

December 8, 2023

BOT Agenda Item VI.A.ii.

**Board Policy Manual Amendments
Section 1-1-204 University Counsel**

RECOMMENDATION

It is recommended that the Board of Trustees approve updates to section **1-1-204 University Counsel** of the Board Policy Manual.

BACKGROUND

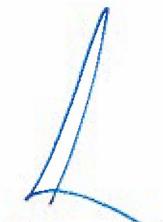
Section **1-1-204** is updated to reflect the current duties of the University Counsel.



Responsible Staff

11/27/2023

Date



President

11/30/2023

Date

Board Action

Date



Part 2 – Governance

1-1-204 University Counsel.

The University Counsel shall act as attorney and general counsel to the University and shall report directly to the BOT. The University Counsel shall be responsible for the administration and management of litigation, requests for advice and counsel, and the preventive liability programs of the University. While the University Counsel's ultimate responsibility and ethical obligations are to the BOT, the position will be available to advise and counsel the President and other administrators and staff as necessary to assist in the effective management of the University. Specific duties and responsibilities of the position shall include, without limitation, the following:

- (1) serve ~~ex officio~~ as a member of the ~~President's Executive Staff and~~ Cabinet and an ~~ex officio~~ member of University committees as appropriate, including committees of the Faculty Senate;
- (2) provide administrative ~~assistant~~ assistance to the President and the BOT;
- (3) advise and counsel with regard to University policies, regulations and procedures;
- (4) advise and counsel with regard to the administration of instruments of a contractual nature;
- (5) ~~conduct in-service workshops, seminars, and classes~~ provide formal and informal training for faculty, staff and students regarding legal issues affecting the University and higher education in general;
- (6) manage all administrative and court proceedings involving the University;
- (7) perform such other duties as directed by the BOT ~~and/or requested by the president.~~

1-1-205 Internal Auditor.

The Internal Auditor shall be the principal coordinator of the University's auditing activities. They shall be responsible for monitoring internal control systems, accounting systems, related computer systems, and compliance with University salary

models. The position shall report to the BOT, but shall function under the supervision and control of the President.

1-1-206 Faculty.

The faculty of the University are authorized to participate in the development and recommendation of educational policy and the governance of the University consistent with all federal, state, and local law and in a manner consistent with the specific authority granted by BOT policy, by regulations and procedures promulgated by the President, and by a faculty constitution authorized by this policy.

Any provision of BOT policy, University regulations and procedures or the faculty constitution notwithstanding, the BOT of the University retains final decision-making authority in all matters affecting governance of the University.

1-1-206(1) Faculty Constitution and By-Laws. The faculty of the University may adopt and maintain a constitution prescribing a structure for faculty governance and representation. The constitution must be approved by the BOT and may be amended from time to time subject to prior BOT approval. The constitution shall define and recognize faculty-voting rights and shall call for the election of a Faculty Senate. The Faculty Senate shall be the sole representative body of the faculty.

The Faculty Senate (Senate) shall adopt and maintain by-laws for the orderly conduct of faculty business. The Senate may appoint appropriate advisory councils/boards in order to assist the Senate in its duties. BOT policies and University regulations and procedures of an academic nature or those affecting faculty, should be developed and approved with the collegial participation, advice and comment of the faculty through the Senate.

In addition to the duties and powers stated above, the Senate, as the delegate assembly of the voting faculty of the University, shall have the authority to:

- (a) act for the voting faculty on all matters within the scope of this policy and the faculty constitution as approved by the BOT;
- (b) receive and consider reports and recommendations from members of the University community as it sees fit;
- (c) initiate or review policies pertaining to the general welfare of the University, its faculty or students;
- (d) transmit resolution regarding any manner concerning the University to

the President and/or the BOT, and to the faculty for their consideration and/or further action.

1-1-207 University Committees.

The President, through the ordinary governance process, is authorized to develop and define the role and authority of University-wide committees through the promulgation of regulations and procedures for the benefit and good governance of the University. Such Committees will be advisory in nature. Membership on committees shall be by appointment of the President, and service on such committees by employees shall be considered to be an appropriate adjunct to regularly assigned duties.

Policy History

1-1-201 BOARD OF TRUSTEES (BOT).

Section 1-1-201 Board of Trustees amended (May 2020)

Subsection 1-1-201(2) Student and Faculty Trustees amended (May 2020)

Subsection 1-1-201(3) Presidential Search amended (May 2020)

Subsection 1-1-201(4) Budget Process amended (May 2020)

Subsection 1-1-201(5) University Funding Priorities amended (May 2020)

1-1-204 UNIVERSITY COUNSEL.

Section 1-1-204 amended (December 2023)