



Eastern Kentucky University

Policy and Regulation Library

University Policy: 1.5.2POL

Responsible Office(s): President

Effective: April 27, 2016

Next Review Date: Spring 2030

University Policy: 1.5.2POL

Board of Regents Authority, Conflicts of Interest, and Dismissal of a Regent

Statement

The Board of Regents was created by the Kentucky General Assembly and vested with the power of governance. The Board constitutes a body corporate, with the usual corporate powers and, with all immunities, rights, privileges and franchises usually attaching to the governing bodies of educational institutions

Entities Affected

Eastern Kentucky University Board of Regents

Procedures

General Power of the Board of Regents (KRS 164.350)

The government of the University is vested in its Board of Regents. The Board of Regents, when its members have been appointed and qualified, shall constitute a body corporate, with the usual corporate powers, and with all immunities, rights, privileges and franchises usually attaching to the governing bodies of educational institutions. The Board may:

- (1) Receive grants of money and expend the same for the use and benefit of the University;
- (2) Require such reports from the president, officers, faculty and employees as it deems necessary and proper, from time to time;
- (3) Determine the number of divisions, departments, bureaus, offices and agencies needed for the successful conduct of the affairs of the University or college; and

(4) Grant diplomas and confer degrees upon recommendation of the President and faculty.

The Board of Regents shall adopt bylaws, rules, and regulations for the governance of its members, officers, agents and employees.

The Board of Regents shall periodically evaluate the institution's progress in implementing its missions, goals, and objectives to conform to the strategic agenda. Officers and officials shall be held accountable for the status of the institution's progress.

In addition to the General Powers referenced above, the Eastern Kentucky University Board of Regents shall possess all authority and duty as established by the laws of the Commonwealth of Kentucky, including but not limited to, the acquisition and sale of real estate, disposition of surplus property, the exclusive control of employment, tenure, and official relations of employees, and the appointment and removal of the president, faculty and employees.

Dismissal of a Regent (KRS 164.325, KRS 164.321)

A member of the Eastern Kentucky Board of Regents shall not be removed except for cause, which shall include malfeasance, misfeasance, incompetence, or gross neglect of duty in office, after being afforded a hearing with counsel before the Council on Postsecondary Education and a finding of fact by the council in accordance with the provisions set forth in KRS 63.080.

Further, an appointed member of the Board of Regents may also be removed by the Governor if the proportional representation of its membership that is required by law is out of compliance in accordance with KRS 63.080.

Further, the entire appointed membership of the Board of Regents may be removed for cause, in accordance with KRS 63.080, if the board is no longer functioning according to its statutory mandate as specified in the enabling statutes applicable to the board, or if the board membership's conduct as a whole constitutes malfeasance, misfeasance, incompetence, or gross neglect of duty, such that the conduct cannot be attributed to any single member or members.

Board of Regent Conflicts of Interest (KRS 45A.340)

No member of the Eastern Kentucky Board of Regents shall have an interest in any contract with a state university unless such contract shall have been subjected to competitive bidding in compliance with KRS Chapter 45A, unless such Regent shall have been the lowest bidder and unless such Regent shall have first notified in writing the remaining members of the board, and to the newspaper having the largest circulation in the county in which the state university is located, of his intention to bid on such contract.

Policy Adoption Review and Approval

Date

April 27, 2016
April 30, 2025

Entity

Board of Regents
University Counsel

Action

Adopted
Legal Revision