

164.100 University of Kentucky recognized.

The University of Kentucky located at Lexington, is recognized as established and maintained. It is the institution that was founded under the land grant of 1862 by the Congress of the United States under the corporate designation and title of "Agricultural and Mechanical College of Kentucky." The university shall be maintained by the state with such endowments, incomes, buildings and equipment as will enable it to do work such as is done in other institutions of corresponding rank, both undergraduate and postgraduate, and embracing the work of instruction as well as research.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-11.

164.110 Acts assenting to Acts of Congress for agricultural experiment work continue in force and apply to University of Kentucky.

All acts of the General Assembly giving assent to Acts of Congress providing aid for agricultural and mechanical colleges and for agricultural extension and experiment work, shall, unless heretofore repealed, remain in force and apply to the University of Kentucky. The revenue arising from such Acts of Congress shall continue to be made available to the University of Kentucky for its use in accordance with the provisions of such acts. All regulations made by the board of trustees of the Agricultural and Mechanical College for its government, in accordance with acts of the General Assembly, shall continue in force and apply to the government of the University of Kentucky, except to the extent set out in this chapter or specifically repealed.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4527-29, 4527-30, 4636b-7, 4636f-8, 4636f-9, 4636h-1, 4636h-2.

164.120 Colleges maintained -- What constitutes University of Kentucky.

The University of Kentucky includes the following colleges and schools: The College of Arts and Science, The College of Agriculture, The College of Engineering, The College of Law, The College of Education, The College of Commerce, and The Graduate School. The colleges, schools, divisions, departments, bureaus and offices now established and maintained or which in the future may be established by the board of trustees of the university shall constitute the University of Kentucky. The branches of learning required by the Act of Congress approved July 2, 1862, shall continue to be integral and indispensable courses of instruction at the university.

Effective: October 1, 1942

History through 1968: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4527-12, 4527-30.

164.131 Board of Trustees of University of Kentucky -- Membership -- Terms.

- (1)
 - (a) The government of the University of Kentucky is vested in a board of trustees appointed for a term set by law pursuant to Section 23 of the Constitution of Kentucky.
 - (b) All persons appointed after May 30, 1997, shall be required to attend and complete an orientation program prescribed by the council under KRS 164.020, as a condition of their service.
 - (c) The board 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.
 - (d) 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 and a finding of fact by the council.
 - (e) The board shall consist of sixteen (16) members appointed by the Governor, two (2) members of the faculty of the University of Kentucky, one (1) member of the University of Kentucky nonteaching personnel, and one (1) member of the student body of the University of Kentucky. The voting members of the board shall select a chairperson annually.
- (2)
 - (a) The terms of the appointed members shall be for six (6) years and until their successors are appointed and qualified; except the initial appointments shall be as follows:
 1. Two (2) members shall serve one (1) year terms;
 2. Two (2) members shall serve two (2) year terms, one (1) of whom shall be a graduate of the university, selected from a list of three (3) names submitted by the alumni of the university according to rules established by the board of trustees;
 3. Three (3) members shall serve three (3) year terms;
 4. Three (3) members shall serve four (4) year terms, one (1) of whom shall be a graduate of the university, selected as under subparagraph 2. of this subsection;
 5. Three (3) members shall serve five (5) year terms; and
 6. Three (3) members shall serve six (6) year terms, one (1) of whom shall be a graduate of the university, selected as under subparagraph 2. of this subsection.
 - (b) Three (3) of the appointments shall be graduates of the university and may include one (1) graduate of the institution who resides outside the Commonwealth; three (3) shall be representative of agricultural interests; and ten (10) shall be other distinguished citizens representative of the learned professions.
 - (c) The Governor shall make the appointments so as to reflect proportional representation of the two (2) leading political parties of the Commonwealth based

on the state's voter registration and to reflect no less than proportional representation of the minority racial composition of the Commonwealth.

- (d) Appointments to fill vacancies shall be made for the unexpired term in the same manner as provided for the original appointments.
- (3) The two (2) University of Kentucky faculty members shall be of the rank of assistant professor or above. They shall be elected by secret ballot by all University of Kentucky faculty members of the rank of assistant professor or above. Faculty members shall serve for terms of three (3) years and until their successors are elected and qualified. Faculty members shall be eligible for reelection, but they shall be ineligible to continue to serve as members of the board of trustees if they cease to be members of the faculty of the university. Elections to fill vacancies shall be for the unexpired term in the same manner as provided for original elections.
- (4) The nonteaching personnel member shall be any full-time staff member, excluding the president, vice-presidents, academic deans, and academic department chairpersons. The staff member shall represent all nonteaching university employees including, but not limited to, building facilities and clerical personnel. The staff member shall be elected by secret ballot by the nonteaching employees. The staff member shall serve a term of three (3) years and until a successor is elected and qualified. The staff member shall be eligible for reelection, but a staff member who ceases being an employee of the university shall not be eligible to continue to serve as a member of the board. Elections to fill vacancies shall be for the unexpired term and shall be held in the same manner as provided for the original election.
- (5) The student member shall be the president of the student body of the university during the appropriate academic year and may be an out-of-state resident if applicable. If the student member does not maintain his position as student body president or his status as a full-time student at any time during that academic year, a special election shall be held to select a full-time student. The student member shall serve for a term of one (1) year beginning with the first meeting of the fiscal year which contains that academic year.
- (6) The number of student and employee trustees of the University of Kentucky elected to the board shall not exceed four (4).
- (7) No member of the administrative staff of the university shall be directly or indirectly interested in any contract with the university for the sale of property, materials, supplies, equipment, or services, with exception of compensation to the two (2) faculty members, and the one (1) nonteaching personnel member.
- (8) New appointees of the board shall not serve 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.

Effective: July 15, 1998

History: Amended 1998 Ky. Acts ch. 251, sec. 1, effective July 15, 1998. -- Amended 1997 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 86, effective May 30, 1997. -- Created 1992 Ky. Acts ch. 10, sec. 4, effective July 1, 1992.

164.140 Selection of alumni trustees.

The board of trustees of the university shall prescribe the method by which the alumni may, at their annual meeting or at a special meeting called for that purpose, nominate to the Governor three (3) persons from whom the alumni members shall be appointed. No alumnus shall be permitted to vote for the nomination of alumni trustees in the year in which he secures his degree. If the alumni fail to make nominations to the Governor for any year in which nominations are to be made, the Governor shall for that year appoint the alumni trustees from the entire alumni, a list of which shall be provided by the secretary of the alumni association.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-13.

164.150 Trustees not public officers -- Exception.

No member of a governing board of a public institution of postsecondary education shall be held to be a public officer by reason of his membership on the board except as provided in KRS 45A.335 for the purpose of KRS 45A.340.

Effective: May 30, 1997

History: Amended 1997 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 87, effective May 30, 1997.
-- Amended 1992 Ky. Acts ch. 10, sec. 17, July 1, 1992. -- Amended 1980 Ky. Acts ch. 188, sec. 123, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 392, sec. 3, effective June 17, 1978. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-13.

164.160 Trustees constitute body corporate -- Power to receive and administer revenue and property.

The board of trustees shall be a body corporate, under the name of board of trustees of the University of Kentucky, with the usual corporate powers, and shall possess all the immunities, rights, privileges and franchises usually attaching to the governing bodies of educational institutions. It may receive, hold and administer, on behalf of the university, subject to the conditions attached, all revenues accruing from endowments, appropriations, allotments, grants or bequests, and all types of property.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-18.

164.165 University may operate printing plant.

The University of Kentucky, a state educational institution of higher learning which has an established printing plant therein and which is engaged in the publication of scholarly works as a related educational activity, may engage in the usual activities related to editing and publishing such scholarly works, including the printing thereof, for persons, or entities, engaged in any phase of higher education or related activities.

History: Created 1966 Ky. Acts ch. 130, sec. 1.

164.170 Meetings of board -- Quorum -- Expenses -- Public character.

- (1) The board of trustees of the university shall meet on Tuesday preceding the regular annual commencement of the university, on the third Tuesday in September, on the second Tuesday in December, and on the first Tuesday in April of each year. Special meetings may be called by the chairperson or by any three (3) members upon giving ten (10) days' written notice to each member of the board of trustees. The business to be transacted at special meetings shall be specified in the notice of the meeting. All meetings shall be held on the campus of the university unless otherwise specified by a majority vote of the board of trustees. A majority of the voting members of the board of trustees shall constitute a quorum. All necessary expenses incurred by the trustees in going to, returning from and while attending meetings of the board of trustees shall be paid out of the funds of the university, except a member who resides outside the Commonwealth shall not be reimbursed for out-of-state travel.
- (2) The meetings of the board of trustees shall be open to the public. The board of trustees shall cause a stenographic transcript of each of its meetings to be prepared and filed. An agenda for each of the meetings shall be sent to each member of the board of trustees and a copy made available to the press.

Effective: July 1, 1992

History: Amended 1992 Ky. Acts ch. 10, sec. 12, effective July 1, 1992. -- Amended 1960 Ky. Acts ch. 112, sec. 2. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4527-14, 4527-15, 4527-16.

164.180 Officers of board -- Bylaws.

The board of trustees may elect a vice chairman and such other officers as it deems wise, and may make such bylaws, rules and regulations consistent with this chapter as it deems proper.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-17.

164.190 Executive committee.

The board of trustees shall annually elect an executive committee of five (5) members, which shall have the powers that the board delegates to it. The executive committee shall submit to the board of trustees at each meeting, for its consideration and approval, a complete record of the proceedings of the executive committee. The authority of the board to revise the acts of the executive committee does not extend to the rejection of any valid or any authenticated expenditure of money by the executive committee.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-27.

164.200 Regulations for university -- Physical training and discipline of students.

The board of trustees may establish proper regulations for the government of the university and the physical training, military or otherwise, of the students. It may authorize the suspension and dismissal of students for neglect or violation of the regulations, or for other conduct prejudicial to the character and welfare of the university.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-20.

164.210 Colleges, departments and bureaus determined by trustees.

The trustees may determine from time to time the colleges, schools, divisions, departments, bureaus, and offices which the university shall comprise within the scope of the acts of Congress approved July 2, 1862, and acts supplementary thereto, and the relation which each division shall sustain to each other division and to the whole. They may devise, allot, and arrange the distribution of divisions with the designation appropriate for each, and devise the means required for their effective instruction, administration, and government. They may do all other acts that are needful for the welfare of the university.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-21.

164.220 Appointment, salaries and retirement benefits of university personnel.

- (1) The board of trustees may appoint a president, professors, assistants, tutors and other personnel and determine the compensation, duties and official relations of each. In the appointment of presidents, professors or instructors no preference shall be shown to any religious denomination.
- (2) The board of trustees shall provide the compensation for all positions created and filled by the board. In addition thereto the board may provide for employee retirement benefits and such other employee benefits as are related to the respective employments and services rendered.
- (3) The board of trustees may establish and maintain such retirement plan or plans as it may deem to be for the best interests of the University of Kentucky, including, but without limitation, the retirement ages, the benefits of such employees including group insurance, annuities, establishment of a trust fund or funds; and, the amounts to be paid or contributed by such employees and the amounts to be paid or contributed by the University of Kentucky and other appropriate terms and provisions with respect thereto.

History: Amended 1964 Ky. Acts ch. 82, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4527-21, 4527-24.

164.225 Board's exclusive jurisdiction over appointments, qualifications, compensation, promotions, and retirement programs.

Anything in any statutes of the Commonwealth to the contrary notwithstanding, the power over and control of appointments, qualifications, salaries, and compensation payable out of the State Treasury or otherwise, promotions and official relations of all employees of the University of Kentucky, as provided in KRS 164.220, and, subject to any restrictions imposed by general law, the retirement ages and benefits of such employees shall be under the exclusive jurisdiction of the board of trustees of the University of Kentucky, which shall be an independent agency and instrumentality of the Commonwealth. No relative of a board of trustee member shall be employed by the university.

Effective: July 1, 1992

History: Amended 1992 Ky. Acts ch. 10, sec. 13, effective July 1, 1992. -- Created 1952 Ky. Acts ch. 28, sec. 1.

164.230 Removal of professors, officers and employees.

The board of trustees has full power to suspend or remove any of the officers, teachers, professors or agents that it is authorized to appoint, but no president, professor or teacher shall be removed except for incompetency, neglect of or refusal to perform his duty, or for immoral conduct. A president, professor or teacher shall not be removed until after ten (10) days' notice in writing, stating the nature of the charges preferred, and after an opportunity has been given him to make defense before the board by counsel or otherwise and to introduce testimony which shall be heard and determined by the board.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4527-21, 4527-22.

164.240 Degrees granted by trustees.

The board of trustees may grant degrees to graduates of the university, prescribe conditions upon which postgraduate honors may be obtained, and confer such honorary degrees, upon the recommendation of the faculty of the university, as it thinks proper.

Effective: October 1, 1942

History: Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-25.

164.250 Report to legislature.

The board of trustees shall make a full report to the General Assembly, within the first month of each even-numbered-year regular session, of the condition and operation of the university since the date of the previous report, with such recommendations concerning the university as are deemed necessary.

Effective: June 21, 2001

History: Amended 2001 Ky. Acts ch. 58, sec. 21, effective June 21, 2001. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-26.

164.260 Purchase or condemnation of property.

The board of trustees may acquire additional lands or other property or material under KRS 45.750 (1)(f) and 164A.575 for the purpose of expanding its plant and extending its usefulness. When unable to contract with the owner of land or other property or material necessary for the purposes of the university, it may acquire the same by condemnation proceedings in the manner provided in the Eminent Domain Act of Kentucky.

Effective: May 30, 1997

History: Amended 1997 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 88, effective May 30, 1997.
-- Amended 1976 Ky. Acts ch. 140, sec. 68. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-19.

164.270 Sale of realty -- When authorized.

Whenever any real estate held by the Commonwealth for the use or benefit of the University or the Kentucky agricultural experiment station is, in the opinion of the board of trustees of the University, no longer necessary for the purpose of the University or more suitable for some other use consistent with the interests of the University, the board of trustees may, with the approval of the Governor, sell or otherwise dispose of such real estate. Such disposition shall be made in accordance with KRS 45A.045. This section does not authorize the sale of any real estate situated in the city of Lexington within the area bounded by Winslow Street or Euclid Avenue on the north, Rose Street on the east, Graham Avenue, Graham Avenue extended, and Washington Avenue on the south, and Limestone Street on the west.

Effective: July 13, 1990

History: Amended 1990 Ky. Acts ch. 496, sec. 49, effective July 13, 1990. -- Amended 1966 Ky. Acts ch. 132, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4636L-1.

164.280 Treasurer of university.

The treasurer of the university shall keep an itemized account of receipts and expenditures, and shall pay out no money except on authorization of the board of trustees, given directly or through its executive committee. He shall render to the executive committee monthly statements of receipts and expenditures, and amount on hand, and a full detailed statement, with vouchers, for the information and action of the board of trustees at its regular annual meeting, and at other periods when required.

History: Amended 1946 Ky. Acts ch. 27, sec. 42. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4527-28.