

PR 6

Office of the President
October 10, 2006

Members, Board of Trustees:

WAIVER OF PART X OF THE GOVERNING REGULATIONS PERTAINING TO THE
EMPLOYMENT OF RELATIVES IN THE CASE OF MALA SUBBASWAMY

Recommendation: that the Board of Trustees authorize the part-time employment of Mala Subbaswamy, wife of Provost Kumble R. Subbaswamy, pursuant to the provision contained in Governing Regulations X authorizing a waiver of the rules prohibiting employment of a relative of the Provost, Vice President, or Associate Vice President in that officer's administrative area.

Background: Until she left Lexington in 1997 when her husband assumed a deanship at the University of Miami, Mala Subbaswamy worked at the University of Kentucky, much of the time as a computer specialist in the Survey Research Center. She returned to Lexington in July of this year when her husband began his duties as Provost. Dr. Richard Clayton (Associate Dean for Research in the College of Public Health), who is familiar with her work as a former employee of the Survey Research Center, has asked Mala Subbaswamy to work part-time as a web specialist in his office.

The Governing Regulations state "no relative of the Provost, or any Vice President, or any Associate Provost or Associate Vice President shall be employed in a position in that officer's administrative area." The Board may permit a waiver of this regulation for up to two years. The regulations further state that the relative is not eligible for reappointment under the terms of any exception unless approval is given by the Board of Trustees. Finally, the regulations prohibit an individual holding an appointment in a position over which a relative exercises supervisory or line authority.

If employed by the College of Public Health, Mala Subbaswamy will hold a position that technically falls in the Provost's administrative area. In light of the fact that Mala Subbaswamy will be employed part-time in a position that is several levels removed from her husband and she has a record of demonstrable success here and elsewhere in the technical field related to the position under consideration herein, it is recommended that the Board grant this waiver so Mala Subbaswamy may resume her employment at the University of Kentucky. Kumble R. Subbaswamy will not be involved in any personnel action concerning Mala Subbaswamy to include merit reviews, compensation, consideration for promotion, reappointment, academic assignment, or any other matter involving her employment or evaluation at the university. The Executive Vice President for Administration will assume all such supervisory responsibilities and if necessary seek higher level approval from the President.

Action taken: Approved Disapproved Other _____