

## **IC 21-38-3**

### **Chapter 3. Employment of Personnel**

#### **IC 21-38-3-1**

##### **Applicability of section; employment powers**

Sec. 1. (a) This section applies to the board of trustees of the following state educational institutions:

- (1) Ball State University.
- (2) Indiana University.
- (3) Indiana State University.
- (4) Purdue University.
- (5) University of Southern Indiana.

(b) The board of trustees of a state educational institution may employ:

- (1) officers;
- (2) faculty;
- (3) employees;
- (4) consultants; and
- (5) counsel;

necessary or convenient to aid in the formulation and implementation of the state educational institution's policies and to execute the will of the board of trustees within its particular institution.

*As added by P.L.2-2007, SEC.279.*

#### **IC 21-38-3-2**

##### **Applicability of section; delegation powers**

Sec. 2. (a) This section applies to the board of trustees of the following state educational institutions:

- (1) Ball State University.
- (2) Indiana University.
- (3) Indiana State University.
- (4) Purdue University.
- (5) University of Southern Indiana.

(b) To carry out the purposes described in section 1 of this chapter, the board of trustees of a state educational institution may delegate to:

- (1) persons employed by the board of trustees; and
- (2) others;

the authority that the board of trustees possesses. No manner of delegation is irrevocable.

*As added by P.L.2-2007, SEC.279.*

#### **IC 21-38-3-3**

##### **Ball State University board; power to define the duties and provide compensation for faculty and staff**

Sec. 3. The board of trustees of Ball State University may define the duties and provide compensation for faculty and staff of the university. Subject to IC 5-10.2-2-20 and IC 5-10.2-2-21, the authority of the board under this section includes the authority to

establish fringe benefit programs, including retirement benefits, that may be supplemental to, or instead of, state retirement programs for teachers or other public employees as authorized by law.

*As added by P.L.2-2007, SEC.279. Amended by P.L.3-2008, SEC.146; P.L.241-2015, SEC.37.*

#### **IC 21-38-3-4**

##### **Indiana University board; power to elect officers, employ persons, and establish benefit programs for employees**

Sec. 4. The board of trustees of Indiana University may:

- (1) elect a president, the professors, and other officers for Indiana University as necessary and prescribe the duties and salaries of those positions;
- (2) employ other persons as necessary; and
- (3) subject to IC 5-10.2-2-20 and IC 5-10.2-2-21, establish programs of fringe benefits and retirement benefits for Indiana University's officers, faculty, and other employees that may be supplemental to, or instead of, state retirement programs established by statute for public employees.

*As added by P.L.2-2007, SEC.279. Amended by P.L.241-2015, SEC.38.*

#### **IC 21-38-3-5**

##### **Indiana State University board; power to prescribe the duties and provide the compensation for employees**

Sec. 5. The board of trustees of Indiana State University may prescribe the duties and provide the compensation, including retirement and other benefits, of the faculty, administration, and employees of Indiana State University. The authorization under this section to provide retirement benefits to the faculty, administration, and employees of Indiana State University is subject to IC 5-10.2-2-20 and IC 5-10.2-2-21.

*As added by P.L.2-2007, SEC.279. Amended by P.L.241-2015, SEC.39.*

#### **IC 21-38-3-6**

##### **Ivy Tech Community College board; power to select and employ a president and other staff**

Sec. 6. The board of trustees of Ivy Tech Community College shall select and employ a president of the state educational institution, with qualifications set out, and other staff and professional employees as are required.

*As added by P.L.2-2007, SEC.279.*

#### **IC 21-38-3-7**

##### **Trustees; employment of personnel**

Sec. 7. The board of trustees of Ivy Tech Community College may do the following:

- (1) Develop a statewide salary structure and classification

system, including provisions for employee group insurance, employee benefits, and personnel policies.

(2) Employ the chief administrator of each region.

(3) Authorize the chief administrator of a region to employ the necessary personnel for the region, determine qualifications for positions, and fix compensation for positions in accordance with statewide policies established under subdivision (1).

The authorizations under this section to provide for employee benefits and compensation are subject to IC 5-10.2-2-20 and IC 5-10.2-2-21.

*As added by P.L.2-2007, SEC.279. Amended by P.L.169-2007, SEC.27; P.L.241-2015, SEC.40.*

#### **IC 21-38-3-8**

##### **Purdue University board; power to elect professors and teachers, fix and regulate compensation**

Sec. 8. The board of trustees of Purdue University may elect all professors and teachers, removable at the board's pleasure; fix and regulate compensations, including programs of fringe benefits and retirement benefits that may be supplemental to or in lieu of state retirement programs established by statute for public employees. The authorization to provide retirement benefits under this section is subject to IC 5-10.2-2-20 and IC 5-10.2-2-21.

*As added by P.L.2-2007, SEC.279. Amended by P.L.241-2015, SEC.41.*

#### **IC 21-38-3-9**

##### **University of Southern Indiana board; power to employ faculty and staff and provide compensation**

Sec. 9. The University of Southern Indiana may employ a faculty and staff for the university, define the duties of the faculty and staff, and provide compensation for the faculty and staff, including a program of fringe benefits and a program of retirement benefits that may supplement or supersede the state retirement programs established by statute for teachers or other public employees. The authorization to provide retirement benefits under this section is subject to IC 5-10.2-2-20 and IC 5-10.2-2-21.

*As added by P.L.2-2007, SEC.279. Amended by P.L.241-2015, SEC.42.*

#### **IC 21-38-3-10**

##### **Vincennes University board; power to appoint subordinate officers**

Sec. 10. The board of trustees of Vincennes University may:

(1) appoint subordinate officers the board believes convenient for:

(A) the police of Vincennes University; and

(B) carrying the statutory powers and duties of Vincennes University into effect; and

(2) by ordinance:

- (A) require such sureties from the subordinate officers;
- (B) annex the fees to the subordinate officers of Vincennes University; and
- (C) impose such fines for a neglect of duty or misconduct in office;

as the board of trustees of Vincennes University determines proper.  
*As added by P.L.2-2007, SEC.279.*

#### **IC 21-38-3-11**

##### **Vincennes University board; additional powers**

Sec. 11. The board of trustees of Vincennes University may elect and appoint persons of suitable learning and talents to be president and professors of Vincennes University and, subject to IC 5-10.2-2-20 and IC 5-10.2-2-21, agree with them for their salaries and emoluments. The board of trustees shall appoint a president to preside over and govern Vincennes University.

*As added by P.L.2-2007, SEC.279. Amended by P.L.241-2015, SEC.43.*

#### **IC 21-38-3-12**

##### **Officers serve at the pleasure of the board**

Sec. 12. The president and professors of Vincennes University hold offices at the pleasure of the board of trustees of Vincennes University.

*As added by P.L.2-2007, SEC.279.*

#### **IC 21-38-3-13**

##### **OPEB report; GASB Statements 43 and 45 information required**

Sec. 13. A state educational institution that provides or sponsors a post-employment benefit (as defined in IC 5-10-16-5) shall submit to the office of management and budget not later than November 1 each year an OPEB (as defined in IC 5-10-16-4) report for the state educational institution. Each state educational institution shall provide information required under GASB Statements 43 and 45 and any other information requested by the OMB or the budget committee.

*As added by P.L.138-2012, SEC.5.*