

**164.821 Board of Trustees of University of Louisville -- Membership -- Terms -- Grounds for removal and replacement of all board members.**

- (1) The government of the University of Louisville is vested in a board of trustees appointed for a term set by law pursuant to Section 23 of the Constitution of Kentucky. The board shall consist of ten (10) members appointed by the Governor, at least one (1) of whom shall be a graduate of the university; one (1) member of the teaching faculty of the University of Louisville who shall be the chief executive of the ranking unit of faculty government; one (1) member of the permanent staff of the University of Louisville who shall be the chief executive of the staff senate; and one (1) student member who shall be the president of the student body during the appropriate academic year. The members appointed by the Governor shall be subject to confirmation by the Senate.
  - (a) All appointed and elected persons shall be required to attend and complete an orientation and education program prescribed by the council under KRS 164.020(25), as a condition of their service and eligibility for appointment or election to a second term.
  - (b) Board members may be removed by the Governor under the following circumstances:
    1. For cause, pursuant to KRS 63.080(2); or
    2. Pursuant to KRS 63.080(3) or(4).
  - (c) New appointees to the board shall not serve more than two (2) consecutive terms.
- (2) The student member shall serve a one (1) year term beginning on July 1 after being elected and sworn in as student body president and ending on the following June 30. If the student member does not maintain the position of student body president or the status of a full-time student at any time during that academic year, a special election shall be held to select a full-time student member. The elected student member shall serve for the remainder of the unexpired term.
- (3) The faculty member and staff member shall serve one (1) year terms and cease to be eligible for membership on the board of trustees upon termination of their respective relationships with, or leadership positions within, the university, and vacancies occurring for this reason shall be filled for the remainder of the respective terms in the same manner.
- (4) The gubernatorial appointments shall serve a term of six (6) years and until their successors are appointed and qualified, unless a member is removed by the Governor pursuant to KRS 63.080(2), (3), or (4), except the initial terms shall be as follows:
  - (a) Two (2) members shall serve one (1) year terms;
  - (b) Two (2) members shall serve two (2) year terms;
  - (c) Two (2) members shall serve three (3) year terms;
  - (d) Two (2) members shall serve four (4) year terms;
  - (e) One (1) member shall serve a five (5) year term; and
  - (f) One (1) member shall serve a six (6) year term.

- (5) The Governor shall make his at-large appointments so as to divide the appointed representation upon the board to reflect:
  - (a) The proportional representation of the two (2) leading political parties in the Commonwealth based on the state's voter registration and the political affiliation of each appointee as of December 31 of the year preceding the date of his or her appointment. A particular political affiliation shall not be a prerequisite to appointment to the board generally; however, if any person is appointed to the board that does not represent either of the two (2) leading political parties of the Commonwealth, the proportional representation by political affiliation requirement shall be determined and satisfied based on the total number of members on the board less any members not affiliated with either of the two (2) leading political parties; and
  - (b) No less than the proportional representation of the minority racial composition of the Commonwealth based on the total minority racial population using the most recent census or estimate data from the United States Census Bureau. If the determination of proportional minority representation does not result in a whole number of minority members, it shall be rounded up to the next whole number.
- (6) Vacancies among the appointed members of the board occurring by death, resignation, or any other cause, other than expiration of a term, shall be filled by appointments made by the Governor for the remainder of the unexpired term, subject to the qualifications set forth in this section.
- (7) Unless specifically approved by the board of trustees under the provisions of KRS 164.367, no member of the teaching or 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 the exception of compensation to the faculty, staff, and student members.
- (8) The inability of the board to hold regular meetings, to elect a chairperson annually, to establish a quorum, to adopt an annual budget, to set tuition rates, to conduct an annual evaluation of the president of the university, to carry out its primary function to periodically evaluate the institution's progress in implementing its mission, goals, and objectives to conform to the strategic agenda, or to otherwise perform its duties under KRS 164.830 shall be cause for the Governor to remove all appointed members of the board and replace the entire appointed membership pursuant to KRS 63.080(4).

**Effective:** March 21, 2017

**History:** Amended 2017 Ky. Acts ch. 7, sec. 1, effective January 9, 2017; and ch. 101, sec. 8, effective March 21, 2017. -- Amended 2016 Ky. Acts ch. 136, secs. 5 and 9, effective July 15, 2016. -- Amended 2007 Ky. Acts ch. 113, sec. 4, effective June 26, 2007. -- Amended 1997 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 125, effective May 30, 1997. -- Created 1992 Ky. Acts ch. 10, sec. 6, effective July 1, 1992.

**Legislative Research Commission Note (3/21/2017).** This statute was amended by 2017 Ky. Acts chs. 7 and 101. Where these Acts are not in conflict, they have been codified together. Where a conflict exists, Acts ch. 101, which was last enacted by the General Assembly, prevails under KRS 446.250.