

REGENT LAW: Article 3: Officers of the University and Administration and University Staff

PART A: **DEFINITIONS OF OFFICERS AND UNIVERSITY STAFF**

Officers are responsible for carrying out the strategic plans and policies as established by the Board of Regents. Officers have executive powers delegated to them in the areas of academic programs and core administrative areas. Officers are subject to all federal, state, and university laws and policies for University Staff.

~~3.A.1~~ **PART B: Officers of the University**

There shall be ~~four~~ five officers of the university: 1. the president; 2. the university counsel ~~and~~ 3. sSecretary of the Board of Regents; 34. the treasurer; and 5. associate vice president of internal audit

The Board of Regents shall elect the president in accordance with the laws of the State of Colorado.

The Board of Regents shall elect the secretary of the Board of Regents in accordance with the laws of the State of Colorado.

The Board of Regents, in consultation with the president, shall elect the university counsel, the treasurer and the associate vice president of internal audit in accordance with the laws of the State of Colorado.

The Board of Regents may appoint a single person to serve in the offices of university counsel and secretary of the Board of Regents in its discretion.

All officers of the university serve at the pleasure of the Board of Regents.

~~3.A.2~~ **PART C: Officers of the Administration**

Officers of the administration shall be those individuals who hold the title or interim/acting title of chancellor; vice president; associate vice president; vice chancellor; associate vice chancellor; associate counsel; and deans of the schools, colleges, and libraries. are as defined in regent policy. [See regent policy 3-J]

Upon notification to the Board of Regents, the president and chancellors may designate positions of assistant vice president or assistant vice chancellor as officers of the administration.

~~3.A.3 University staff hold positions that have been exempted from the state personnel system pursuant to state law and are neither officers nor faculty.~~

PART B: RESPONSIBILITIES

3.B.1 President

~~(A) As provided by the state constitution and state law, the president shall be the principal executive officer of the university, a member of the faculty, and shall carry out the policies and programs established by the Board of Regents.~~

~~[See section 13 of Article IX of the state constitution and C.R.S. §23-20-106]~~

~~(B) As the principal executive officer, the president shall be responsible for the administration of the university and for compliance of all university matters with applicable regent Laws and policies and state and federal constitutions, laws, and regulations. The president shall be the arbiter in case of intra-university conflicts.~~

~~(C) The president shall report directly to the Board of Regents, serve at its pleasure, and hold office until removed by the Board of Regents.~~

~~(D) The president shall be the chief academic officer of the university and a member of its faculty thereof. As chief academic officer, the president shall be responsible for providing academic leadership for the university in meeting the needs of the state and shall maintain and advance the academic policies of the university.~~

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- (E) ~~The president shall be the chief spokesperson for the university and interpreter of university policy and shall represent and interpret the roles, goals, and needs of the university throughout the state and elsewhere as appropriate.~~
 - (F) ~~The president shall be an ex officio member of the Faculty Council, president of the Faculty Senate, and chair of the Council of Academic Deans.~~
 - (G) ~~The president is authorized:
 - (1) ~~to approve the appointments and any subsequent related changes, including salaries, in accordance with the delegation of personnel authority approved by the Board of Regents; and~~
 - (2) ~~to accept, on behalf of the Board of Regents, resignations of all university employees except the secretary, treasurer, university counsel, and those for whom appointing authority has been delegated in accordance with regent policy.~~~~

~~[See regent policy 2-K]~~

 - (H) ~~The president is authorized to make and execute contracts on behalf of the university without the prior approval of the Board of Regents, except as may be limited by law, or when the Board of Regents has expressly provided otherwise for a specific contract or category of contracts, or when the president determines that unusual or special terms of the contract require consideration by the Board of Regents.~~
 - (I) ~~Petitions and recommendations shall be referred to the Board of Regents through the president who, in consultation with the secretary of the Board of Regents, shall bring these and other matters to the attention of the Board of Regents to keep it fully informed in meeting its policy-making responsibilities.~~
 - (J) ~~Any authority delegated to the president by these Laws may be further delegated, except as expressly limited by the Board of Regents or as limited or prohibited by law.~~

3.B.2 University Counsel and Secretary

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- (A) ~~The university counsel and secretary shall be the general counsel of the university, and when so designated, shall act as the representative of the attorney general of the state. The university counsel and secretary shall be the legal advisor to the president and Board of Regents, and shall institute and prosecute or defend all suits on behalf of the university.~~
 - (B) ~~The university counsel and secretary shall be the corporate secretary of the Board of Regents, and shall perform the duties set forth in C.R.S. §23-20-108, and such other duties as may be assigned by the Board of Regents.~~
 - (C) ~~The university counsel and secretary shall report jointly to the Board of Regents and to the president. In the event of a conflict, the university counsel and secretary reports directly to the Board of Regents.~~

3.B.3 Treasurer

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- (A) ~~The treasurer shall perform the duties set forth in C.R.S. §23-20-109. The treasurer shall give bond in the penalty of not less than twenty-five thousand dollars, and such further amounts as the Board of Regents may specify, conditioned for the faithful discharge of duties.~~
 - (B) ~~The treasurer is the chief investment officer, who shall be responsible to the Board of Regents and the president (or the president's designee) for all treasury functions, including investing university funds, cash management, debt management, and maintaining real property records in accordance with these Laws and policies. The treasurer shall perform such other duties as may be assigned by the Board of Regents or the president (or the president's designee).~~
 - (C) ~~The treasurer shall advise the Board of Regents and the president (or the president's designee) on treasury matters and issues.~~

(D) The treasurer shall report jointly to the Board of Regents and to the president (or the president's designee). In the event of a conflict, the treasurer reports directly to the Board of Regents.

3.B.4 Associate Vice President of Internal Audit

(A) The associate vice president shall perform the duties set forth in the Department of Internal Audit Charter as adopted by the Board of Regents November 2, 2006.

(B) The associate vice president shall report jointly to the Board of Regents and to the vice president, university counsel and secretary of the Board of Regents. In the event of a conflict, the associate vice president of internal audit reports directly to the Board of Regents.

(C) The associate vice president of internal audit will conduct its activities in accordance with:
 a. Board of Regents laws and policies; (2) university policies and standards; (3) and, if consistent with the foregoing, with the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

(D) The associate vice president of internal audit shall keep the Audit Committee informed of the Department of Internal Audit's policies, procedures and practices for conducting audits, investigations and consulting activity, as well as emerging trends and successful practices in internal auditing. [LL1]

3.B.5 Vice Presidents

The vice presidents shall support the president in the performance of university duties and responsibilities. In addition, the vice presidents shall maintain effective working relationships with the executive agencies of the state and perform such other duties as are assigned by the president.

3.B.6 Chancellors

(A) The chancellor of each campus shall be the chief academic and administrative officer responsible to the president for the conduct of the affairs of their respective campus in accordance with the policies of the Board of Regents. The chancellor shall have such other responsibilities as may be required by these Laws or regent policy, or as may be delegated by the president.

(B) As provided by state law, the chancellor of the University of Colorado Health Sciences Center shall also serve as the chair of the University of Colorado hospital authority board of directors.

[See C.R.S. §23-21-513(n)]

3.B.7 Other Officers of the Administration

Officers of the administration shall report to the president, either directly or through another officer, and shall perform duties and responsibilities as assigned. [LL2]

3.B.8 University Staff

University staff shall perform duties and responsibilities as assigned. [See regent policy 3-J]

PART C: APPOINTMENTS

3.C.1 General Guidelines

(A) The Board of Regents shall elect the president, secretary, and treasurer in accordance with the state constitution and laws, who shall serve at the pleasure of the Board of Regents.

(B) The Board of Regents, in consultation with the president, shall elect a university counsel and secretary who shall serve at the pleasure of the Board of Regents. [LL3]

- (C) ~~The selection of the president, vice presidents, chancellors, vice chancellors, and deans shall be a collaborative process as defined in regent policy.~~ [LL4]
- (D) ~~Temporary Appointment to President of the University of Colorado. In the event of a president's inability to act, whether as the result of a prolonged absence or incapacity, the chair of the Board of Regents may, after consultation with the chancellors, appoint a temporary president of the University of Colorado. The chair may appoint either an incumbent chancellor or an incumbent vice president. The temporary president shall have all of the powers of and be subject to all of the restrictions imposed on the president.~~
- (E) ~~Within five business days of the chair of the Board of Regents' appointment of a temporary president, the Board of Regents shall convene, either by regular or special meeting, and appoint an interim president to serve as the president of the University of Colorado. The interim president shall have all of the powers of and be subject to all of the restrictions imposed on the president. The interim president shall serve at the discretion of the Board of Regents until such time as the Board of Regents appoints a permanent president.~~ [LL5]

3.C.2 Conditions of Appointments for University Staff

- (A) ~~The terms and conditions of every appointment shall be stated in writing and shall be in the possession of both the university and the appointee, whenever possible, before the appointment is begun.~~
- (B) ~~Except as otherwise expressly provided in an individual employment contract as authorized by state law, university staff are employees at will in their university staff positions. Service as university staff is at the pleasure of the appointing authority. The appointment is terminable by either the employee or the appointing authority at any time.~~

~~[See C.R.S. §24-50-135 and C.R.S. §24-19-104]~~ [LL6]

PART D: EVALUATIONS

~~3.D.1 University staff shall be evaluated on an annual basis in accordance with these Laws and regent policy.~~

~~3.D.2 The president, secretary, treasurer, university counsel, vice presidents, chancellors, vice chancellors, and deans shall be subject to a five-year comprehensive evaluation in accordance with these Laws and regent policy.~~ [LL7]

PART E: PROFESSIONAL CONDUCT

~~Employees must uphold ethical standards appropriate to their position within the university as defined in state law and regent policies. These include but are not limited to standards applicable to conflicts of interest and conflicts of commitment.~~ [LL8]

REGENT POLICY: 3: Officers and University Staff

Policy 3B: Conflict of Interest--University Staff

1. Obligations of University Staff

~~With the acceptance of a full- or part-time appointment at the University of Colorado, a university staff person agrees to conduct his or her affairs so that he or she shall not derive private gain from his or her association with the university, except as permitted by regent or university policies after appropriate disclosure to an appropriate official. University staff shall act in the best interest of the university, and arrange outside obligations, financial interests, and activities so as to not compromise their overriding commitment to the university.~~

2. Officer Disclosure of Outside Interests

~~Officers shall submit an annual written disclosure of material outside interests and activities and the supervising authorities shall review such disclosures for possible conflicts of interest. The President of the~~

University of Colorado shall establish a materiality threshold for such disclosures, and shall periodically review that threshold.

Policy 3C Outside Consulting and Service on External Boards

University staff may be asked to provide consulting services to external organizations or to serve on boards of external organizations (collectively referred to as “Outside Services”). This policy sets forth the conditions under which university staff may engage in Outside Services that may affect the university or the university staff employment responsibilities.

General:

1. All Outside Services that occur during an university staff’s normal working hours, for which no vacation leave is taken, are subject to approval by the university staff’s supervising authority. Supervising authorities may authorize such Outside Services as long as such services advance the interest of the university and do not unduly conflict with the employee’s university employment responsibilities.
2. Consistent with state fiscal rules on honoraria, any compensation received for Outside Services occurring during the university staff’s normal working hours must be remitted to the university unless the university staff is on authorized vacation or unpaid leave.
3. University staff’s providing Outside Services for organizations that do business with the university shall disclose their involvement with the external organization to their supervising authority for appropriate conflict of interest considerations under Board and university policy.
4. University staff’s who receive compensation or other remuneration from an external organization for Outside Services shall not make or influence university decisions with respect to any business relations and decisions that involve the external organization.

Officers:

The following additional conditions are set forth for officers engaged in Outside Services:

1. Outside Services may not unduly conflict with the officer’s university employment responsibilities, regardless of when they occur.
2. Outside Services for which compensation is received is permitted only if:
 - the Outside Services are requested because of the individual merit, expertise, and experience of the university officer; and
 - the Outside Services are disclosed to and are subject to the approval of the individual with personnel action authority as described in Policy 2-K. [119]

Policy 3A: Definitions of Officers of the University

3.A.1 President

(A) As provided by the ~~state constitution and state law~~ laws of the State of Colorado, the president shall be the principal executive officer of the university, a member of the faculty, and shall carry out the policies and programs established by the Board of Regents.

[See section 13 of Article IX of the state constitution and C.R.S. §23-20-106 Section 23-20-106 C.R.S]

(B) As the principal executive officer, the president shall be responsible for the administration academic, administrative, and fiscal matters of the university and for compliance of all university matters with applicable regent Laws and policies and state and federal constitutions, laws, and regulations. The president shall be the arbiter in case of intra-university conflicts. The president

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may delegate the responsibility university academic, administrative and fiscal operations, so long as the delegation is consistent with other university laws and policies and with federal and state law.

- (C) The president shall report directly to the Board of Regents, serve at its pleasure, and hold office until removed by the Board of Regents.
- (D) The president shall be the chief academic officer of the university and a member of its faculty thereof. As chief academic officer, the president shall be responsible for providing academic leadership for the university in meeting the needs of the state and shall maintain and advance the academic policies of the university.
- (E) The president shall be the chief spokesperson for the university and interpreter of university policy and shall represent and interpret the roles, goals, and needs of the university throughout the state and elsewhere ~~as appropriate.~~
- ~~(F)~~ The president shall be an ex officio member of the Faculty Council, and president of the Faculty Senate, ~~and chair of the Council of Academic Deans.~~^[LL10]

~~(G)~~(F) The president is authorized:

- ~~(3)~~(1) to approve ~~the~~ appointments and any subsequent related changes, including salaries, in accordance with the delegation of personnel authority approved by the Board of Regents; and
- ~~(4)~~(2) to accept, on behalf of the Board of Regents, resignations of all university employees except the university counsel, secretary of the Board of Regents, treasurer, ~~university counsel~~, and associate vice president of internal audit, ~~those for whom appointing authority has been delegated in accordance with regent policy.~~

~~[See regent policy 2-K]~~

~~(H)~~(G) The president is authorized to make and execute contracts on behalf of the university without the prior approval of the Board of Regents, except as may be limited by law, or when the Board of Regents has expressly provided otherwise for a specific contract or category of contracts, ~~or when the president determines that unusual or special terms of the contract require consideration by the Board of Regents.~~

~~(I)~~(H) The president shall, in consultation with the Board of Regents, advise the Board of Regents of matters that the Board of Regents should consider in meeting its policy-making responsibilities. ~~Petitions and recommendations shall be referred to the Board of Regents through the president who, in consultation with the secretary of the Board of Regents, shall bring these and other matters to the attention of the Board of Regents to keep it fully informed in meeting its policy-making responsibilities.~~

~~(J)~~ Any authority delegated to the president by these Laws may be further delegated, ~~except as expressly limited by the Board of Regents or as limited or prohibited by law.~~

3.A.2 University Counsel ~~and Secretary~~

- (A) The university counsel ~~and secretary~~ shall be the general counsel of the university, and when so designated, shall act as the representative of the attorney general of the state. The university counsel ~~and secretary~~ shall be the legal advisor to the president and Board of Regents, and shall institute and prosecute or defend all suits on behalf of the university.
- ~~(B)~~ The university counsel ~~and secretary~~ shall be the corporate secretary of the Board of Regents, ~~and shall perform the duties set forth in C.R.S. §23-20-108, and such other duties as may be assigned by the Board of Regents.~~

(B) The university counsel ~~and secretary~~ shall report jointly to the Board of Regents and to the president. In the event of a conflict, the university counsel ~~and secretary~~ reports directly to the Board of Regents.

3.A.3 Secretary of the Board of Regents

(A) ~~The secretary of the Board of Regents shall be the corporate secretary of the Board of Regents, and shall perform the duties set forth in Section 23-20-108 C.R.S, and such other duties as may be assigned by the Board of Regents.~~

~~(C)~~ (B) The secretary of the Board of Regents report to the Board of Regents and work collaboratively with the president and other members of the university administration.

3.A.3 Treasurer

(A) The treasurer shall perform the duties set forth in C.R.S. §23-20-109. The treasurer shall give bond ~~as required by the laws of the State of Colordao or in the penalty of not less than twenty-five thousand dollars, and~~ such further amounts as the Board of Regents may specify, conditioned for the faithful discharge of duties.

(B) The treasurer is the chief investment officer, who shall be responsible to the Board of Regents and the president ~~(or the president's designee)~~ for all treasury functions, including investing university funds, cash management, debt management, and maintaining real property records in accordance with these Laws and policies. The treasurer shall perform such other duties as may be assigned by the Board of Regents, ~~or the president,~~ or the Chief Financial Officer of the university. ~~(or the president's designee).~~

(C) The treasurer shall advise the Board of Regents, ~~and the president,~~ and the Chief Financial Officer ~~(or the president's designee)~~ on treasury matters and issues.

(D) The treasurer shall report jointly to the Board of Regents and to the president or the Chief Financial Officer. ~~(or the president's designee).~~ In the event of a conflict, the treasurer reports directly to the Board of Regents.

3.A.4 Associate Vice President of Internal Audit

(A) The associate vice president shall perform the duties set forth in the Department of Internal Audit Charter as adopted and amended by the Board of Regents, ~~November 2, 2006.~~

(B) The associate vice president shall report jointly to the Board of Regents and to the ~~vice president,~~ university counsel ~~and secretary of the Board of Regents.~~ In the event of a conflict, the associate vice president of internal audit reports directly to the Board of Regents.

(C) The associate vice president of internal audit will conduct its activities in accordance with:
 a. Board of Regents laws and policies; (2) university policies and standards; (3) and, if consistent with the foregoing, with the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.

(D) The associate vice president of internal audit shall ~~keep the inform the Regent's~~ informed of the Department of Internal Audit's policies, procedures and practices for conducting audits, investigations and consulting activity, as well as emerging trends and successful practices in internal auditing.

Policy 3B: Definitions of Officers of the Administration

3.B.16 Chancellors

(A) The chancellor of each campus shall be the campus's chief executive officer and shall be the chief academic, fiscal and administrative officer responsible to the president for the conduct of the ~~affairs of their respective campus~~ in accordance with the policies of the Board of Regents. The chancellor

shall have such other responsibilities as may be required by these Laws or regent policy, or as may be delegated by the president.

~~(B) As provided by state law, the chancellor of the University of Colorado Health Sciences Center shall also serve as the chair of the University of Colorado hospital authority board of directors.~~

~~[See C.R.S. §23-21-513(n)]~~^[LL11]

3.B.27 Other Officers of the Administration

~~QAll other officers of the administration shall report and have their duties as defined in the applicable position description. shall report to the president, either directly or through another officer, and shall perform duties and responsibilities as assigned.~~

Policy 3CE: Searches for Officers of the University Administrators and Guidelines for the Appointment of

~~Chief Officers of the University~~

3.C.1 Search Committees Policy Statement

- a. ~~Search committees are mandated when vacancies occur. The officers of the university are in the positions of the president, university counsel, secretary of the Board of Regents, treasurer, and associate vice president of internal audit. vice president, chancellors, vice chancellors, and deans of schools, colleges and libraries.~~
- b. Vacancies for these positions shall be filled in accordance with this regent policy. Searches for the president ~~and chancellors~~ shall also be conducted in accordance with C.R.S. § 24–6–402(3.5).
- c. The ~~board~~ Board of Regents may authorize deviations from the processes defined in this policy. If the board deviates from the defined process, a written justification will be released to faculty and staff.^[LL12]
- d. Qualified internal candidates shall be given an equal opportunity to compete with qualified external candidates.
- e. All searches must be conducted in a timely and professional manner that respects the rights of candidates to confidentiality, to the extent permitted by law.

3.C.2 Definitions

- (A) Appointing authority.
The appointing authority is the individual or body who shall approve the appointment. For those employees reporting to the Board of Regents the "appointing authority" means the Board of Regents.
- (B) Supervising authority.
The supervising authority is the individual or body to whom the employee directly reports. For those employees reporting to the Board of Regents, the "supervising authority" means the Board of Regents. In a presidential search the Board of Regents is both the appointing and supervising authority. ~~In a chancellor or vice presidential search, the president is both the appointing and supervising authority.~~
- (C) Candidate.
A person who applies for the position ~~as an officer of the university, of president, vice president, chancellor, vice chancellor, or dean of schools, colleges, and libraries,~~ or who consents to be considered for such position upon nomination by another and who is deemed qualified for the position, as determined by the search committee.
- (D) Finalist.
A candidate who has agreed to be advanced for final consideration and potential appointment ~~as an officer of the university. for the position of president or chancellor.~~

A ~~candidate for the office of president person~~ who is named as a finalist shall be named in accordance with the requirements of Colo. Rev. Stat. 24-6-402(3.5) and records pertaining to that person shall be available for public inspection as allowed by Colo. Rev. Stat. 24-72-204(XI)(A-B).

3.C.3 Search Procedures for Officers of the University

a. ~~The Search Committee~~ **Charge of Search Committee**

~~The supervising authority shall issue a charge to the committee and establish the search budget.~~

The basic charge of a search committee is to generate a strong pool of candidates and advise the supervising authority of those candidates best qualified to meet the university's needs. These duties shall be accomplished in a professional and timely manner. The search committee should be constituted and the search process commenced as quickly as is reasonably possible after it becomes known that a vacancy will occur. A search administrator and an ~~affirmative action~~ **diversity** officer shall assist the search committee.

b. ~~Membership~~

~~The composition and selection of the search committee is defined in subsection j. of this policy. A search committee member takes on a great responsibility not as a representative of a particular constituency but as a representative of all members of the university community. Each member is expected to participate fully in committee activities and to vote.~~

c. ~~Charge to the Committee~~

~~For each position for which a search has been authorized, the supervising authority shall issue a charge to the committee and establish the search budget.~~

The charge will outline in appropriate detail the requirements that the committee shall respect, namely:

1. the scope of the search (internal, state/regional, or national) and methods of soliciting nominations;
2. ~~the any~~ requirements of affirmative action;
3. target dates for completing each stage of the search process and the schedule of reporting to the ~~supervising authority~~ **Board of Regents**;
4. the number of candidates to be recommended to the ~~supervising authority~~ **Board of Regents**;
5. the arrangements to be followed for campus visits if required;
6. the provisions by which the committee will handle communications regarding the search and the evaluation of candidates; and
7. information regarding the procedure to follow for committees making use of the services of a professional consultant or search firm.

d. ~~b.~~ **Committee Process**

Before commencing its search, the committee shall consult with the supervising authority to discuss and clarify the charge, desired academic ~~or~~ management, ~~financial, legal or other~~ credentials for candidates, and any other appropriate criteria for screening and selecting candidates. The supervising authority in consultation with the search committee will determine the most important qualities needed. In presidential ~~and chancellor~~ searches the committee must operate in accordance with the provisions of ~~Section 24-6-402~~ **C.R.S. § 24-6-402**, Open Meetings law.

The ~~supervising authority~~ **Board of Regents** will set the anticipated salary range at the outset of a search and inform candidates at the appropriate time. The committee shall not assume limitations on salary or other conditions that would qualify the considerations of candidates unless specified by

the ~~supervising authority~~ Board of Regents. In extraordinary circumstances the ~~supervising authority~~ Board of Regents, in consultation with the appointing authority, may elect to offer a salary outside the specified range.

The search committee shall develop a search plan consistent with the charge to the committee.

e.c. **Search Committee Chair**

The supervising authority shall appoint the search committee chair and may appoint co-chairs. In the case of a presidential search, the committee chair shall be at least one regent. The primary responsibilities of the chair shall be to ensure that the best qualified candidates are considered and to:

1. guide the committee in developing and implementing the search plan;
2. oversee the professional and timely operation of the committee;
3. guarantee an opportunity for all qualified candidates to receive committee consideration;
4. work with an affirmative action diversity officer to ensure that effective recruitment mechanisms are utilized and that the committee is provided information relevant to the recruitment of underrepresented groups;
5. ensure that complete records of meetings and action are maintained;
6. maintain the confidentiality of the committee proceedings, communications with candidates, and the identity of candidates, to the extent permitted by law;
7. be the sole spokesperson regarding committee activities and the status of the search process;
8. communicate with candidates and inform them of the status of the search process;
9. ensure that financial expenditures generated by the committee are approved prior to their obligation;
10. report to the ~~supervising authority~~ Board of Regents the deliberations of the committee, divisions of opinion, and information it has compiled about recommended candidates. The chair should report immediately if any difficulties arise which threaten the committee's successful operation;
11. when deemed necessary, authorize the committee members to visit a candidate's place of employment if finances and candidate circumstances allow;
12. make arrangements for a meeting between the ~~supervising authority~~ Board of Regents and the search committee at the conclusion of the search process; and
13. compile the search committee final report summarizing the process and lessons learned for the benefit of future search committees for submission to the ~~supervising authority~~ Board of Regents.

f.d. **Search Administrator**

The system or campus administration must provide the committee adequate resources, assistance, and release time to carry out its responsibilities.

The ~~supervising authority~~ Board of Regents shall designate a search administrator with responsibility for providing staff support to the search committee. The designated search administrator shall:

1. manage all logistics requirements;

- 2. maintain procedures for preserving search committee records; and
- 3. provide candidates with information relevant to the search and the university.

g.e. Professional Consultant Support

At the discretion of the supervising authority, a committee may use a professional consultant or search firm. A professional consultant or search firm shall not be used as a substitute for a required search committee.

The Procurement Service Center will maintain an approved list of pre-qualified professional consultants or firms.

h.f. Candidate Selection

The search committee emphasis shall be on attracting and selecting qualified candidates. The search committee will recommend to the supervising authority the candidates it determines are best qualified to fill the position.

The supervising authority will determine which of the recommended candidates will be interviewed and in what order. The supervising authority shall also have the authority to interview a highly qualified candidate who has not been recommended by the search committee.

Requirements for president ~~and chancellor~~ searches are set forth in C.R.S. § 24-6-402 (3.5) and C.R.S. § 24-72-204(3)(a)(XI)(A).

i.g. Final Selection

The supervising authority will evaluate the candidates by means of personal interviews and by such other information as may be obtained. Before making a final selection, the supervising authority will meet with the search committee. In the case of searches for chancellors and vice presidents, the president will consult with the regents in the final selection process and the regents may be involved in interviewing candidates recommended by the president if they so desire. Before the president identifies any candidate as a finalist for the position of chancellor, the president shall notify the candidate of his or her intention and obtain the candidate's permission to advance him or her as a finalist. Following the supervising authority's evaluation of the candidates, he/she will present the selection to the appointing authority. The supervising authority may also ask the search committee for additional candidates. The supervising authority shall be solely responsible for discussion with the candidates concerning conditions and perquisites of employment.

j.h. Composition of the Search Committee

A search committee member takes on great responsibility not as a representative of a particular constituency but as a representative of all members of the university community.

Each member is expected to participate fully in committee activities and vote.

In the selection of search committee members, the supervising authority shall normally select the committee member from nominations received but may appoint a committee member whether nominated or not. The supervising authority shall appoint the search committee chair. ~~In the case of a presidential search, the Board of Regents shall elect from among its members a chair, who shall conduct the meetings of the committee, and a vice chair, who shall assume the duties of the chair in the chair's absence. Unless seven or more regents are members of the same political party, the chair and vice chair shall not be members of the same political party.~~[LL13]

(1) President

~~The Board of Regents shall appoint the presidential search committee. The presidential search committee shall consist of two regents; one dean of a school, college, or library; four faculty who are members of the Faculty Senate, one representing each campus; one student; one staff; two alumni/ae; and four community members. In appointing the presidential search committee, the Board of Regents will strive to appoint a diverse committee that includes a variety of backgrounds, expertise and perspectives to represent the interests of the university and the state. The board may also appoint additional members if deemed appropriate.~~

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~~Notwithstanding the above, the board reserves the right to appoint regents as the search committee.~~^[LL14]

~~The Board of Regents shall appoint the Presidential search committee membership is accomplished by regent by regent resolution. The composition of the presidential search committee shall be as follows: In appointing the presidential search committee, the Board of Regents will strive to appoint a diverse committee that includes a variety of backgrounds, expertise and perspectives to represent the interest of the university and the state. The Board of Regents shall solicit nominations for the presidential search committee, and shall include the following as appointments, but nothing herein shall limit the Board of Regents to appoint additional members of the search committee as it deems necessary.~~

- ~~Two~~ Regents - The Board of Regents shall elect from among its members a chair, who shall conduct the meetings of the committee, and a vice chair, who shall assume the duties of the chair in the chair's absence. Unless seven or more regents are members of the same political party, the chair and vice chair shall not be members of the same political party. Additionally, the presidential search committee chair cannot serve as board chair simultaneously.
- ~~One~~ Dean of a school, college, or library – The board will request the ~~chancellors and Council of Academic Deans~~^[LL15] to nominate one or more deans from each campus.
- ~~Four~~ Faculty Members, representing each campus – The board will request that the faculty governance groups nominate more than two faculty members who are members of the Faculty Senate with distinguished records of achievement from each campus, and shall select four faculty members from among those nominees.-
- ~~One~~ Student – The board will request that the student governance organizations nominate two or more students from the student governance organizations from each campus, and shall select one student member from among those nominees.-
- ~~One~~ Staff Member – The board will request that the staff governance organizations nominate two or more staff from the staff governance organizations from system administration and each campus and that both classified and university staff be nominated, and shall select one staff member from among those nominees.-
- ~~Two~~ Alumni/ae – The board will request that the alumni organizations nominate two or more alumni from the alumni organizations from each campus, and shall select two alumni/ae members from among those nominees.-
- ~~Four~~ Community Members – The board will solicit nominations from the community, and shall select four community members from among those nominees.-

~~Notwithstanding the above, the board reserves the right to appoint only regents as the search committee. If the board appoints only regents as the search committee, a written justification will be released to faculty and staff.~~^[LL16]

In accordance with subsection ~~3.C.3b~~ of this policy, the Board of Regents shall provide a charge to the presidential search committee. That charge will include involving the Board of Regents at designated points in the search process. Those points will include, at a minimum: meeting with the Board of Regents to review the candidate pool at the point in the search

691 where the committee has sufficiently narrowed the pool that it is having serious discussions
 692 regarding which candidates will be invited for initial interviews; and, referring a minimum of five
 693 unranked candidates to the Board of Regents for the Board of Regents to consider
 694 interviewing. Following those interviews, the determination of ~~which candidates will be~~
 695 ~~designated as~~ the finalist(s) shall be made by the Board of Regents. Before the Board of
 696 Regents identifies any candidate as a finalist, the chair and vice chair of the presidential search
 697 committee shall notify the candidate of the Board of Regents' intention and obtain the
 698 candidate's permission to advance him or her as a finalist. When narrowing the pool of
 699 candidates, the presidential search committee shall utilize a positive voting process similar to
 700 that described in Appendix A to this policy.

701
 702 **(2) Vice Presidents**

- 703 a. ~~For the all vice president positions, the president shall appoint the search committee.~~
- 704
- 705 b. ~~Before appointing the search committee, the president shall solicit nominations from~~
 706 ~~the faculty, staff and student governance groups, and each governance group shall~~
 707 ~~promptly either nominate one or more members or inform the president that it declines~~
 708 ~~to provide a nomination.~~
- 709
- 710 c. ~~The president shall either choose a nominee from each governance group or, if none~~
 711 ~~of the nominees is acceptable to the president, the president will request additional~~
 712 ~~nominations.~~
- 713
- 714 d. ~~The search committee may consist of members representing other constituencies~~
 715 ~~affected and, if appropriate, outside persons having expertise in the field.~~
- 716
- 717 e. ~~For all vice presidential searches, the president shall appoint an officer of the~~
 718 ~~administration to serve as the search committee chair.~~

719
 720 **(3) Chancellors**

721 ~~The president shall appoint the search committee. The chancellor search committee~~
 722 ~~shall consist of at least four faculty (including one dean nominated by the campus~~
 723 ~~deans' council); one student; one staff; and one alumnus/a, or Colorado resident. The~~
 724 ~~president shall request that the faculty, staff, and student governance groups; and~~
 725 ~~alumni organizations nominate from within their memberships. The president may also~~
 726 ~~appoint additional members if deemed appropriate. The president shall appoint an~~
 727 ~~officer of the administration who shall serve as the search committee chair.~~

728
 729 **(4) Vice Chancellors**

- 730 a. ~~The vice chancellor for academic affairs search committee shall consist of four faculty,~~
 731 ~~one student, one staff, and one alumnus/a. The chancellor may increase the~~
 732 ~~committee size if deemed appropriate. The chancellor will request nominations of eight~~
 733 ~~or more faculty members, and two or more persons from each campus staff, student,~~
 734 ~~and alumni governance organization.~~
- 735
- 736 b. ~~For all other vice chancellor positions — The chancellor will select committee members~~
 737 ~~representing constituencies affected and, if appropriate, outside persons having~~
 738 ~~expertise in the field.~~

739
 740 **(5) Deans of Schools, Colleges, and Libraries**

741 ~~While there is no defined search committee membership, the supervising authority~~
 742 ~~shall select informed internal representatives of the profession and/or discipline who~~
 743 ~~are familiar with the objectives and requirements of the school, college, or library~~
 744 ~~concerned. If appropriate, external representatives of the profession may be selected.~~
 745 ~~The supervising authority shall receive nominations for faculty membership on the~~
 746 ~~committee from appropriate representative faculty groups of the school or college.~~

747
 748 **(6)(2) University Counsel, and Secretary of the Board of Regents, University Treasurer**
 749 **and Associate Vice President of Internal Audit**

FEEDBACK

The Board of Regents, through consultation with the board chair and president, shall appoint the search committee. The base search committee shall consist of

- a. two regents, one of whom will serve as the search committee chair and the other as vice chair (unless seven or more regents are members of the same political party, the two regents shall not be members of the same political party),
- b. the president or the president's designee, ~~and the Attorney General of the State of Colorado or the Attorney General's designee.~~

The chair, in consultation with the president,

- a. may ~~also~~ designate an officer of the administration to serve as an administrative co-chair of the committee to coordinate the search committee's activities. ~~The search committee chair~~
- b. shall solicit nominations from the faculty, staff and student governance groups to serve on the search committee and each governance group shall promptly either nominate one or more members or inform the chair that it declines to provide a nomination. ~~The chair, in consultation with the president,~~
- c. may also appoint such other members, including members of the legal community, to create a diverse committee that includes a variety of backgrounds, expertise and perspectives relevant to the position.

In addition to the base search committee, the following search shall include:

- a. University Counsel– the Attorney General of the State of Colorado or the Attorney General's designee
- b. Secretary of the Board of Regents – the President's Chief of Staff and the Assistant Secretary of the Board of Regents
- c. University Treasurer – Chief Financial Officer or the Chief Financial Officer's designee
- a-d. Associate Vice President of Internal Audit – University Counsel or the University Counsel's designee and Chief Financial Officer or the Chief Financial Officer's designee

~~(7) University Treasurer~~

~~The Board of Regents, through consultation with the board chair and president, shall appoint the search committee. The search committee shall consist of two regents, one of whom will serve as the search committee chair and the other as vice chair (unless seven or more regents are members of the same political party, the two regents shall not be members of the same political party), the president or the president's designee, and the Chief Financial Officer or the Chief Financial Officer's designee. The chair, in consultation with the president, may also designate an officer of the administration to serve as an administrative co-chair of the committee to coordinate the search committee's activities. The search committee chair shall solicit nominations from the faculty, staff and student governance groups to serve on the search committee and each governance group shall promptly either nominate one or more members or inform the chair that it declines to provide a nomination. The chair, in consultation with the president, may also appoint such other members, including members of the financial community, to create a diverse committee that includes a variety of backgrounds, expertise and perspectives relevant to the position.~~

3.C.4 Temporary Appointment to President of the University of Colorado

Temporary Appointment to President of the University of Colorado. In the event of a president's inability to act, whether as the result of a prolonged absence or incapacity, the chair of the Board of Regents may, after consultation with the chancellors, appoint a temporary president of the University of Colorado. The chair may appoint either an incumbent chancellor or an incumbent vice

809 president. The temporary president shall have all of the powers of and be subject to all of the
 810 restrictions imposed on the president.

811
 812 Within five business days of the chair of the Board of Regents' appointment of a temporary
 813 president, the Board of Regents shall convene, either by regular or special meeting, and appoint an
 814 interim president to serve as the president of the University of Colorado. The interim president shall
 815 have all of the powers of and be subject to all of the restrictions imposed on the president. The
 816 interim president shall serve at the discretion of the Board of Regents until such time as the Board
 817 of Regents appoints a permanent president.

818 **Policy 3FD: Searches for Officers of the Administration for Other University Staff**

819 ~~Search procedures for officers other than those defined in Regent Policy 3-E [president, vice presidents,~~
 820 ~~chancellors, vice chancellors, and deans of schools, colleges, and libraries], and university staff will be~~
 821 ~~conducted in accordance with procedures defined in campus or system administration affirmative action~~
 822 ~~plans, as appropriate.~~

823 3.D.1 Search Committees for Officers of the Administration

824 (A) Search committee are recommended when vacancies occur in positions
 825 that are Officers of the Administration

826 (B) Qualified internal candidates shall be given an equal opportunity to
 827 compete with qualified external candidates.

828 (C) All searched must be conducted in a timely and professional manner that
 829 respects the rights of candidates to confidentiality, to the extent permitted
 830 by law.

831 (D) All searches are managed by the respective campus or system
 832 administration.

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 838 3.D.2 Definitions

839 (A) Appointing authority

840 The appointing authority is the individual or body who shall approve the appointment.

841
 842 (B) Supervising authority

843 The supervising authority is the individual or body to whom the employee directly reports.

844
 845 (C) Candidate

846 A person who applies or who consents to be considered for such position upon nomination by
 847 another and who is deemed qualified for the position, as determined by the search committee.

848
 849 (D) Finalist

850 A candidate who has agreed to be advanced for final consideration and potential appointment.

851
 852 **3.D.3 Search Procedures for Officers of the Administration**

853 (A) Search Charge and Process

854 The charge and process of the search committee for Officers of the Administration are defined by
 855 the appropriate campus or system administration leadership.

856
 857 (B) Composition of the Search Committee

858
 859 **(1) Chancellors**

860 The president shall appoint the search committee. The chancellor search committee shall
 861 consist of at least four faculty members (including one dean nominated by the provost);

FEEDBACK

one student; one staff; and one alumnus/a, or Colorado resident. The president shall request that the faculty, staff, and student governance groups; and alumni organizations nominate from within their memberships. The president may also appoint additional members if deemed appropriate. The president shall appoint an officer of the administration who shall serve as the search committee chair.

In the cases of searches for chancellors, the president will consult with the regents in the final selection process and the regents may be involved in interviewing candidates recommended by the president if they so desire. Before the president identifies any candidate as a finalist for the position of chancellor, the president shall notify the candidate of his or her intention and obtain candidate's permission to advance him or her as a finalist.

A candidate for the office of chancellor who is named as a finalist shall be named in accordance with the requirements of Section 24-6-402(3.5) C.R.S. and records pertaining to that person shall be available for public inspection as allowed by Section 24-72-204 (XI)(A-B) C.R.S.

(2) Vice Chancellor for Academic Affairs (Provost)

The vice chancellor for academic affairs search committee shall consist of four faculty members, one student, one staff, and one alumnus/a. The chancellor may increase the committee size if deemed appropriate. The chancellor will request nominations of eight or more faculty members, and two or more persons from each campus staff, student, and alumni governance organization.

(3) All other Officers of the Administration

For all other Officers of the Administration, if the appointing authority determine a search is necessary, the appointing authority, will select committee members representing constituencies affected and, if appropriate, outside persons having expertise in the field.

Policy 3GE: Appointments of Officers of the University and Officers of the Administration and Evaluations of University Staff

Definitions:

1. ~~Appointing authority. The "appointing authority" means the Board of Regents or the Board's delegate as authorized by Regent Policy 2-K.~~
2. ~~Supervising authority. The "supervising authority" means the individual to whom the employee directly reports. For those employees reporting to the Board of Regents, the "supervising authority" means the Board of Regents.~~

3.E.1 Conditions of appointments for university staff:

(A) The terms and conditions of every appointment shall be stated in writing and shall be in the possession of both the university and the appointee, whenever possible, before the appointment is begun.

(B) Except as otherwise expressly provided in an individual employment contract, as authorized by state law, officers are employees-at-will in their positions. Service as an officer is at the pleasure of the appointing authority. The appointment is terminable by either the employee or the appointment authority at any time.

(C) Officer are subject to all laws, policies and regulations for university staff.

~~Employee-at-will. In accordance with C.R.S. §24-19-104 university staff shall be employees-at-will in their university staff positions unless expressly provided an employment contract authorized by C.R.S. §24-19-104(1.5). An employee-at-will shall be appointed for an indefinite period of time. The appointment is terminable by either the employee or the appointing authority at any time. The terms and conditions of an appointment shall be set forth in a letter of offer in compliance with state law and university policy.~~

~~3.—Term employment contracts and employment extensions~~

~~In accordance with CRS §24-19-104 (1.5) each campus and system administration may have in effect not more than six employment contracts or employment contract extensions of not more than five years. A term employment contract has an explicit termination date and means that the appointment does not continue after that date unless the Board of Regents approves an extension of the term employment contract.~~

~~A term employment contract for a specific term is not a guarantee of a particular position, duties, or salary for the term of appointment. The appointing authority may make an administrative reassignment at a salary appropriate for the new position.~~

~~**B.—Position descriptions:**~~

~~The supervising authority shall develop and maintain a position description outlining the duties and responsibilities.~~

~~**3.F Evaluations for officers of the university and officers of the administration of university**~~

~~**staff:**~~

~~Evaluations shall be based upon the position description and performance planning between supervisor and individual. Evaluations should provide constructive feedback on the university staff's service.~~

~~3.F.1 Annualannual evaluations.~~

~~(A) Officers of the university shall be evaluated on an annual basis by the Board of Regents.~~

~~(B) Officers of the administration shall be evaluated on an annual basis by current supervisor.~~

~~University staff shall be evaluated on an annual basis in accordance with Regent Policy 11-F.1.~~

~~3.F.2 Comprehensive evaluations~~

~~for officers.—(A) The president, university counsel and secretary, treasurer, university counsel, associate vice president of internal audit, and vice presidents, chancellors, vice chancellors, and deans of schools, colleges and libraries shall be subject to a comprehensive evaluation not less frequently than at least once in each every five years of service in accordance with Regent Laws and policy. However, at the discretion of the supervising or appointing authority these officers may be evaluated comprehensively at any time.~~

(B) All other officers of the administration may be subject to a comprehensive evaluation per campus or system procedure.

(C) The supervising authority directs comprehensive evaluations. In the event that an officer has more than one supervising authority, the comprehensive evaluation process shall be jointly defined and conducted. An assessment of the officer's fulfillment of long-term responsibilities over the comprehensive evaluation period shall include consultation with appropriate individuals from inside and outside of the university and consideration of the resources and other support needed to fulfill responsibilities. The officer under review shall provide a statement of accomplishments, self-evaluation, and long-term objectives. Upon completion of the comprehensive evaluation, the supervising authority shall make any necessary changes to the officer's position description, in accordance with university policies.

Information received or created, except the summary report, as a part of an evaluation shall be placed in the officer's personnel file and shall be considered confidential. However, such information shall be available to the individual being evaluated except for letters of reference or if the individual has waived the right of access. The summary report of the evaluation shall be prepared, shall be available to the public and shall be placed into the officer's personnel file.

~~1. Other evaluations. The supervising authority or appointing authority may conduct evaluations in any form and at any time deemed appropriate for any university staff. Information received or created, except the summary report, as a part of an evaluation shall be placed in the university staff's personnel file and shall be considered confidential. However such information shall be available to the individual being evaluated except as such information is a letter of reference or the individual has waived the right of access. The summary report of the evaluation shall be prepared, shall be available to the public and shall be placed into the university staff's personnel file.~~

C. University staff holding regular faculty appointments:

~~In those cases where an university staff also holds a regular faculty appointment within a school or college, the administrative and academic appointments will be treated independently, subject to applicable rules and policies.~~

D. Evaluation of non-presidential personnel with reporting roles to Board of Regents (university counsel and secretary of the Board of Regents; university treasurer; and associate vice president of internal audit):

~~Consistent with the Laws of the Regents and Regent Policy, the performance of university staff with reporting roles to the Board of Regents will be evaluated and rated annually. The performance evaluation will be based upon the position description and performance planning between the relevant board member and employee. The performance evaluation provides the basis for individual performance ratings and merit and other pay adjustments. The performance rating is the overall summary rating of the individual's performance and constitutes the public record of rating, in accordance with the Colorado Open Records Act.~~

DEFINITIONS

~~Performance Evaluation: Performance evaluation is a collaborative supervisor/employee process that begins with identification of job responsibilities found in a position description, the contract/letter of offer, and in the unit's workload policies. Performance evaluation includes mutual agreement on a performance plan, as well as feedback on defined goals and objectives. Performance evaluation concludes with an assessment of performance. During a performance evaluation, documents and comments from a variety of individuals that relate to an individual's performance may be collected and reviewed.~~

~~Performance Rating: A performance rating derived from the evaluation process is a five to one (5-1) point summary rating defined as follows:~~

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5—Outstanding. Far exceeds performance expectations on a consistent and uniform basis. Work is of exceptional quality in all essential areas of responsibility. In addition, makes an exceptional or unique contribution in achievement of unit, department, and University objectives

4—Exceeding Expectations. Always achieves performance expectations and frequently exceeds them. Demonstrates performance of a **very** high level of quality in all areas of responsibility.

3—Meeting Expectations. Consistently fulfills performance expectations and periodically may exceed them. Work is of high quality in all significant areas of responsibility.

2—Below Expectations. Fails to meet expectations in one or two of the significant/ essential position requirements and improvement is needed in these areas.

1—Fails to Meet Expectations. Fails to meet expectations in more than two of the significant/ essential position requirements and improvement is needed in most aspects of position.

STATEMENT OF POLICY

University staff with reporting roles to the Board of Regents will be evaluated and receive a performance rating on an annual basis. Individual performance evaluations and ratings provide the basis for annual merit and other pay adjustments. The process for such evaluations shall be as follows:

- f.—The performance evaluation of the individual shall begin with the individual's self-assessment of performance. This self-assessment will be based on defined goals and objectives previously established and agreed by the relevant board member and the individual. This relevant board member for each position is as follows:
 - i.—The chair of the Board of Regents for the university counsel and secretary of the Board of Regents
 - ii.—The chair of the Regent Audit Committee for the associate vice president of internal audit
 - iii.—The chair of the Regent Budget and Finance committee for the university treasurer
- g.—The completed self-assessment will be provided to both the relevant board member as well as the appropriate University of Colorado officer assigned to the individual.
 - i.—The president, in consultation with the chancellors, shall review the self-assessment and provide comments to the university counsel and secretary of the Board of Regents.
 - ii.—The vice president, university counsel and secretary of the Board of Regents, in consultation with the president and the chancellors, shall review and provide comments to the associate vice president of internal audit.
 - iii.—The vice president and chief financial officer, in consultation with the vice chancellors and chief financial officers, shall review and provide comments to the university treasurer.
- h.—The University of Colorado officer reviewing the self-assessment shall meet with the individual to discuss the assessment and the related feedback.
- i.—The appropriate University of Colorado officer shall prepare a confidential memorandum that discusses the self-assessment, the meeting and the feedback received on the individual's performance during the evaluation period, makes a preliminary recommendation of the performance rating to be assigned to the individual, discusses potential goals for the upcoming evaluation period, and, if appropriate, recommends any merit or other pay adjustments.

- i. The president shall transmit the memorandum related to the university counsel and secretary of the Board of Regents to the chair of the Board of Regents.
 - ii. The vice president, university counsel and secretary of the Board of Regents shall transmit the memorandum related to the associate vice president of internal audit to the chair of the Regent Audit Committee.
 - iii. The vice president and chief financial officer shall transmit the memorandum related to the university treasurer to the chair of the Regent Budget and Finance Committee.
- j. The regent who receives the memorandum shall meet with the individual to discuss the assessment. It is the sense of the board that the assigned regent shall consult with the relevant committee members and, if appropriate, the entire board, before assigning a performance rating to be assigned to the individual, defining goals for the upcoming evaluation period, and, if appropriate, recommending any merit or other pay adjustments.
- k. The assigned regent shall transmit the performance rating and any recommended merit or other pay adjustments to the Board of Regents for approval.
- l. Upon approval by the Board of Regents, the chair of the Board of Regents shall document the performance rating on the University Staff Annual Performance Rating Form.
- i. The individual has the right to append a response to the rating if he or she so desires.
 - ii. The chair of the Board of Regents and the individual will sign the performance rating form to acknowledge that the rating has been discussed.
 - iii. The supervising authority will retain the original signed rating form and provide the rated employee a copy of the signed form.
- m. The performance rating form will be placed in the employee's personnel file. The performance rating is subject to disclosure under the Colorado Open Records Act. Any written justification for the performance rating may also be placed in the personnel file but will not be disclosed to anyone other than the employee and university personnel with a demonstrated business need. Human resources offices are responsible for approving such access.
- n. Performance ratings for annual merit or salary adjustment consideration shall be submitted to the applicable human resources office in accordance with individual campus-defined submittal dates.
- o. The performance rating is only one item of information that may be used, consistent with the *Laws of the Regents* and university policy, in the annual salary setting process or in comprehensive administrative evaluations. [1117]

Policy 3: Compensation for Administrative Officers Returning to Any Faculty Positions

An administrator who holds a tenured position at the University of Colorado has the right to return to his/her tenured faculty position upon conclusion of the administrative appointment.

Letters of offer or addenda for administrators who are also tenured faculty shall include reference to this policy, and a copy of this policy shall be attached.

The faculty salary of an administrator returning to a faculty position shall be determined by the appointing authority in consultation with the dean of the college and the chair of the unit in which the faculty position is rostered. The appropriate salary shall be based upon the faculty member's academic and administrative experience, expertise, standing in the discipline, and the functions the faculty member is expected to perform. The faculty member's salary shall be within the salary range of faculty of the same rank in the academic unit and shall be no higher than the highest salary in the academic unit. Only under the most

~~extraordinary circumstances, may the president (or the Board of Regents in the case of a president returning to the faculty) authorize and approve exceptions to this policy.~~

~~For those administrators who were receiving an administrative stipend in addition to a faculty salary, the stipend shall end upon returning to a faculty position.~~ [LL18]

Policy 3J: Definitions of University Employees who are Exempt from the State Personnel System

- ~~1. Officers of the university shall be as described in Regent Laws Article 3.A.1.~~
- ~~2. Officers of the administration as referred to in Regent Laws 3.A.2 shall be those individuals who hold the title or interim/acting title of vice president; chancellor; associate vice president; assistant vice president; vice chancellor; associate vice chancellor; associate university counsel; and deans of the schools, colleges, and libraries.~~
- ~~3. Further, on written request the president may designate other officers of the administration.~~
- ~~4. The designation "officer" shall be included in the letter of offer and the university's official personnel roster. Consistent with the state law, officers of the university and officers of the administration are exempt from the state personnel system.~~

Policy 3-K, 3.F.3 Presidential Annual Evaluation

1. Policy

~~It is the policy of the~~ The Board of Regents ~~that it~~ shall evaluate the President of the University of Colorado on an annual basis.

2. Purpose

The purpose of this policy is to establish and communicate the Board of Regents' expectations of the President of the University of Colorado and to establish procedures to annually evaluate performance. This performance procedure is not intended to and does not displace the comprehensive evaluation required by Regent Policy 3.G.

3. Procedures

- a. ~~The board shall review the performance of the president on an annual basis.~~ [LL19] The annual evaluation period will be July 1 through June 30.
- b. Goals of Performance Evaluation: The performance evaluation is intended to promote the following goals:
 - (1) To assess the president's performance in key areas.
 - (2) To increase the communication between the board and the president and to clarify the board's expectations of the president.
 - (3) To ensure that the board and the president have a common understanding of and commitment to addressing the priorities of the University of Colorado.
 - (4) To allow the board and the president to have a meaningful dialogue in setting the criteria against which the board will measure the president's performance.
 - (5) The board and the president will develop performance plan on an annual basis.
- c. Recurring Criteria: The performance plan shall include a number of criteria that the board shall evaluate on an annual basis. This recurring criteria are meant to reflect core competencies of the office of the president, including:
 - (1) Communication and relationship with the board;
 - (2) Fiscal management of the university;

- (3) Supervision of key personnel, such as chancellors and vice-presidents;
- (4) Governmental and community relations;
- (5) Promotion of academic excellence and student success at the university;
- (6) Promotion of ethical conduct at the university;
- (7) Promotion of the reputation of the university;
- (8) Promotion of advantageous relationship with university-affiliated entities;
- (9) Fundraising.

- d. Non-recurring criteria: The performance plan shall also include a number of evaluation criteria, mutually agreed upon by the board and the president, that are designed to address the current needs and goals of the university. For example, the board and the president could identify “increasing enrollment for university campuses by 1%” or “development of a portal for online resources” as non-recurring evaluation criteria.
- e. The board shall determine whether the president’s performance has been:
 - 1 - Exceeding Expectations: Consistently superior achievement reflecting a positive contribution to the University of Colorado that significantly advances the mission of the organization.
 - 2 - Meeting Expectations: Consistent achievement demonstrating a high level of competency in the area being evaluated. Performance at this level demonstrates that the President of the University of Colorado reliably performs the duties described in the performance plan and advances the mission of the organization.
 - 3 - Below Expectations: Performance in the area being evaluated does not consistently meet the expectations described in the performance plan,
- f. Open Records Requirement. ~~The board shall also evaluate the president’s performance, as a whole, as Exceeding Expectations, Meeting Expectations, or Below Expectations.~~^[LL20] The board overall evaluation of the president shall be available for public inspection as a “performance rating” under the Colorado Open Records Act, C.R.S. 24-72-202(4.5), but all other information generated or prepared during the evaluative process shall be maintained as “personnel file” records not subject to inspection or disclosure.
- g. Annual Performance Calendar: For purposes of performance evaluation, the board shall use the following schedule as recommended target dates:
 - July 1 – First day of evaluation period.
 - December 30 – Chair of board and president to meet to discuss year-to-date performance.
 - First board Meeting of Calendar Year/Mid-year Review – The board and the president will discuss year-to-date performance in executive session at the regularly scheduled board meeting.
 - May 1 – Chair of board and president meet to discuss performance evaluation and to discuss potential performance goal for next year’s evaluation.
 - May 15 – President of university submits self-evaluation to board.
 - June 1 or most closely scheduled board meeting – The board shall meet in executive session to discuss performance evaluation and performance goals for

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next year's evaluation. Secretary of the board prepares draft of performance evaluation and draft of performance goals.

- June 15 – president meets with chair of the board to review performance evaluation and draft of performance goals for next year's evaluation.
- June 30 – President meets with board in executive session at a regularly scheduled board meeting to finalize performance evaluation and performance goals for next year's evaluation.
- July 15 – Finalized performance evaluation and performance goals transmitted to president.

E.—Evaluation of non-presidential personnel with reporting roles to Board of Regents (university counsel and secretary of the Board of Regents; university treasurer; and associate vice president of internal audit):

3.F.4 Annual Evaluation for all other Officers of the University

Consistent with the Laws of the Regents and Regent Policy, the performance of university staff with reporting roles to the Board of Regents will be evaluated and rated annually. The performance evaluation will be based upon the position description and performance planning between the relevant board member and employee. The performance evaluation provides the basis for individual performance ratings and merit and other pay adjustments. The performance rating is the overall summary rating of the individual's performance and constitutes the public record of rating, in accordance with the Colorado Open Records Act.

DEFINITIONS

Performance Evaluation: Performance evaluation is a collaborative supervisor/employee process that begins with identification of job responsibilities found in a position description, the contract/letter of offer, and in the unit's workload policies. Performance evaluation includes mutual agreement on a performance plan, as well as feedback on defined goals and objectives. Performance evaluation concludes with an assessment of performance. During a performance evaluation, documents and comments from a variety of individuals that relate to an individual's performance may be collected and reviewed.

Performance Rating: A performance rating derived from the evaluation process is a five to one (5-1) point summary rating defined as follows:

5—Outstanding. Far exceeds performance expectations on a consistent and uniform basis. Work is of exceptional quality in all essential areas of responsibility. In addition, makes an exceptional or unique contribution in achievement of unit, department, and University objectives

4—Exceeding Expectations. Always achieves performance expectations and frequently exceeds them. Demonstrates performance of a **very** high level of quality in all areas of responsibility.

3—Meeting Expectations. Consistently fulfills performance expectations and periodically may exceed them. Work is of high quality in all significant areas of responsibility.

2—Below Expectations. Fails to meet expectations in one or two of the significant/ essential position requirements and improvement is needed in these areas.

1—Fails to Meet Expectations. Fails to meet expectations in more than two of the significant/ essential position requirements and improvement is needed in most aspects of position.

STATEMENT OF POLICY

University staff All other officers of the University with reporting roles to the Board of Regents will be evaluated and receive a performance rating on an annual basis. Individual performance evaluations and ratings provide the basis for annual merit and other pay adjustments. The process for such evaluations shall be as follows:

FEEDBACK

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- a. The performance evaluation of the individual shall begin with the individual's self-assessment of performance. This self-assessment will be based on defined goals and objectives previously established and agreed by the relevant board member and the individual. This relevant board member for each position is as follows.
 - i. The chair of the Board of Regents for the university counsel
 - ~~i.~~ii. ~~The chair of the Board of Regents~~ and secretary of the Board of Regents
 - ~~ii.~~iii. The chair of the Regent Audit Committee for the associate vice president of internal audit
 - ~~iii.~~iv. The chair of the Regent Budget and Finance committee for the university treasurer
 - b. The completed self-assessment will be provided to both the relevant board member and to the appropriate officer as follows: as well as the appropriate University of Colorado officer assigned to the individual.
 - i. The president, in consultation with the chancellors, shall review the self-assessment and provide comments to the university counsel and secretary of the Board of Regents.
 - ii. The vice president, university counsel and secretary of the Board of Regents, in consultation with the president and the chancellors, shall review and provide comments to the associate vice president of internal audit.
 - iii. The vice president and chief financial officer, in consultation with the vice chancellors and chief financial officers, shall review and provide comments to the university treasurer.
 - c. The University of Colorado officer reviewing the self-assessment shall meet with the individual to discuss the assessment and the related feedback.
 - d. The appropriate University of Colorado officer shall prepare a confidential memorandum that discusses the self-assessment, the meeting and the feedback received on the individual's performance during the evaluation period, makes a preliminary recommendation of the performance rating to be assigned to the individual, discusses potential goals for the upcoming evaluation period, and, if appropriate, recommends any merit or other pay adjustments.
 - i. The president shall transmit the memorandum related to the university counsel and secretary of the Board of Regents to the chair of the Board of Regents.
 - ii. The vice president, university counsel and secretary of the Board of Regents shall transmit the memorandum related to the associate vice president of internal audit to the chair of the Regent Audit Committee.
 - iii. The vice president and chief financial officer shall transmit the memorandum related to the university treasurer to the chair of the Regent Budget and Finance Committee.
 - e. The regent who receives the memorandum shall meet with the individual to discuss the assessment. ~~# is the sense of the board that it~~ The assigned regent shall consult with the relevant committee members and, if appropriate, the entire board, before assigning a performance rating ~~to be assigned~~ to the individual, defining goals for the upcoming evaluation period, ~~and, if appropriate, or~~ recommending any merit or other pay adjustments.
 - f. The assigned regent shall transmit the performance rating and any recommended merit or other pay adjustments to the Board of Regents for approval.

FEEDBACK

- g. Upon approval by the Board of Regents, the chair of the Board of Regents shall document the performance rating on the University Staff Annual Performance Rating Form.
- iv.i. The individual has the right to append a response to the rating if he or she so desires.
 - v.ii. The chair of the Board of Regents and the individual will sign the performance rating form to acknowledge that the rating has been discussed.
 - vi.iii. ~~The supervising authority~~ The Board of Regents will retain the original signed rating form and provide the rated employee a copy of the signed form.
- h. The performance rating form will be placed in the employee's personnel file. The performance rating is subject to disclosure under the Colorado Open Records Act. Any written justification for the performance rating may also be placed in the personnel file but will not be disclosed to anyone other than the employee and university personnel with a demonstrated business need. Human resources offices are responsible for approving such access.
- ~~i. Performance ratings for annual merit or salary adjustment consideration shall be submitted to the applicable human resources office in accordance with individual campus defined submittal dates.~~ [LL21]
 - j.i. The performance rating is only one item of information that may be used, consistent with the *Laws of the Regents* and university policy, in the annual salary setting process or in comprehensive administrative evaluations.

REGENT LAW: Article 9: Degrees, Designations and Regent Awards

PART B: DESIGNATIONS

9.B.1 Distinguished Professor

- ~~(A) By specific action of the Board of Regents the designation of "distinguished professor" is bestowed on university faculty members who have distinguished themselves as exemplary teachers, scholars, and public servants, and who have extraordinary international importance and recognition.~~
- ~~(B) Further, such designations shall be awarded only on the recommendation of the appropriate campus chancellor and the president of the university following departmental nomination and justification; review by the office of the concerned dean(s); screening by a committee of senior faculty peers who will advise the chancellor about the merit of each proposal; and screening by a university-wide faculty committee who will advise the president.~~

9.B.2 Professor or Officer Emeritus/Emerita

- ~~(A) Any faculty member may be allowed, upon retirement and in accordance with the campus-defined process and approval by the chancellor, to retain his or her title with the description "emeritus/emerita."~~ [LL22]

3.G Officer Emeritus/ Emerita

3.G.1 Officers of the University

Any officer ~~except those~~ reporting directly ~~to the president or~~ the Board of Regents may be allowed, upon retirement and approval by the Board of Regents~~president~~, to retain his/her title with the description "emeritus/emerita."

3.G.2 Officers of the Administration

Any officer ~~except those~~ reporting directly to ~~the president or~~ the Board of Regents, may be allowed, upon retirement and approval by the president~~Board of Regents~~, to retain his/her title with the description "emeritus/emerita."