

Ethical Principles and Code of Conduct Opinion

Opinion Number: 1003-11

Issued: September 15, 2011

Issue

The Ethics Complyline has received several allegations by anonymous sources concerning the University of Kentucky versus University of Louisville football game being sponsored by Friends of Coal. The allegations are in two categories; one set of allegations is that permitting Friends of Coal to sponsor a football game is a violation of the University regulations and Federal law prohibiting a 501c(3) organization or a public college/university from using its facilities, space, or resources for political campaigning. The second set of allegations expresses that permitting sponsorship is a violation of the University's Ethics policy or other unspecified policies. The alleged violation of University rules and regulations concerning political campaigning is addressed in Ethics Opinion Number 1002-11, dated 09/09/11. A copy of that opinion is attached.

Allegations:

The following is a summary of some of the other (not political campaigning allegations) anonymous sources making allegations:

1. Caller believes allowing Friends of Coal to sponsor University athletics is a policy violation;
2. Caller believes permitting Friends of Coal to sponsor UK-U of L football game is a clear waste of University resources;
3. Caller cannot believe that the University is allowing Friends of Coal to sponsor UK-U of L football game
4. Caller objects to University resources being used to support this political message. The "I Love Coal" propaganda is not appropriate. It is fine for Friends of Coal to collect money for scholarships for mining students, but a football game is not an appropriate venue to celebrate this industry.
5. Poster states football game is an inappropriate place to have a political agenda.
6. Caller believes Friends of Coal is a politically driven organization and it is against University policies to have such an affiliation.
7. Caller states that the 2011-12 football team is being sponsored by Friends of Coal.
8. Caller is upset that such propaganda can and will take place during the game. Caller believes University resources should not be used to support a political message.
9. Caller would like to see a change in the direction of the University; caller wants UK to stop accepting dirty money or at least know that caller objects to this political propaganda infiltrating the UK athletic system.
10. Caller strongly objects to sponsorship of football games by Friends of Coal; doesn't believe football should be politicized by one point of view, especially such a controversial one; believes this is a serious ethical matter.
11. Caller is incredibly concerned and honestly tremendously insulted by the University's action.
12. Caller states that, by accepting this sponsorship, UK has agreed to become a spokesperson for the coal companies; this causes caller to lose respect for the University; caller urges University to stop this violation of the Code of Ethics.

Facts / Opinion

As noted in Ethics Opinion Number 1002-11, "Friends of Coal" is a volunteer organization in which citizens of Kentucky and other states may be members. Membership is free and involvement of members is at their discretion. On its website, the mission of Friends of Coal is stated as follows: "The Friends of Coal is dedicated to inform and educate Kentucky citizens about the coal industry and its vital role in the state's future. Our goal is to provide a united voice for an industry that has been and remains a critical economic contributor to Kentucky. By working together, we can provide good jobs and benefits for future generations, which will keep our children and grandchildren close to home."

Friends of Coal is clearly not a political party or a political candidate. Friends of Coal may be considered a social organization and/or an environmental (or anti-environmental) organization. It may be supportive of a controversial subject matter (mining of coal) but it is no more a political party than would be organizations such as "Citizens for Atomic Energy" or "Citizens Against Atomic Energy" or "Citizens for Wind Energy". Furthermore, it is an organization, not a political candidate. Therefore, there is no validity to any complaints alleging that permitting Friends of Coal's sponsorship of a football game is a violation of any University regulation or any Federal law concerning political campaigning on campus.

For an appropriate payment, the Department of Athletics accepts sponsorships of certain games. For the first football game of the season, Kentucky Community and Technical College System (KCTCS) was the sponsor. For the second game of the season, Friends of Coal made the appropriate payment and is the sponsor of that game. The sponsor of each game receives certain, specific recognition (promotion/advertisement) at the game for which it is the sponsor. As with all sponsors/advertisers for events of the Department of Athletics, no alcohol beverage, tobacco, or gambling entities are permitted to be sponsors. An official with the Department of Athletics stated that sponsorships of other games are available.

Sponsorship of an athletic event does not mean endorsement of a product or philosophy by the University. Sponsorship simply means that the entity purchases time and access to the audience at the event. Organizations, businesses, or entities with opposing points of view to Friends of Coal are welcome to contact the Department of Athletics about sponsorships. Other industries such as the aluminum industry, automobile industry and/or associations that oppose those industries may contact the Department of Athletics and become sponsors of an event.

Friends of Coal may be a controversial organization, but no University regulation is violated by this sponsorship. The University welcomes diversity of thoughts, opinions, and social ideas. Perhaps this sponsorship will generate educational and intellectual discussions, forums, and dialogue on sources of energy, use of natural resources, preservation of land, restoration after strip mining, etc. Many diverse thoughts and opinions are welcomed at the University. The Free Speech area is available for such discussions, debates, and forums. Space and facilities may be reserved by University departments and student organizations for such discussions, debates, and forums. Sponsorships of athletic events are also available, but an appropriate payment is necessary to become a sponsor.

Opinion

It is the opinion of the University Ethics Committee that the described sponsorship is not a violation of Federal or state law or any University regulations.

Members of the Ethics Committee

Dr. Jeannine Blackwell, Dean, The Graduate School

Dr. Jeffery Bieber, Associate Professor, College of Education & University Senate Representative

David Melanson, College of Pharmacy & Staff Senate Representative

Brett Short, Chief Compliance Officer, UK HealthCare

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