



DELEGATION OF AUTHORITY POLICY

The Western Kentucky University (the “University” or “WKU”) Board of Regents (the “BOR”) delegates the authority to the President to conduct University business unless the BOR has limited authority under its Bylaws or this Policy.

It is understood that:

1. University policies shall remain in full force and effect unless modified herein.
2. The Board does not wish to engage in the daily management of the University; however, it acknowledges its statutory responsibility pursuant to Kentucky Revised Statutes (“KRS”) Chapter 164.350, 164.360 and 164.365 (see footnote¹), including, but not limited to:
 - (a) Constitute a body corporate, with the usual corporate powers, and with all immunities, rights, privileges, and franchises usually attaching to the governing bodies of educational institutions.
 - (b) Receive grants of money and expend the same for the use and benefit of the University.
 - (c) Require such reports from the President, officers, faculty, and employees as it deems necessary and proper from time to time.
 - (d) Determine the number of divisions, departments, bureaus, offices, and agencies needed for the successful conduct of the affairs of the University.
 - (e) Grant diplomas and confer degrees upon the recommendation of the President and faculty.
 - (f) Adopt bylaws, rules and regulations for the governance of its members, officers, agents and employees, and shall enforce obedience to such bylaws, rules, and regulations.
 - (g) Periodically evaluate the University’s progress in implementing its missions, goals and objectives to conform to the strategic agenda.
 - (h) 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 KRS 164.360(2).
 - (i) Exclusive jurisdiction for the power over and control of appointments, qualifications, salaries payable out of the State Treasury or otherwise, promotions,

¹ Footnote: Reference Bylaws WKU Board of Regents (last Amended/Approved December 13, 2019).

and official relations of all WKU employees.

3. The Board has an oversight responsibility in accordance with the Association of Governing Boards (AGB) recommended practices.

The WKU BOR grants the President the broad authority to transact any and all business on behalf of the University and to enter into contracts which shall be legally binding to the University, except in circumstances in which KRS requires BOR approval or the limited circumstances enumerated below, which shall require prior approval by the BOR:

1. Enter into any leases under which the University, as a lessee, will involve payments in excess of \$500,000 per year and/or which involve a term in excess of five (5) years;
2. Enter into any lease under which the University is the lessor of University real property or facilities and the lease has a non-cancellable term exceeding five (5) years. A listing of all leases will be provided to the Board annually;
3. Approve the granting of permanent easements by the University;
4. Approve capital projects, as defined by KRS and which require approval by the Kentucky General Assembly, prior to the commitment of funds. Prior to moving forward, all projects costing over \$500,000 and up to the threshold denoted by KRS should be reviewed by the Board Chair and the President and a determination made in terms of those projects requiring further Board approval;
5. Approve outsourced functions and personal service contracts with any single individual, business, firm, or legal entity involving retainers or installment payments in excess of \$500,000 in any fiscal year and/or which involve a term in excess of three (3) years;
6. Approve the sale of University owned personal property with values of greater than \$100,000;
7. Approve of the sale or purchase of any University owned real estate;
8. Approve annual operating budget which includes Education and General and auxiliary budgets;
9. Approve issuance of any bonds pursuant to the KRS;
10. Approve the establishment or discontinuation of degree programs and academic majors and minors, certificates and any other major University program consistent with KRS and University policy;
11. Approve University student admission standards and graduation requirements consistent with provisions of KRS;

12. Approve the establishment or discontinuance of intercollegiate athletic programs/teams, as well as National Collegiate Athletic Association (NCAA) classifications and conference affiliations;
13. Approve any modification(s) to the Organization structure of the University involving adding Administrative positions at the Vice President level or higher;
14. Approve the promotion of faculty and the awarding of tenure to faculty consistent with University policy;
15. Approve rates for tuition, student-related fees, and room and board; and
16. Approve the naming or change the name of any facilities and memorials.

In the event of an emergency or in the event immediate action is in the best interests of the University, the President, after consultation with the Board Chair, is authorized to act, pursuant to authority otherwise available for this Delegation of Authority.

Adopted this 5th day of March, 2021.