

1 AN ACT relating to lifetime employment contracts at public postsecondary
2 educational institutions.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. KRS 164.365 is amended to read as follows:

5 (1) Anything in any statute of the Commonwealth to the contrary notwithstanding, the
6 power over and control of appointments, qualifications, salaries, and compensation
7 payable out of the State Treasury or otherwise, promotions, and official relations of
8 all employees of Eastern Kentucky University, Western Kentucky University,
9 Murray State University, Northern Kentucky University, and Morehead State
10 University, as provided in KRS 164.350 and 164.360, and of Kentucky State
11 University and the Kentucky Community and Technical College System, shall be
12 under the exclusive jurisdiction of the respective governing boards of each of the
13 institutions named **except that the respective governing boards shall not enter into**
14 **any contract for lifetime employment.**

15 (2) The board of regents for the Kentucky Community and Technical College System
16 shall develop personnel rules for the governing of its members, officers, agents, and
17 employees~~[by June 30, 1998. The board shall adopt interim policies to govern~~
18 ~~employees hired from July 1, 1997, until the permanent rules are adopted].~~

19 (3) Upon receipt of a written authorization from an employee of the Kentucky
20 Community and Technical College System, the board shall deduct dues from the
21 employee's paycheck for employee membership organizations. Dues shall be
22 deducted at a rate established by the organization, and shall be discontinued upon
23 written notification by an employee to both the system and the employee
24 organization. On a quarterly basis, the Kentucky Community and Technical College
25 System shall provide to each employee membership organization an updated list
26 that includes the names and home addresses of the employees who are having dues
27 deducted from their paychecks for the purpose of maintaining membership in that

1 organization.

2 ➔Section 2. KRS 164.830 is amended to read as follows:

3 (1) The board of trustees of the University of Louisville shall constitute a body
4 corporate, with the usual corporate powers, and shall possess all the authorities,
5 immunities, rights, privileges, and franchises usually attaching to the governing
6 bodies of Kentucky public higher educational institutions. A majority of the voting
7 members of the board shall constitute a quorum for the transaction of business.
8 Powers of the board shall include the following:

9 (a) Appointment of a president, all faculty members, and other personnel and
10 determination of the compensation, duties, and official relations of each **but**
11 **shall not enter into any contract for lifetime employment.** No relative of a
12 board of trustee member shall be employed by the university.

13 (b) Suspension or removal of the president, officers, faculty, agents, or other
14 personnel that it is authorized to appoint, except that no president, professor,
15 or teacher shall be removed except for incompetence, neglect of or refusal to
16 perform his **or her** duty, or for immoral conduct and that the removal shall be
17 made in accordance with procedures established by law for state institutions.

18 (c) Election of a chairperson, a vice chairperson to act in the absence or
19 temporary disability of the chairperson, and any other officers as it deems
20 wise, including the annual election of a six (6) member executive committee
21 which shall have the powers that the board delegates to it and shall operate
22 under the rules the board shall establish under its authority to make bylaws,
23 rules, and regulations consistent with this chapter. The committee shall have
24 one (1) member representing the students, faculty, and nonteaching personnel
25 with the group alternating each year. The initial appointment to the executive
26 committee after March 21, 2017, shall be a faculty member, to be followed by
27 a student and a nonteaching personnel, respectively.

- 1 (d) Receipt, retention, and administration, on behalf of the university, subject to
2 the conditions attached, all revenues accruing from endowments,
3 appropriations, allotments, grants or bequests, and all types of property.
- 4 (e) Requirement of reports from the president, officers, faculty, and employees as
5 it deems necessary and proper from time to time.
- 6 (f) Granting degrees to graduates of the university, prescription of conditions
7 upon which postgraduate honors may be obtained, and conferment of
8 honorary degrees.
- 9 (g) The board shall periodically evaluate the institution's progress in
10 implementing its missions, goals, and objectives to conform to the strategic
11 agenda. Officers and officials shall be held accountable for the status of the
12 institution's progress.
- 13 (h) The board shall adopt bylaws, rules, and regulations for the governance of its
14 members, officers, agents, and employees, which shall reference the member
15 removal and replacement provisions of KRS 63.080, and the board shall
16 enforce obedience to those bylaws, rules, and regulations.
- 17 (2) Board members shall receive no compensation for serving on the board, but shall be
18 reimbursed for travel expenses for attending meetings and performing other official
19 functions, consistent with the reimbursement policy for state employees. Board
20 members who reside outside the Commonwealth shall not be reimbursed for out-of-
21 state travel expenses.
- 22 (3) The provisions of KRS 164.030, 164.200, and 164.410, shall be applicable to the
23 University of Louisville, except where inconsistent with the purposes of KRS
24 164.810 to 164.870.
- 25 ➡Section 3. KRS 164.220 is amended to read as follows:
- 26 (1) The board of trustees may appoint a president, professors, assistants, tutors, and
27 other personnel and determine the compensation, duties, and official relations of

1 each but shall not enter into any contract for lifetime employment. In the
2 appointment of presidents, professors or instructors no preference shall be shown to
3 any religious denomination.

4 (2) The board of trustees shall provide the compensation for all positions created and
5 filled by the board. In addition thereto the board may provide for employee
6 retirement benefits and such other employee benefits as are related to the respective
7 employments and services rendered.

8 (3) The board of trustees may establish and maintain such retirement plan or plans as it
9 may deem to be for the best interests of the University of Kentucky, including, but
10 without limitation, the retirement ages, the benefits of such employees including
11 group insurance, annuities, establishment of a trust fund or funds; and, the amounts
12 to be paid or contributed by such employees and the amounts to be paid or
13 contributed by the University of Kentucky and other appropriate terms and
14 provisions with respect thereto.