



Eastern Kentucky University

Policy and Regulation Library

University Policy: 1.5.5POL

Responsible Office(s): University Counsel

Effective: May 14, 2025

Next Review Date: Spring 2030

University Policy: 1.5.5POL

DELEGATION OF AUTHORITY

Statement

Kentucky law, specifically Kentucky Revised Statute (“KRS”) 164.321, establishes the governance of Eastern Kentucky University (“EKU”) by a Board of Regents (“Board”). The Board has the authority to appoint a president as the chief executive officer of the university. This policy establishes and clarifies the authority the Board is explicitly reserving and otherwise delegates broad authority to the president to run the university.

Entities Affected

University Board of Regents
University President

Procedures

The Eastern Kentucky University (“EKU”) Board of Regents (the “Board”) delegates the authority to the President to conduct EKU business unless the Board has limited authority under its Bylaws or this Policy.

It is understood that:

- 1) EKU policies shall remain in full force and effect unless modified herein.
- 2) The Board does not wish to engage in the daily management of EKU; however, it acknowledges its statutory responsibility pursuant to KRS 164.321, 164.350, 164.360, and KRS 164.365, including, but not limited to:
 - a) 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.

- b) Receive grants of money and expend the same for the use and benefit of ECU.
 - c) Require such reports from the President, officers, faculty, and employees as it deems necessary and proper from time to time.
 - d) Determine the number of divisions, departments, bureaus, offices, and agencies needed for the successful conduct of the affairs of ECU.
 - e) Grant diplomas and confer degrees upon the recommendation of the President and faculty.
 - f) Adopt bylaws, rules, and regulations for the governance of its members, officers, agents, and employees, and shall enforce obedience to such bylaws, rules, and regulations.
 - g) Periodically evaluate ECU's progress in implementing its missions, goals, and objectives to conform to the strategic agenda.
 - h) Appoint a President, and on the recommendation of the President may, in its discretion, appoint all faculty members and employees and fix their compensation and tenure of service, subject to the provisions of KRS 164.360(2).
 - i) Exclusive jurisdiction for the power over and control of appointments, qualifications, salaries payable out of the State Treasury or otherwise, promotions, and official relations of all ECU employees.
 - j) Conduct an annual review of the President.
- 3) The Board has a fiduciary oversight responsibility in accordance with Kentucky law, the Association of Governing BOARDS (AGB) recommended practices, and Section Four of the SACSCOC Principles of Accreditation: Foundations for Quality Enhancement, as amended from time to time, and Kentucky law.
- 4) That the authority of the President is subordinate to that of the Board. Notwithstanding that, however, the Board grants the President broad authority to transact the day-to-day business of ECU, including ultimate responsibility for and control over ECU's educational, administrative, and fiscal programs and services; intercollegiate athletics, and fund-raising activities. The Board expressly grants the President authority; to enter into contracts or settle disputes which shall be legally binding on ECU, except in circumstances in which Kentucky law requires Board approval or the limited circumstances enumerated below, which shall require prior approval by the Board:
- a) Enter into any leases under which ECU, as a lessee, will involve payments in excess of \$500,000 per year or which involve a term, including renewals, in excess of three (3) years, unless such item(s) has previously received a blanket approval;

- b) Enter into any lease under which ECU is the lessor of ECU real property or facilities and the lease has a term, including all extensions or renewals, of more than three (3) years. A listing of all leases will be provided to the Board annually;
- c) Granting of permanent easements over real property owned by ECU;
- d) Capital projects costing more than \$2,500,000 in the aggregate shall be reviewed by the BOARD Chair and the President and a determination made in terms of those projects requiring further BOARD approval;
- e) Approval of the campus facilities master plan, and thereafter the deviation from such plan;
- f) Except in the case of an emergency, the demolition or destruction or any structure on the ECU campus, or the abandonment or decommissioning thereof;
- g) Approve outsourced functions and personal service contracts with any single individual, business, firm, or legal entity involving anticipated payments in excess of \$500,000 in any fiscal year or which involve a term, including renewals, in excess of three (3) years, unless such item(s) has previously received a blanket approval;
- h) Approve the sale of ECU owned personal property with values of greater than \$100,000;
- i) Approve of the sale or purchase of any ECU owned real estate over \$500,000, and any sale or purchase of such real estate under that amount is authorized to be conducted by the President with concurrence of the Board Chair;
- j) Approve annual operating budget which includes Education and General and auxiliary budgets;
- k) Approve issuance of any bonds pursuant to Kentucky law ;
- l) Approve the establishment or discontinuation of degree programs and academic majors and minors, certificates and any other major ECU program consistent with ECU policy;
- m) Approve the establishment of, or discontinuance of intercollegiate athletic programs/teams, as well as National Collegiate Athletic Association (NCAA) classifications and conference affiliations and contracts related thereto; Approve the promotion of faculty and the awarding of tenure to faculty consistent with ECU policy;
- n) Approve rates for tuition, student-related fees, and room and board;
- o) Approve the naming or change the name of any facilities and memorials

In the event of an emergency or in the event immediate action is in the best interests of ECU, the President, in consultation with the Board Chair, is authorized to act, pursuant to authority otherwise available for this Delegation of Authority

Policy Adoption Review and Approval

Policy Issued

Date

May 14, 2025
November 14, 2024

Entity

Board of Regents
Board of Regents

Action

Revised
Adopted