Article 3: Officers and Exempt Professionals [1]

PART A: DEFINITIONS OF OFFICERS AND EXEMPT PROFESSIONALS

3.A.1 There shall be three officers of the university: 1. the president; 2. the university counsel and secretary; and, 3. the treasurer.

3.A.2 Officers of the administration are as defined in regent policy.

[See regent policy 3-J]

3.A.3 Exempt professionals 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.

(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

(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

(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 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. In the event of a president?s inability to act whether as the result of a prolonged absence or incapacitation the vice president for academic affairs and research shall perform the duties of president unless another officer is designated by the Board. When so acting, she/he shall have all the powers of and be subject to all the restrictions imposed on the president.

3.B.5 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.6 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.

3.B.7 Exempt Professionals

Exempt professionals 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.

(C) The selection of the president, vice presidents, chancellors, vice chancellors, and deans shall be a collaborative process as defined in regent policy.

[See regent policy 3-E]

3.C.2 Conditions of Appointments for Officers and Exempt Professionals

(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 and exempt professionals are employees-at-will in their officer or exempt professional positions. Service as an officer or as an exempt professional 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]

PART D: EVALUATIONS

3.D.1 Officers and exempt professionals 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.

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.

History: Last Amended August 16, 2007 (previously ammended: 5/20/93, 04/25/96, 06/26/97, 09/10/98, 08/03/00, 12/19/02, 06/02/02, 06/02/04)

Attachments:
Video:
Images:
Groups audience:
Board of Regents

OG vocabulary:
Laws of the Regents

Source URL: https://www.cu.edu/regents/laws-and-policies/regent-laws/article-3-officers-and-exempt-professionals

Links:
[1] https://www.cu.edu/regents/laws-and-policies/regent-laws/article-3-officers-and-exempt-professionals