

## 220 INDIANA STATE UNIVERSITY BOARD OF TRUSTEES

*Policy 220 was included in the 2001 University Handbook revision.*

### ***Preamble***

Indiana State University is a public, state-supported institution, under the general control of a board of trustees, known and designated as the Indiana State University Board of Trustees. Other state boards, offices and agencies exercise certain statutory controls and have specified duties and responsibilities pertaining to the operation of the University. The Board of Trustees bylaws are located in Section 225 and the Board policies and procedures are located in Section 226.

**220.1 Composition of the Board.** Under the Acts of 1985 (IC 20-12-56-3), the composition of the Board was revised as follows:

“Sec. 3 (a) The Indiana State University board of trustees shall be composed of nine (9) trustees. The governor shall appoint to the board seven (7) competent persons, one (1) of whom must be a student, and two (2) additional competent persons, alumni of the university, nominated by the alumni council of the university, shall be appointed by the governor. There shall be one (1) or more women on the duly constituted board.

(b) All trustees and their successors shall be appointed for terms of four (4) years, except the student member, who shall be appointed for two (2) years during which time he/she must be a full-time student of Indiana State University.

(c) To aid the governor in the selection of the student member, a search and screen committee is created consisting of one (1) representative of the governor and at least four (4) students chosen by the elected student government representatives of the student body. The committee shall establish the mode and criteria to be used in the selection of student nominees to serve on the board of trustees. The committee shall submit a list of at least ten (10) names to the governor for his consideration. The governor shall select one (1) of these names for appointment as a trustee of the university in accordance with the provisions of this chapter.

(d) All members appointed to the board shall be residents of the state of Indiana and citizens of the United States of America. The alumni members appointed to the board shall have completed a prescribed course of study by Indiana State University or its predecessors, Indiana State Normal, Indiana State Teachers College, or Indiana State College.

(e) All vacancies occurring in the board from death, resignation, or removal from the state shall be filled by appointment by the governor for the unexpired term of the retiring member, subject to the provision that the alumni council of the university shall nominate the appointee to fill a vacancy caused by the loss of an alumni member.”

**220.2 Functions, Powers and Duties of the Board.** The Board of Trustees is responsible for the establishment and maintenance of the University. With every name change, all powers, rights, duties, and obligations of the preceding Board of Trustees were transferred to its successor. The continuity of the Trustees has been maintained as the presentation of specific duties bestowed by law indicates.

**220.2.1 Perpetual Body Politic.** The Board shall be a perpetual body politic, with power to sue and be sued, and to hold in trust all funds and property which may be provided for the University. (IC 20-12-56-2)

**220.2.2 Prescribe Duties for Employees.** The Board shall prescribe the duties and provide the compensation, including retirement and other benefits, of the faculty, administration, and employees of the University. (IC 20-12-56-2 and IC 20-12-1-4)

**220.2.3 Bonds.** The Board may issue and sell bonds for the erection, construction and equipment of designated facilities necessary to fulfill the purposes of the University or may enter into leases for certain designated facilities as the Board may determine proper. (IC 20-12-53-1, IC 20-12-1.5-4, IC 20-12-3-1, and IC 20-12-7-1)

**220.2.4 Acceptance of Gifts.** The Board may accept gifts, bequests, and devises of personal and real property for the benefit of the University and may sell or convey real estate acquired by gift and invest or reinvest the funds for the benefit of the University. (IC 20-12-4-1, IC 20-12-4-2, and IC 20-12-5-1)

**220.2.5 Administration; Implied Powers.** In addition to these specific grants of statutory authority, the administration and operation of the University is subject to a variety of rules, regulations, and statutory requirements which have general application to public institutions and corporations. The Board may also exercise all other implied powers reasonably required for the conduct of the offices of Indiana State University.

**220.2.6 Indiana Commission for Higher Education.** The 1969 General Assembly enumerated certain powers, duties and responsibilities of the boards of trustees of the state-supported universities. The powers and duties indicated are subject to the authority of and the operational framework established by the Indiana Commission for Higher Education.

**220.2.7 Powers of Boards of Trustees.** Through legislative action of the General Assembly the powers of the various state universities boards of trustees are defined in part under IC 20-12-1-2 as follows:

**220.2.7.1** “(a) The Ball State University board of trustees, Indiana State University board of trustees, the trustees of Indiana University, the trustees of Purdue University, and the University of Southern

Indiana board of trustees, each as to its respective institution, shall have the power and duty:

- 220.2.7.1.1** (1) To govern the disposition and method and purpose of use of the property owned, used, or occupied by the institution, including the governance of travel over and the assembly upon the property;
- 220.2.7.1.2** (2) To govern, by specific regulation and other lawful means, the conduct of students, faculty, employees, and others while upon the property owned, used, or occupied by the institutions;
- 220.2.7.1.3** (3) To govern, by lawful means, the conduct of its students, faculty, and employees, wherever the conduct might occur, to the end of preventing unlawful or objectionable acts that seriously threaten the ability of the institution to maintain its facilities available for performance of its educational activities or that are in violation of the reasonable rules and standards of the institution designed to protect the academic community from unlawful conduct or conduct presenting a serious threat to person or property of the academic community;
- 220.2.7.1.4** (4) To dismiss, suspend, or otherwise punish any student, faculty member, or employee of the institution who violates the institution's rules or standards of conduct, after determination of guilt by lawful proceedings;
- 220.2.7.1.5** (5) To prescribe the fees, tuition, and charges necessary or convenient to the furthering of the purposes of the institution and to collect the prescribed fees, tuition, and charges;
- 220.2.7.1.6** (6) To prescribe the conditions and standards of admission of students upon the bases as are in its opinion in the best interests of the state and the institution;
- 220.2.7.1.7** (7) To prescribe the curricula and courses of study offered by the institution and define the standards of proficiency and satisfaction within

the curricula and courses established by the institution;

**220.2.7.1.8** (8) To award financial aid to students and groups of students out of the available resources of the institution through scholarships, fellowships, loans, remissions of fees, tuitions, charges, or other funds on the basis of financial need, excellence of academic achievement, or potential achievement or any other basis as the governing board may find to be reasonably related to the educational purposes and objectives of the institution and in the best interest of the institution and the state;

**220.2.7.1.9** (9) To cooperate with other institutions to the end of better assuring the availability and utilization of its total resources and opportunities to provide excellent educational opportunity for all persons;

**220.2.7.1.10** (10) To establish and carry out written policies for the investment of the funds of the institution in the manner provided by IC 30-4-3-3; and

**220.2.7.1** (11) To lease to any corporation, limited liability company, partnership, association, or individual real estate title to which is in the name of an institution or in the name of the state for the use and benefit of the leasing institution.

**220.2.7.2** (b) A lease may be for such term and for such rental, either nominal or otherwise, as the board determines to be in the best interest of the institution. No lease shall be executed under this section for a term exceeding four (4) years unless the execution is approved by the governor and by the state budget agency. The universities shall be exempt from all property taxes on any real estate leased under this section, and the lessee shall be liable for property taxes on the leased real

estate as if the real estate were owned by the lessee in fee simple, unless the lessee is a student living in university-owned facilities.

**220.2.7.3** (c) This section shall not be construed to deny any tax exemption that a lessee would have under other laws if the lessee were the owner in fee simple of the real estate.”

HISTORY: Acts 1969, ch. 273, § 2; 1971, P.L. 327, § 1; 1973, P.L. 226, § 1; P.L.218-1985, § 3; P.L.210-1989, § 1; P.L.8-1993, § 261.

*Last revised February 1, 2011*