

### **164.360 Appointment and removal of president, faculty, and employees.**

- (1) (a) Each board of regents for the universities may 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 subsection (2) of this section.
- (b) The board of regents for the Kentucky Community and Technical College System shall 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 subsection (2) of this section.
- (2) No person shall be employed for a longer period than four (4) years. No person shall be employed at an institution where his relative serves on the board of regents for that institution.
- (3) Each board may remove the president of the university or Kentucky Community and Technical College System, and upon the recommendation of the president may remove any faculty member or employees, but no president or faculty member shall be removed except for incompetency, neglect of or refusal to perform his duty, or for immoral conduct. A president or faculty member 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. Charges against a president shall be preferred by the chairperson of the board upon written information furnished to him, and charges against a faculty member shall be preferred in writing by the president unless the offense is committed in his presence.

**Effective:** July 1, 2006

**History:** Amended 2005 Ky. Acts ch. 173, Pt. I, K.1.(11), sec. 1, effective March 20, 2005, until July 1, 2006. -- Amended 1997 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 104, effective May 30, 1997. -- Amended 1992 Ky. Acts ch. 10, sec. 14, effective July 1, 1992. -- Amended 1974 Ky. Acts ch. 386, sec. 32. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4527-44, 4527-46.

**Legislative Research Commission Note (7/1/2006).** Because of the Governor's partial veto #9 of 2005 HB 267, the amendment to KRS 164.360 which was made by 2005 Ky. Acts ch. 173, Pt. I, K.1.(11), sec. 1, was only effective until July 1, 2006. The version that was last amended by 1997 (1st Extra. Sess.) Ky. Acts ch. 1, sec. 104, and that became effective on May 30, 1997, has been reinstated.