



# University of Colorado

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## BOARD OF REGENTS

### 3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

#### Policy 3.A: Definitions of Officers of the University

##### 3.A.1 President

- (A) As provided by 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. [Section 23-20-106 C.R.S.]
- (B) As the principal executive officer, the president shall be responsible for the 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 may delegate the responsibility of 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.
- (F) The president shall be an ex officio member of the Faculty Council, and president of the Faculty Senate.
- (G) The president is authorized:
  - (1) to approve 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 university counsel, and secretary of the Board of Regents, treasurer, and associate vice president of internal audit.
- (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.

See regent policy 13.I for Board of Regent notification requirements.

- (I) The president shall advise the Board of Regents of matters that the Board of Regents should consider in meeting its policy-making responsibilities.

### 3.A.2 University Counsel

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

### 3.A.3 Secretary

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

### 3.A.4 Treasurer

- (A) The treasurer shall perform the duties set forth in Section 23-20-109, C.R.S. The treasurer shall give bond as required by the laws of the state of Colorado or 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 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, the president or the chief financial officer of the university.

- (C) The treasurer shall advise the Board of Regents, 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. In the event of a conflict, the treasurer reports directly to the Board of Regents.

3.A.5 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.
- (B) The associate vice president shall report to the Board of Regents and administratively to the university counsel. 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:
  - Board of Regents laws and policies;
  - university policies and standards; 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 inform the regent's Audit Committee 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.

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**History:**

- Adopted: September 7, 2017, sections contained in this policy were previously contained in regent article 3.B.1, 3.B.2, 3.B.3, 3.B.4.
- Revised: September 10, 2020 (updated to add reference to the new regent policy 13.I).
- Last Reviewed: September 10, 2020.



# University of Colorado

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## BOARD OF REGENTS

### 3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

#### Policy 3.B: Definitions of Officers of the Administration

##### 3.B.1 Chancellors

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.

##### 3.B.2 Other Officers of the Administration

All other officers of the administration shall have their duties defined in the applicable position description.

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#### History:

- Sections contained in this policy were previously contained in Regent Article 3.B.6 and 3.B.7.
- Last Revised: September 7, 2017.
- Last Reviewed: September 7, 2017.



# University of Colorado

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## BOARD OF REGENTS

### 3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

#### **Regent Policy 3.C: Searches for Administrators and Guidelines for the Appointment of Chief Officers of the University**

##### 3.C.1 Policy Statement

Search committees are mandated when vacancies occur in the positions of president, vice president, chancellors, vice chancellors, and deans of schools, colleges, and libraries.

- (A) 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) and any other applicable law.
- (B) The board may authorize deviations from the processes defined in this policy except where prohibited by applicable law.
- (C) Internal applicants shall be given the opportunity to compete with qualified external candidates.
- (D) 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

**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.

**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.

**Candidate** – A person who applies for the position 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.

**Finalist** – A candidate who has agreed to be advanced for final consideration and potential appointment for the position of president or chancellor. A person who is named as a finalist shall be named in accordance with the requirements of

C.R.S. § 24-6-402(3.5) and records pertaining to that person shall be available for public inspection as allowed by C.R.S. § 24-72-204(XI)(A-B).

### 3.C.3 Search Procedures

#### (A) The Search Committee

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 and in accordance with applicable law. 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, the appropriate campus or system human resources office, and an affirmative action officer shall assist the search committee.

#### (B) Membership

The composition and selection of the search committee is defined in section 3.C.3(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 requirements of affirmative action;
- (3) target dates for completing each stage of the search process and the schedule of reporting to the supervising authority;
- (4) the number of candidates to be recommended to the supervising authority;
- (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) Committee Process

Before commencing its search, the committee shall consult with the supervising authority to discuss and clarify the charge, desired academic or management 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 and prepare a written job description for the position. In presidential and chancellor searches the committee must operate in accordance with the provisions of C.R.S. § 24-6-402, Open Meetings Law.

The supervising authority, in conjunction with human resources, will set the anticipated salary range at the outset of a search and inform candidates as required by applicable law. The committee shall not assume limitations on salary or other conditions that would qualify the considerations of candidates unless specified by the supervising authority. In extraordinary circumstances the supervising authority, 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 and applicable law.

(E) Search Committee Chair

The supervising authority shall appoint the search committee chair. In the case of a presidential search, the committee chair shall be a 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 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 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 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.

(F) 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 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) Professional Consultant Support

At the discretion of the supervising authority and in consultation with campus or system human resources, 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) 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. In selecting and recommending such candidates, the search committee will strive to select and recommend a diverse pool of candidates with a variety of backgrounds, expertise, and perspectives to represent the interests of the university and the state, consistent with regent law and policy.

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) 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 their intention and obtain the candidate's permission to advance them as a finalist. Following the supervising authority's evaluation of the candidates, they 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 prerequisites of employment.

(J) Composition of the Search Committee

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.

(1) President

The Board of Regents shall appoint the presidential search committee. The presidential search committee shall consist of at least two regents; one dean of a school, college, or library; four faculty who are members of the Faculty Senate, one representing each campus; two students, one undergraduate and one graduate; two staff; two alumni/ae; one member of the University of Colorado Foundation Board of Directors; 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.

Notwithstanding the above, the board reserves the right to appoint regents as the search committee.

Presidential search committee membership is accomplished by regent resolution. The composition of the presidential search committee shall be as follows:

- (a) 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.
- (b) Dean of a school, college, or library – The board will request the chancellors and Council of Academic Deans to nominate one or more deans from each campus.
- (c) Faculty – 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.
- (d) Student – The board will request that the student governance organizations nominate two or more students from the student governance organizations from each campus.
- (e) Staff – 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.
- (f) Alumni/ae – The board will request that the alumni organizations nominate two or more alumni from the alumni organizations from each campus.
- (g) University of Colorado Foundation Board of Directors – The board will request that the chair of University of Colorado Foundation Board of Directors nominates one of the members of the Board of Directors.
- (h) Community Members – The board will solicit nominations from the community for members of the public to serve in a nonpartisan role on the committee.

Nominations for the search committee are due to the board no later than 30 days after the date on which the board solicits nominations.

Nominations submitted to the board must include:

- (a) the professional qualifications of the potential committee member;
- (b) a statement of interest from the potential committee member;
- (c) a certification from the nominee that no conflict of interest exists;

- (d) an acknowledgement of the substantial time commitments that service on the committee will entail; and
- (e) an acknowledgement that the Board of Regents may replace a member who fails to attend committee meetings or participate meaningfully in the search process.

In accordance with section 3.C.3(C) 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: 1) meeting with the Board of Regents to review the candidate pool at the point in the search where the committee has sufficiently narrowed the pool that it is having serious discussions regarding which candidates will be invited for initial interviews; and 2) referring a minimum of five unranked candidates to the Board of Regents to consider interviewing. Following those interviews, the determination of which candidates will be designated as the finalist(s) shall be made by the Board of Regents. Before the Board of Regents identifies any candidate as a finalist, the chair and vice chair of the presidential search committee shall notify the candidate of the Board of Regents' intention and obtain the candidate's permission to advance them as a finalist. When narrowing the pool of candidates, the presidential search committee shall utilize a positive voting process similar to that described in [Appendix A – Positive Voting Process](#).

A custodian of records shall allow public inspection of the demographic data of a candidate who was interviewed by the search committee for an executive position as defined in C.R.S. § 24-72-202(1.3), but is not named as a finalist pursuant to C.R.S. § 24-6-402(3.5). "Demographic data" means information on a candidate's race and gender that has been legally requested and voluntarily provided on the candidate's application and does not include the candidate's name or other information.

(2) Vice Presidents

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

(3) Chancellors

The president shall appoint the search committee. The chancellor search committee shall consist of at least four faculty (including an instructional, research or clinical faculty member); one dean nominated by the campus deans' council; one student; one staff; and two external representatives (e.g., alumni/ae, Colorado business leaders, community leaders). 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.

(4) Vice Chancellors

(a) The vice chancellor for academic affairs search committee shall consist of four faculty, 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.

(b) For all other vice chancellor positions – The chancellor will select committee members representing constituencies affected and, if appropriate, outside persons having expertise in the field.

(5) Deans of Schools, Colleges, and Libraries

The supervising authority shall receive nominations for faculty membership on the search committee from appropriate representative faculty groups of the school, college, or library. The supervising authority shall select informed internal representatives of the profession and/or discipline who are familiar with the objectives and requirements of the school, college, or library concerned. If appropriate, external representatives of the profession may be selected. Search committees for the deans of the law, engineering, and business schools or colleges shall include at least two external representatives.

(6) University Counsel and Secretary of the Board of Regents

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 attorney general of the state of Colorado or the attorney general'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 legal community, to create a diverse committee that includes a variety of backgrounds, expertise, and perspectives relevant to the position.

(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.

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**History:**

- Adopted:
- Revised: December 18, 1974; February 26, 1975; November 20, 1986; December 17, 1992; November 11, 1999; June 2, 2004; June 1, 2006; June 24, 2010; March 21, 2014; April 17, 2015 (the term "officer and exempt professional" was replaced with the term "university staff"); November 12, 2020 (renumbered from 3.E to 3.C); September 10, 2021; and February 10, 2022 - revised for changes related to the Colorado Equal Pay for Equal Work Act and made retroactive to January 1, 2021.
- Last Reviewed: September 10, 2021.

## Appendix A: Positive Voting Process

Voting method and process for moving candidates through the Presidential Search Committee (PSC).

The Presidential Search Committee (PSC) will use a positive voting process which allows each member to move forward the candidates who, in that member's judgment, are the most outstanding. The process immediately promotes harmony and positive direction in the search process, since candidates are moved forward according to the desires of each member of the PSC, rather than the possibility of being directly eliminated at an early stage. Committee members cannot veto any member's top candidates merely because a small group does not want them.

When identifying which candidate's files will be more carefully reviewed by the entire committee, each member will move names forward. Thus, the PSC would carefully review candidates, each of whom has been identified by at least one search committee member. The larger the field, the larger the number of candidates each member will select. If the field is 100 or over, the number will be 10 for each committee member to choose. This number is on the high side to emphasize the positive aspect of this method. Since the initial field will have some who are obviously not qualified, many members will, of course, be choosing many of the same candidates. At each step of the process, logically some candidates are named by a number of committee members, while some may only be named by one committee member. Experience bears out that the field will generally be reduced by 50 percent to 70 percent. It is not a problem to have a large field after the first round of voting, as it preserves the spirit of the positive voting process. A larger field simply means one or two additional total rounds of voting will occur.

After the review of those candidates moved forward, the next round of voting continues this process, with each member again moving forward those candidates the member judges to be the most outstanding. The number each member can choose is smaller than the previous round, which then produces an even shorter list of candidates.

Important Note - candidates may be added as the search process proceeds. In no way should the winnowing procedure preclude the addition of a candidate, even if a cut-off date has been announced and has passed.

The later stages of the process continue to move forward candidates to interview. For example, if there are 20 candidates remaining and the committee wants to winnow the list to 10 to interview, each PSC member will select up to 8 names to move forward. After the votes are tallied, the top 10 names are then selected to be interviewed. Likewise, when the committee wants to move from 10 candidates to five; for example, each PSC member has up to four names to forward. After the votes are tallied, the top five names are forwarded.

Note - the PSC could agree to add a person down the list for an interview, for any number of factors.

It is generally recommended that the number of interviews be a maximum of twice the number of candidates the PSC plans to forward to the Board of Regents for consideration.

After the interviews, the process for names to be forwarded to the Board of Regents will be accomplished just like the previous stage of voting for all candidates left.

Note - it is very important that all interviews be done back to back and that the discussion of the candidates interviewed should take place immediately after the final interview, with voting for final ranking immediately following that discussion. It is recommended that a maximum of four interviews be conducted in one day.

The Board of Regents may or may not want the ranking of those forwarded. At that time the Board of Regents could name one or more finalists; interview all, some, or none of those brought forward then name one or more finalists, or reject all of them; or could reject all of them without interviews. If all candidates are rejected, the search by the PSC would continue.

Those brought forward to the Board of Regents are not finalists. They are the recommendations of the PSC for the Board of Regents to consider, at this point. Before the Board of Regents identifies any candidate as a finalist, the chair of the presidential search committee shall notify the candidate of the Board of Regents' intention and obtain the candidate's permission to advance them as a finalist.



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**BOARD OF REGENTS**

3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

**Policy 3.D:**

**RESERVED FOR FUTURE USE**





# University of Colorado

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## BOARD OF REGENTS

### 3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

#### Policy 3.E: Appointments of Officers of the University and Officers of the Administration

##### 3.E.1 Conditions of Appointments

- (A) The terms and conditions, job description and benefits, 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 has 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 appointing authority at any time.
- (C) Officers are subject to all laws, policies, and regulations for university staff.

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#### History:

- Adopted: September 11, 2015. (Sections contained in this policy were previously contained in Article 3.C.2 of the Laws of the Regents).
- Revised: April 17, 2015 (the term “officer and exempt professional” was replaced with the term “university staff”); September 7, 2017; and February 10, 2022 (revised for changes related to the Colorado Equal Pay for Equal Work Act and made retroactive to January 1, 2021); June 20, 2024.
- Last Reviewed: June 20, 2024.



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## BOARD OF REGENTS

### 3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

#### Policy 3.F: Evaluations for Officers of the University and Officers of the Administration

##### 3.F.1 Annual 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 their current supervisor.
- (C) Evaluations shall be based upon the position description and performance planning between the supervisor and individual. Evaluations should provide constructive feedback on the officer's service.

Notwithstanding any provisions of this policy or other university policy, for Fiscal Years 2023-24 and 2024-25, all officers of the university, including the president, all officers of the administration employed within the System Administration, and the chancellors will be evaluated based on a feedback-focused method of performance management that utilizes a rating of "Performing" or "Needing Support" rather than a numeric rating. This will be consistent with and concurrent to a pilot deployed for all System Administration employees.

##### 3.F.2 Comprehensive Evaluations

- (A) The president, university counsel and secretary, treasurer, associate vice president of internal audit, and chancellors shall be subject to a comprehensive evaluation at least once every five years of service. 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, for the purpose of leadership development. 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, available to the public, and placed into the officer's personnel file.

### 3.F.3 Presidential Annual Evaluation

#### (A) Policy

The Board of Regents shall evaluate the president of the University of Colorado on an annual basis.

#### (B) 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 this policy.

#### (C) Procedures

- (1) The annual evaluation period will be July 1 through June 30.
- (2) Goals of Performance Evaluation: The performance evaluation is intended to promote the following goals. Performance discussions shall occur throughout the year:
  - (a) To assess the president's performance in key areas.
  - (b) To increase the communication between the board and the president and to clarify the board's expectations of the president.
  - (c) To ensure that the board and the president have a common understanding of and commitment to addressing the priorities of the University of Colorado.
  - (d) 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.
  - (e) The board and the president will develop a performance plan on an annual basis.

- (3) Recurring Criteria: The performance plan shall include a number of criteria that the board shall evaluate on an annual basis. These recurring criteria are meant to reflect core competencies of the Office of the President, including:
- (a) Communication and relationship with the board;
  - (b) Fiscal management of the university;
  - (c) Supervision of key personnel, such as chancellors and vice presidents;
  - (d) Governmental and community relations;
  - (e) Promotion of academic excellence and student success at the university;
  - (f) Promotion of ethical conduct at the university;
  - (g) Promotion of the reputation of the university;
  - (h) Promotion of advantageous relationship with university-affiliated entities;
  - (i) Fundraising.
- (4) 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.
- (5) 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.
- (6) Open Records Requirement. The board’s 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.

- (7) Annual Performance Calendar: For purposes of performance evaluation, the board shall use the following schedule as recommended target dates:
  - (a) July 1 – First day of evaluation period.
  - (b) December 30 – Chair of the board and president to meet to discuss year-to-date performance.
  - (c) 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.
  - (d) May 1 – Chair of the board and president meet to discuss performance evaluation and to discuss potential performance goal for next year’s evaluation.
  - (e) May 15 – President of university submits self-evaluation to board.
  - (f) June 1 or most closely scheduled board meeting – The board shall meet in executive session to discuss performance evaluation and performance goals for next year’s evaluation. Secretary of the board prepares draft of performance evaluation and draft of performance goals.
  - (g) June 15 – president meets with chair of the board to review performance evaluation and draft of performance goals for next year’s evaluation.
  - (h) June 30 – President meets with the board in executive session at a regularly scheduled board meeting to finalize performance evaluation and performance goals for next year’s evaluation.
  - (i) July 15 – Finalized performance evaluation and performance goals transmitted to president.

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

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 a basis for annual merit and other pay adjustments (although additional factors may be considered). 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 to by the relevant board

member and the individual. This relevant board member for each position is as follows:

- (1) The chair of the Board of Regents for the university counsel.
  - (2) The chair of the Board of Regents for secretary of the Board of Regents.
  - (3) The chair of the Regent Audit Committee for the associate vice president of internal audit.
  - (4) The chair of the Regent 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:
- (1) 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.
  - (2) 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.
  - (3) The vice president and chief financial officer, in consultation with the vice chancellors and campus 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; and will make a preliminary recommendation of the performance rating to be assigned to the individual, discuss potential goals for the upcoming evaluation period and, if appropriate, recommend any merit or other pay adjustments.
- (E) 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.
- (F) 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.
- (G) 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.
- (H) The regent who receives the memorandum shall meet with the individual to discuss the assessment. The assigned regent shall consult with the relevant committee members and, if appropriate, the entire board, before assigning a

performance rating to the individual, defining goals for the upcoming evaluation period, or recommending any merit or other pay adjustments.

- (I) The assigned regent shall transmit the performance rating and any recommended merit or other pay adjustments to the Board of Regents for approval.
- (J) 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, except as otherwise provided in paragraph 3.F.1(C), during a two-year pilot for Fiscal Years 2023-24 and 2024-25.
- (K) The individual has the right to append a response to the rating if they so desire.
- (L) The chair of the Board of Regents and the individual will sign the performance rating form to acknowledge that the rating has been discussed.
- (M) The Board of Regents will retain the original signed rating form and provide the rated individual with a copy of the signed form.
- (N) The performance rating form will be placed in the individual'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 individual and university personnel with a demonstrated business need. Human resources offices are responsible for approving such access.

The performance rating is only one of the items 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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### **History:**

- Adopted:
- Sections contained in this policy were previously contained in Article 3.D.1 and 3.D.2 of the Laws of the Regents; and Regent Policy 3.G.D.1, 3.G.D.2, 3.G.F and 3.K.
- Revised: April 17, 2015 (the term "officer and exempt professional" was replaced with the term "university staff"); September 7, 2017; February 10, 2022 (revised for changes related to the Colorado Equal Pay for Equal Work Act and made retroactive to January 1, 2021); June 20, 2024.
- Last Reviewed: June 20, 2024.
- Non-substantive Changes: January 2024.



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## BOARD OF REGENTS

### 3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

#### Policy 3.G: Officer Emeritus/ Emerita

##### 3.G.1 Officers of the University

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

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#### History:

- Sections contained in this policy were previously contained in Regent Article 9.B.2(C) and 9.B.2(B).
- Last Revised: September 7, 2017.
- Last Reviewed: September 7, 2017.





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**BOARD OF REGENTS**

3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

**Policy 3.H:**

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## BOARD OF REGENTS

### 3. OFFICERS OF THE UNIVERSITY AND ADMINISTRATION

#### **Policy 3.I: Compensation for Officers of the Administration Returning to Their Faculty Positions**

- 3.1.1 An administrator (Officer of the Administration) who holds a tenured position at the University of Colorado has the right to return to their tenured faculty position upon conclusion of their administrative appointment.
- 3.1.2 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.
- 3.1.3 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.
- 3.1.4 For those administrators who were receiving an administrative stipend in addition to a faculty salary (e.g., interim appointments), that administrative stipend shall end upon returning to their faculty position.

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#### **History:**

- Adopted: November 20, 1975 (pp. 294-296).
- Revised: June 3, 1998 (p. 174); June 2, 2004; February 8, 2024.
- Last Reviewed: February 8, 2024.