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Policy 3G: Appointments and Evaluations of Officers and Exempt Professionals [1]

A. 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.

B. Conditions of appointments for officers and exempt professionals:

1. Employee-at-will. In accordance with C.R.S. §24-19-104 officers and exempt professionals shall be employees-at-will in their officer or exempt professional 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.

2. 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.

C. Position descriptions:

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

D. Evaluations of officers and exempt professionals:

Evaluations shall be based upon the position description and performance planning between supervisor and individual. Evaluations should provide constructive feedback on the officer's and exempt professional?s service.

1. Annual evaluation. Officers and exempt professionals shall be evaluated on an annual basis in accordance with Regent Policy 11-F.1.

2. Comprehensive evaluation for officers. The president, secretary, treasurer, university counsel, vice presidents, chancellors, vice chancellors, and deans of schools, colleges and libraries shall be subject to a comprehensive evaluation not less frequently than once in each 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.

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.

3. Other evaluations. The supervising authority or appointing authority may conduct evaluations in any form and at any time deemed appropriate for any officer or exempt professional. Information received or created, except the summary report, as a part of an evaluation shall be placed in the officer?s or exempt professional?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 as 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 or exempt professional?s personnel file.

E. Officers and exempt professionals holding regular faculty appointments:

In those cases where an officer or exempt professional 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.

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

Consistent with the Laws of the Regents and Regent Policy, the performance of officers and exempt professionals 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

Officers and exempt professionals 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:

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 and secretary of the Board

of Regents
ii. The chair of the Regent Audit Committee for the director of internal audit
iii. 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 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 president, in consultation with the chancellors, shall review and provide comments to the director 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 president shall transmit the memorandum related to the director 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. 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.

f. The assigned regent shall transmit the performance rating and any recommended merit or other pay adjustments to the Board of Regents for approval.

g. Upon approval by the Board of Regents, the chair of the Board of Regents shall document the performance rating on the Officers and Exempt Professionals 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.

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.

j 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.

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