, 1970 GR VII.A.4; and current GR VII.A.4, para. 4, sent. 1

⁷⁷ Board of Trustees Governing Regulations, 1970 GR VII.B.3; and current GR VII.B.3, para. 1, sent. 4

⁷⁸ Board of Trustees Governing Regulations, 1970 GR VII.B.3; and current GR VII.B.3, para. 1, sent. 3

⁷⁹ Board of Trustees Governing Regulations, 1970 GR VII.A.6; and current GR VII.A.6

⁸⁰ AR II-1.0-1.V.A.4 (current) 1 [Page V - Appointment and Promotion Regular Titles, dated 9/20/1989](#)

⁸¹ 06-11-02 Minutes, Board of Trustees, PR2

⁸² A reasonable argument could be made that the express codification by the Board of Trustees of the equivalency of the Libraries to a College, and of the Librarian Faculty to a College Faculty, for the purposes of making decisions on the educational policies of the Libraries would (1) increase the professionalism of the Librarian discipline at UK, (2) enhance the ability to recruit highly qualified professional librarians from other institutions that do not provide such a professional environment for their Librarian Faculty, and (3) correspondingly increase the accountability of the Librarian Faculty (as a body) to the University for the quality of the educational and academic service programs of the Libraries, (4) increase the accountability of the Dean of Libraries to the Librarian faculty, for the Dean’s proper deference to the Librarian faculty body in its decision-making, where in that exercise the Dean only serves as parliamentary Chairperson for the Librarian faculty makes its decisions within the sphere of its jurisdiction.

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