

Faculty Regent Information

Background

According to President Ransdell's August 2, 2011 email, the WKU Board of Regents, at their July 28 and 29 meetings, discussed the matter of term limits for Staff and Faculty Regents. President Ransdell indicated that the Board Chair had asked that he appoint an appropriate campus group to study this matter and bring to the Board a recommendation for the October meeting of the Board.

At the August 15 meeting of the Senate Executive Committee it was decided that, as the representative body for the faculty, the University Senate should be the body that makes the recommendation on term limits for the Faculty Regent. In a phone conversation on August 16 between President Ransdell, Diane Carver, chair of the staff council and Kelly Madole, chair of the University Senate, Dr. Ransdell concurred with this decision.

Below are relevant facts regarding the Board of Regents:

The Powers and Duties of the Board of Regents

The Board of Regents is empowered to:

- 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, (KRS 164.360)
- Remove the president of the university and upon the recommendation of the president may remove any faculty member or employees (KRS 164.360)
- Receive grants of money and expend the same for the use and benefit of the university or college; (KRS 164.350)
- Adopt bylaws, rules, and regulations for the government of its members, officers, agents, and employees, and enforce obedience to such rules; (KRS 164.350)
- Require reports from the president, officers, faculty, and employees as it deems necessary (KRS 164.350)
- Determine the number of divisions, departments, bureaus, offices, and agencies needed for the successful conduct of the affairs of the university or college (KRS 164.350)
- Grant diplomas and confer degrees upon the recommendation of the president and faculty
- Periodically evaluate the institution's progress in implementing its missions, goals, and objectives to conform to the strategic agenda. (KRS 164.350)
- Assure that the budget planning and implementation processes are consistent with the adopted strategic agenda and biennial budget and with the missions of the institutions within the system (KRS 164.350)
- Prescribe the manner and the mode of procedure on appeal of student suspension or expulsion. (KRS 164.370)
- Exercise power over and control of appointments, qualifications, salaries, and compensation payable out of the State Treasury or otherwise, promotions, and exercise exclusive jurisdiction over official relations of all employees (KRS 164.365)
- Establish such incidental fees and nonresident tuition fees as will be sufficient for the purpose of paying the incidental expenses of the university or college and as are consistent with the recommendations of the Council on Postsecondary Education (KRS 164.400)

Membership of the Board of Regents

Each board of the comprehensive universities shall consist of eight (8) members appointed by the Governor, one (1) member of the teaching faculty, one (1) member of the university nonteaching

personnel, and one (1) member of the student body of the respective university or college. (KRS 164.321)

Any university or postsecondary educational institution under the jurisdiction of the Council on Postsecondary Education may have a faculty member as a voting member of its board of trustees or regents. (KRS 164.2891)

No person who is a member of either house of the Kentucky General Assembly shall serve as a member of the board of trustees or board of regents of any public institution. (KRS 164.335)

No person shall be employed at an institution where his relative serves on the board of regents for that institution. (KRS 164.360, subject to interpretation)

Terms and Elections

The terms of **appointed** members shall be for six (6) years and until their successors are appointed and qualified. (KRS 164.321, emphasis added)

New **appointees** of a board of regents shall not serve for more than two (2) consecutive terms. Board members serving as of May 30, 1997, may be reappointed at the end of their existing terms and may serve two (2) additional full consecutive terms. (KRS 164.321, emphasis added)

The faculty member (KRS 164.321):

- must be a teaching or research member of the faculty at the rank of assistant professor or above.
- is elected by secret ballot by all faculty members of his or her university of the rank of instructor, assistant professor, or above.
- shall serve for a term of three (3) years and until his successor is elected and qualified.
- shall be eligible for reelection, but he or she shall not be eligible to continue to serve as a member of the board if he or she ceases being a member of the teaching staff of the university.

Removal of Board Members

Board members may be removed by the Governor for cause, which shall include neglect of duty or malfeasance in office, after being afforded a hearing with counsel before the Council on Postsecondary Education and a finding of fact by the council (KRS 164.321)

Members of the board of trustees of the University of Kentucky, the board of trustees of the University of Louisville, members of the board of regents respectively of Eastern Kentucky University, Western Kentucky University, Morehead State University, Kentucky State University, Northern Kentucky University, Murray State University, and the Kentucky Community and Technical College System, and members of the Kentucky Board of Education and the Council on Postsecondary Education shall not be removed except for cause. (KRS 63.080)

Term Limits for Staff and Faculty Regent/Trustee at Other State Institutions

Morehead State University, Murray State University, Northern Kentucky University, and University of Louisville all publish their Board of Regents or Board of Trustees by-laws on their websites. None make reference to term limits for the staff or faculty regent or trustee.