The organizational description provided in the following sub-sections describes the relationships between and among the principle executive and administrative offices of the University and the distribution of authority from the Board of Trustees to these offices. These offices shall have such authority as is expressly provided in the following statements as well as such implied authority as is necessary and appropriate to carry out that which is expressly granted. All authority is subject to the right of superintendence and preemption which is reserved to those offices which are superior in line of authority and subject to policies, regulations, and procedures governing the exercise of that authority. Duties, responsibility and authority distributed may be delegated to subordinates unless otherwise restricted herein, provided, that the delegator shall be ultimately responsible for the proper exercise of such delegated duties, responsibility and authority. Refer to organization charts on the Web - further review of position descriptions located in Human Resources.

3-1-101 University Committees.

3-1-101(1) Faculty Representation on University Committees. All committees concerned with University-wide issues established by Academic Affairs (for purposes of position search, oversight, consultation, ad-hoc, etc.) will be constructed on the basis of one member for each school or college or one member for each fifty (50) faculty members of a college, whichever is greater.

3-1-102 M. Lucile Harrison Award Committee.

3-1-102(1) Purpose. The committee shall recommend criteria to be used in the selection of the award recipient. The committee shall also review files of the applicants/nominees and make recommendations to the Vice President for Academic Affairs.

3-1-102(2) Composition.

1 Representative of Undergraduate Council

1 Representative of Graduate Council

2 Representatives of Faculty Senate (All of the above serve four-year terms.)

1 Representative of the Deans

1 Representative from past recipients

(Appointed by the Vice President for one-year terms)

Chaired by a staff member in Academic Affairs

3-2-101 General Policy. [See also Board Policy Manual, Title 1, Part 4]

3-2-102 Application and Admission Requirements.

3-2-102(1) Definitions and General Rules. For the purposes of Title 1, Part 4, 1-1-403 the following shall apply. Undergraduate application and admission policies are published annually in the University catalog and are available in the on-line catalog published by Academic Affairs.

(a) Quarter credit hours shall convert to semester credit hours at a ratio of 3 to 2, e.g., 45 quarter hours shall convert to 30 semester hours.

(b) References to accredited colleges, universities, high schools, or institutions shall mean accreditation by a regional accrediting agency approved by the U.S. Department of Education.

(c) Satisfaction of admission requirements shall be determined in the sole discretion of UNC.

(d) Accredited status must exist at the time the applicant attended a college, university, high school or institution in order to be accepted.

3-2-102(2) Freshmen. The academic standards for admission of freshman and transfer students are published in the University Catalog.

3-2-102(3) Special Students. Special students are those individuals over 20 years of age at the time of the first day of class and are not enrolled in a degree

program. They are permitted to continue enrolling in courses provided they maintain a "C" average. The students may remain in a special student category as long as the individual can benefit from higher education. These individuals will be counseled into a degree program on an individual basis depending on their academic readiness. This will occur usually between 15 and 30 semester hours. The faculty advisors or staff at the Academic Advising Center will work with these individual students.

3-2-102(4) Graduate Students. The academic standards for admission of graduate students are published in the Catalog and in the Graduate School Policies and Procedures manual, Graduate Study (application packet), and Graduate Student Handbook.

3-2-103 Student Financial Resources. Application and Financial Aid information is published in the Catalog and in brochures published by the Student Financial Resources Office.

3-2-104 Registration. Policies and procedures concerning undergraduate/graduate enrollment and degree requirements are published in the catalog and in the Handbook of Graduate Education.

3-2-105 Academic Standards. Policies and procedures related to academics.

3-2-106 Degree Requirements. In Catalog.

3-2-107 Academic Appeal Procedure. [See also Board Policy Manual, Title 2, Article 1, Part 2.]

3-2-108 Financial Policies.

3-2-108(1) Tuition. Policies and Procedures related to tuition and fees are published in the Catalog and on the Registrar's WEB site.

3-2-108(2) Fees. Mandatory student fees may not be used to fund ideological, political or religious activities. The allocation and distribution of mandatory student fees shall be made without regard to the viewpoint of the activity that is funded.

3-2-108(2)(a) Definitions.

(I) Ideological and political activities are: partisan political programs or events; political parties; and election campaigns in support of or in opposition to an individual candidate, slate of candidates, or ballot issue in elections outside the University.

(II) Religious activities are: worship services.

3-2-108(2)(b) Viewpoint Discrimination. If mandatory student fees are used to fund activities by student organizations before local, state or national legislative bodies, which (I) advocate or advance viewpoints on particular public policies or positions, or (II) seek to affect public policy decisions by local, state or national legislative, executive or administrative governmental bodies, including the payment of dues or fees to other organizations which fund such viewpoint advancement by those organizations, or (III) advocate, communicate or proselytize a particular religious denomination, sect, or belief, including the payment of dues, fees or contributions to other organizations which engage in such activities, then mandatory student fees funds shall be made equally available to student organizations which seek to advance contrary or competing viewpoints.

3-2-109 Student Rights and Responsibilities. Student Rights and Responsibilities are published in the Student Handbook.

3-2-109(1) Student Conduct. Policies and Procedures related to conduct are published in the Student Handbook. [See also Board Policy Manual, Title 2, Article 1, Part 5.]

3-2-109(2) Absence Policy. Regular attendance in all classes is assumed. Each instructor determines the relationship between class attendance, the objectives of the class and the student's grade. The instructor is responsible for informing students of attendance policies and the effect of attendance on their grade. The student is responsible for knowing the policy of each course in which they enroll.

Only the instructor can approve a student request to be absent from class. The student is responsible for requesting such approval when absence is unavoidable.

Students involved in University-sponsored activities, including intercollegiate athletics, may need to be excused from a class, lab, or studio meeting. In all instances it is the student's responsibility to present a written request for permission for the absence from the instructor. The student must also discuss how the absence will affect their ability to meet the course requirements. Students should do this as early in the semester as possible. While instructors should seek to the greatest extent possible, consistent with course requirements, to make reasonable accommodations for a student involved in University-sponsored activities, students should recognize that not every course can accommodate absences and neither the absence (nor the notification of an absence) relieves them from meeting the course requirements.

In recognition of the diversity of the student body, the University provides that a student may request an excused absence from class for participation in religious observances. In all such instances, it is the student's responsibility to request, in writing, that the instructor permit the absence. The student must also discuss how the absence will affect the student's ability to meet the course requirements. A student should make any such requests before the course drop deadline for the semester.

Attendance during the first two class sessions is required. The instructor has the option to drop a student from class if they do not attend the first two hours during which the class meets, in order to allow other students to enroll. Not all instructors will exercise this option; therefore, a student should not assume that

non-attendance will automatically drop them from class.

3-2-109(3) Immunizations. Policies and Procedures related to immunizations are published in the Catalog.

3-2-109(3)(a) Definition of Non-Traditional Adult Student. For immunization purposes the following UNC students will be identified as non-traditional adult students and are exempt from the regulation:

(i) persons born before January 1, 1957

(ii) persons attending conferences/classes of one week duration or less;

(iii) conference attendees not registered in course work for academic credit

(iv) high school students attending university classes (are subject to law/rules/regulations pertaining to high school students in their high school).

3-2-109(3)(b) Effective Dates. As of July 1, 1995, in order to register for classes at the University of Northern Colorado, all students born on or after January 1, 1957 who do not meet the definition of "non-traditional adult student" identified in 3-2-109(2)(a) above, are required to complete and submit to the University of Northern Colorado Student Health Center, an official Certificate of Immunization signed by a physician, nurse, or public health official or a Certificate of Exemption signed according to criteria identified below. The Certificate must specify that the individual has immunity to Measles, Mumps, and Rubella or is exempt from Certification according to the criteria identified below.

3-2-109(3)(c) Certification Requirements.

(i) Measles (Rubeola). Two doses of measles administered on or after the first birthday, and at least 30 days apart and after 1967- **OR** - written evidence of a laboratory test showing immunity to measles. (Physician documentation of measles is not acceptable as proof of immunity).

(ii) Mumps. Two doses of mumps administered on or after the first birthday, and at least 30 days apart and after 1966. (If the second *measles* dose was administered

prior to July 1, 1992, then only the mumps dose is required),- **OR** - written evidence of a laboratory test showing immunity to mumps. (Physician documentation of mumps is not acceptable as proof of immunity).

(iii) Rubella (German Measles). Two doses of rubella administered on or after the first birthday, and at least 30 days apart and after June 1, 1969. (If the second measles dose was administered prior to July 1, 1992, then only one rubella dose is required), - **OR** - written evidence of a laboratory test showing immunity to rubella. (Physician documentation of rubella is not acceptable as proof of immunity).

3-2-109(3)(d) Provisional Enrollment. A student may be permitted to register and attend classes if a written Provisional Enrollee Plan is signed showing they are "in the process of receiving or obtaining the required immunizations." The provisional enrollment plan should be able to be met within 30-45 days; however 60 days from the enrollment date is the maximum allowable. A completed Certificate of Immunization or Certificate of Exemption must be submitted within the 30-60 days as agreed. No further provisional enrollments are permitted. If the provisional enrollment agreement is not met the student shall not be permitted to register for further classes. For purposes of this regulation the "enrollment date" is the date the student seeks a registration clearance through the Student Health Center and signs a Provisional Enrollee Plan.

3-2-109(3)(e) Exemption Requirements. Medical Exemption. In order to qualify for a medical exemption, a licensed physician must sign the medical exemption section of the Certificate of Immunization indicating that the physical condition of the student is such that immunization would endanger life or health or is otherwise medically contra indicated.

Religious or Personal Exemption. In order to qualify for a religious or personal exemption, one parent or guardian, or student of 18 years of age or older, or an emancipated minor must sign the religious or personal exemption section of the Certificate of Immunization indicating that the parent or guardian, or student of 18 years of age or older, or an emancipated minor adheres to a religious or personal belief opposed to immunization.

3-2-109(3)(f) Suspension From Classes. Individuals who do not have proof of immunity against measles, mumps and/or rubella may be suspended from classes at the University of Northern Colorado or removed from university housing during an outbreak/epidemic. If a student is removed from university housing, the university will not be responsible for the student's off campus expenses.

3-2-109(3)(g) Faculty and Staff. Effective August 1, 1992, all UNC faculty and staff born on or after January 1, 1957 must submit an official Certificate of Immunization or exemption to Human Resources and a copy of the same to their immediate supervisor. Faculty and staff must meet the immunization requirements as outlined in the UNC Measles, Mumps and Rubella Regulation as revised 6/92.

In the event of an outbreak/epidemic the record must be immediately available to UNC's Health Center or State/County Health Department personnel. Individuals with records which do not have proof of immunity against measles, mumps, and/or rubella may be excluded from campus and suspended from duties at UNC during an outbreak/epidemic.

During outbreaks of measles, mumps, or rubella on campus, general public health statute allow the Department of Health to impose an exclusion or quarantine which will affect faculty, staff and other employees.

Academic departments/schools will be responsible for replacing faculty who are quarantined due to not meeting the immunization requirements. Exempt administrators and classified staff will be required to use vacation time if they are suspended or quarantined due to not meeting the immunization requirements. If an employee is required to exhaust all available leave time before returning from a suspension of duties, the employee will be required to take leave without pay.

3-2-109(4) Eligibility for Health Services. All students enrolled for one or more credit hours at UNC are eligible for care at the Student Health Center.

Students not enrolled for credit hours for the current academic term, but who attended the previous academic term and who plan to attend the next academic term, will be entitled to purchase services at the Student Health Center for the same Health Fee assessed to full-time students. Currently enrolled students' spouses may elect to pay the full Health Fee and have access to basic services.

Students actively working on a dissertation who have paid the assessed Graduate Student Continuous Registration Fee will be allowed to purchase the health services for the Health Fee assessed full-time students.

3-2-109(5) Student Organizations. All student organizations must be chartered annually by the University. Such organizations may request a charter through the Student Representative Council. Upon SRC's recommendation, student organizations are reviewed and chartered by the Vice President for Student Affairs. Recognition of student organizations may be withdrawn by the University at any time for violation of any institutional standards of conduct of for other good cause.

3-2-109(6) Hazing Regulation. Rules and procedures related to hazing are published in the Student Rights and Responsibilities Handbook.

3-2-110 Verifiable Documents. When the university provides a service for which the recipient is required to provide proof of identification, the university shall not accept, rely upon, or utilize an identification document unless it is a secure and verifiable document. "Secure and verifiable document" means a document issued by a state or federal jurisdiction or recognized by the United States government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies. The matricula consular and other identification documents issued by foreign governments are not considered "secure and verifiable" documents.

3-2-111 Student-Faculty Dispute Resolution Processes. UNC is committed to creating an inclusive and respectful environment where every member of the University community is afforded the right to speak freely and where freedom of speech and academic freedom are given vigilant protection and respect. Debate and disagreement are integral to the teaching and learning process, and students and faculty members are strongly encouraged to attempt to resolve their disputes through respectful discussion.

As described in 3-2-111(1), UNC has four processes for resolving student-faculty disputes, and the nature of the dispute determines which process is used.

All parties involved in the resolution of a Student-Faculty Dispute should familiarize themselves with the Student-Faculty Dispute Resolution Processes as well as UNC's policies regarding Student Rights and Responsibilities (Board Policy 2-3-301), Teaching Responsibilities (Board Policy Manual 2-3-402), Academic Freedom (Board Policy Manual 2-3-601), and Professional Ethics (Board Policy Manual 2-3- 602).

3-2-111(1) Determination of Student-Faculty Dispute Resolution Process Used. When a complaint is received by the Dean of Students (e.g. using the Report a Concern Form ("Form") on the Dean of Students website), the Dean of Students and the Title IX Coordinator will jointly determine which of the following processes the complaint will follow.

(a) Discrimination Complaint Procedures (3-6-127) are used when a complaint involves potential violations of UNC's Equal Opportunity Policy, which addresses matters of discrimination, harassment, and retaliation. All of the following criteria must be met for a complaint to be routed to the Discrimination Complaint Procedures.

(I) The complaint is alleged to be based on the protected class status of an individual who is covered by UNC's Discrimination Complaint Procedures.

(II) The alleged conduct is related to one's protected class status and has unreasonably interfered with the individual's academic performance, created an intimidating or hostile educational environment or caused adverse consequences on the basis of the complainant's protected class.

(b) Academic Appeal procedures (2-1-201) are used when a complaint involves an academic decision. All of the following criteria must be met for the complaint to be routed to the Academic Appeals procedures.

(I) The behavior described in the complaint involves an academic decision made according to standards or practices that are specific to a course (e.g., grades, class policies, exam practices), discipline, program, department, school, or college.

(II) The complaint concerns an academic decision that the complainant considers arbitrary, capricious, or contrary to University policy.

(c) Student Conduct Code procedures (2-1-501) are used when the complaint involves student behavior that is prohibited by the Conduct Code.

(d) Complaints that are not subject to Discrimination Complaint Procedures, Academic Appeal procedures, or Student Conduct Code procedures follow the procedures for Other Student- Faculty Disputes

in 3-2-111(2).

3-2-111(2) Other Student-Faculty Disputes.

(a) **Submitting a Student-Faculty Dispute complaint.** A complaint about a Student-Faculty Dispute may be submitted by a student involved in the dispute, by a faculty member involved in the dispute, or by both.

Complaints can be submitted in writing using the Report a Concern Form ("Form") on the Dean of Students website. If complaints are received by other means, they will be entered into the Form before the dispute resolution procedures begin.

Complaints should be submitted at the earliest possible date, but no later than seven (7) calendar days after the final grades deadline of the semester in which the event occurred, or seven (7) calendar days after the event in question, whichever occurs later.

(b) **Facilitating resolution of Student-Faculty Dispute complaints not subject to 3-2-111(1)(a), 3-2-111(1)(b), or 3-2-111(1)(c)**.

The Dean of Students, Title IX Coordinator, and Department Chair/School Director/Program Area Coordinator or Dean may appoint a designee to fulfill the duties described below.

The Dean of Students will forward the Student-Faculty Dispute Complaint to the Department Chair/School Director/Program Area Coordinator of the Department/School/Program in which the student-faculty interaction occurred (or, if the Department Chair/School Director/Program Area Coordinator is involved in the complaint, to the Dean in the same college). The Department Chair/School Director/Program Area Coordinator will notify the Dean or their designee that a complaint was received.

The Department Chair/School Director/Program Area Coordinator to whom the complaint is assigned will take the following steps to facilitate resolution.

(I) If the person who filed the complaint ("Complainant") is a student, the Department Chair/School Director/Program Area Coordinator will share the complaint Form submitted with the faculty member(s) named in the complaint. If the Complainant is a faculty member, the Department Chair/School Director/Program Area Coordinator will share the complaint Form submitted with the student(s) named in the complaint.

(II) The Department Chair/School Director/Program Area Coordinator will meet with the Complainant to discuss the dispute and will advise the Complainant that the person named in the complaint ("Respondent") has been notified, determine if the Complainant has approached the Respondent, and discuss a process for attempting to resolve the dispute. The Complainant may elect at this point whether or not to pursue the complaint further.

(III) If the dispute is not resolved in the initial meeting between the Department Chair/School Director/Program Area Coordinator and Complainant, the Department Chair/School Director/Program Area Coordinator will meet separately with the Respondent to discuss a process for attempting to resolve the dispute.

(IV) After meeting separately with the Complainant and Respondent, the Department Chair/School Director/Program Area Coordinator will determine if the dispute is sufficiently serious to warrant further discussion and if so, will invite both to meet to discuss how to resolve the matter. If the Department Chair/School Director/Program Area Coordinator determines that the dispute is not sufficiently serious to warrant further discussion, the complaint will be closed.

(V) At any point in the process, before or after closure, the Dean of Students staff are available to offer counseling services to either party.

(c) **Closure of complaints and notification of closure.** For each complaint submitted, the Department Chair/School Director/Program Area Coordinator will notify the Dean of Students, the faculty member, and the

student when the complaint is closed and give the reason for closure. A complaint is closed when:

(I) the student or faculty member who submitted the complaint decides not to pursue the complaint further;

(II) the dispute has been resolved to the satisfaction of the student or faculty member who submitted the complaint;

(III) the Department Chair/School Director/Program Area Coordinator determines that the dispute is not sufficiently serious to warrant further discussion; or

(IV) the student and/or faculty member declines to participate jointly in resolving the dispute.

(d) **Record of complaints.** All complaints, including those determined not sufficiently serious to warrant further discussion after the Department Chair/School Director/Program Area Coordinator meets separately with the student and faculty member, will be kept on file in the Dean of Students Office, for 10 years in order to comply with the Higher Learning Commission (HLC**)**.

3-2-111(3) Review. The Chief Academic Officer (or designee) will annually compile a report that lists all Student-Faculty Dispute Complaints that were filed, and those that were closed during the previous academic year, including those directed to the Discrimination Complaint Process, Student Code of Conduct process, Academic Appeals process, and process for other Student-Faculty Disputes. The report will be delivered to the Faculty Senate no later than September 30th each year, beginning fall of 2018. For complaints directed to the Discrimination Complaint Process or process for other Student-Faculty Disputes, the report will include a description of each complaint and its resolution, with names and other identifying characteristics redacted. Upon request of the Faculty Senate Welfare Committee, additional information concerning the details of the report will be made available to the committee and will be kept confidential.

3-2-201 Student Code of Conduct

The University of Northern Colorado (UNC) Student Code of Conduct (Student Code) outlines students' rights and responsibilities as members of the UNC community and

establishes expectations of student behavior to promote a safe and respectful living and learning environment.

UNC values the diverse backgrounds and intersecting identities of its community members. UNC values freedom of expression and encourages learning through respectful and meaningful discussion of experiences, viewpoints, and ideas. The Student Code explains behavioral expectations, rights, and responsibilities for students in alignment with UNC's mission and values. UNC expects students to (1) maintain personal integrity that aligns with educational goals, (2) be accountable for their actions, (3) follow federal, state, and local laws, as well as University regulations, and (4) respect the rights, privileges, and property of others.

The Student Code process is educational and intended to help students learn, make behavioral changes, and understand the impacts of their behaviors on others. The process balances the rights of individual students with the expectations and safety of UNC and the community. The UNC Dean of Students Office offers a variety of resolution options to students in response to allegations of Misconduct. Outcomes assigned as part of the Student Code process are based on the nature and severity of the behavior and are designed to be educational and restorative in nature. In some cases, Outcomes may include separation from UNC, either temporarily or permanently.

The Student Code of Conduct is reviewed annually by the Dean of Students. Revisions to the Student Code of Conduct must be reviewed and approved through the General Counsel.

The Student Code of Conduct is available online on the Dean of Students website.

3-2-202 Registered Student Organization Code of Conduct

The University of Northern Colorado (UNC) Registered Student Organization Code of Conduct (RSO Code) outlines the rights and responsibilities of organizations recognized by UNC and establishes expectations for organizations to promote a safe and respectful living and learning environment.

UNC values the diverse backgrounds and intersecting identities of its community members. UNC values freedom of expression and encourages learning through respectful and meaningful discussion of experiences, viewpoints, and ideas. The RSO Code explains behavioral expectations, rights, and responsibilities for RSOs and students participating in RSOs in alignment with UNC's mission and values. UNC expects students and RSOs to (1) maintain personal integrity that aligns with educational goals, (2) be accountable for their actions, (3) follow federal, state, and

local laws, as well as University regulations, and (4) respect the rights, privileges, and property of others.

The RSO Code process is educational and intended to help students participating in RSOs learn, make behavioral changes, and understand the impacts of their behaviors on others. The process balances the rights of individual students and organizations with the expectations and safety of UNC and the community. The UNC Dean of Students Office offers a variety of resolution options to RSOs in response to allegations of Misconduct. Outcomes assigned as part of the RSO Code process are based on the nature and severity of the behavior and are designed to be educational and restorative in nature. Outcomes may include a loss of recognition by UNC, either temporarily or permanently.

The Registered Student Organization Code of Conduct is reviewed annually by the Dean of Students. Revisions to the Registered Student Organization Code of Conduct must be reviewed and approved through the General Counsel.

The Registered Student Organization Code of Conduct is available online on the Dean of Students website.

3-2-203 Academic Integrity and the Student Code of Conduct

(1) Academic integrity is a foundation of UNC, and UNC students are expected to conduct themselves in a manner that demonstrates care and excellence in their academic pursuits. Learning how to express original ideas, cite sources, work independently, and share results accurately and honestly are transferrable skills for students beyond their academic career.
(2) Behavior that violates academic integrity is referred to as academic misconduct and is included in the definition of "Misconduct," outlined in the Student Code. The Student Code applies to issues of Academic Misconduct.
(3) A student who has been found to have committed multiple Academic Misconduct violations may also be subject to other additional Outcomes under the BEAR Code that may be imposed by the Dean of Students.
(4) Any person may submit information or inquiries about Academic Misconduct by using the methods outlined as described in Section 3-2-201, above. A faculty member who is concerned that a student may have committed Academic Misconduct may, in their discretion, deliver a notification to the student and/or meet with the student to discuss the matter and provide evidence of Academic Misconduct. In either case, the faculty member must submit a report to the Dean of Students describing the alleged Academic Misconduct.
(5) The purpose of a meeting between the faculty member and the student is:

(a) for the faculty member to explain and present evidence to the student about the Academic Misconduct allegation and

(b) to allow the student an opportunity to provide information in response to the alleged Academic Misconduct. At any stage in the process of the faculty member's contact with the student, the faculty member may consult with their program chair, college Dean's office, the student's advisor, or Dean of Students.

(6) After the meeting with the student:

(a) If the faculty member determines that Academic Misconduct did not occur, the matter will be closed.

(b) If the faculty member determines that Academic Misconduct did occur, the faculty member will determine an outcome that is appropriate and consistent with UNC policy and the course syllabus that may include one or more of the following:

(I) A grade reduction on the assignment or exam in which the Academic Misconduct occurred;

(II) A grade of "F" on the assignment or exam in which the Academic Misconduct occurred;

(III) A grade reduction in the course in which the Academic Misconduct occurred; or

(IV) A grade of "F" in the course in which the Academic Misconduct occurred.

(c) If the faculty member determines that other educational outcomes are appropriate, they may consider:

(I) Requiring an additional assignment(s);

(II) Assignment of a reflection essay related to the Academic Misconduct; and/or

(III) Other educational Outcome(s) as assigned.

(7) The faculty member will deliver a resolution to the student and will also provide the resolution to the DOS.

(8) If a student is found to have committed Academic Misconduct, they may file an appeal if allowed under the Academic Appeal Procedure found at Section 2-1-201 of the UNC Board Policy Manual.

(3-2-204 through 3-2-211 deleted effective November 4, 2024)

3-2-301 Behavioral Intervention Team ("BIT") Purpose and Scope

The University of Northern Colorado ("UNC") values safety and security for all members of its campus community.

UNC shall maintain a BIT that is charged with determining a coordinated course of action to identify, assess, and respond to Behavior of Concern (as defined below) by a UNC Student (as defined below, and regardless of whether the Behavior of Concern violates the BEAR Code.) The BIT shall meet regularly and on an as-needed basis to fulfill its charge described in the immediately preceding sentence.

UNC recognizes and upholds the rights of individuals with disabilities and does not discriminate based on disability in the course of BIT proceedings. A Student with a disability whose Behavior of Concern is subject to BIT proceedings may request, through the UNC Disability Resource Center ("DRC"), an accommodation for their disability and the DRC shall engage with the Student in the interactive process upon such a request and all such requests are subject to an individualized process with, and a decision by, the DRC regarding disability-related accommodation(s). Whether such a request is reasonable and/or would be a fundamental alteration to BIT proceedings is a matter to be determined on a case-by-case basis after the request has been made.

3-2-302 Definitions

The following definitions apply to Sections 3-2-301 through 309:

(1) Behavior of Concern: One or more behaviors of a Student that poses a risk to the health or safety of the Student or other person(s), or of disruption to the UNC community.

(2) Direct Threat: A determination based on an individualized assessment of the available medical, mental health and/or other objective information that the following impacts have occurred or there is a probability that they will occur:

   a. Substantial harm to the Student and/or other person(s);
   b. Substantial damage to UNC property;
   c. Substantial impediment to UNC education processes and/or the operation of UNC.

(3) Involuntary Withdrawal: A withdrawal of the Student from UNC implemented by the BIT that may include requirements that must be completed prior to readmission of the Student including, but not limited to, submission of medical and/or mental health documentation, results of a

threat assessment, and/or confirmation of the Student's compliance with any recommendations from a healthcare provider and/or qualified threat assessment professional.

(4) Student: A person who:

a. Is registered for courses at UNC; and/or

b. Has completed the immediately preceding semester or term and is eligible to, but is not presently, registered for courses in the succeeding semester or term; and/or

c. Is temporarily absent from courses at UNC.

3-2-303 BIT Membership

The BIT Chair is the UNC employee who is directly responsible for leadership and oversight of behavioral intervention related to Behavior of Concern regardless of the title of the employee's position. BIT membership includes, but is not limited to, representatives from UNC student conduct, case management, mental health services, police, student housing, legal counsel, and/or UNC representative(s) who perform substantially similar functions irrespective of department or area title.

3-2-304 BIT Authority

Under the leadership of the Chair, the BIT shall work to achieve informed decisions, recommendations, and design individualized action plans in response to Behavior of Concern. In so doing, the BIT may implement/require any one or more of the following measures:

(1) Meeting(s) of the Student with BIT member(s) or their designee(s);

(2) Contact(s) with the Student's family, legal guardian, and/or emergency contact;

(3) Mandatory medical or psychological assessment and/or treatment of the Student;

(4) Participation by the Student in an off-campus risk assessment with a qualified professional of the BIT's choice;

(5) Authorize the release and/or exchange of information about the Student among qualified healthcare provider(s) and the BIT;

(6) Initiate Involuntary Withdrawal Procedures regarding the Student (see 3-2-305);

(7) Referral(s) of the Student to campus or community resources;

(8) Order interim actions restricting the Student's privileges including, but not limited to, residence hall and/or University suspension, no contact orders, persona non grata ("PNG") orders, and/or an order prohibiting the Student from engaging in specific activities (including but not limited to participation in any UNC Sponsored Activity, class attendance in-person or in a virtual format, or presence on UNC property);

(9) Placement of registration and/or transcript hold(s) or transcript notation(s) regarding the Student.

3-2-305 Involuntary Withdrawal Purpose

In response to Behavior of Concern, the BIT may determine that it is necessary for a Student to be Involuntarily Withdrawn from UNC for the protection of the Student and/or the UNC community. An Involuntary Withdrawal of a Student (as defined above) shall be implemented by the BIT when it is determined that (i) a Direct Threat (as defined above) exists with respect to the Student and (ii) an offer of voluntary withdrawal is refused by the Student or a voluntary withdrawal is determined by the BIT to be an inadequate measure to mitigate the Direct Threat.

3-2-306 Involuntary Withdrawal Notice

Implementation of an Involuntary Withdrawal shall include written Notice to the Student as soon as is practicable under the circumstances. The Notice shall describe the reasons that the Involuntary Withdrawal was implemented and any requirements for readmission of the student, including the appropriate point of contact regarding consideration for readmission (see 3-2-404).

3-2-307 Involuntary Withdrawal Appeal

The Student may appeal the decision to implement an Involuntary Withdrawal if they contend that the conditions precedent in Section 3-2-305 were not satisfied with respect to the implementation of the Involuntary Withdrawal. To do so, the Student must submit a written appeal statement and all supporting documentation to the Vice President of Student and Enrollment Services (VP SAES) or the UNC employee who is directly responsible for leadership and oversight of student affairs regardless of the title of the employee's position. The written appeal statement and all supporting documentation must be submitted no later than fourteen (14) calendar days after receiving Notice of the Involuntary Withdrawal. The VP SAES may affirm, reverse, or modify the Involuntary Withdrawal decision. If the Involuntary Withdrawal is reversed or modified, the VP SAES may, in their

discretion, implement requirements they deem reasonable and necessary to mitigate the Direct Threat. The decision of the VP SAES regarding the Student's appeal shall be final and binding on UNC and the Student.

3-2-308 Financial Implications

As with voluntary withdrawals, a Student who is Involuntarily Withdrawn shall be subject to applicable UNC policies and Federal and State law regarding financial obligations for tuition, fees, student housing costs, and for financial aid and/or scholarships that the Student received.

3-2-309 Readmission

A Student who is Involuntarily Withdrawn and who wants to be considered for readmission shall contact the point of contact identified in the Student's Involuntary Withdrawal Notice. The BIT shall consult with other UNC administrative offices and employees, as necessary, to determine if all requirements of readmission have been met by the Student prior to deciding if the Student shall be readmitted.

Policy History

3-2-111 STUDENT-FACULTY DISPUTE RESOLUTION PROCESSES.
3-2-111 Section added (May 2017)

3-2-201 STUDENT CODE OF CONDUCT ("BEAR Code").
3-2-201 Section amended (Jan 2022)
3-2-201 Section added (Aug 2020)
3-2-201 Section amended (Nov 2024)

3-2-202 Registered Student Organization Code of Conduct.
3-2-202 Section amended (Nov 2024)

3-2-203 Academic Integrity and the Student Code of Conduct.
3-2-203 Section amended (Nov 2024)

3-2-204 through 3-2-211
Sections deleted (Nov 2024)

3-2-301 Behavioral Intervention Team ("BIT") Purpose and Scope.
3-2-301 Section added (Oct 2022)

3-3-101 Faculty Senate Officer Workload Reassignment and Compensation.

3-3-101(1) Purpose. Recognizing that the duties of certain officers of the Faculty Senate make considerable demands on their time, Academic Affairs will provide funding to the colleges of those officers for the purpose of workload reassignment. To support the work of the Faculty Senate Chair over the summer, Academic Affairs will provide compensation directly to the Faculty Senate Chair.

3-3-101(2) Compensation Rates.

(a) Academic Affairs will compensate the Faculty Senate Chair's college for twelve (12) credit hours of teaching responsibility per academic year. The colleges in which the chairs of the Welfare Committee, Academic Policies Committee, Salary Equity Committee, and Codification Committee have appointments will be compensated for three (3) credit hours of teaching responsibility per academic year.

(b) Compensation will be paid at the average adjunct rate in the relevant college.

3-3-101(3) Granting of Workload Reassignment.

(a) Compensated colleges may grant workload reassignments during either or both of the Fall and Spring semesters.

(b) By accepting compensation, colleges acknowledge their responsibility to grant workload reassignment to those of their faculty serving in those positions as specified in (2)(a) above during the relevant academic year. If both the compensated college and the corresponding Senate officer agree that workload reassignment is impractical, compensation funds may be spent by the college in a manner that benefits the affected officer's work-related activity, as determined by both the officer and the relevant college.

(c) Faculty serving in those positions as specified in (2)(a) above during the relevant academic year are still eligible to teach one overload course for supplemental pay as specified in 2-2- 401(3)(b).

3-3-101(4) Summer Compensation.

Recognizing the required work of the Faculty Senate Chair over the summer, Academic Affairs will compensate the Faculty Senate Chair at a rate of six (6) credit hours of summer teaching. In the event of a newly elected chair, the outgoing chair and the incoming chair will each receive compensation at the rate of three (3) credit hours of summer teaching.

Policy History

3-3-101 FACULTY SENATE OFFICER WORKLOAD REASSIGNMENT AND COMPENSATION.

Subsection 3-3-101(1) Purpose amended (Apr 2021)
Subsection 3-3-101(2)(a)(b) amended (Apr 2021)
Subsection 3-3-101(3)(a)(c) amended (Apr 2021)
Subsection 3-3-101(4) added (Apr 2021)

3-3-201 Faculty Contracts. [See also 3-3-801(3) Calendar for Faculty Evaluation.]

3-3-201(1) Contract-Renewable Faculty Process for conversion into a tenure-track position without a search. [See also 2-3-202(2) Contract-Renewable.]

(a) Purpose. The purpose of this policy is to provide a process by which a contract-renewable faculty member can have their position converted to a tenure-track position without a search.

(b) Definitions.

(i) Dossier. See 2-3-801(1)(b).

(ii) Unit Leader: The chair of a department, director of a school, or coordinator of a free- standing program that is not part of a department or school.

(iii) Voting Faculty. All tenured and tenure-track faculty, excluding the unit leader, within the relevant department, school, or free-standing program.

(c) Eligibility.

(i) A faculty member is eligible to petition for conversion no sooner than their third semester of full-time service at UNC.

(ii) A contract-renewable faculty member is eligible to have their position converted to tenure- track without a search if that person demonstrates the potential for an appropriate level of performance and expertise in teaching, professional activity, and service required for the tenure-track position. Evidence of such potential is demonstrated in the dossier.

(d) The Petition Process.

(i) A faculty member in a contract-renewable position who wishes to petition to have their position converted to tenure-track without a search shall submit a letter of application along with a dossier to the voting faculty, who shall vote on whether to recommend the conversion.

(ii) A positive recommendation from the voting faculty requires majority support from those voting faculty who vote. The results of any vote shall be tallied and communicated to the unit leader and to the petitioning faculty member by the chair of the Faculty Evaluation Committee. That communication shall include a rationale for the recommendation (positive or negative), and, if positive, a further recommendation for the number of years of credit toward sabbatical leave, tenure, and/or promotion. If the faculty vote is not in support, there will be no further action taken, except to notify the petitioning faculty member.

(iii) Upon receiving a positive recommendation, the unit leader shall recommend to the Dean, along with rationale, whether the faculty member's petition should be approved. The unit leader shall submit the recommendation, along with the rationale, the dossier, the letter of application, and the voting faculty's recommendation, to the Dean, the voting faculty, and the petitioning faculty member.

(iv) The Dean shall submit to the Chief Academic Officer (CAO) their recommendation and rationale of whether the contract-renewable faculty member's position shall be converted to tenure-track without a search. The Dean shall communicate their recommendation and rationale to the unit leader, the voting faculty, and the petitioning faculty member.

(v) The CAO shall decide whether to approve the faculty member's petition to have their position converted to tenure-track. The CAO shall communicate their decision and rationale to the Dean, the unit leader, the voting faculty, and the petitioning faculty member. When a petition for conversion is approved, the unit leader shall negotiate years of credit toward sabbatical leave, tenure, and/or promotion. Each of these items must be approved by the college Dean and the

CAO.

(vi) The conversion shall take effect at the beginning of the next academic year.

Policy History

3-3-201 FACULTY CONTRACTS.

Subsection 3-3-201(1) Term Faculty (a)(I)(II)(III)(b)(VII) amended (Nov 2011)
Subsection 3-3-201(1) Contract-Renewable Faculty (a)(b)(i)(ii)(iii)(c)(i)(ii)(iii) amended (Apr 2021)
Subsection 3-3-201(1) Contract-Renewable Faculty (d)(i)(ii)(iii)(iv)(v)(vi) amended (Apr 2021)

3-3-301 Chair Selection and Evaluation.

A chair is the unit leader of a department.

3-3-301(1) Chair Selection.

(a) A chair is an at-will employee in their capacity as chair. Normally the chair shall be appointed from tenured or tenure-track faculty within the unit. There is no limit to the number of terms a chair may serve. If the chair is to be selected from the current faculty of the unit, an agreement between the dean and a majority of the faculty of the unit, outlining the recommendation process, including faculty involvement, shall be required prior to initiating the search for a chair. Faculty involvement may include unit faculty vote and/or conferences with the faculty in the unit. Upon completion of this process, the dean of the college shall recommend a chair to the CAO for approval.

(b) When no qualified faculty member is willing to accept appointment as chair and/or the unit and dean agree that it is in the best interest of the unit not to recommend a chair from present faculty, or when the unit and dean cannot reach agreement on the appointment of a chair, the following applies:

(i) The dean may request and receive authorization to advertise externally for a chair. Selection of off-campus candidates for the position of chair shall follow established University procedures for the hiring of full-time tenure-track faculty, or

(ii) The CAO, in consultation with the dean and the unit, shall appoint a chair from among the faculty of the University for

a term of no more than one year.

3-3-301(2) Term of Service. A chair shall be appointed for a three-year term.

3-3-301(3) Vacancies. In all cases of vacancies occurring during a chair's term of service, the dean, after seeking faculty input, may appoint an acting chair who shall assume responsibilities immediately.

3-3-301(4) Relief of Chair Responsibilities. If for any reason the dean believes that a change in unit leadership is necessary, the dean may, in consultation with the CAO, relieve the individual of chair responsibilities. Unless circumstances prohibit, such action will only be taken after consultation with the unit faculty.

3-3-301(5) Chair Evaluation. Evaluation of those in the position of chair shall follow the standard University evaluation process (see Board Policy Manual, 1-1-307 and 2-3-Part 8 and University Regulations 3-3-Part 8). The portion of a chair's workload devoted to chair duties shall be evaluated as "Chair Responsibilities" as a separate subcategory under service, which will be averaged into the overall service score as a weighted average according to workload. Although the dean does not assign scores in the annual/biennial/triennial evaluation process, the dean shall assign scores in evaluating the "chair responsibility" section of the service. This evaluation shall be averaged with the unit faculty's evaluation of the chair's workload in their capacity as chair. Additionally, if there is a disagreement as to the level of evaluation between the unit faculty's evaluation of the chair, in their capacity as chair, and the dean's evaluation, the results of each evaluation shall be sent to the CAO as an information item. If the unit faculty's or dean's evaluation of the chair's performance as chair's performance as chair is at the level of "unsatisfactory" or "needs improvement", the dean shall convene a meeting with the unit faculty to discuss the evaluation.

Policy History

3-3-301 DEPARTMENT CHAIR SELECTION AND EVALUATION POLICY.

3-3-301 section amended (May 2023)
3-3-301Section amended (Jun 2022)
3-3-301(2) Term of Service added (Jun 2022)

3-3-301(4) section amended (Jun 2021)
3-3-301 section amended (Sep 2016)
3-3-301 section added (Feb 2013)

3-3-401 Outside Activities.

3-3-401(1) Consulting.

3-3-401(1)(a) Consulting and Other Professional Activities. The University encourages its employees to be involved in a variety of professional development activities which serve to assist them in maintaining currency in their fields and permit them to apply their expertise to current problems. The appropriateness, relevance, and value of consulting, contractual commitments, other pay-for-service activities, or non-remunerated professional efforts outlined in this document must be approved by University officials through the process outlined in this document.

The intent of this policy is to:

(I) provide faculty, exempt staff, and administrators with appropriate review procedures to facilitate their professional development and not to prevent them from undertaking such activities;

(II) emphasize the importance of obtaining approval for these efforts to ensure compliance with relevant State of Colorado (State) statutes;

(III) include procedural details to avoid confusion and insure equitable consideration of employee requests;

(IV) construct appropriate communication and record keeping procedures to effectively address public inquiries regarding consulting and related activities among University employees; and

(V) clarify the directives included in the *Policy Manual of the Board of Trustees for the University of Northern Colorado* (Board Policy Manual) Title 1, Article 1, Part 3,1-1-303 Faculty Responsibilities and Conditions of Employment, Title 2, Article 3, Part 4, 2-3-401

Faculty Workload, and Title 2, Article 3, Part 4, 2-3-4010 Outside Activities.

Academic and administrative departments/divisions at the University are encouraged to develop specific review and approval processes, consistent with this policy, related to off- campus assignments, consulting activities, additional remuneration for extra work or from grant funds, and disclosure statements listing affiliations that have the potential for conflict of interest. The policies included here apply to all faculty, administrators, and exempt staff at the University. Violations of the policies are to be addressed through already- established disciplinary procedures governing faculty, administrators, and exempt staff as described in this Board Policy Manual and State personnel procedures documents.

3-3-401(1)(b) Consulting and Other Professional Development Activities. The opportunity for employees to accept occasional professional consulting engagements is a traditional privilege extended to members of the University community. Such activities are recognized as desirable and constitute legitimate means by which employees may develop and maintain professional relationships and contribute to growth and development of the University and the State. Consulting activities must not be allowed to interfere with the education processes of the University or the contractual obligation of the employee to the University. Faculty, administrators, and exempt staff are obliged to render the University the most effective service possible and no outside activities should be undertaken, with or without pay that might interfere with this paramount obligation. As employees of the State, special attention must be devoted to avoiding unfair competitive practices, such as establishing lower than standard fee structures or bidding practices that might threaten the livelihood of other citizens of the State and thereby be subjected to valid criticism by the public as being detrimental to the best interest of the public.

A University employee who accepts a consulting assignment shall not use institutional resources without prior written approval of the chair/director. When institutional resources are required, the University will assess an appropriate monetary charge consistent with institutional overhead

assessed to external grants.

Full-time exempt staff employees may not contract to teach for other State educational institutions during their University contract period without the prior written approval of the chair/director, dean, and CAO/vice president. In accordance with State Fiscal Rules (Chapter 2, Section 2.3), dual employment between State agencies also requires a written agreement signed by both employers.

(I) Faculty. It is the responsibility of the employee and chair/director to see that instructional, advisory, administrative, or other support services are not adversely affected due to an employee's absence for consulting or related professional activity. The employee's department chair/division director should approve arrangements for a substitute instructor or class activity for any missed scheduled classes.

Furthermore, the employee's department chair/division director must approve, in advance, an absence for consulting or related professional activity which:

(A) entails absence for more than one contracted day a week while the University is in session; OR

(B) requires being absent, during a semester, for more than three days when the employee has scheduled responsibilities to the University (including classes, committee meetings, or office hours).

In either of these cases, application for approval must be made using the standard Request for Approval of Off-Campus Consulting or Professional Activity. A copy of the application, along with the decision of the chair/director, will be forwarded to the dean. The dean should, within one week of receipt of the application, notify the applicant and chair/director of any change in approval status which the dean believes should be made in accordance with the intent of this policy. In the event that the chair/director does not approve the application, the employee may appeal to the dean.

(II) Additional Remuneration for Extra Work

(A) The University can contract for extra services performed by faculty if approved by the chair/director, dean, and CAO/vice president. The following factors will be examined when considering such approval;

(i) provision of the service is not included in the employee's contract;

(ii) the service is not an integral component of the University's commitment to the curriculum or administrative operation;

(iii) the employee possess expertise in the area of the proposed service activity;

(iv) the activity is not being provided by other employees for no remuneration;

(v) the service is determined to be valuable to students, staff, faculty, or administrators, and would not otherwise be available; and

(vi) provision of the service/activity does not interfere with the faculty member’s contractual obligations.

(B) Faculty can be paid for additional work through the use of the Personal Services Agreement (PSA) only when:

(i) the chair/director and dean have approved the request in advance;

(ii) such paid activities, as determined by the dean, are not part of the faculty member’s University employment responsibilities;

(iii) requests have been reviewed and approved by the chair or director and dean; and

(iv) Prior-approval letters must accompany any PSA submitted.

Additional salary may be paid for such activities as teaching courses through continuing education cash-funded programs and for incidental services such as translating a document from a

foreign language, providing statistical analysis when performed for another organizational unit of the University, etc. Supplemental payments are not made for committee work, for preparation of program review/accreditation reports, for faculty class loads when heavier than normal, or for participation in curriculum development.

(III) Off-Campus Assignment. The University may allow faculty members to accept temporary full- time off-campus assignments which are not a part of normal duties but which are consistent with the employee's usual professional responsibilities as well as the University's mission, or are of national or state interest, as long as these do not conflict with the needs of the employee's department/division. All requests for such assignments must be reviewed and approved by the chair/director, dean, and CAO/vice president prior to acceptance of such assignments.

(IV) Leaves of Absence. Salary earned during approved unpaid leaves of absence shall be of concern only to the individual and the employing agent. However, all requests for such leaves must be reviewed and approved by the chair/director, dean, and CAO/vice president in accordance with this Board Policy Manual and State personnel regulations.

(V) Other Employment. The primary responsibility of full-time employees is to the University. Employees are discouraged from owning/operating a business/practice whenever such activities interfere with the paramount obligation. As employees of the State, special attention must be devoted to avoiding unfair competitive practices, such as establishing lower than standard fee structures or bidding practices that might threaten the livelihood of other citizens to the State, and must not be open to valid criticism by the public as being detrimental to the best interests of the public.

Employees who own/operate such a business, are required to complete a disclosure statement listing affiliations that have the potential for conflict of interest. Examples of situations that have a potential for conflict of interest include, but are not limited to:

(A) outside employment or offers of outside employment involving assignments that might interfere with the employee's contractual agreement with the University or may place the employee or the University in a position of conflict of interest;

(B) performing work for clients for pay when the work in question falls within the regular responsibilities or job assignment of the employee;

(C) any outside activities that conflict with the teaching, research, service, and/or administrative responsibilities of the employee;

(D) financial interest in, or contractual agreements with, companies and other organizations that benefit, directly or indirectly, from the employee's position or role in the University; and

(E) financial gain to employees that result from involvement in the University decisions or activities performed as part of regularly assigned duties.

3-3-402 Conflict of Interest.

3-3-402(1) Financial Conflict of Interest Pertaining to Sponsored Projects.

This policy sets forth procedures and guidelines that are to be followed in disclosing and resolving actual and potential faculty and staff conflicts of interest pertaining to externally funded projects conducted, sponsored, or administered by the University, including where the University has subcontracted or intends to subcontract to an external organization under one of the University's sponsored projects.

The University and its faculty and staff often benefit from participation in both public and private outside activities. The University has no interest in setting forth detailed rules that may interfere with faculty and staff members' legitimate outside interests that do not conflict with requirements of applicable Federal and/or State statutes or regulations.

Faculty and staff members, in turn, must ensure that their outside obligations, financial interests, and activities do not conflict or interfere with their commitment to the University. This obligation pertains to both full-time and

part-time faculty and staff as well as to students who are employed on externally funded projects.

This regulation does not alter or amend Board Policy 1-1-502 (Conflicts of Interest) applicable to all University employees.

(a) Definitions.

(I) Financial Conflict of Interest (FCOI): a significant financial interest that could directly and significantly affect the design, conduct, or reporting of research, educational, or other activities funded by an external sponsor

(II) Financial Interest: anything of monetary value, whether or not the value is readily ascertainable.

(III) Designated Institutional Official (DIO): the individual designated by the University to solicit and review disclosures of Significant Financial Interest from Investigators, and who oversees the process of managing and reporting Financial Conflicts of Interest. The University has designated the Assistant Vice President for Research (AVPR) to serve as DIO. If, for whatever reason, the AVPR is unable to assume this role, the Chief Academic Officer will appoint another UNC employee with research expertise to serve in this capacity.

(IV) Institutional Responsibilities: those professional responsibilities an Investigator has by virtue of being a University employee, including, but not limited to, research, teaching, service, consultation, professional practice, performance, management and administrative duties.

(V) Investigator: the project director (PD) or principal investigator (PI) and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of research or other educational activities funded by an external sponsor, or proposed for such funding (This may include collaborators or consultants.)

(VI) Manage: taking action to address an FCOI

(VII) NSF: National Science Foundation

(VIII) PHS: Public Health Service of the U.S. Department of Health and Human Services, and any components of the PHS, including the National Institutes of Health (NIH)

(IX) Research: a systematic investigation, study or experiment designed to develop or contribute to generalizable knowledge, including basic and applied research and product development

(X) Significant Financial Interest: an Investigator's Financial Interest (see II, above), aggregated with those of the Investigator's spouse and dependent children, that reasonably appears to be related to the Investigator's Institutional Responsibilities (see IV, above), and where:

(A) With respect to PHS funded projects, a Significant Financial Interest exists if:

(i) the value of any remuneration received from a publicly traded entity in the twelve months preceding the disclosure, and the value of any equity interest in the entity as of the date of disclosure that, when aggregated, exceeds $5,000. Remuneration includes salary and any payment for services not otherwise identified as salary such as consulting fees, honoraria, or paid authorships. Equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value; or

(ii) the value of any remuneration received from any non-publicly traded entity in the twelve months preceding the disclosure that, when aggregated, exceeds $5,000, or when the Investigator (or their spouse or dependent children) holds any equity interest such as stock, stock options, or other ownership interests; or

(iii) intellectual property rights and interests such as patents and copyrights, upon receipt of income related to such rights and interests;

or

(B) With respect to NSF funded projects, a Significant Financial Interest exists if:

(i) the value of any equity interest that, when aggregated for the Investigator and their spouse and dependent children, exceeds $10,000 as determined through reference to public prices or other reasonable measures of fair market value, and represents more than a 5% ownership interest in any single entity; or

(ii)the value of any salary, royalties, or other payments received in the twelve months preceding the disclosure that, when aggregated for the Investigator and their spouse and dependent children, are not expected to exceed $10,000.

or

(C) With respect to projects funded by other external entities, a

Significant Financial Interest exists if the Investigator (or their spouse or dependent children) is an officer, director, partner, trustee, employee, advisory board member, or agent of an external organization or corporation that is funding a sponsored project or is providing goods and services under a sponsored project on which the Investigator is participating;

however,

(D) A Significant Financial interest does not include:

(i) salary, royalties, or other remuneration paid by the University to the Investigator if the Investigator is currently employed or otherwise appointed by the university, including intellectual property rights assigned to the University and agreements to share in royalties related to such rights;

(ii) income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles;

(iii) income from seminars, lectures, or teaching engagements

sponsored by a federal, state, or local government agency, an institution of higher education (as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education; or

(iv) income from service on advisory committees or review panels for a federal, state, or local government agency, an institution of higher education (as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education.

(b) Guidelines for Determining Relatedness of Significant Financial Interests and Existence of FCOI

When reviewing a disclosure to determine if a Significant Financial Interest is related to the sponsor funded research, educational, or other activities, the DIO will consider whether the Significant Financial Interest could be affected by the funded work or is in an entity whose financial interest could be affected by the work.

To determine if an FCOI exists, the DIO will consider whether the Significant Financial Interest could directly and significantly affect the design, conduct, or reporting of the sponsor funded work. The DIO may involve the Investigator in making these determinations, and they may convene the Conflict Review Committee to assist in the review and determination process.

(c) Disclosure of Significant Financial Interests

An Investigator, in their own best interest, is responsible for disclosing any financial or related interest that could present an FCOI as noted in subsection (a), above. Disclosure is an important legal requirement and a key factor in protecting an Investigator's reputation and career from potentially embarrassing or harmful allegations of misconduct.

(I) All Investigators must disclose their Significant Financial Interests to the University, through the DIO or designee, prior to submission of an external proposal. The University will not submit a proposal unless all Investigators have submitted such disclosures.

(II) Pertaining to PHS funded projects: regardless of when the initial disclosure was made, all Investigators must submit annual disclosure updates between November 1 and November 30, throughout the duration of an award.

(III) Pertaining to all sponsored projects: Investigators must submit updates within 30 days of discovering or acquiring any new or previously undisclosed Significant Financial Interests.

(d) Travel Disclosure

Investigators must disclose travel that is related to their institutional Responsibilities and is paid on behalf of or reimbursed to the Investigator, excluding travel that was paid by a federal, state, or local government agency, an institution of higher education as defined at 20 U.S.C 1001(a), an academic teaching hospital, a medical center, or a research institute that is affiliated with an institution of higher education as defined at 20 U.S.C 1001(a). Travel disclosures must include, at a minimum, the purpose of the trip, the identity of the sponsor/organizer, the destination, the duration, and, if known, the monetary value. The DIO will determine if additional information is needed to determine whether the travel constitutes an FCOI with the Investigator's sponsored project.

(e) Review and Determination

(I) If a disclosure reveals a Significant Financial Interest, it will be reviewed promptly by the DIO or designee for a determination of whether it constitutes an FCOI. If it is determined that an FCOI exists, the DIO will take action to eliminate, reduce, or manage the conflict, as appropriate. The DIO may consult the Conflict Review Committee for guidance or in the application of this policy to particular situations.

(II) The Conflict Review Committee (Committee) is comprised of a faculty member designated by the chair of the Faculty Senate; an administrator designated by the Chief Academic Officer, and the Dean of the Graduate School, and is advised by the University's legal counsel.

(III) In reviewing disclosures, the DIO and the Committee will be guided by the following practices and apply them as appropriate:

(A) Assure adherence to the requirements of applicable Federal and/or State statutes and/or regulations and relevant policies contained in the Board of Trustees Policy Manual and the University Regulations.

(B) Consider the nature and extent of the financial interest and the relationship of the Investigator and the external organization.

(C) Give special consideration to the project proposal and/or the terms and conditions of sponsored awards that may inform the reasonable determination of whether an FCOI exists, including any mitigating or complicating factors.

(D) Consult with, and obtain additional information from, the Investigator as may be helpful in determining whether an FCOI exists.

(E) Act in a timely manner so as not to unduly delay the conduct of the project.

(IV) An FCOI will exist when the DIO or designee determines that a Significant Financial Interest could directly and significantly affect the design, conduct, or reporting of the research, educational, or other activities funded by the external sponsor. If the DIO determines that there is an FCoI that can be managed, they must require and approve a written management plan before any related research or educational activities go forward. The affected Investigator or the Committee is responsible for developing and submitting a proposed management plan in consultation with the DIO Official.

Conditions or restrictions that might be imposed include, but are not limited to:

(A) public disclosure of Significant Financial Interests (e.g., in presentations or publications);

(B) monitoring of the sponsored work by independent reviewers;

(C) modification of the scope of work or research plan;

(D) disqualification from participation in the portion of the project that would be affected by Significant Financial Interests;

(E) divestiture of Significant Financial Interests;

(F) severance of relationships that create conflicts.

(f) Sanctions

Violations of this policy, such as willful concealment of financial interests, may result in sanctions such as suspension of all relevant activities or other disciplinary action being imposed upon the violating Investigator until the matter is resolved or other action deemed appropriate by the DIO is implemented

The DIO's decision to impose sanctions on an Investigator because of failure to comply with this Policy, or failure to comply with the decision of the DIO, will be described in a written explanation of the decision to the Investigator, the Committee, and if applicable, the IRB. The Investigator will also be informed of their right to appeal the decision.

(g) Appeal Procedure

If the Investigator is dissatisfied with a determination of an FCOI, they may appeal to the Chief Academic Officer (CAO) who will consult with the Investigator, the DIO and the Committee as they deem necessary and appropriate to the particular circumstance. The decision of the CAO will be final.

(h) Retrospective Review Pertaining to PHS Projects

If the DIO determines that an FCOI was not identified or managed in a timely manner, including but not limited to an Investigator's failure to disclose a Significant Financial Interest that is determined to be an FCOI, or failure by an Investigator to materially comply with a management plan for an FCOI, the Conflict Review Committee will complete a retrospective review of the Investigator's activities and the sponsored project to determine whether the work conducted during the period of non-compliance was biased in its design, conduct or reporting.

Documentation of the retrospective review will include the PHS project number, the OSP award number, project title, PI/PD, name of the Investigator with the FCOI, name of the entity with which the Investigator has the FCOI, reason(s) for the retrospective review, detailed methodology used for the retrospective review, and findings

and conclusions of the review.

The DIO will update any previously submitted report to the PHS or the prime PHS- awardee relating to the project, specifying the actions that will be taken to manage the FCOI going forward. If bias is found, the report will include a mitigation report in accordance with the PHS regulations, including a description of the impact of the bias on the research project and the plan of action to eliminate or mitigate the effect of the bias.

(i) Training

All Investigators must complete training on financial conflict of interest prior to engaging in work funded by the PHS, and at least every four years throughout the duration of any PHS funded award. They must also complete training within a reasonable period of time as determined by the DIO in the event that this policy is substantively amended in a manner that affects the requirements of Investigators, or if it is determined that the Investigator has not complied with this policy or with a management plan related to their activities.

(j) Record Retention

The DIO or designee will retain all disclosure forms, conflict management plans, and related documents for a period of three years from the date the final expenditure report is submitted to the sponsor or the prime sponsor awardee or until the resolution of any sponsors' actions involving the records, whichever is longer.

To the extent permitted by law, all such records will be maintained in strict confidence. However, the University may make such information available to an agency funding the work, to a requestor of information concerning an FCOI related to PHS funding, or to the primary entity who made the funding available to the University, if requested or required. If the University is requested to provide disclosure forms or related documents to an outside entity, the Investigator will be informed.

(k) Public Accessibility Pertaining to PHS Funded Projects

Prior to the expenditure of awarded funds, the University will publish on a website that is accessible to the public, information concerning any

Significant Financial Interest that meets the following criteria:

(I) the Significant Financial Interest was disclosed and is still held by the Investigator;

(II) a determination has been made that the Significant Financial Interest is related to the PHS-funded work; and

(III) a determination has been made that the Significant Financial Interest is an FCOI.

The information to be made available will be consistent with the requirements of the PHS regulations.

(l) Reporting

(I) Pertaining to PHS Projects: Should any reported conflict or non-compliance require reporting to PHS, the DIO will report in accordance with PHS regulations. If the funding for the project was made available from a prime PHS-awardee, such reporting will be made available to the prime awardee such that they may fulfill their reporting obligations to the PHS.

(II) Pertaining to NSF Projects: If the DIO finds that the University is unable to satisfactorily manage an FCoI, they will inform the NSF Office of the General Counsel as required by NSF.

(m) Sub-recipient Compliance Pertaining to PHS and NSF Funded Projects

Should any PHS or NSF funded work be carried out through a sub-recipient, the University will take reasonable steps to ensure that all sub-recipient Investigators comply with regulations governing the disclosure and management of FCOIs.

(n) Conflicting Requirements

Should an external sponsor have requirements regarding disclosure and management of FCOIs that differ from this policy, the sponsor's requirement will generally prevail.

3-3-403 World Wide Web Policy. The purpose of the document is to provide a

philosophical statement and to outline general principles relative to the use of the World Wide Web at the University of Northern Colorado (University). The purpose of the University's World Wide Web presence is to support the mission of the University, to develop well educated citizens and to improve the quality of life in the state and region through teaching, learning, the advancement of knowledge and community service. The University's World Wide Web presence is a reflection of the University, its students, and faculty. The University recognizes the value of World Wide Web pages and connections with the Internet and encourages students, staff, and faculty to use the electronic resource. Anyone using the University resources on the World Wide Web must adhere to the policies approved by the University. All users will meet the expectations outlined in the policy and will adhere to all applicable local, state, and federal laws.

Because all users of the World Wide Web at the University are accountable to the taxpayers of the State of Colorado, the resources provided through the World Wide Web need to be used in an efficient and ethical manner. The University has the right to disable any website if the user violates the guidelines outlined in this document.

The University World Wide Web Committee will serve to review and update the policy, to ensure the goals of the World Wide Web applications, and to provide guidance to maintain the quality of the University's World Wide Web presence. The Web Committee is not a supervisory or enforcement body. Self-monitoring of web guidelines is expected.

All home pages on the UNC server must be related to University responsibilities and activities. University home pages may link directly to personal homepage(s), but those personal home pages must be housed on a non-University owned server.

3-3-403(1) Style and Content Guidelines.

(a) The content and use of official University World Wide Web pages must be consistent with University policies including harassment and plagiarism, as well as applicable local, state and federal laws. All copyright and other ownership laws are applicable.

(b) All University World Wide Web pages will be current, accurate and consistent with the mission of the University. Pages should be reviewed for accuracy, grammar, spelling, and functional links.

(c) Web pages may not be used for personal profit, unauthorized commercial gain, or for organizational purposes external to the University. University units must include an official UNC logo or "University of Northern Colorado" presented in the approved format. Assistance to web users is available on the University homepage.

(d) The confidentiality of student information must be maintained.

(e) Essential information will be "single source" and made available from World Wide Web pages by linking to the official source. "Single source" suggests that information dealing with topics like, but not limited to, tuition, degree requirements, admission requirements, financial aid, etc., will be provided to all users from a designated source who will assure the accuracy of the information from that source. For example, the University *Bulletin* is the single source for degree requirements and course descriptions. College and department home pages will link directly to the electronic *Bulletin* for that information. Other units will link directly to the *Bulletin* for other approved information.

(f) The E-mail address, telephone number, and the office and/or person responsible for the World Wide Web page must be provided in the footer. The footer also should contain a link for "Return to UNC Homepage." The date of the last revision of the web page must appear (f) on the bottom of the individual web page or on the homepage of a website. Page contents, including graphics and tables, should be small enough to load quickly. Links to pages "Not Found" or "Under Development" or "Under Construction" should be avoided.

(g) Students using server space for class related activities are responsible to the supervising faculty member.

(h) Students developing personal home pages related to course work must adhere to all policies outlined in the document, with the exception of inclusion of the UNC logo.

3-3-403(2) Procedures.

(a) Deletion of e-mail and websites will be a part of UNC employee checkout.

(b) Students will have access, if available, on servers within each college. Guidelines for access and maintenance will be developed at the college level.

(c) Links to student home pages will be available only to pages residing on UNC servers; links will not be available to student home pages residing on external servers.

(d) Any complaint related to the lack of adherence to the above policies that involve faculty members will be reported to the faculty member involved and, if necessary, the Chief Academic Officer (CAO). If a resolution is not mutually agreed to, the CAO will forward the complaint to the Senate Faculty Welfare Committee which will review the complaint and make recommendations to the CAO.

Policy History

3-3-402 CONFLICT OF INTEREST

3-3-402 Section added (Aug 2012)

Part 5: Curriculum

3-3-501 Curriculum Approval Process. The purpose of the curriculum approval process is to ensure the integrity and quality of academic programs through a collaborative effort between faculty and administration. The process described below recognizes the important but different roles played by those groups.

The faculty's role and responsibility is to develop and deliver academic programs and curriculum. The administration's role is to ensure that curriculum proposals are appropriate to the disciplinary responsibility of the proposing unit, and in compliance with University and external stakeholder requirements. Adequate resources must be available to implement proposed curriculum.

3-3-501(1) Scope. The curriculum change process described below applies to significant changes to individual courses and to academic programs (majors, minors, certificates and other micro-credentials). These changes shall include, but are not limited to:

(a) creation of a new course;

(b) creation of a new program;

(c) changes that alteration of the basic nature an existing course, including schedule type, number of credits, and changes to the fundamental objectives (learning outcomes) required of all offerings of the course;

(d) changes that alter the basic nature of a program, including credit hour requirements, GPA requirements, admission requirements, and changes to the fundamental program learning outcomes and curricular requirements; and,

(e) any change to a program or course (including deletion) that impacts another program, education licensure, or the Liberal Arts Curriculum by causing a change as described in (c) and (d).

The process for changes to programs or courses that are not significant but will alter the University Catalog are described in 3-3-501(4).

3-3-501(2) Process for significant changes.

(a) Initiation of changes. All curriculum changes must be initiated by the faculty in the unit proposing or offering the course or program (henceforth referred to as the *originating unit)*. Each unit shall manage its own processes for ensuring general agreement among its faculty for curriculum changes and consulting with the dean regarding resource impacts. Approval of a proposal by the unit leader of the originating unit certifies that the proposal includes:

(I) description of the change;

(II) rationale for the change;

(III) impact of the change within the originating unit on faculty course rotations and other resources, equipment, and supplies; and,

(IV) any additional forms needed to document associated changes on unit level curriculum.

(b) Formal proposals will be submitted through catalog-curriculum tools maintained by the Registrar's Office and must include supporting documentation as required by college and provost level approvers.

(I) New or modified course proposals must include a model syllabus containing the title, description, learning outcomes, and any other required elements that must be included in all teaching syllabi (see 2-3-501 Course Syllabus).

(II) Since new programs result in significant impacts, they shall be reviewed by the college dean and provost for feasibility before a formal proposal may be submitted. A template will be provided by Academic Affairs for this purpose.

(III) New or modified program proposals must be accompanied by necessary course proposals before they can be fully approved.

(c) Required review and approval. Formal proposals will be reviewed by the following:

(I) Office of the Registrar. Ensures that initial proposal submissions are complete, technically accurate (all codes and required formatting are consistent with current standards, credits are computed correctly, etc.), and include all associated documents. Also ensures that all

affected units have been notified and any associated curricular forms have been submitted to the workflow. Upon final approval of the curriculum proposal, updates the catalog copy, banner, and other data systems as needed.

(II) College Curriculum Committee. Determines whether changes are consistent with college objectives and academic standards/integrity. Also ensures that all necessary documents are included and are complete, and that all affected units in the college have been notified and have submitted associated curriculum forms as needed. Committee remarks are advisory only and are forwarded to the originating unit as well as the college dean.

(III) Unit leader of the Originating Unit. Ensures that the proposal is consistent with disciplinary responsibilities of the academic unit and determines whether adequate resources are available to support the proposed change. Lack of adequate resources is sufficient grounds to reject a proposed change. Also incorporates or responds to comments from the college curriculum committee prior to forwarding proposals to the dean.

(IV) Dean of the college housing the Originating Unit. Ensures that the change is consistent with disciplinary responsibilities of the college and does not duplicate existing college curricula. Determines whether adequate resources are available to support the proposed change. Lack of adequate resources is sufficient grounds to reject a proposed change.

(V) Professional Education Council (if teacher education curriculum). Ensures that the proposed change is consistent with education standards and objectives for teacher education programs. Ensures that all affected units are aware of the change and have had an opportunity to comment.

(VI) Dean of the College of Education & Behavioral Sciences (if teacher education curriculum). Confirms PEC-approved proposals have been correctly evaluated and adequate resources are available to support the new or revised teacher education program.

(VII) Liberal Arts Council (if general education curriculum). Ensures that the course meets the criteria for the General Education program and

for the specific category for which the course is proposed. Ensures that the course meets any other requirements that the Liberal Arts Council may establish.

(VIII) Dean of the Graduate School (if graduate curriculum). Ensures that the change is consistent with disciplinary responsibilities and academic standards of the graduate school and does not duplicate existing graduate curricula.

(IX) Chief Academic Officer (or designee). Determines whether the proposed curriculum is consistent with the University's mission and goals and whether adequate resources are available for the University to support implementation of the proposed change; also ensures the proposed change does not duplicate existing university curricula and that all external stakeholder requirements are fulfilled prior to implementation.

(X) Board of Trustees. Approves new programs, as required.

(d) Proposals that are not approved at any level are returned to the appropriate previous level with an explanation of the need for additional information or the grounds for rejection. All remarks and comments from each step become part of the permanent curriculum history and will be available to the originating unit.

(e) Timeline for approvals. Each committee shall complete their review within two committee meetings. Each individual prior to the CAO step shall complete their review within two weeks. The CAO shall complete their review within three weeks.

If any step in this review process is not completed within the required timeframe, the originating unit shall notify their dean or the Chief Academic Officer (or delegate), who will take appropriate action to ensure that the process proceeds in a timely manner.

3-3-501(3) Appeal Process. Rejection by a dean or CAO for reasons of cost or conflict with the mission of the college or University may not be appealed. Appeals of decisions by faculty bodies will proceed as follows:

(a) Adverse decisions of the Professional Education Council may be appealed by the dean of the college housing the originating unit to the dean of the College of Education & Behavioral Sciences.

(b) Adverse decisions of the Liberal Arts Council may be appealed by the dean of

the college housing the originating unit to the Assistant Vice President for Undergraduate Studies.

3-3-501(4) Catalog Changes Not Requiring Full Curriculum Approval Process. Changes to the university catalog that are not significant curriculum changes generally do not need to follow the full approval process described above.

(a) New Subtitles for Variable Title Courses**.** New variable title courses must be added to the catalog following the significant change procedure above (3-3-501(2)). Proposed subtitles (including new topics) for existing variable title courses must only be reviewed and approved through the dean's level in accordance with procedures established by the college.

(b) Review of Changes. All other submitted changes of this sort shall be reviewed by the Office of the Registrar to ensure that the change does not fall under the scope of significant curriculum changes as defined in 3-3-501(1). Changes that merely correct typographical errors shall be implemented immediately; other changes shall be routed through the dean of the college housing the submitted change.

Policy History

3-3-501 CURRICULUM APPROVAL PROCESS.

Section 3-3-501 Curriculum Approval Process (amended Dec 2024)

Subsection 3-3-501(1) Responsibilities of the Originating Unit amended (Feb 2011)

Subsection 3-3-501(2) Curriculum Change Procedures (b)(II)(C) and (D) amended (Feb 2011)

Subsection 3-3-501(3)(c)(I) Roles and Responsibilities of Governing Groups amended (Feb 2011)

Part 6: Academic Freedom and Professional Ethics

[See also Board Policy Manual]

3-3-701 Faculty Salary Distribution.

3-3-701(1) Faculty Compensation Procedures.

(a) The University is committed to a faculty salary distribution process which meets the following objectives, subject to available resources:

(i) To increase and maintain salaries to a competitive level for both recruitment and retention of faculty at all ranks.

(ii) To provide compensation increases for all faculty who at least receive an overall annual/biennial/triennial evaluation of "meets expectations" or above.

(iii) Faculty who receive less than a "meets expectations" in their overall annual/biennial/triennial evaluation shall not receive an annual salary increase. For each year that a faculty member receives an overall annual/biennial/triennial evaluation of less than "Meets Expectations," one year in rank (or two years in the case of biennial evaluation, or three years in the case of triennial evaluation) shall be deducted from the total number of years in rank used to calculate parity.

(b) Further, the University is committed to the determination of an individual faculty member's salary in accordance with the following principles:

(i) Continuing full-time faculty will not have their salaries reduced as a result of modifications to the University compensation policy.

(ii) Continuing full-time faculty will receive no less than their current academic year salaries, excluding administrative and extra duty stipends. (Note: For faculty in the University Libraries, the academic

year salary is the fiscal year salary.)

(c) The following guidelines will determine the distribution of any salary increase monies available each fiscal year:

(i) The salary increase monies available for distribution (salary and benefits) will be determined through the annual budget setting process. Monies to fund promotional increases will be budgeted separately and not deducted from the identified pay increase pool.

(ii) The following faculty salary increases shall apply beginning fall 2026. The faculty salary increase for promotion from lecturer to senior lecturer shall be $3,325. The faculty salary increase for promotion from instructor to assistant professor shall be $3,325. The faculty salary increase for promotion from assistant professor to associate professor shall be $5,000. The faculty salary increase for promotion from associate professor to full professor shall be $8,300. The University shall review the promotional amounts every three years. If the resulting salary after the promotional increase for any rank is below the minimum parity threshold established by the CAO in the salary distribution process, the salary shall be increased to the minimum parity threshold.

(iii) The CAO will provide annually, before the end of January, to the Salary Equity Committee a compensation distribution report for the previous year which includes, but is not limited to, distribution of the parity pool and merit monies.

(iv) Each year the Salary Equity Committee shall recommend to the Senate a salary distribution model.

3-3-701(2) Overload Pay Rate. The pay rate for all courses taught as an overload will be $1545.00 per credit, including those taught for Extended Studies.

3-3-702 Summer and Interim Session Compensation and Workload Policy.

3-3-702(1) Workload.

(a) The maximum credit hours of instruction for summer sessions regardless of mode of delivery, location, or funding source is 12 credit hours with 6 credit hours maximum for each 6-week session and 9 credit hours maximum for an 8- or 12-week session.

(b) The maximum credit hours of instruction for interim sessions is 6 credit hours.

3-3-702(2) Compensation.

(a) The compensation per credit hour for all faculty holding the rank of lecturer, senior lecturer, instructor, assistant professor, associate professor, or professor regardless of mode of delivery, location, or funding source is (1) 1/36th of the faculty member's current academic year salary if the faculty member is on a full-time contract or (2) in the case of non-full-time faculty, holding one of the above ranks, 1/36th of what the current salary would be if the faculty member were full-time.

(b) The following compensation table shows the relationship between compensation and enrollment.

Undergraduate Class Size	Undergraduate Prorated Rate	Graduate Class Size	Graduate Prorated Rate
15+	100%	10+	100%
14	94%	9	90%
13	87%	8	80%
12	80%	7	80%
11	80%	6	80%
10	80%	5	80%
9	80%	4	40%
8	80%	3	30%
7	80%	2	20%
6	40%	1	10%
5	33%		
4	27%		
3	20%		
2	13%		
1	7%		

(c)The minimum compensation per credit hour for summer and interim session courses is $1500.00 for a class size of 15+ undergraduate

students or 10+ graduate students.

(d) With the approval of the applicable Dean, full payment to a faculty member may be made where the enrollment requirements of sub-section (b), above, are not achieved if the average enrollment of all of the program's courses in the interim or the combined summer sessions is at least 20 undergraduate students or at least 15 graduate students.

(e) If undergraduate and graduate students are combined in a single course, the rate applicable to the majority cohort applies.

(f) When the maximum enrollment for a course is limited by the number of laboratory stations, accreditation requirements, clinical instruction, student teaching, or any externally required constraints, the minimum rate of compensation is the greater of $1500.00 per credit hour or the compensation described in the sub-section (a), above.

3-3-702(3) Notification Deadlines. A faculty member must notify their chair/director of their intent not to teach an assigned summer or interim session course at the compensation specified in Section 3-3-702(2) at least twenty (20) days prior to the beginning of the applicable summer or interim session.

3-3-703 Grant Incentive Salary Awards. Faculty who have funds available from external sources to support their research activities during the summer shall be paid at a rate equivalent to their base salary during the previous academic year. The amount of pay is determined by the FTE of work to be conducted during the summer. Faculty salary is calculated on the number of months available (i.e., 3.25 months) between academic year contracts (i.e., academic year is 8.75 months)

(1) Faculty may receive a Grant Incentive Award as follows:

(a) Academic Year. A Grant Incentive Award can be added to the faculty member's base salary during the academic year.

(b) Summer Term. A Grant Incentive Award of up to ten percent of the summer research base salary can be added to that summer salary.

(2) Federal funds cannot be used for the Grant Incentive Award.

(3) Should the faculty member also teach during the summer semester, the rate currently approved by their college should be paid for those hours and the percentage FTE recomputed for the amount of salary they will receive for conducting their research.

Policy History

3-3-701 FACULTY SALARY DISTRIBUTION.

Subsection 3-3-701(1)(c)(ii) amended (March 2026)
3-3-701 section amended (March 2025)
Section 3-3-701(1)(c)(II) Amended (Dec 2022)
Subsection 3-3-701(1)(c) Faculty Compensation Procedures (I) amended (June 2022)
Subsection 3-3-701(1)(c) Faculty Compensation Procedures(II) amended (Jun 2017)
Subsection 3-3-701(1)(a) Faculty Compensation Procedures (II)(III) amended (Nov 2015)
Subsection 3-3-701(1)(c) Faculty Compensation Procedures (II)(III)(IV)(V) amended (Nov 2015)
Subsection 3-3-701(2) Overload Pay Rate amended (May 2014)
Section 3-3-701 amended (Apr 2012)
Subsection 3-3-701(1) Faculty Compensation Procedures (c)(IV) amended (Nov 2011)
Subsection 3-3-701(1)(c)(VI) Faculty Compensation Procedures amended (Mar 2011)
Subsection 3-3-701(1)(d) Temporary Salary Reductions added (Jul 2020)

3-3-702 SUMMER COMPENSATION AND WORKLOAD POLICY.

Section 3-3-702(2) Compensation (a)(b)(c)(d)(e)(f) amended (Feb 2014)
Section 3-3-702 amended (Sep 2013)
Section 3-3-702 name amended to "Summer and Interim Session Compensation and Workload Policy" (May 2012)
Subsection 3-3-702(3) amended (Mar 2011)

[See also Title 3, Article 3, Part 3, 3-3-303(5) Performance Evaluation and Title 3.]

3-3-801 Implementation of Faculty Evaluation Procedures.

3-3-801(1) Comprehensive Review. A faculty member must receive a comprehensive review in any year upon request. In addition, the results of comprehensive review are the sole basis for decisions concerning pre-tenure review, tenure, promotion and post-tenure review. Every comprehensive review of a tenured faculty member, for whatever purpose, is at the same time a post tenure review.

(a) Promotion Review [See Section 2-3-801(2)(b) Pre-Tenure Review.

(I) Tenure track faculty members will undergo a comprehensive pre-tenure review in their third year, except in the circumstance noted in 3-3-801(1) (a) (III).

(II) Procedures. Pre-tenure review procedures are the comprehensive evaluation procedures which includes scores and reasons, given in the Board Policy Manual Title 1, Part 3, 1-1-307 Faculty Evaluation and Title 2, Article 3, Part 8 Faculty Evaluation.

(III) Evaluation Period and Dossier. Comprehensive pre-tenure review requires a faculty member to prepare a dossier that summarizes and provides evidence of the individual's performance accomplishments. The dossier for pre-tenure review should reflect activities accomplished while a member of the UNC faculty. The dossier may include activities accomplished in time periods occurring prior to service at UNC only when such time periods are negotiated at the time of hire as credit toward promotion and/or tenure. Faculty members who negotiate two (2) years of credit toward tenure and promotion may request a pre-tenure review in their first or second year at the University of Northern Colorado. Faculty members who

negotiate three (3) years of credit toward tenure and promotion may request a pre- tenure review in their first year at the University of Northern Colorado. [See Section 2-3-801 (1) Definitions.]

(b) Tenure Review [See Section 2-3-801(2)(c).]

(c) Post-Tenure Review.

(I) Guidelines. Every tenured faculty member must have a comprehensive review at least once every six (6) years. If a faculty member requests a comprehensive review (for promotion, or any other reason) this will establish a new six-year (6) review cycle.

(II) Procedures. Post-tenure review procedures are described in this Board Policy Manual 1-1-307 Faculty Evaluation and 2-3-801 Faculty Evaluation.

(III) Evaluation Period and Dossier. The dossier for post-tenure review should include only activities accomplished since the last comprehensive review. If hired with tenure, the dossier should include activities since time of hire.

(IV) Evaluation Areas. A faculty member is evaluated on assigned workload over the post-tenure period. In each area, a faculty member's performance will be evaluated on a five-point scale. [See 3-3-801(2) (f)].

(V) Post-Tenure Review Decisions. The result of a post-tenure review is either satisfactory or unsatisfactory. A faculty member's post-tenure review is satisfactory if they receive an overall evaluation of level III or higher with a level III or higher evaluation in teaching. If the overall evaluation is below level III, or if the evaluation is below level III in teaching, then the result of the post-tenure review is unsatisfactory. Faculty evaluated as unsatisfactory on a post- tenure review will meet with the department chair/school director/program coordinator and the program area faculty or their designee to develop a performance plan that is approved by the department chair/school director/program coordinator, and the dean. Faculty

have two years to achieve a satisfactory evaluation. Failure to do so will constitute grounds for disciplinary action. [See 1-1- 310 and 2-3-1101].

3-3-801(2) Annual/Biennial/Triennial Review. Procedures for annual/biennial/ triennial review are conducted for the purpose of performance evaluation and to determine eligibility for merit pay consideration.

(a) Criteria. Evaluation criteria are developed by each program area and approved as described in Board Policy 2-3-801(3)(a).

(b) Procedures. Annual/Biennial/Triennial Review procedures are described in the Board Policy Manual Title 1, Article 1, Part 3 Faculty Evaluation, and Title 2, Article 3, Part 8 Faculty Evaluation. All years of employment are subject to annual/biennial/triennial review. No review period may be included in more than one annual/biennial/triennial review.

(c) Evaluation Period. The calendar year is used as the review period for all annual/biennial/triennial reviews notwithstanding that the faculty member may not have worked the entirety of the calendar year.

(I) **Annual Review:** Faculty activities from January 1 through December 31 of a calendar year are the subject of an annual evaluation conducted during the period of January 1-May 31 of the following year.

(II) **Biennial Review:** Faculty activities from January 1 through December 31 of a consecutive two-year period are the subject of a biennial evaluation conducted during the period of January 1-May 31 of the following year.

(III) **Triennial Review:** Faculty activities from January 1 through December 31 of a consecutive three-year period are the subject of a triennial evaluation conducted during the period of January 1-May 31 of the following year.

(d) Evaluation Areas. Evaluation areas are based on the workload assigned by the chair/director/program coordinator. See Faculty Workload 2-3-401.

(e) Evaluation Outcomes. Faculty are evaluated in each applicable performance area and their contributions in each area may vary according to assigned workload. A faculty member's performance will be evaluated and scored on a five (5) point scale. See 2-3-801(4)(a)(Xl). Each faculty member will receive an overall evaluation based on the scores in each of the areas. A numerical weighting system that incorporates the percentage of the total workload for each performance area as specified in the assigned faculty workload will be used to calculate a weighted average using the evaluation scale in Board Policy 2-3-801(4)(a)(XII).

(f) Employment Status and Annual/Biennial/Triennial Review

(I) Adjunct Faculty. Adjunct faculty are evaluated by the program area faculty in consultation with the department chair/school director/program coordinator. Each College will develop procedures for evaluating its adjunct faculty.

(II) Contract-Renewable Faculty. Contract-Renewable faculty must complete an annual/biennial review at least once every two years and may request an annual/biennial review in any year.

(III) Tenure-Track Faculty. Tenure-track faculty must complete an annual review in years 1, 2, 3 (in conjunction with pre- tenure review), 4 and 5 (and year 6, if applicable). In year 3, pre-tenure review materials must be organized so that an annual review can also be completed. If, in the pre-tenure review, the faculty member receives "exceeds expectations" or higher in either instruction or professional activity, and "meets expectations" or higher in the other areas, they may complete a biennial review covering years 4 and 5, instead of completing annual reviews for years 4 and 5.

(IV) Tenured Associate Professors. Tenured Associate Professors must complete, at a minimum, a biennial review once every two years, and they may request an annual review in any year. When the annual/biennial review coincides with a comprehensive review, materials must be organized so that an annual/biennial review can also be completed.

(V) Tenured Full Professors. Tenured Full Professors must complete, at a minimum, a triennial review once every three years. They may request an annual/biennial review in any year. When the annual/biennial/triennial review coincides with a comprehensive review, materials must be organized so that an annual/biennial/triennial review can also be completed.

(VI) Tenured faculty may opt out of an annual review for the 2020 review period or opt out of a biennial review for the 2019-2020 review period. Faculty who do so shall either complete an annual review for the 2021 review period or a biennial review for the 2021-2022 review period. A tenured faculty member who opts out of an annual/biennial review under this subsection (VI) does not modify the timing of their next comprehensive review, which comprehensive review will include an evaluation of activities that occurred during the opt- out years.

3-3-801(3) Calendar for Faculty Evaluation. Colleges will establish calendars for the review of evaluation materials as described in the Board Policy Manual 1-1-307 Faculty Evaluation, and 2-3-801. Faculty Evaluation.

(a) Reappointment Recommendations for Tenure-Track Faculty. [See Board Policy Manual 2-3- 202(3).]

(b) Reappointment upon Denial of Tenure. Faculty members who do not receive tenure in year six (6) will be given a contract in year (7), for their final year.

(c) Contract-Renewable Faculty Member Position Notification. Decisions to offer a subsequent contract-renewable agreement should be communicated to the faculty member by April 1.

3-3-802 Confidentiality and Professional Ethics. Except as otherwise authorized under the terms and provisions of this procedure, or when used to administer the affairs of the University, or to comply with the law, all information reviewed, evaluation data collected, committee deliberations, decisions, and other materials generated during the course of evaluations conducted in accordance with this procedure shall be maintained as confidential.

Policy History

3-3-801 IMPLEMENTATION OF FACULTY EVALUATION PROCEDURES.

Subsection 3-3-801(2)(b)(c)(III)(f)(V) amended (Jun 2021)
Subsection 3-3-801(2)(f)(IV) Tenured Faculty amended (Feb 2021)
Subsection 3-3-801(2)(b)(c)(I)(II)(e)(f)(I)(II)(III)(IV) amended (May 2017)
Subsection 3-3-801(3)(a)(b)(c) amended (May 2017)
Subsection 3-3-801(1)(2)(3) amended (Jun 2016)
Subsection 3-3-801(1)(2)(3) amended (Dec 2014)
Subsection 3-3-801(2)(VI) Promotion and/or Tenure Recommendation amended (May 2012)
Subsection 3-3-801(1) Annual Review (g)(I)(g)(II)(g)(III) amended (Nov 2011)
Subsection 3-3-801(1) Annual Review (a)(g)(ii) amended (Sept 2011)
Subsection 3-3-801(2) Comprehensive Review (a)(III)(a)(VI) amended (Sept 2011)
Subsection 3-3-801(3) Calendar for Faculty Evaluation amended (Sept 2011)
Subsection 3-3-801(1) Annual Review amended (Oct 2010)
Subsection 3-3-801(3)(b) Calendar for Faculty Evaluation chart deleted due to conflict with Board Policy Manual. (Dec 2010)

3-3-802 RESPONSIBILITIES OF THE FACULTY IN THE EVALUATION PROCESS.

Section 3-3-802 amended (Jan 2022)
Section 3-3-802 amended (May 2017)
Section 3-3-802 amended (Jun 2016)
Section 3-3-802 amended (Sept 2011)

3-3-803 RESPONSIBILITIES OF THE DEPARTMENT CHAIR/SCHOOL DIRECTOR IN THE EVALUATION PROCESS.

Section 3-3-803 amended (Sept 2011)
Section 3-3-803 introductory paragraph amended (Oct 2010)

3-3-804 RESPONSIBILITIES OF THE COLLEGE DEAN IN THE EVALUATION PROCESS.

Section 3-3-804 amended (Sept 2011)
Section 3-3-804 amended (Oct 2010)

[See also Board Policy Manual]

3-3-901 Faculty Salary Increase for Promotion. The following faculty salary increases shall apply beginning fall 2026. The faculty salary increase for promotion from lecturer to senior lecturer shall be $3,325. The faculty salary increase for promotion from instructor to assistant professor shall be $3,325. The faculty salary increase for promotion from assistant professor to associate professor shall be $5,000. The faculty salary increase for promotion from associate professor to full professor shall be $8,300. The University shall review the promotional amounts every three years. If the resulting salary after the promotional increase for any rank is below the minimum parity threshold established by the CAO in the salary distribution process, the salary shall be increased to the minimum parity threshold.

Policy History

3-3-901 FACULTY SALARY INCREASES FOR PROMOTION.

Section 3-3-901 (amended Mar 2026)
Section 3-3-901 (amended Dec 2022)
Section 3-3-901 amended (Mar 2013)
Section 3-3-901 “Promotion Stipend” amended to “Faculty Salary Increase for Promotion” proposal. (Oct 2010)

3-3-1001 Sabbatical Leave.

3-3-1001(1) Sabbatical Leave Application Procedures. [See also 2-3-1001(5) Approval Procedures.]

(a) The dean of each college shall announce the deadline for submission of proposals at least 60 calendar days before the deadline and all faculty who are eligible for sabbatical leave will be notified.

(b) Eligible faculty interested in applying for sabbatical leave shall submit to the department chair/school director a proposal which outlines the work to be undertaken and the benefits to teaching and/or scholarship that will result from the project. The proposal shall also include an explanation of

(i) any additional compensation [see 2-3-1001(6)(b)] and

(ii) the reason, if any, that the work must be completed by the end of the following academic year or earlier;

(iii) the length of time since the applicant's last sabbatical leave or, if this is the first sabbatical leave application, the date of the initial hire;

(iv) and an indication as to whether the applicant's sabbatical leave was postponed after having been previously approved.

(c) Applications will be reviewed according to the procedures outlined in 2-3-1001(5) Approval Procedures.

Policy History
3-3-1001 SABBATICAL LEAVE.

Section 3-3-101 amended (Jun 2022)
Section 3-3-1001 amended (Nov 2012)
Section 3-1-1001(2) deleted (Nov 2012)

3-3-1101 School Director Policy. This document sets forth the policies and procedures to governing the selection and evaluation of directors. A director is the unit leader of a school whose entire assignment is professional administration.

3-3-1101(1) Director Selection. A director is an at-will employee in their capacity as director.

(a) Normally the director shall be appointed from tenured or tenure-track faculty within the school.

Upon completion of the following process, the dean of the college shall recommend a director to the CAO for approval. If the director is to be selected from the current faculty of the school, an agreement between the dean and a majority of the faculty of the affected school, outlining the recommendation process including faculty involvement, shall be required prior to initiating the search for a director. Faculty involvement may include school faculty vote, conferences with individual faculty and/or the school, and/or interviews with potential candidates.
Evaluations from persons external to the school may also be considered.

(b) When no qualified faculty member is willing to accept appointment as director and/or the school and dean agree it is in the best interest of the school not to recommend a director from present faculty, or when the school and dean cannot reach agreement on the appointment of a director, the following applies:

(i) The dean may request and receive authorization from the CAO to advertise externally for a school director. Selection of off-campus candidates for the position of director shall follow established University procedures for the hiring of full-time faulty into a tenured position at the rank of associate professor or professor.

(ii) The CAO, in consultation with the dean and the school, shall

appoint a director from among the faculty of the University for an appointment of no more than one year.

3-3-1101(2) Term of Service. A director shall be appointed for a five-year term.

3-3-1101(3) Vacancies. In all cases of vacancies occurring during a director's term of service, the dean, after seeking faculty input, may appoint an acting director who shall assume responsibilities immediately.

3-3-1101(4) Evaluation of Director. The dean shall evaluate all directors annually under the University evaluation system. Faculty in the school must be involved in the evaluation.

3-3-1101(5) Relief of Director Responsibilities. If for any reason the dean believes that a change in unit leadership is necessary, the dean may, in consultation with the CAO, relieve the individual of director responsibilities. Unless circumstances prohibit, such action shall only be taken after consultation with the unit faculty.

3-3-1102 Dean's Review and Evaluation. Under the authority of the Chief Academic Officer (CAO), deans will be evaluated on a five-year cycle based on the establishment of five-year goals approved by the CAO. Deans will undergo annual review by the CAO to determine progress made toward those goals. Deans will also undergo a five-year comprehensive evaluation.

(1) Annual Review Timeline.

(a) January: The deans shall submit to the CAO an annual report that includes progress towards the five-year goals.

(b) February: The CAO shall send the annual report to each of the dean's faculty and consults with all faculty in the dean's college through the administration of an evaluation instrument (questionnaire) to be developed by the CAO. The questionnaire will include an opportunity for "open ended comments." Faculty will retain anonymity in returning the questionnaire and should return the questionnaire to the CAO by the end of the month.

(c) March: The deans shall meet individually with the CAO to review the

annual report feedback from respondents and negotiate any adjustments to the five-year goals.

(2) Five-Year Comprehensive Review Timeline.

(a) January: The deans shall submit to the CAO a dossier that summarizes accomplishments and progress towards the five-year goals.

(b) February: The CAO shall send the dossier and a five-year comprehensive evaluation response form, to be developed by the CAO, to all faculty in the dean's college. The questionnaire will include an opportunity for "open ended comments." Faculty will retain anonymity in returning the questionnaire and should return the questionnaire to the CAO by the end of the month. The CAO has the option, in concert with the dean, to solicit comments from others internal and external to the University.

(c) April: The deans shall meet individually with the CAO to review the dossier and feedback from respondents. Subsequently, the CAO shall provide the dean with a written evaluative summary of the comprehensive review.

No annual review will be conducted during the comprehensive review year.

Policy History

Section 3-3-1101(5) Relief of Director Responsibilities added (Jun 2022)

Part 12: Administrative Position Searches

3-3-1201 Purpose. The purpose of this policy is to set forth the process of selecting and forming administrative search committees, as appropriate as defined below. Searches for permanent replacements, and searches for interim replacements when deemed necessary, are subject to this policy.

3-3-1202 Academic Affairs Searches.

3-3-1202(1) Search for the Chief Academic Officer (CAO).

(a) Initiation of a Search.

(i) The President shall decide when to commence a search for a replacement.

(ii) If the President decides to fill the position without a search, including an interim appointment, the Faculty Senate Executive Committee (FSEC) shall be given the opportunity to provide feedback to the President.

(iii) If a search fails and an interim appointment is to be made or continued, the FSEC shall be given the opportunity to provide feedback to the President.

(b) Chair of the Search Committee.

(i) The President shall select a chair of the search committee. The President shall explain the reasons for this selection to the FSEC. The FSEC shall have the opportunity to provide feedback to the President.

(c) Search Committee Membership.

(i) The overall size and composition of the search committee shall be determined by the President. Regardless of its size, the majority of the members of the committee shall be voting faculty. The Faculty Senate shall select the faculty of the search committee, other than the chair,

following a process of its choosing, which shall include a call to the entire faculty.

3-3-1202(2) Search for University-wide Positions other than the CAO including, but not limited to, Associate Vice Presidents for Academic Affairs, Vice Provost, Associate Vice Provost, Associate Vice President for Research/Dean of the Graduate School.

(a) Initiation of a Search.

(i) The CAO shall decide when to commence a search for a replacement.

(ii) If the CAO decides to fill any of the positions mentioned in this subsection without a search, including an interim appointment, the FSEC shall have the opportunity to provide feedback to the CAO.

(iii) If a search fails and an interim appointment is to be made or continued, the FSEC shall have the opportunity to provide feedback to the CAO.

(b) Chair of the Search Committee.

(i) The CAO shall select a chair of the search committee. The FSEC shall have the opportunity to provide feedback to the CAO.

(c) Committee Membership.

(i) The overall size and composition of the search committee shall be determined by the CAO. Regardless of its size, the majority of the members of the committee shall be voting faculty. The Faculty Senate shall select the faculty of the search committee, other than the chair, following a process of its choosing, which shall include a call to the entire faculty.

3-3-1202(3) Search for a Dean of a College.

(a) Initiation of a Search.

(i) The CAO shall decide when to commence a search for a replacement.

(ii) If the CAO decides to fill any of the positions mentioned in this subsection without a search, including an interim appointment, the

FSEC and the Faculty Senator(s) from the college shall have the opportunity to provide feedback to the CAO.

(iii) If a search fails and an interim appointment is to be made or continued, the FSEC and the Faculty Senator(s) from the college shall have the opportunity to provide feedback to the CAO.

(b) Chair of the Committee.

(i) The CAO shall select a chair of the search committee. The FSEC and the Faculty Senator(s) from the college shall have the opportunity to provide feedback on this decision.

(c) Committee Membership.

(i) The overall size and composition of the search committee shall be determined by the CAO. Regardless of its size, the majority of the members of the committee shall be voting faculty. The Faculty Senator(s) from the college, in consultation with the FSEC, shall select the faculty of the search committee, other than the chair, following a process of its choosing, which shall include a call to the entire faculty in the relevant college.

3-3-1202(4) Search for an Assistant/Associate Dean of a College.

(a) Initiation of a Search.

(i) The Dean shall decide when to commence a search for an Assistant/Associate Dean after budgetary approval for the position has been granted by the CAO.

(ii) If the Dean decides to fill any of the positions mentioned in this subsection without a search, including an interim appointment, the FSEC and the Faculty Senator(s) from the college shall have the opportunity to provide feedback to the Dean.

(iii) If a search fails and an interim appointment is to be made or continued, the FSEC and the Faculty Senator(s) from the college shall have the opportunity to provide feedback to the Dean.

(b) Chair of the Committee.

(i) The Dean shall select a chair of the search committee. The FSEC and the Faculty Senator(s) from the college shall have the opportunity to provide feedback on this decision.

(c) Committee Membership.

(i) The overall size and composition of the search committee shall be determined by the Dean. Regardless of its size, the majority of the members of the committee shall be voting faculty. The Faculty Senator(s) from the college, in consultation with the FSEC, shall select the faculty of the search committee, other than the chair, following a process of its choosing, which shall include a call to the entire faculty in the relevant college.

3-3-1203 Non-Academic Affairs Searches.

3-3-1203(1) Search for other Vice Presidents and Deans, including but not limited to, the Dean of Students, Vice President for Student Affairs, Vice President for Finance and Administration, and Vice President for University Advancement but not including University General Counsel.

(a) Initiation of a Search.

(i) The President shall decide when to commence a search for a replacement.

(ii) If the President decides to fill the position without a search, including an interim appointment, the FSEC shall have the opportunity to provide feedback to the President.

(iii) If a search fails and an interim appointment is to be made or continued, the FSEC shall have the opportunity to provide feedback to the President.

(b) Chair of the Search Committee.

(i) The President shall select a chair of the search committee.

(c) Committee Membership.

(i) The overall size and composition of the search committee shall be determined by the President. Regardless of its size, at least two of

the members of the committee shall be voting faculty. The Faculty Senate shall select the faculty of the search committee, other than the chair, following a process of its choosing, which shall include a call to the entire faculty.

Policy History

PART 12 ADMINISTRATIVE POSITION SEARCHES

3-3-1201(1) Subsection amended (March 2025)
3-3-1202(2) Subsection amended (March 2025)
3-3-1202(3) Subsection amended (March 2025)
3-3-1202(4) Subsection amended (March 2025)
3-3-1203(1) Subsection amended (March 2025)
Section added (Nov 2020)

3-3-1301 Administrators Moving to or Returning to Faculty.

3-3-1301(1) Purpose. This policy ensures equitable and consistent transitions for administrators with faculty status, who commence or return to a faculty position after the conclusion of their administrative assignment.

3-3-1301(2) Definitions. For the purpose of this policy,

(a) Administrator with Faculty Status.

(i) A new employee hired initially in an administrative position (including an interim or temporary administrative position) who receives tenure at their time of hire; or

(ii) A faculty member who holds tenure or is on a tenure track, shall retain that status upon accepting an administrative position including when serving in an interim or temporary assignment.

(b) Administrator Moving to the Faculty. A change from an administrative position to a faculty position for an administrator hired with tenure.

(c) Administrator Returning to the Faculty. An administrator with tenure or tenure-track status returns to faculty status.

(d) Interim Assignment. An administrative position filled while a search is conducted for a permanent replacement, or while a unit's reorganization occurs.

(e) Temporary Assignment. An administrative position filled in order to meet a temporary University need.

(f) Retooling Period. The period between leaving an administrative role and moving or returning to the faculty. During this period, the workload is negotiated between the administrator moving or returning to faculty, their previous administrative supervisor, the

dean, and the unit leader.

(g) Parity Floor. The parity floor is determined based on the university's compensation model and parity criteria at the time the individual transitions to faculty.

3-3-1301(3) Transition from Administration (Not Temporary or Interim Positions) to the Faculty.

(a) A Letter of Intent (LOI) is required and shall include a transition plan agreed on by the administrator moving or returning to the faculty, their supervisor during their administrative role, their dean, and their unit leader. The LOI must be approved by the CAO, except in the case in which the CAO is the administrator moving to, or returning to, the faculty, in which case the President must approve the LOI. An LOI shall include at least the following:

I) The transition period.

II) The specific dates that the employee is paid as an administrator moving or returning to a faculty position.

III) The specific tasks that the administrator will perform during the Retooling Period, such as preparation for classes, special projects, and/or assisting with the transition to a replacement.

IV) The expected retooling period shall not exceed the completion of the current semester plus one (1) full semester, unless otherwise specified in the LOI. In order for the administrator to earn a Retooling Period the administrator must be in an administrative role a minimum of three (3) consecutive years, except as approved by the CAO or President if the CAO is the returning or moving to faculty.

V) For new employees, the pay calculation shall be determined at the time of initial hire relative to the parity floor or the compensation model employed by UNC in the year of transition.

VI) For an administrator returning to faculty, the salary shall be the same as their faculty salary when they commenced their administrative position, plus any faculty salary increases that

would have been received during their period employed in an administrative position.

(b) During the transition period when an administrator moves or returns to the faculty, the division that made the administrative appointment will retain, budgetary responsibility for the administrator's salary. This provides the College of the academic unit time to identify funding for the position.

3-3-1301(4) Faculty Rank, Tenure Status, and Salary for Administrator Moving or Returning to the Faculty. Faculty rank, tenure status, and salary upon leaving an administrator role are determined by the faculty member's rank, title, tenure status at the time they began their administrator status.

(a) Administrator Moving to Faculty Status under 3-3-1301(2)(a)(i).

(i) The rank, tenure status, and discipline code, shall be determined at the time of initial hire.

(ii) Years in rank shall be counted only for years served as a faculty member.

(iii) The CAO will assist the College of the administrator's assigned academic unit in identifying funding to cover the administrator's faculty salary for no more than three (3) years. The funds then revert to the salary pool administered by the Provost's Office to fund the full-time faculty member in their college.

(b) Administrator Returning to Faculty Status under 3-3-1301(2)(a)(ii).

(i) The rank, tenure status and discipline code shall be the same as it was at the time the faculty member commenced their administrative position, and they shall return to the academic unit of their discipline.

(ii) A full-time administrator returning to the faculty without tenure or who has not attained the rank of full professor may not be considered for tenure, promotion, or sabbatical during their employment as an administrator. The clock for tenure, promotion, and sabbatical stops during their employment in an administrative position, and they shall not undergo faculty evaluation in their academic unit.

(iii) If the administrative assignment is less than full-time, the faculty member, CAO, the dean, and the academic unit shall adjust the faculty member's workload and develop an agreement, in writing, that addresses tenure, promotion and sabbatical, so that all parties are clear as to the terms of the agreement. In such cases, the faculty member would continue to undergo evaluation by the academic unit.

(iv) During the period in which the administrator with faculty status is employed in an administrative position, the academic unit may use salary savings from the vacant position to cover necessary replacement instructional costs for no more than three (3) years. The funds then revert to the salary pool administered by the Provost's Office to fund full-time faculty member in their college.

(c) Administrator with Faculty Status in an Interim or Temporary Administrative Assignment.

(i) The CAO shall create and fund a new administrative position or shall move the faculty member into an existing funded vacant administrative position. The faculty member's vacant position in their academic unit shall remain funded by the academic unit. The academic unit may use salary savings from the vacant position to pay for the necessary replacement instructional costs.

(ii) If the administrative assignment is full-time, the clock for tenure, promotion, and sabbatical stops during their employment in an administrative position, and the administrator shall not undergo evaluation on their academic unit.

(iii) If the administrative assignment is less than full-time, the faculty member, CAO, the dean, and academic unit shall adjust the faculty member's workload and develop an agreement, in writing, that addresses tenure, promotion and sabbatical so that all parties are clear as to the terms of the agreement. In such cases, the faculty member would continue to undergo evaluation by the academic unit.

3-3-1301(5) Transition Period.

(a) When an administrator moves or returns to the faculty, a paid transition period to support the preparation may be authorized. Unless otherwise agreed upon in writing prior to the commencement in an administrative position, no transition period shall exceed the completion of the current semester plus one (1) full semester.

(b) The expectations for responsibilities to be completed during the transitional semester will be negotiated between the administrator moving or returning to the faculty, their supervisor during their administrative role, the dean, and their unit leader.

(c) Once the transition period is completed, the salary of the administrator moving to or returning to faculty will be adjusted as described in 3-3-1301(4)(a)(ii) and 3-3-1301(4)(b)(ii) above.

(d) Once the transition period is completed, the tenure clock, or evaluation and sabbatical process resumes. See also Tenure Clock Extension [2-3-902(3)(b)], Part 8 Faculty Evaluation [2-3-801], Sabbatical Leave [2-3-1001].

Policy History

PART 13 ADMINISTRATORS MOVING TO OR RETURNING TO FACULTY

Section 3-3-1301 amended (April 2026)
Section added (Feb 2021)

3-4-101 Scope. The provisions of this chapter shall apply to all administrative/professional exempt staff employees of the University except to the extent that they are superseded by or inconsistent with the employee's individual appointment contract, in which case the latter shall control. For the purpose of this chapter, administrative/professional exempt staff shall mean:

(1) all non-classified employees in the divisions of Administration, Student Affairs, University Affairs, President's Office, the Board of Trustees Office, and,

(2) in the division of Academic Affairs, all non-classified employees without academic rank and those non-classified employees with academic rank serving as dean or a member of the dean's staff, as vice president or a member of the vice president's staff, as a director or a member or a director's staff.

For the purposes of item b. "Level I sports" are football, men's basketball, women's basketball and women's volleyball.

These provisions shall be superseded by the terms and provisions of the employee's individual employment contract to the extent they are inconsistent herewith. The term "employee" when used in this chapter shall mean "administrative/professional exempt staff employee."

3-4-102 Contract/Appointment Status. The contract/appointment status of administrative/professional exempt staff employees is of two types: Definite Term and Indefinite Term.

3-4-102(1) Definite Term. "Definite Term" contracts are for a designated period of time and automatically terminate upon the expiration of the designated period. Re-employment is subject to the discretion of the University in accordance with the notice provisions of Section 3-4-102(1).

3-4-102(2) Indefinite Term. "Indefinite Term" employees serve at the pleasure of the University for an indefinite period of time.

3-4-103 Recruitment, Appointment, Orientation. [See also Title 3, Article 6, Personnel.]

3-4-104 Duties and Responsibilities.

3-4-105 General. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-501.]

3-4-106 Other Duties. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-509.]

3-4-107 Safety. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-508.]

3-4-108 Workload. All full-time administrative/professional exempt staff employees are required to work at least forty (40) hours per week as well as such additional hours as may be reasonable and necessary to the fulfillment of their duties and responsibilities.

All full-time employees are expected to perform their regular services between the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, unless another schedule has been approved in advance by their supervisors or is required as a condition of their positions. Each office is encouraged to continue to accommodate individual employee work hour preferences with flex-time scheduling and call-forwarding procedures. By the increased use of flex-time scheduling and call-forwarding technology, the employee 40-hour-work-week preferences and student needs should be accommodated.

The Executive Staff will determine the actual starting and ending date each year.

Compensatory time for hours worked in excess of forty (40) hours in a work week shall not be permitted unless approved in advance in writing by an employee's supervisor and only as permitted by applicable provisions of the fair labor standards act.

Part-time employees shall be required to work a proration of forty (40) hours per work week which is equivalent to the percentage of one full-time equivalent which has been assigned to their position, e.g.,

.40 FTE employee is required to work at least sixteen (16) hours per work week. In addition, part-time employees are required to work a reasonable number of additional hours if necessary to the completion of their job duties and

responsibilities. Such additional time shall not increase their salary entitlement nor, without written approval of the jurisdictional vice president, entitle them to any of the benefits or prerequisites reserved solely for full-time employees.

Compensatory time for part-time employees shall be subject to regulation by the employee's supervisor and the FLSA.

The schedule of work hours of part-time employees shall be subject to regulation by the employee's supervisor.

3-4-109 Rest Breaks. Employees are entitled to one fifteen (15) minute break during each four consecutive hour work segment and a one hour break during each work shift of eight hours or more. Such breaks shall be taken at times approved in advance by the employee's supervisor.

3-4-110 Reports. Each employee shall prepare and submit periodically as required a report of time worked or authorized leave used each workday on a form approved by the University. Such report must be approved by the employee's supervisor. Submission of an approved form is a condition precedent to payment of any compensation for the report period.

3-4-111 (Section deleted effective July 2025)

3-4-112 Performance Planning and Evaluation.

3-4-112(1) Purpose. The performance planning and evaluation process is intended:

(a) to promote an exchange between the supervisor and the employee which leads to a better understanding by the employee of the duties and activities in which the employee is to be engaged during the coming year;

(b) to facilitate an understanding by the employee of the supervisor's performance expectations for the employee;

(c) to define the expected outcomes for the employee for the coming year;

(d) to provide an assessment of the quality of the performance by the

employee in carrying out assigned duties and activities; and,

(e) to measure the attainment of the defined outcomes associated with the employee's activities.

3-4-113 The Performance Planning and Evaluation Process. The performance planning and evaluation system is an annual process which consists of two phases. The first phase requires performance planning for the coming year and the second phase consists of the evaluation of the employee's performance. Faculty in administrative positions are evaluated in accordance with the provisions of Section 3-4-1012 and 3-4-1013.

3-4-113(1) Planning Phase. In the planning phase of the performance planning and evaluation process, the supervisor and the employee together outline, in as much detail as practicable, and in writing, the duties, responsibilities, activities, and expected outcomes for the employee for the coming year. The planning phase ordinarily takes place in June for continuing employees; within the first month of employment for new assignments.

3-4-113(2) Evaluation Phase. The evaluation phase of the performance planning and evaluation process ordinarily takes place during May or June, but must take place prior to or concurrently with the planning phase for the subsequent year. The evaluation of the employee's performance must be in writing. The evaluation must be discussed in a conference between the employee and the supervisor in which the supervisor reviews with the employee the employee's performance in carrying out duties and activities and in achieving the outcomes established for the employee during the planning phase. To facilitate the evaluation, the employee will prepare an annual report to submit it to the supervisor prior to the evaluation conference with the supervisor.

Each employee will receive an overall performance evaluation rating of 1, 2, 3, or 4, according to the following definitions:

(a) Unsatisfactory. Employee does not meet minimum expectations and should not be continued in employment.

(b) Needs Improvement. The employee does not meet minimum

expectations; however, there is sufficient potential demonstrated by the employee that improvement is possible.

(c) Achieved Expected Outcomes. The employee achieved the expected outcomes in the manner that was expected by the supervisor.

(d) Exceeded Expected Outcomes. The employee performed in such a manner that the expected outcomes were exceeded to a significant degree.

3-4-114 Appeal Process. [See also University Regulations, Title 3, 3-4-114.]

3-4-115 Separation.

3-4-116 Resignation Layoff and Recall. [See also University Regulations, Title 3, 3-4-116.]

3-4-117 Progressive Performance Deficiency Notification. Progressive performance deficiency notification is defined as disciplinary action which imposes increasingly severe forms of discipline for repetition of offenses. The purpose of progressive performance deficiency notification is as follows:

(1) To promote positive employee relations by encouraging communication between a supervisor and an employee whose performance is declining.

(2) To provide an opportunity for the employee to make a self-directed decision regarding their employment.

(3) To provide the employee with advance knowledge of the penalties resulting from violation of University policies, regulations and procedures. Progressive performance deficiency notification shall follow these steps:

(a) Supervisor identifies the problem.

(b) Supervisor discusses the problem with the employee in a face-to-face meeting.

(c) Supervisor initiates one or more of the following disciplinary procedures when performance fails to improve after the face-to-face meeting:

(d) Verbal warning with memo to department file. Maximum of three verbal warnings, depending on misconduct.

(I) Written warning signed by employee.

(II) Notice of disciplinary probation or suspension without pay. The decision regarding probation or suspension without pay depends on misconduct. The decision is made by the supervisor and jurisdictional vice president.

(III) Discharge.

This policy shall not be a condition precedent to the University's right under Statute to terminate the employment of exempt-administrative employees at any time.

Further, the University reserves the right to institute whatever disciplinary sanction it deems appropriate for exempt-administrative employees at any time or in any sequence.

3-4-118 Position Classification. Administrative/Professional positions.

3-4-119 Classification. The Professional and Administrative Staff positions shall be annually classified into seven levels consistent with the scope of duties associated with their current position descriptions.

(1) Human Resources shall maintain current position descriptions for all members of the Professional and Administrative Staff. Such descriptions authorized by the appropriate vice president and verified by Human Resources. Shall be the only official descriptions used for classification purposes.

(2) The President and the Vice President, with the advice of Human Resources and the Professional and Administrative Staff Council, shall annually classify each professional and administrative staff
(2) position into one of the following levels on creation of the position and are required by vacancies or changes in assigned duties.

Level Descriptions

Listed below are the descriptions for a seven level classification system proposed by the task force. These descriptions would be used to determine in which administrative level a position should be assigned. The descriptions reflect a classification structure that is driven by position responsibilities and degree of expertise, as reflected in a revised PDQ. The descriptions are intended to be a guide in determining the administrative level for all positions. While it is possible that a position could include components from more than a single level, emphasis should be place on criteria including levels of expertise, reporting structure, ability to make and influence policy, and impact on and off campus.

LEVEL I

Program Staff Level. Provides service in support of daily operations of programs of a department. Provides service directly to clients or program users. May supervise student employees. On-the-job decisions are made within the limits of existing policies and procedures and guidelines are established by supervisor.

LEVEL II

Program Supervisor Level. Supervises the daily internal operations of a university programs and delivery of service to clients. May supervise and evaluate the work of one or more operational or support staff personnel. May have authority to expend funds within specific guidelines to support daily operations.
Selects proper course of action from among options available in existing policies and procedures to resolve problems and provide guidance to supervised employees. Provides liaison between higher level management and operating personnel. Recommends operating procedure changes and budget needs to higher authority.

LEVEL III

Administrative Management Level. Oversees the daily operations of one or more programs that provide services to university-wide clientele. Supervises and evaluates the performance of several program supervisors and/or state classified employees. Has signature authority on operations support, OCE and travel funds. Has responsibility for developing and implementing procedures for achieving overall program objectives. Works with higher level management to develop policies and

budgets. May have input or authority on hiring decisions within area of responsibility.

LEVEL IV

Managers of major university programs. Directs overall operations of a large program or has specific areas of responsibility in a university wide department. Supervises and evaluates one or more program administrators and/or senior state classified personnel. Has signature authority on all program accounts and authority to make personnel decisions within area of responsibility. Responsible for developing and executing program/area budgets and develops and recommends policy changes to higher management.

LEVEL V

Senior University Directors. Directs and is responsible for all aspects of the operations, planning and budgeting of major program groups or departments with a university-wide clientele and impact.
Supervises and evaluates one or more program or departmental managers and other supervisory personnel. Has signature authority over all accounts in one or more major program areas and directs all personnel actions and budgets. Ordinarily reports to a University Officer, Dean or Vice President and develops and recommends new policies or policy changes for university-wide adoption.

LEVEL VI

Deans and Associate Vice Presidents. These positions are responsible for all facets of the instructional, research and public service activities of one of the academic units at UNC, or the operation of a major segment of a non-academic division. Positions assigned to this level are responsible for the quality, content and development of major academic programs and non-academic support operations.
Incumbents report directly to Vice Presidents and are responsible for new program development, accreditation, execution of budgets, college level policies, staffing levels, the quality of and delivery of services to the public and maintenance of external/public relations with professional associations and governmental agencies. Supervises employees at differing levels of authority and oversees all personnel actions indirectly through the college/division organizational structure.

LEVEL VII

University Vice President. Management, direction and supervision of all aspect of a major division of the university. Develops and implements policy for operation of a division and delivery of services to the public. Responsible for developing and execution of division and subunit budgets, expenditure authorization, program development and manpower planning/staffing patterns. Reports directly to the President of the university and is responsible for program and informational reports to and liaison with the Board of Trustees. Supervises and evaluates the performance of Deans, Directors and Department Heads and the operation of their units. Responsible for external reporting and coordination of university activities with state and federal agencies, professional associations and accreditation agencies.
Implements planning for the overall growth, financial stability, staffing levels and academic offerings of the university.

3-4-119(1) Salary Distribution. The Professional and Administrative Staff shall be assigned compensation in the following manner:

(a) The President and Vice Presidents shall annually recommend a salary range for each of the seven classification levels. The salary range shall reflect the following factors: internal equity with other University salary distribution systems, relevant marketplace dimensions, relationship to University role and mission, and prevailing national higher education practice.

(b) Upon funding by the Board of Trustees, each incumbent in a Professional and Administrative Staff position shall be assigned an annual salary within the salary range approved for the appropriate classification level.

3-4-120 Individual Compensation Review. Salary adjustments for exempt employees will be determined by the responsible vice president after an evaluation of each position and the individual who holds the position. The vice president will consider the current nature of the position, any changes in the nature and duties of the position which would be in the best interests of the University, and how any changes, if necessary, can be effected. The vice president will consider the structure and function of all areas within their responsibility in evaluating

positions, including the transfer, elimination or addition of duties from one unit to another in order to maximize efficiency and quality of the function being performed. The vice president will establish appropriate pay ranges for the positions evaluated. After completion of the 3-4-120 evaluation of positions, the vice president will then evaluate the individuals who are or will be in those positions in order to determine appropriate salary adjustments. No across the board increases will be awarded. The vice president will consider in their evaluation of individuals the interest of the University in developing an efficient, creative, high quality professional staff with the appropriate skills, education, training and experience for the jobs involved. The vice president will recognize excellent past and potential job performance with pay rates determined within the context of competitive pay rates, equity, parity with similar institutions, and the overall contribution of the individual in their position to the goals and mission of the University.

3-4-121 Overtime. Exempt employees are not compensated for overtime and are generally not eligible for compensatory time. [See also Title 3, Article 4, 3-4-108]

3-4-122 Payroll. Wages or salaries earned by employees are paid by the University on the last working day of each calendar month.

Payment of wages or salary earned are subject to withholding requirements of local, state, and federal governments and withholding deductions authorized by employees for programs for which the University has authorized a payroll deduction plan. It is understood and agreed that the University may deduct from wage or salary payments owned to any employee outstanding obligations owed by the employee to the University for which demand has been made by the University for which remittance has not been made in a timely manner by the employee.

3-4-123 Conditions of Employment. (reserved)

3-4-124 Conflict of Interest. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-502 Conflict of Interest.]

3-4-125 Nepotism. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-503 Nepotism.]

3-4-126 Outside Activities. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-504 Outside Activities.]

3-4-127 Copyright Law Compliance. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-505 Copyright Law Compliance.]

3-4-128 Hazardous Materials. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-506.]

3-4-129 Family Education Rights and Privacy Act (FERPA) and Personal Identifying Information.

A. Purpose

This policy complies with the University of Northern Colorado (UNC) Board Policy, Title 1, Article 1, 1-1-408; and establishes standards for UNC to provide information, including Personal identifying information (PII), in accordance with Colo. Rev. Stat. Ann. §§ 24-74.1 – 101-103.

B. Scope

This policy applies to all employees, students, and third parties.

C. Definitions

(1) Personal identifying information (PII) - means information that may be used, along or in conjunction with any other information, to identify a specific individual, including but not limited to a name; a date of birth; a place of birth; a social security number or tax identification number; a password or pass code; an official government-issued driver's license or identification card number; information contained in an employment authorization document; information contained in a permanent resident card; vehicle registration information; a license plate number; a photograph, electronically stored photograph, or digitized image; a fingerprint; a record of a physical feature, a physical characteristic, a behavioral characteristic, or handwriting; a government passport number; a health insurance identification number; an employer, student, or military identification number; a financial transaction device; a school or educational institution attended; a source of income; medical information; biometric data; financial and tax records; home or work addresses or

other contact information; family or emergency contact information; status as a recipient of public assistance or as a crime victim; race; ethnicity; national origin; immigration or citizenship status; sexual orientation; gender identity; physical disability; intellectual and developmental disability; or religion. Colo. Rev. Stat. Ann. § 24-74-102(1).

(2) Public Institution of Higher Education - means a state institution of higher education, as defined in Colo. Rev. Stat. Ann. § 23-18-102. UNC is a state institution of higher education. Colo. Rev. Stat. Ann. § 24-74.1-101(6).

(3) Federal Immigration Enforcement - means an effort to investigate, enforce, or assist in the investigation or enforcement of a federal civil immigration law or a federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States. Colo. Rev. Stat. Ann. § 24-74.1-101(2).

(4) Third Party - means a person or entity, including a law enforcement officer or agency, that is not a state agency, a state agency employee, a political subdivision, a political subdivision employee, or otherwise part of the state government or a political subdivision. “Third party” includes a private entity that contracts with, and collects or manages data on behalf of, a state agency or political subdivision. Colo. Rev. Stat. Ann. § 24-74-102(5).

(5) Employee - means a person in the service of a public institution of higher education while acting in the person's employment capacity. Employee includes an officer or employee, whether elected or appointed and whether full-time, part-time, or temporary. Employee also includes an agent of a public institution of higher education when acting in their capacity as an agent of public institution of higher education. Employee does not include a person acting in a volunteer capacity. Colo. Rev. Stat. Ann. § 24-74.1-101(1).

(6) Student – means a person who was or is enrolled in UNC. Colo. Rev. Stat. Ann. § 24-74.1-102(3)(a)(I).

D. Policy

In accordance with Colo. Rev. Stat. Ann. § 24-74.1-102(3)(a), this policy aligns with the requirements of C.R.S. §§ 24-74.1 – 101-103, regarding information and access to PII:

(1) Procedure to provide PII of a student, their parent, their guardian, or relative of the student.

(a) In accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; and 34 CFR Part 99 (FERPA), UNC will not release student, parent, guardian or relative PII without a written release that is signed and dated by the student that:

(i) Specifies exactly what PII is being released.
(ii) States the purpose for the release of the PII.
(iii) Identifies the individual or organization to whom the PII is being released; and
(iv) States that the student may revoke consent to release PII at any time by providing a written revocation to UNC.

(b) FERPA permits UNC to release PII regarding a student, their parent, their guardian, or relative from an education record to comply with a lawfully issued subpoena, court order, or warrant provided that UNC, "makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek protective action."34 CFR section 99.31(a)(9)(ii). If UNC is properly served with the subpoena, order, or warrant and it makes reasonable efforts to notify the student or applicable parents, guardians, or relatives, UNC will comply with the subpoena, order, or warrant.

(2) Procedure to release employee, student, or third-party PII for federal immigration enforcement:

(a) UNC General Counsel is designated as the responsible UNC employees to be notified if information is requested for federal immigration enforcement.

(b) If federal immigration authorities provide a UNC employee with a

subpoena, order, or warrant issued by a federal judge or magistrate for protected PII, the UNC employees must confirm that they are authorized to provide access to the specified records or information by contacting the UNC General Counsel.

(c) Before providing any information, the UNC Employee must request the first and last name of the person leading the federal immigration enforcement, badge or identification number, employer or agency affiliation, and request a copy of the subpoena, order, or warrant.

(d) The UNC employee should inform the officer that they are not obstructing the process, but they are required by this policy to contact UNC's General Counsel for assistance.

(e) The UNC General Counsel's Office will respond directly to federal immigration authorities for all subpoenas, orders, or warrants issued for PII by a federal judge or magistrate.

(3) This policy does not preempt 8 U.S.C. sec. 1373.

Employee must also comply with provisions of Title 1, Article 1, 1-1-408.

3-4-130 Leaves. [See also Board Policy Manual, Title 2, Article 2, Part 3.]

Policy History

3-4-102 CONTRACT/APPOINTMENT STATUS
3-4-111 section deleted (July 2025)
3-4-129 section updated (August 2025)

See Colorado Department of Personnel

General Support Services (GSS)

Human Resource Services

State Personnel Board Rules and Administrative Procedures

https://dhr.colorado.gov/state-hr-professionals/universal-policies

3-6-101 Appointment Procedures for Exempt Staff.

3-6-102 Hiring Pools. Colleges/Schools/Departments are encouraged to develop college-wide/school- wide/department-wide hiring pools of candidates for temporary assignments. Assignments may be part or full-time but the duration of employment shall not exceed three (3) consecutive academic semesters.

(1) The Process:

(a) In order to initiate a college-wide/school-wide hiring pool, the PAF & FA are prepared in the office of the Dean and forwarded to the offices of the Academic Vice President and the DAA.

(b) The VA must include all affected disciplines within the college/school/ department as well as all general requirements, e.g., a minimum three (3) years teaching experience, terminal degree (see Appendix O).

(c) Upon approval, the "pool" announcement shall be advertised for a minimum of twenty (20) calendar days, following the regular advertising procedures (see Appendix D).

(d) The hiring pool must be updated and advertised on an annual basis. Updating and advertising will be done during Spring Semester so that the pool can be used the following academic year. To update, a letter shall be sent to each current member of the pool stating that if the member wishes to remain in the pool, they must submit either an updated vita or forward some affirmative response. The letter must include a closing date, e.g., 15-20 calendar days from date of mailing. If no response has been received by the closing date, an applicant's file shall be removed from the pool. A copy of the letter shall be placed in the applicant's file.

A current applicant's file must contain, at minimum, a vita, a notation of the date the initial application was received and dates of all updates, and copies of all correspondence, including the update letters. All applicant files shall be retained for a minimum of one fiscal year.

(e) Each college/school/department shall establish an initial screening committee to evaluate applications as they arrive. The screening committee is to evaluate only if the applicants meet minimum qualifications for acceptance into the hiring pool. The files of those meeting the minimum qualifications are then forwarded to the respective program areas.

The screening committee must keep a written record of a:

All applicants and the number of denials and reason(s) for denial.

All applicants who are denied acceptance into the pool shall be so notified in writing.

A copy of this letter shall be kept in the applicants' file.

All applicants who are accepted into the pool shall be so notified in writing. The terms of acceptance must be stated in this letter, e.g., temporary assignment, need for annual update, etc.

(f) Upon receipt of the files of qualified applicants, the department chair/school director shall appoint a review committee from faculty in the appropriate program area(s) to include a minimum of one member from an affected class. The review committee shall evaluate the files, make a list of those qualified to teach specific courses ranking them in priority order and forward the list to the department chair/school director.

(g) When a vacancy occurs, the department chair/school director, in consultation with the designee in the appropriate program area, shall write a specific position description including all responsibilities and duties for that position, e.g., classes to be taught, course number, title and credit hours, supervisory duties, administrative duties, advisement, etc. The description must also state whether professional activity and/or service shall be required for that position and the terms of said

requirements. This information shall then be incorporated into the candidate's written contract.

The department chair/school director, or their designee in cases where the director is not in the appropriate program area, shall also make a written recommendation to the dean of the most qualified person from the pool to fill the position. The file of the person recommended must accompany the recommendation.

NOTE: For part-time hires, copies of contract order-related materials, forwarded to the Personnel Office, shall be concurrently sent to the Vice President for Academic Affairs, for information.

(h) The Vice President for Academic Affairs shall review the files of those applicants recommended for full-time positions. Written authorization must be obtained from the Vice President for Academic Affairs before a contract is offered for such positions.

(I) The contract formulation shall follow the regular guidelines for contracts for new hires.

(II) At the end of each semester, the Dean shall prepare a summary report of hiring pool activity for the semester. The report shall include the number of applicants in the pool, the hiring activity, and the names, sex and race of all hired from the pool. This report is to be submitted to the Vice President for Academic Affairs. (Sample form at Appendix P - actual form will be forwarded at the appropriate time.)

3-6-102(1) Exceptional Appointments. Hiring units are encouraged to plan for vacancies and for new positions so that the regular search process can be used. It is expected that all full-time positions will be filed through either the regular search process or from hiring pools.

The following process may be used in cases relating to emergencies only with the authorization of the DAA and President. Situations which may lead to a request for authorization include, but are not limited to, the following.

(a) Search fails.

(b) Time does not allow for a search, e.g., last minute resignations, deaths, budget considerations, leaves of absence.

(c) Visiting faculty.

(d) Unique credentials.

An exceptional appointment shall be initially authorized for one fiscal year, however, reappointments to temporary positions may be recommended by the Dean/Chair/Director or their designee in the case where the director is not in the appropriate program area, but must have the concurrence of the appropriate Vice President, verified by the DAA, and approved by the President.

(I) Process:

(A) Dean/Chair/Director, or their designee in the case where the director is not in the appropriate program area, initiates "Request for Exceptional Appointment" form (sample form at Appendix Q, - actual form must be requested from the Office of Affirmative Action.) Supporting materials must be attached to the "Request." Materials must include the resume of individual recommended and such additional documentation to adequately assess qualifications for the position.

(B) The Request is forwarded to the appropriate vice president for concurrence or non- concurrence.

(C) The request is then forwarded to the DAA for verification and monitoring. When signed, the request is then forwarded to the President.

(D) If the President approves the request, the hiring process shall be initiated by the hiring unit.

If the President does not approve the request, they shall state, on the form, the rationale for the refusal and alternative methods of filling the position.

3-6-103 Equal Opportunity. Equal Opportunity in employment and education is an

essential priority for the University of Northern Colorado and one to which the University is deeply committed. The University of Northern Colorado is dedicated to providing an equal opportunity climate and an environment free from discrimination and harassment. In accordance with established laws, the University prohibits discrimination based on race, religion, gender, age, national origin, disability, sexual orientation, gender identity, gender expression, military service, or political affiliation for employees in all aspects of employment and for students in academic programs and activities.

3-6-104 (Section deleted effective July 2025)

3-6-105 Equal Opportunity. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-507.]

3-6-106 Statement of Commitment to Employment Opportunities. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-508.]

3-6-107 Equal Opportunity for Students. [See also Board Policy Manual, Title 1, Article 1, Part 4, 1-1- 404.]

3-6-107(1) Student Admission. [See also Board Policy Manual, Title 1, Article 1, Part 4, 1-1-403.]

3-6-107(2) Campus Activities. [See also Board Policy Manual, Title 1, Article 1, Part 4, 1-1-413.]

3-6-107(3) Student Housing. [See also Board Policy Manual, Title 1, Article 1, Part 4, 1-1-414.]

3-6-108 Policy on Discrimination and Sexual Harassment. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-508(2).]

3-6-109 Discrimination Grievance Procedure. [See also Board Policy Manual, Title 2, Article 2, Part 2, 2-2-201(1)(a).]

3-6-110 Employment Conditions.

3-6-111 Nepotism. [See also Board Policy Manual, Title 1, Article 1, Part 5, 1-1-504.]

3-6-112 Immunization Requirements. Beginning July 2, 1988, in order to be employed at UNC, all individuals are required to complete and submit to Human Resources, a properly executed UNC Immunization Record Form. The Immunization Record must certify that the individual has immunity to Rubeola (Measles) and Rubella (German Measles), or is exempt from certification according to the criteria identified below:

Certification Requirements:

(1) Rubeola (Measles) - Immunization administered 1968 or later (immunization must have been administered after first birthday); or physician diagnosed case; or before 1957 (are considered to have naturally acquired immunity).

(2) Rubella (German Measles) - Immunization administered June 1969 or later (immunization must have been administered after first birthday); or a positive blood test for Rubella immunity performed by qualified medical personnel (diagnosis of disease or age are not acceptable proof of immunity).

Exemption Requirements:

(1) In a health emergency, the University President or their designee shall have the right to request from any employee or other person in extended presence on University premises for proof of immunization or exemption from immunization as defined by the University. In the absence of either, the designee may require any person without proof of immunization or an exemption to remove themselves from University premises for the duration of the health emergency employee(s) so affected may use any accrued and unused sick or annual leave.

(2) Individuals, who for medical, religious, or personal beliefs refuse to provide the immunization information, must complete the appropriate statement of exemption in the UNC Immunization Record Form.

Suspension:

Employees who do not have proof of immunity against Rubeola or Rubella and have signed an exemption may be suspended from employment and placed on sick leave (to the extent available) or unpaid leave of absence.

3-6-113 Fringe Benefits.

3-6-114 Statutory.

3-6-114(1) Worker's Compensation. The University provides worker's compensation coverage for employees in accordance with the laws of the State of Colorado. For details concerning coverage and benefits, contact Human Resources.

Effective May 1, 1988, procedures have changed regarding Worker's Compensation. If these procedures are not followed, State Compensation Insurance Authority will not pay the claim.

(a) Report the injury to your supervisor and Human Resources. You will then be referred to a designated provider at Occupational Medicine, North Colorado Medical Center.

(b) If the injury is an emergency, go to North Colorado Medical Center's Emergency Room at 1801 16th Street. Then follow-up with Human Resources.

(c) Identify UNC as the Worker's Compensation employer to the doctor or North Colorado Medical Center.

(d) In all cases of injury to University of Northern Colorado employees first occurring after March 1, 1988, in order to be entitled to benefits under the Workmen's Compensation Act for services rendered to the injured employee by any physician, the injured employee must use a physician selected by the University of Northern Colorado unless permission is otherwise given by the University, the University's Worker's Compensation insurer, or the Division of Labor of the State Department of Labor and Employment.

3-6-114(2) Unemployment Compensation. The University provides unemployment insurance coverage for employees in accordance with the laws of the State of Colorado. For detailed information concerning coverage and benefits, contact Human Resources**.**

3-6-114(3) Pension. The University provides pension, disability and survivor benefits through the Public Employees' Retirement System and the optional retirement plan. For details concerning coverage and benefits, contact University Personnel.

3-6-114(4) Liability. University employees are provided liability coverage under the State of Colorado self-insurance program.

3-6-115 Carrier. The following benefits are provided to certain University employees. The descriptive statement provided for each benefit is a summary statement. Details of coverage and benefits may be obtained from Human Resources. The University reserves the right to modify coverage's, change carriers or terminate invested benefits as is determined appropriate in the best interest of the University.

3-6-115(1) Tax-Sheltered Annuities. All full-time employees of the University are authorized to participate on an optional basis in a tax-sheltered annuity program under Internal Revenue Code (IRC) 403(b), as amended by Public Law 93-406 (Employee Retirement Income Security Act of 1974). Certain commercial life insurance companies and TIAA/CREF have been approved for participation in this plan. Other tax sheltered investment programs are available through the 401(K) plan offered by PERA, and the 457 deferred compensation plan offered by the state of Colorado.

The employee elects to join the program by signing a statement of intent to elect an Exclusion Allowance and a salary reduction agreement. Election of the tax shelter plan is open all year. Transfers between variable and fixed features of annuity contract can be made according to policy provisions.

Contracts may be purchased with only one company during any calendar year. Actual computation of the maximum employee contribution is controlled by federal government regulations and must be determined for each individual employee.

The annuity is paid by reducing the gross appointment salary of the employee by a stipulated constant amount and the purchase coextensively of an annuity contract to be funded by an annuity from an authorized company.

Tax shelter does not affect the percentage contribution to the Public Employees Retirement Fund which must be based upon and computed from the gross appointment salary of the employee less any pre-tax contributions to IRS Section 125 benefit plans.

3-6-116 Health Insurance. The University currently provides qualified and eligible exempt employees accidental death and dismemberment and health and dental insurance benefits under a group policy arrangement. The University pays one-half of the premium for employee coverage for all employees with assignments of at least .50 FTE. With certain limited exceptions, all employees with assignments of at 3-6-116
least .50 academic year FTE are required to participate. For details concerning coverage and eligibility contact Human Resources.

3-6-117 Life Insurance. The University currently provides qualified and eligible exempt employees life insurance under a group policy arrangement. The amount of life insurance is based upon the employee's age and basic annual earnings level. The University pays one-half of the premium for employee coverage for all employees with assignments of at least .50 FTE are required to participate. For details concerning coverage and eligibility contact Human Resources.

3-6-118 Disability Insurance. The University currently provides qualified and eligible employees disability insurance under a group policy arrangement. Such coverage is coordinated with the disability benefits provided under the Public Employees' Retirement System. Coverage begins after a qualifying period. The University pays one-half of the premium for employee coverage for all employees with assignments of at least .50 FTE. With certain limited exceptions, all exempt employees with assignments of at least .50 FTE are required to participate. For details concerning coverage and eligibility contact Human Resources.

3-6-119 Travel Insurance. The University currently provides qualified and eligible exempt position employees travel insurance coverage for University-related business travel. Premiums are paid by the University. For details contact Human Resources.

3-6-120 Health Insurance for Retirees. Beginning January 30, 1988, University faculty, administrative and professional personnel eligible to retire under PERA or ORP rules will relinquish enrollment entitlement to all UNC sponsored health care

insurance programs. At time of retirement, all PERA eligible retirees qualify for and may elect to enroll in one of PERA's health care insurance programs. University faculty and professional administrative staff retiring from UNC under the ORP, who are not eligible for PERA benefits, may elect to participate in the medical plan established for the ORP pension plan. As provided by the Consolidated Omnibus Budget Reconciliation Act (COBRA); UNC faculty, administration and professional personnel refusing enrollment in a PERA sponsored health care insurance plan, may elect to continue the UNC group health insurance coverage for a maximum of 18 months upon payment of a monthly premium equal to 102% of contract premium rates for active employees. Further continuance of dependent health/dental insurance coverage past 18 months is contingent upon qualifying events regulated by COBRA, but in any event shall not exceed 36 months.

UNC faculty, administration and professional personnel may continue dental coverage as provided by COBRA upon retirement. Coverage is for a maximum of 18 months, and cannot exceed age 65, upon payment of a monthly premium equal to 102% of contract premium rates for active employees.

3-6-121 University Benefits.

3-6-121(1) Dependent Tuition Grants. For the purpose of this section, the following definitions shall apply:

(a) "Employee" shall mean all exempt and classified staff and officers of the University of Northern Colorado, excluding graduate assistants, teaching assistants and other persons whose primary purpose for being at UNC is not employment as determined by the President.

(b) "Full time" shall mean, with respect to employment, an assignment of 1.0 FTE for exempt staff and 40 hours per week during the fiscal year for state classified staff.

(c) "Dependent" shall mean an employee's spouse or other dependents as defined in Section 152 of the Internal Revenue Code of 1954, as amended except for those employees who are full time (.50 FTE and greater).

(d) "Spouse" shall mean an individual to whom an employee is married. The initial formation of a marriage shall be determined in accordance with Section 143 of the Internal Revenue Code of 1954, as amended.

Entitlement to the Dependent Scholarship for dependent children will be limited to those who qualify for dependent status and who have not attained age 25. All applications for tuition grant for subsequent semesters would be denied after age 25.

Dependents of UNC full-time employees are entitled to receive a grant in the amount of the cost of in- state tuition for purpose of enrolling in and attending courses at UNC. The grant will be paid directly to UNC for each course in which an employee's dependent is enrolled and accepted. In order for a dependent to qualify for a tuition grant the employee must be continuously employed at UNC during the entirety of the academic term for which the grant is made. Dependents of part-time employees shall be entitled to receive a percentage of a tuition grant. The percentage shall be equal to the percentage of full-time equivalency which is assigned to the employee's position.

Dependents of employees are eligible for a tuition grant for any academic term beginning after the employee's first day of employment with UNC.

Dependents of employees are eligible for a tuition grant for a tuition grant for any academic term beginning after the employee’s first day of employment with UNC. Employees terminating their employment with UNC prior to the completion of a course for which a tuition grant has been allowed for any of their dependents, under the auspices of this policy, shall be obligated to reimburse the University for a percentage of the tuition. The percentage shall be equal to the percentage determined by dividing the number of hours actually accounted as hours worked by the employee during the academic term in which the course is conducted by the number of assigned hours required to be worked by the employee during the academic term in which the course is conducted. Such amount must be remitted to the University prior to the employee’s last day of work or if not so remitted it may be deducted from the employee’s last pay, at the discretion of the University.

Tuition grant benefits for dependents are subject to the same eligibility requirements and limitations as for employees to the extent applicable, provided, however, that dependents shall be entitled to continue to receive tuition grant benefits under this policy after the employee's death subject to the following conditions:

(1) In the case of a dependent spouse, the benefits shall continue until remarriage or death;

(2) In the case of dependent children, the benefits shall continue as long as the child qualifies for dependent status and has not attained age 25, or after having received benefits fails to enroll in and complete any course work at the University for a period of 365 consecutive days, whichever occurs first in time.

Employees and dependents who receive tuition grants under this policy shall be obligated to pay in a timely manner all other costs associated with enrollment at the University and the particular course of study being pursued. Dependents in degree seeking programs must meet Standards of Satisfactory Academic progress established by the Office of Financial Aid in order to be eligible to receive the tuition grant.

Benefits under this policy are not transferable. Graduate tuition grants may be subject to tax withholding. Eligibility for receipt of the Dependent Scholarship may be granted only if application is received one day prior to the first day of classes.

3-6-121(2) Employee Tuition Grant. The following procedures and policies have been formulated by a University committee to accommodate the implementation of a program whereby University employees, faculty, classified staff and exempt employees will be allowed to take classes without payment of tuition.

(a) Permanent employees paid through Human Resources are eligible to enroll without tuition charges, on a space available basis, according to the following schedule:

Annualized Employment FTE	Credit Hours Available
.01 - .49	Not eligible

.50 - .66	3 Credits per FY
.67 - .82	4 Credits per FY
.83 - .99	5 Credits per FY
1.0 -	6 Credits per FY

Employees may take the entire credit hour benefit any time during the year. Employees who utilize this benefit in one term and leave the University prior to the end of their appointment period will be required to reimburse the University for tuition waivers received and not earned.

(b) A full-time employee is defined as one with a 1.0 FTE assignment for faculty and professional staff, or 40 hours per week during the fiscal year for state classified staff.

(c) Human Resources will monitor the number of eligible hours. All registration materials will be available in Human Resources, Carter Hall Room 2002.

(d) Eligibility for class enrollment is available at the time of employment.

(e) Since enrollment is on a space-available basis, employees are required to register on the day following registration.

(f) Prior to registration the employee must secure the approval of their immediate supervisor, the department head, and Human Resources.

(g) Supervisors are encouraged to allow employees to enroll in any class of their choice.

(h) Classes taken during working hours require that the time be made up. Employees eligible for overtime reimbursement are required to make up class hours within the same work week. Time must be made up within the same semester for employees not eligible for overtime.

(i) State Fiscal Rules provide for the waiving of tuition charges. UNC will

waive fees except for any course related fees (e.g. science labs).

(j) The tuition waiver does not apply to Outreach classes.

(k) A high school diploma is not required prior to enrollment in University classes.

3-6-121(3) Credit Union. Credit Union services are available to University employees in accordance with the policies, regulations and procedures established by the College Credit Union of Greeley.

3-6-121(4) Aims/UNC Exchange Tuition Grant. The following regulations have been formulated to provide for the joint implementation of a program whereby ongoing employees of the University of Northern Colorado and Aims Community College will be permitted to take courses at the other institution without payment of tuition.

(a) Employees will receive tuition grants in the amount of in-state tuition only.

(b) Employees must pay all other applicable fees.

(c) University off-campus courses and Aims non-credit courses are not available for this exchange program.

(d) Each institution's current definition of ongoing employee will be acceptable to the other.

(e) The applicant is responsible for meeting all admission and registration requirements at the institution of enrollment.

(f) In order to take advantage of the Exchange Program, the University and Aims College will require each participant to complete the Tuition Grant Form signed by their respective Human Resources personnel and cognizant supervisor prior to enrolling in courses. The forms are available from Human Resources.

(g) For UNC employees, the Tuition Grant Form will be processed through the Aims Office of Financial Aid. For Aims employees, the Tuition Grant Form will be processed through the Aims Personnel Office. Forms for

personnel from both institutions must be completed prior to registration.

(h) Employees will not enroll for courses at times that interfere with their home institution responsibilities.

(i) UNC policy will restrict UNC employees participating in this program to a maximum of 6 hours of tuition-free credit per academic term. These hours must be taken to be available -- that is, the hours available are not cumulative. In addition to Aims courses, UNC employees may take 6 semester hours per year from UNC. The University has established a University Employee Benefits Committee. [See also 3-1-102.]

3-6-122 Employment Contracts. Guidelines for Personnel Contracts. All full-time and part-time exempt employee contracts (including GA, TA and GRA) shall be on forms approved by the University and prepared in accordance with the University. Human Resources shall be the responsible office for disseminating these forms and procedures.

3-6-123 Separation From Service. Upon leaving the University, all employees must check out with Human Resources. Procedures are explained regarding PERA Refunds, continuation of Health and Dental insurances, return of University property and basic check out policies.

3-6-124 Merit Pay. All personnel within the University will undergo an evaluation process. These evaluations will be used for all personnel decisions, including merit pay.

3-6-124(1) Guidelines for the Recruitment and Selection of Teaching Assistants, Graduate Assistants and Graduate Research Assistants. The policies and procedures outlined apply to the filling of all TA, GA, and GRA positions regardless of funding source.

3-6-125 Discrimination Complaint Procedures - Purpose and Scope. Consistent with Board Policy 1- 1-508 and applicable Federal and State law, these Discrimination Complaint Procedures of the University of Northern Colorado ("DCP") apply to all Complaints of Discrimination, Harassment and/or Retaliation, as those terms are defined below, with respect to students, faculty and/or staff. For additional provisions applicable to "formal complaints" of "sexual harassment" alleged to have occurred on

or after August 14, 2020 as described in the "Title IX Rule" referenced in Section 3-6-135, below, should the Title IX Rule be in force and effect on or after August 14, 2020, please see Sections 3-6-135 through 145.

The DCP contains the only University processes that can be utilized by University students, faculty and/or staff for claims of Discrimination, Harassment and/or Retaliation and no other review, grievance or appeal processes of any type (including but not limited to those contained in Board Policy 2-2-106 and 2-3-1201) may be utilized unless specifically stated to the contrary in the DCP. If an allegation of Discrimination, Harassment and/or Retaliation is made during any other review, grievance or appeal process, such review, grievance or appeal will be held in abeyance pending resolution of such allegation under the DCP.

3-6-126 Definitions

The following definitions apply to the DCP:

(1) "Arbitrary and/or capricious" means a Decision that is devoid of factual support and/or based on a personal grudge or bias.

(2) "Appeal Meeting" means the meeting convened by the Appeal Decision Maker at which the Complainant and the Respondent have the opportunity to make an oral presentation in support of their respective positions about the appeal(s).

(3) "Burden of proof," as it applies to a Decision under the DCP, means the requirement that the person who makes an assertion must prove that assertion by a "preponderance of the evidence."

(4) "Collaborator" means an Investigator who works with another Investigator or a Decision Maker who works with another Decision Maker to issue a Decision.

(5) "Complainant" means the person who brings a Complaint alleging Discrimination, Harassment or Retaliation. The Complainant may allege that they or another person has been subjected to Discrimination, Harassment or Retaliation. If the Complaint alleges that one or more persons other than

the Complainant have been subjected to Discrimination, Harassment or Retaliation, any such person(s) are deemed a Complainant as that term is used in the DCP.

(6) "Complaint" means the document filed under the DCP by the Complainant.

(7) "Days" means calendar days. In computing any time period stated in the DCP, the day on which the period of time begins to run will not be counted and the last day of the period will be included unless it is a Saturday, Sunday or day designated as "university holiday," "university closed" or "spring break" on the UNC Calendar maintained on the University website, in which case the period will end on the next day which is not a Saturday, Sunday or day designated as "university holiday," "university closed" or "spring break."

(8) "Decision" means the written decision issued by the Decision Maker(s).

(9) "Decision Maker" means an individual who issues a Decision.

(10) "Disciplinary Action" means an action described in a Decision or Appeal Decision implemented with respect to a Respondent employee.

(11) "Discrimination" means acts prohibited under Title VI and Title VII of the Civil Rights Act of 1964, Executive Order 11246, the Equal Pay Act of 1963, the Americans with Disabilities Act, the Family and Medical Leave Act, the Age Discrimination in Employment Act of 1967, the Colorado Anti-Discrimination Act, the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Uniformed Services Employment and Reemployment Rights Act and/or the Vietnam Veterans' Readjustment Assistance Act of 1974.

(12) "Harassment" means unwelcome and/or nonconsensual Discrimination that is severe OR pervasive and creates an intimidating, hostile or abusive work or educational environment.

(13) "Interim action" means an action taken while a Complaint is pending to provide reasonable protection to the Complainant, the Respondent or any other person who might be adversely affected prior to issuance of a

Decision or Appeal Decision.

(14) "Investigator" means the person who investigates a Complaint and who may also be a Decision Maker with respect to that Complaint.

(15) "Judicial Proceeding" means a proceeding in a State, Federal or Municipal court.

(16) "No contact order" means an order issued by the University that prohibits a person from contacting a person or persons or limits the circumstances under which such contact may occur.

(17) "PNG (persona non grata)" means an order issued by the University that prohibits a person from being on University property or a defined portion of University property.

(18) "Preponderance of the evidence" means that considering all the evidence, an assertion is more probably true than not true, even to the slightest degree. If the person making an assertion fails to meet their burden of proof or if the evidence weighs so evenly that the Decision Maker(s) are unable to say that there is a preponderance on either side, the Decision Maker(s) must resolve the question against the person who has the burden of proof.

(19) "Quasi-judicial proceeding" means a proceeding, such as those before the State Personnel Board, which is substantially similar to a Judicial Proceeding but does not occur in a Federal, State or Municipal Court.

(20) "Remedy" means an action described in a Decision or an Appeal Decision to be implemented with respect to a Complainant in order to mitigate the effects of the actions of a Respondent.

(21) "Respondent" means a person who the Complainant alleges has engaged in Discrimination, Harassment and/or Retaliation.

(22) "Retaliation" means an adverse action against an individual that occurs because they have complained of Discrimination or Harassment in good faith or because they have provided information in good faith in an

investigation of alleged or potential Discrimination or Harassment.

(23) "Sanction" means an action described in a Decision or an Appeal Decision to be implemented with respect to a Respondent student.

(24) "Standard of review," as it applies to an Appeal Decision under the DCP, means the requirement that the person who appeals a Decision must prove that the Decision was "arbitrary and/or capricious."

(25) "Title IX Coordinator" means the University employee responsible for overseeing the University's compliance with the provisions of Title IX.

(26) "University" means the University of Northern Colorado.

(27) "University Counsel" means the University employee who acts as the chief legal officer for the University.

3-6-127 General Procedures.

(1) **Filing a Complaint.** A Complaint under the DCP is initiated by contacting the appropriate person described below and submitting the Discrimination Complaint Form described in subsection (3), below. The contacts described below may be face-to-face, by telephone or electronic/online means:

(a) If the Complainant is a student, by contacting the Assistant Dean of Students/Office of Student Engagement ("Asst DOS") or the Title IX Coordinator.

(b) If the Complainant is faculty or staff, by contacting the Director of Human Resources Services ("Dir HR").

(c) If the Complainant is a person who is not a student, faculty or staff, by contacting the Title IX Coordinator or Dir HR.

(d) If the Respondent is the Asst DOS, Dir HR, and/or the Title IX Coordinator, by contacting the Senior Vice President/Chief Academic Officer.

(2) **Investigation Where Discrimination Complaint Form Not Submitted.**

When a University official, including but not limited to the President, a Senior Vice President, University Counsel, Title IX Coordinator, Asst DOS and/or Dir HR becomes aware of allegations that, if true, constitute Discrimination, Harassment and/or Retaliation, the University may investigate such allegations regardless of whether a Discrimination Complaint Form is submitted and, if reasonable and appropriate, may identify the Complainant(s) and Respondent(s) with respect to such allegations and proceed with the Formal Complaint Procedures described in the DCP.

(3) **The Discrimination Complaint Form.** After the Complainant contacts the appropriate individual as stated in subsection (1), above, the Complainant will be requested to complete a Discrimination Complaint Form ("Form") to provide information about the Complaint.

(a) **Contents.** The Complainant will provide the following information in the Form:

(i) The name of the Complainant;

(ii) The name of the Respondent(s);

(iii) A description of the events that the Complainant believes constitute Discrimination, Harassment and/or Retaliation;

(iv) The names of persons who the Complainant believes have information that would support the allegations of Discrimination, Harassment and/or Retaliation;

(v) The remedy or outcome requested by the Complainant;

(vi) Acknowledgment by the Complainant that the University may have the obligation to

(A) disclose the names of the Complainant and Respondent, as well as relevant facts about the alleged events, including date, time and location, to the Title IX Coordinator, the University Counsel and other University officials and employees pursuant to the DCP, and

(B) investigate these events whether or not a Complaint is filed;

(vii) A request, if any, by the Complainant that their identity remain confidential;

(viii) Acknowledgment by the Complainant that they has the right to contact law enforcement authorities to discuss whether the events they have described may be grounds to file a criminal complaint;

(ix) Acknowledgment by the Complainant that the DCP has been made available to them for their review; and

(x) The signature (either electronically or in hard copy) of the Complainant.

(b) **Request for Confidentiality.** If the Complainant requests that their identity be kept confidential, the University will evaluate, and grant or deny such request in the context of the University's responsibility to provide a safe and nondiscriminatory environment to all students and employees. Among other things, a request for confidentiality by the Complainant may limit the University's ability to initiate or to investigate the Complaint or to impose sanctions or disciplinary action against the Respondent.

(c) **Notification to the Title IX Coordinator and University Counsel.** The Title IX Coordinator and University Counsel will be notified of the Complaint and will be given a copy of the Form completed by the Complainant.

(d) **Notification to Law Enforcement Authorities.** Based upon the events that have been alleged in support of a Complaint, the University may deem it appropriate to notify law enforcement authorities of the allegations of the Complaint.

(e) **Notification to the Respondent.** The Respondent will be notified of the Complaint and will be given a copy of the completed Form subject to redaction of information contained in the form if the University determines that a Complainant's request for confidentiality will be granted.

(f) **Consent to Disclosure Under FERPA.** To the extent Complainant and/or Respondent have rights to consent to disclosure of education records under the Family Educational Rights and Privacy Act ("FERPA"), filing a Complaint and/or submitting a Response to a Complaint pursuant to the

DCP constitutes consent under FERPA by the Complainant and Respondent to disclosure by the University of information and materials received, compiled or prepared in the course of the investigation of the Complaint in order to comply with its responsibilities under the DCP.

3-6-128 Interim Actions. The University will take interim actions it believes are reasonable and necessary to protect the Complainant, the Respondent, and/or any identified persons who may have information relevant to the Complaint. These interim actions may include, but are not limited to, no contact orders, adjustments to class schedules, adjustments to housing assignments, PNG orders, and interim suspension of students, administrative leave of faculty or staff and/or information about sources of advocacy, counseling, and support.

3-6-129 Limitations on Disclosure to the Public and University Officials, Employees and Students

(1) The University will take all reasonable and appropriate measures to object to disclosure under the Colorado Open Records Act of all information and materials received, compiled or prepared in the course of the investigation of a Complaint, including all recommendations, Decisions and Appeal Decisions.

(2) All information and materials received, compiled or prepared in the course of the investigation of a Complaint, including all recommendations, Decisions and Appeal Decisions, may be shared only with those University officials or employees who need to be informed in order to:

(a) Fulfill their supervisory responsibilities over the Complainant or Respondent, and/or

(b) Facilitate the efficient operation of the University, and/or

(c) Implement and/or monitor the remedies, sanctions or disciplinary action issued with respect to the Complaint.

3-6-130 Initiation of External Procedures. The Complainant and/or Respondent have the right to initiate applicable judicial, quasi-judicial (including but not limited to the State Personnel Board) or governmental agency (including but not limited to the Equal Employment Opportunity Commission, the Colorado Civil Rights Division, the United States Department of Labor Office of Civil Rights and/or the United States Office of Federal Contract Compliance Programs) processes, at any time after a Complaint is filed. If any such processes are initiated by either the Complainant or Respondent, the

University may, in its discretion, suspend or terminate further action under the DCP.

3-6-131 Time Limits and Extensions. Any time requirement or deadline under the DCP may be shortened or extended:

(1) If agreed to in writing by:

(a) The Complainant, the Respondent and the Title IX Coordinator or Dir HR, as the case may be, under the Informal Complaint Procedures, or

(b) The Complainant, the Respondent and the Decision Maker or Appeal Decision Maker, as the case may be, under the Formal Complaint Procedures, or

(2) In order to prevent manifest injustice to one or more of the parties or other participants as determined by:

(a) The Title IX Coordinator or Dir HR, as the case may be, under the Informal Complaint Procedures, or

(b) The Decision Maker or Appeal Decision Maker, as the case may be, under the Formal Complaint Procedures.

3-6-132 Informal Complaint Procedures.

(1) **Purpose.** The purpose of the Informal Complaint Procedures is to attempt to resolve the Complaint to the satisfaction of the Complainant and the Respondent by use of voluntary mediation.

(2) **When Informal Complaint Procedures Are Not Allowed.** The Complaint may not proceed under the Informal Complaint Procedures if:

(a) The Complainant and/or the Respondent do not agree to utilize the Informal Complaint Procedures,

(b) The Complaint contains allegations that, if true, would constitute a violation

of criminal laws,

(c) Criminal or civil judicial, quasi-judicial and/or governmental agency proceedings have been filed based on the allegations of the Complaint, and/or

(d) The Complaint contains a request for confidentiality by the Complainant.

(3) **Agreement to the Informal Complaint Procedures.** Provided the Complaint is one that is allowed to proceed under the Informal Complaint Procedures, if the Complainant or the Respondent requests that the Informal Complaint Procedures be utilized and the other party does not object to the request, the Informal Complaint Procedures will be utilized.

(4) **Withdrawal of Request By the Complainant or Respondent.** At any time, the Complainant or the Respondent may, at their discretion, request that the Informal Complaint Procedures terminate. If either the Complainant or the Respondent so requests, the Informal Complaint Procedures will terminate and the Complaint will proceed under the Formal Complaint Procedures described below.

(5) **Responsibility for Leading and Monitoring.** The Informal Complaint Procedure will be led and monitored by the:

i. Title IX Coordinator if the Complainant is a student or

ii. Dir HR where the Complainant is faculty or staff.

(6) **Steps In Pursuance of Resolution.** The Title IX Coordinator or Dir HR (or designee), as the case may be, will meet with the Complainant and the Respondent (either together or separately, as determined by the Title IX Coordinator/Dir HR, who shall take into consideration the wishes of the Complainant and Respondent) to discuss resolution of the Complaint in a manner acceptable to both parties. Such meeting will be held no later than 21 days after the Complaint is filed.

(7) **If Resolution Achieved.** If a mutually acceptable resolution is achieved, the terms and conditions of the resolution will be documented in writing and signed by (a) the Title IX Coordinator or Dir HR, as the case may be, (b) the Complainant and (c) the Respondent. A mutually acceptable resolution must be achieved no later than 10 days after the meeting described in subsection (6), above unless the deadline to do so is extended under Section 3-6-

131(2)(a)(i) or (b)(i).

(8) **If Resolution Not Achieved.** If a mutually acceptable resolution is not achieved, the Complaint will proceed under the Formal Complaint Procedures described below.

3-6-133 Formal Complaint Procedures.

(1) **Respondent's Response to the Complaint.** The Respondent will be asked to provide a written response that contains their position with respect to the allegations of the Complaint within 10 days of the date on which the Respondent was provided with a copy of the Form.

(2) **Contents.** In the written response, the Respondent should provide:

(a) Their response to the allegations of the Complaint,

(b) The names of persons who the Respondent believes have information that would support the Respondent's position and

(c) Documents or materials that the Respondent believes support the Respondent's position.

(3) **Burden of Proof.** The Complainant has the burden to prove that they have been subjected to Discrimination, Harassment and/or Retaliation.

(4) **Investigation of the Complaint.**

(a) **The Investigatory Process.** The Investigator(s) will review the Form and the written response of the Respondent and will gather additional relevant information by:

(i) Interviews of persons who may have relevant knowledge including but not limited to the Complainant, the Respondent and/or persons identified in any written or oral information provided in the course of the investigation of the Complaint and/or

(ii) Retrieval of relevant documents and/or other materials.

(b) **Advisor for the Complainant and/or the Respondent.** At any interview by the Investigator(s) of the Complainant or the Respondent the party

interviewed may have one person of their choosing present at the interview as an advisor. The advisor may confer with the party during interview (if the party so requests) but may not otherwise participate in or make any presentation during the course of the interview. The advisor may not submit any written materials to the Investigator(s), the Decision Maker(s), or any consultant employed by the University to conduct or assist with the investigation of the Complaint.

(c) **Conduct of the Investigation.** The Investigator(s) will investigate the Complaint as discreetly and expeditiously as possible with due regard for thoroughness and fairness to the Complainant, the Respondent and any other persons who may have relevant information.

(d) **Assessing the Information Gathered.** The Investigator(s) and Decision Maker(s) will assess the information gathered in the course of the investigation, including the credibility of the Complainant, the Respondent and of any other person who provides information about the Complaint.

(e) **When Investigator(s) is/are not Decision Maker(s).** When the Investigator(s) is/are not the Decision Maker(s), the Investigator(s) will provide the Decision Maker(s) with a written recommendation regarding the investigation that will contain each of the items described in Section 3-6-133(5)(b)(i) through (iii), below.

(f) **Use of Outside Consultants.** The University may, in its sole discretion, hire a consultant(s) not employed by the University to conduct or assist with the investigation of a Complaint.

(5) **The Decision Making Process.**

(a) **Investigator as Decision Maker.** Except as otherwise described in the DCP, the Investigator will be the Decision Maker and will issue promptly, with due regard for the nature, scope, and complexity of the investigation, a Decision regarding the Complaint.

(b) **Contents of the Decision.** The Decision will:

(i) Summarize the matters at issue in the Complaint,

(ii) Describe the Decision Maker's conclusions about whether the Complainant has met their burden of proof that Discrimination,

Harassment and/or Retaliation have occurred and the reasons in support of those conclusions and, if the Decision Maker concludes that Discrimination, Harassment and/or Retaliation have occurred:

(A) Identify the persons who have been subjected to Discrimination, Harassment and/or Retaliation,

(B) Describe the Remedies to be implemented with respect to the Complainant and

(C) Describe the Sanctions or Disciplinary Action that will be implemented with respect to the Respondent.

(c) **Notification of the Decision.** A copy of the Decision will be provided promptly by the Decision Maker to the Complainant, the Respondent, and the University Counsel.

(d) **Implementation of Decision.** Except as otherwise described in the DCP, the Decision Maker will (i) implement or (ii) direct and monitor the implementation of any Remedies, Sanctions and/or Disciplinary Action described in the Decision.

(e) **Decision Final and Binding If Not Appealed.** If any portion of the Decision subject to appeal is not appealed as permitted under the Appeal Process described below, that portion of the Decision is final and binding on the University, the Complainant and the Respondent.

(6) **The Appeal Process.**

(a) **Who May File an Appeal.** An appeal of the Decision may be filed by either the Complainant or the Respondent.

(b) **Matters That May Be Appealed.** An appeal is permitted only with respect to the following matters that may be contained in the Decision:

(i) Remedies, and/or

(ii) Sanctions (but only to the extent that a student is suspended or expelled from the University) and/or

(iii) Disciplinary Action(s) (but only to the extent that the faculty and/or staff suffers termination of employment, demotion or

reduction in compensation).

(c) **Matters That May Not Be Appealed.** No appeal may be filed with respect to the conclusion of whether Discrimination, Harassment and/or Retaliation have occurred, except in the case of a tenured faculty member who chooses to avail themselves of 2-3-1101(3), who can appeal any conclusion of whether Discrimination, Harassment and/or Retaliation have occurred.

(d) **Standard of Review.** The standard of review that shall be applied by the Appeal Decision Maker in any Appeal Decision is whether the Decision is "arbitrary and/or capricious." If the appealing party fails to satisfy that burden, the Appeal Decision Maker must affirm the Decision.

(e) **Reversal or Modification of the Decision.** In order for the Appeal Decision Maker to conclude that the Decision should be reversed or modified, the Appeal Decision Maker must find that the Remedies, Sanctions and/or Disciplinary Action(s) described in the Decision are "arbitrary and/or capricious."

(f) **Deadline for Filing an Appeal.** An appeal must be filed by submitting a written Appeal Form with the Appeal Decision Maker no later than 5 days from the date the Decision is provided simultaneously to the Complainant and the Respondent. No appeal will be allowed as a response to an appeal filed by the other party.

(g) **Contents of the Appeal Form.** The Appeal Form shall describe succinctly:

(i) The portion(s) of the Decision that are appealed, and

(ii) The relief requested in the appeal.

(h) **Notification of the Appeal.** After the deadline for filing an appeal has occurred, the Appeal Decision Maker shall provide promptly to the parties all Appeal Forms filed.

(i) **Initial Review of the Appeal Forms.** The Appeal Decision Maker will perform an initial review of each Appeal Form to determine if the party submitting the Form has appealed a matter outside of the scope of Section 3-6-133(6)(b) and, if so, will inform both parties that the appeal is denied as to each such matter.

(j) **Written Position Statements in Support of the Appeal.** The Complainant and the Respondent will have 5 days from the notification of the appeal by the Appeal Decision Maker to submit simultaneous written position statements regarding the appeal(s). The written position statements shall address:

(i) Whether the portions of the Decision that have been appealed should be affirmed or reversed,

(ii) Whether the relief requested in the appeal should be granted, and

(iii) The reasons in support of the submitting party's position.

(k) **Notification of Written Position Statements. T**he Appeal Decision Maker shall provide promptly to the parties the written position statements filed.

(l) **The Appeal Meeting.** If the Appeal Decision Maker, the Complainant and/or the Respondent requests that an Appeal Meeting be held, separate Appeal Meetings will occur between the Appeal Decision Maker and each party not more than 21 days after the deadline for submission of the written position statements. If the Complainant, the Respondent and the Appeal Decision Maker specifically agree to do so, the Appeal Meeting will be a joint Appeal Meeting attended by both the Complainant and the Respondent.

(m) **Appeal Advisor for the Complainant and the Respondent.** At the Appeal Meeting, the Complainant and the Respondent may each have one person of their choosing to be present as an advisor. The advisor may confer with the appealing party during the Appeal Meeting but may not otherwise participate in, make any presentation to, or submit any written materials to the Appeal Decision Maker.

(n) **Conduct of the Appeal Meeting.** At the Appeal Meeting, the Appeal Decision Maker may:

(i) Limit the length of the oral presentations, provided that the same time limit is imposed for each party's presentation, and

(ii) Ask questions during or at the conclusion of the parties'

presentations regarding matters relevant to the appeal(s).

(o) **The Appeal Decision.** The Appeal Decision Maker will issue a written Appeal Decision not more than 10 days following the (i) submission of the written position statements or (ii) the conclusion of the Appeal Meeting(s), if Appeal Meeting(s) are held.

(p) **Contents of the Appeal Decision.** The Appeal Decision will:

(i) State the Appeal Decision Maker's conclusions about whether the portions of the Decision that have been appealed should be affirmed or reversed,

(ii) State whether the relief requested in the appeal(s) is granted, and

(iii) Describe the reasons in support of the Appeal Decision Maker's conclusions about (i) and (ii), above.

(q) **Decision Final and Binding.** The Appeal Decision is final and binding on the University, the Complainant and the Respondent.

3-6-134 Investigators, Decision Makers, Collaborators and Appeal Decision Makers

(1) If both the Complainant and the Respondent are students:

(a) The Investigator and Decision Maker is the Assistant DOS, provided, however, that in addition to the designation of an Investigator under Section 3-6-133(4)(f), the Assistant DOS may designate another University employee as Investigator and

(b) The Appeal Decision Maker is the Senior Vice President/Chief Academic Officer.

(2) If both the Complainant and the Respondent are faculty and/or staff:

(a) The Investigator is the Dir HR,

(b) The Decision Maker is the Senior Vice President or Vice President who has supervisory authority over the Respondent, and

(c) The Appeal Decision Maker is the Senior Vice President who was not the

Decision Maker. If a Senior Vice President was not the Decision Maker, the Appeal Decision Maker will be a Senior Vice President selected by the Title IX Coordinator.

(3) If the Complainant is a student and the Respondent is faculty and/or staff:

(a) The Investigators are the Assistant DOS and the Dir HR, both of whom will act as Collaborators,

(b) The Decision Makers are the Assistant DOS and the Senior Vice President or Vice President who has supervisory authority over the Respondent, both of whom will act as Collaborators and

(c) The Appeal Decision Maker is the Senior Vice President who was not a Decision Maker. If a Senior Vice President was not a Decision Maker, the Appeal Decision Maker will be a Senior Vice President selected by the Title IX Coordinator.

(4) **If the Complainant is faculty and/or staff and the Respondent is a student:**

(a) The Investigators are the Dir HR and the Assistant DOS, both of whom will act as Collaborators,

(b) The Decision Makers are the Assistant DOS and the Senior Vice President or Vice President who has supervisory authority over the Complainant, both of whom will act as Collaborators, and

(c) The Appeal Decision Maker is the Senior Vice President who was not a Decision Maker. If a Senior Vice President was not a Decision Maker, the Appeal Decision Maker will be a Senior Vice President selected by the Title IX Coordinator.

(5) **If the Complainant and/or the Respondent is a Trustee, the President, University Counsel, or Internal Auditor:**

(a) The Investigator is a consultant (as described in Section 3-6-133(4)(e)) selected collaboratively by the Dir HR and the Title IX Coordinator,

(b) The Decision Maker is a Senior Vice President selected collaboratively

by the Dir HR and the Title IX Coordinator, and

(c) The Appeal Decision Maker is a Senior Vice President who was not the Decision Maker selected collaboratively by the Dir HR and the Title IX Coordinator.

(6) **If the Complainant and/or the Respondent is a Vice President, the Dir HR, the Title IX Coordinator or the Assistant DOS,** such person(s) shall not serve as Investigator, Decision Maker or Appeal Decision Maker and their replacement(s) shall be selected by, in order of precedence, the following individuals who are not the Complainant or the Respondent: the Senior Vice President/Chief Academic Officer, the Senior Vice President/Finance and Administration, the remaining Vice Presidents in order of seniority, the Dir HR, the Title IX Coordinator or the Assistant DOS.

(7) **If the Respondent is a tenured faculty member and the disciplinary action of the Decision Maker(s) is the Respondent's dismissal (termination of employment)**, the Respondent may, within the time limit stated in Section 3-6-133(6)(f), provide written notification to the Appeal Decision Maker of their decision to exercise their right to appeal using either:

(a) The procedures described in Board Policy 2-3-1101(3), in which case the Appeal Decision Maker will communicate to the President the Decision of the Decision Maker, or

(b) The Appeal Process described in the DCP.

If the Respondent files a timely appeal but does not provide written notification of their choice of the alternative processes described in subsections (a) and (b), above, the procedures described in Board Policy 2-3-1101(3) will be used with respect to Respondent's appeal.

(8) Notwithstanding the investigation and decision making processes of a Complaint as described in the DCP, if the Disciplinary Action to be implemented with respect to a Respondent who is a tenured faculty member is their dismissal (termination of employment), such Respondent is entitled to all the processes contained in Board Policy 2-3-1101(3).

(9) **If the Respondent is a student and the sanction of the Decision**

Maker(s) is the Respondent's suspension or expulsion from the University, the Respondent may, within the time limit stated in Section 3-6-133(6)(f), provide written notification to the Appeal Decision Maker of their decision to exercise their right to appeal using either:

(a) The procedures described in Board Policy 2-1-504(1), in which case the Appeal Decision Maker will communicate to the Chief Disciplinary Officer of the University the Decision of the Decision Maker, or

(b) The Appeal Process described in the DCP.

If the Respondent files a timely appeal but does not provide written notification of their choice of the alternative processes described in subsections (a) and (b), above, the procedures described in Board Policy 2-1-504(1) will be used with respect to Respondent's appeal.

(10) A Respondent who, under subsection (7) or (9), above, requests the Appeal Process described in the DCP waives their right to the procedures referenced in Subsection (7)(a) or (9)(a), above as the case may be.

3-6-135 Additional Procedures on or After August 14, 2020 – Purpose and Scope

Should the provisions of part 106 of title 34 of the Code of Federal Regulations published by U.S. Department of Education in the Federal Register on May 6, 2020 ("Title IX Rule") be in force and effect on or after August 14, 2020, the following provisions of the DCP shall be applicable to "formal complaints" of "sexual harassment" alleged to have occurred on or after August 14, 2020 as those terms are defined in the Title IX Rule and the provisions of the DCP in Sections 3-6-136 through 145, below. To the extent any of these sections conflict with other provisions of the DCP, the provisions of Sections 3-6-136 through 145 shall supersede other provisions of the DCP only with respect to the Grievance Process for Formal Complaints of Sexual Harassment (as defined below.) In all other circumstances, the provisions of the DCP other than those in Sections 3-6-136 through 145 shall remain in force and effect.

3-6-136 Additional Definitions

The following additional definitions apply to the DCP under the circumstances, and to the extent provided, in Section 3-6-135, above.

(1) "Actual Knowledge" means notice of Sexual Harassment or allegations of

Sexual Harassment to the University's Title IX Coordinator or to any University official, other than the Respondent(s), who has authority to institute corrective measures on behalf of the University and does not include mere vicarious liability or mere constructive notice. For the purposes of this definition, a University official, other than the Respondent(s), who has authority to institute corrective measures on behalf of the University does not include an individual who has (a) the mere ability or obligation to report Sexual Harassment; (b) the mere ability or obligation to inform a University student about how to report Sexual harassment; or (c) was merely trained to report Sexual Harassment or to inform a University student about how to report Sexual Harassment.

(2) "Administrative Leave" means the placement of a Respondent who is a non-student employee of the University on leave of absence during the pendency of a Grievance Process.

(3) "Dating Partner" means a person who is or has been in a social relationship of a romantic or intimate nature with another person and where the determination of whether the two persons are Dating Partners is determined by consideration of (a) the length of the relationship; (b) the type of relationship; and (c) the frequency of interaction between the two persons.

(4) "Dating Violence" means physical violence committed by a Dating Partner of the victim.

(5) "Determination Regarding Responsibility" (which may be referred to below as the "Determination") means a written document issued by a Decision-Maker following a Live Hearing in which findings, conclusions, and Remedies and Disciplinary Sanctions (if a Respondent has been determined to have engaged in Sexual Harassment), are outlined, as further described in Section 3-6-143, below.

(6) "Decision-Maker" means the person (who may not be the Title IX Coordinator or an investigator of the allegations of the Formal Complaint) who presides over the Live Hearing and issues a Determination Regarding Responsibility after the conclusion of the Live Hearing.

(7) "Disciplinary Sanctions" means, and may include, (1) as to a University student, the Outcomes described in Section 3-2-203(8)(a) through (j) of the University Regulations and (2) as to a University employee, any action permitted by law and/or University policy, including but not limited to, placement in the employee's personnel file of the Determination Regarding Responsibility and

any other information or documents compiled in the course of the Grievance Process in which the employee is a respondent, completion of required education, or of research or written materials relevant to Sexual Harassment of which the employee was found responsible, suspension (either with or without pay), demotion, or termination of or dismissal from employment with the University.

(8) "Domestic Violence" means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to the spouse or victim under the domestic or family violence laws of the State of Colorado, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Colorado.

(9) "Emergency Removal" means the removal of a Respondent from the University's Education Program or Activity after the University (a) undertakes an individualized safety and risk analysis,
(b) determines that an immediate threat to the physical health or safety of any student or individual arising from the allegations of Sexual Harassment against the Respondent justifies removal, and
(c) provides the Respondent with notice and an opportunity to challenge the removal immediately after it occurs.

(10) "Filed," in connection with a Formal Complaint, means submitted to the Title IX Coordinator in person, by mail, or by electronic submission, using the office address, electronic mail address and/or telephone number listed for the Title IX Coordinator on the University website.

(11) "Formal Complaint" means a document or electronic submission filed by a Complainant or signed by the Title IX Coordinator (that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person who has submitted it) that alleges Sexual Harassment by a Respondent and requests that the University investigate the allegation(s) of Sexual Harassment and, at the time the Formal Complaint was filed, the Complainant was participating, or attempting to participate, in a University Education Program or Activity.

(12) "Grievance Process" means the process of the University that addresses a Formal Complaint and complies with the requirements of 34 C.F.R. Section 106.45.

(13) "Informal Resolution" means attempts in which the parties may engage voluntarily to attempt to resolve the allegations of the Formal Complaint prior to the issuance of a Determination Regarding Responsibility by the Decision-Maker and may result in dismissal of the Formal Complaint or a portion(s) thereof.

(14) "Remedies" means actions of the University that are taken after the Grievance Process has been completed, and after a Determination Regarding Responsibility has been issued in which a Respondent has been determined to have engaged in Sexual Harassment and that imposes Disciplinary Sanctions on the Respondent in order to restore or preserve equal access to University Education Programs or Activities.

(15) "Sexual Assault" means penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or an attempt to do any of the above, without the consent of the victim.

(16) "Sexual Harassment" means conduct on the basis of sex occurring in the United States (a) in which a University employee conditions the provision of an aid, benefit, or service of the University on a person's participation in Unwelcome Sexual Conduct; (b) that constitutes Sexual Assault (as defined in 20 U.S.C. Section 1092(f)(6)(A)(v)); (c) that constitutes Dating Violence (as defined in 34 U.S.C. Section 12291(a)(10)); (d) that constitutes Domestic Violence (as defined in 34 U.S.C. Section 12291(a)(8)); and/or (e) that constitutes Stalking (as defined in 34 U.S.C. Section 12291(a)(9)).

(17) "Stalking" means a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others or (b) suffer substantial emotional distress.

(18) "Supportive Measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed, which are designed to restore or preserve equal access to a University Education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or to deter Sexual Harassment, and may include counseling, extensions of deadlines or other course-related adjustment,

modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the University campus, and other similar measures, and such measures must be maintained as confidential by the University to the extent that maintaining such confidentiality would not impair the ability of the University to provide such measures.

(19) "University Education Program or Activity" means locations, events, or circumstances over which the University exercises substantial control over the respondent and the context in which Sexual Harassment occurs and includes any building owned or controlled by a Registered Student Organization as that term is defined in Section 3-2-203(12) of the University Regulations.

(20) "Unwelcome Sexual Conduct" means behavior of a sexual nature determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a University Education Program or Activity.

3-6-137 Initiation of the Grievance Process

(1) **Notice of Allegations** Within five (5) days after a Formal Complaint is filed, the University shall provide written notice of the Formal Complaint" to each Complainant and Respondent identified.

(2) **Contents** The written notice shall contain:

(a) A description of the Grievance Process, as well as the Informal Resolution Process;

(b) A statement that the Respondent(s) is presumed not responsible for the alleged conduct and that a Determination Regarding Responsibility will be made at the conclusion of the Grievance Process;

(c) A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, who may inspect and review evidence obtained as part of the investigation that is directly related to the allegations of the Formal Complaint pursuant to 34 C.F.R. Section 106.45(b)(5)(i), be present during any meeting or proceeding at which the parties may be present during the Grievance Process to

advise their respective party, provided however, other than at the Live Hearing, the advisor may not otherwise participate in, make any presentation during, or submit any written materials on behalf of their party;

(d) A statement that, pursuant to Section 3-2-204(17)(b) and (c) of the University Regulations the parties are prohibited from making knowingly false statements or submitting knowingly false information during the Grievance Process; and

(e) Sufficient details of the allegations of Sexual Harassment contained in the Formal Complaint including:

(i) The identities of the persons involved in the incident, if known;

(ii) The conduct alleged to constitute Sexual Harassment; and

(iii) The date and location of the incident during which the Sexual Harassment is alleged to have occurred, if known.

(3) **Notice of Additional Allegations** If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not described in the original written notice of allegations, the University shall provide notice of the additional allegations to the parties whose identities are known.

3-6-138 Dismissal of a Formal Complaint

(1) **Required Dismissal** After the University investigates the allegations of a Formal Complaint it shall dismiss the Formal Complaint, or certain of the allegations of Sexual Harassment alleged in the Formal Complaint, if the University determines the conduct alleged, even if proved:

(a) Would not constitute Sexual Harassment;

(b) Did not occur in a University Education Program or Activity; and/or

(c) Did not occur within the United States.

(2) **Permitted Dismissal** After the University investigates the allegations of a Formal Complaint it may dismiss the Formal Complaint, or certain of the allegations of Sexual Harassment alleged in the Formal Complaint, if at any

time prior to the issuance of the Determination Regarding Responsibility:

(a) The Complainant notifies the Title IX Coordinator in writing that the Complainant wishes to withdraw the Formal Complaint or any allegations in it;

(b) The Respondent is no longer enrolled in the University, if a student, or employed by the University, if an employee, as the case may be; and/or

(c) Specific circumstances prevent the University from gathering evidence sufficient to reach a Determination Regarding Responsibility as to the Formal Complaint or the allegations of Sexual Harassment in it.

(3) **Notice of Dismissal** Upon dismissal by the University as required or permitted above, the University shall send promptly written notice of the dismissal and the reasons for the dismissal to each party simultaneously.

3-6-139 Informal Resolution of a Formal Complaint

(1) **Procedure** After a Formal Complaint is filed that alleges Sexual Harassment and at any time prior to the issuance of a Determination Regarding Responsibility by the Decision-Maker, the University may offer to facilitate informal resolution between/among the parties by which the parties agree voluntarily to resolve the allegations contained in the Formal Complaint, including but not limited to allegations of Sexual Harassment, without proceeding further in the Grievance Process. The University, as part of the offer of informal resolution must:

(a) Provide each party with the Notice of Allegations described in Section 3-6-137, above;

(b) Obtain each party's voluntary written consent to engage in the informal resolution process;

(c) Inform each party in writing that:

(i) If the parties reach an informal resolution that the terms and conditions of such resolution must be in writing and will preclude the parties from resuming the Grievance Process with respect to the allegations of Sexual Harassment in the Formal Complaint; and

(ii) Each party has the right, at any time, to withdraw from the informal resolution process and resume the Grievance Process with respect to the Formal Complaint.

(2) **When Informal Resolution may not be Offered or Facilitated by the University** The University shall not offer to facilitate or facilitate the informal resolution process to resolve allegations of a Formal Complaint that a University employee engaged in Sexual Harassment of a University student, provided, however, that this prohibition does not preclude the parties from engaging voluntarily in discussions between them that results in a resolution of the allegations and notification by the Complainant that they wish to withdraw the Formal Complaint or any of the allegations in it.

(3) **Additional Time to be Provided by Decision-Maker** The Decision-Maker shall provide additional time, as necessary, to allow the parties to engage in informal resolution of the Formal Complaint pursuant to this section 3-6-139, or other voluntary discussions between/among the parties in pursuance of resolution of the Formal Complaint, when all parties agree that it is reasonable and appropriate that additional time should be provided.

3-6-140 Consolidation of Formal Complaints

The University may consolidate Formal Complaints that contain allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

3-6-141 Investigation of a Formal Complaint

(1) **Responsibility for Conducting the Investigation** The Title IX Coordinator or their designee shall investigate the allegations of Sexual Harassment in the Formal Complaint as described in Section 3-6-133(4)(a) and (c), above, and the burden of proof is on the University to gather evidence sufficient to reach a Determination Regarding Responsibility as to the Respondent(s).

(2) **Procedures During the Investigation** During the investigation, the University may not restrict the ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence and shall;

(a) Provide each party with the opportunity to have an advisor of their

choice, who may be, but is not required to be, an attorney, who may inspect and review evidence obtained as part of the investigation that is directly related to the allegations of the Formal Complaint pursuant to 34 C.F.R. Section 106.45(b)(5)(i), be present during any hearings, investigative interviews or other meeting at which the parties may be present during the Grievance Process to advise their respective party, provided however, other than at the Live Hearing, the advisor may not otherwise participate in, make any presentation during, or submit any written materials on behalf of the party for whom they are the advisor;

(b) Provide each party who is expected to participate in the Grievance Process written notice of the date, time, location, participants, and purpose(s) of all hearings, investigative interviews or other meetings, with sufficient time for the parties to prepare to participate;

(c) Provide each party an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint including evidence upon which the University does not intend to present in the Live Hearing with respect to the Decision-Maker's issuance of their Determination Regarding Responsibility, as well as inculpatory or exculpatory evidence whether obtained from a party or other source;

(d) Provide each party and their respective advisor, if any, the evidence subject to inspection and review in electronic format or hard copy;

(e) Provide each party at least ten (10) days to submit a written response to such evidence, which the investigator will consider prior to completion of the investigation report;

(f) Make all such evidence available for each party's inspection and review at any hearing and give each party equal opportunity to refer to such evidence during the Live Hearing, including for the purposes of cross-examination; and

(g) Create an investigation report that fairly summarizes relevant evidence and, at least 10 days prior to the Live Hearing, shall provide each party and their respective advisor, if any, the investigation report in electronic format or hard copy for their review and written response, if any.

3-6-142 The Live Hearing

(1) **The Location and Method by Which the Live Hearing Will Occur** The Grievance Process shall include a Live Hearing that will be conducted virtually, with technology that enables the participants to see and hear each other simultaneously.

(2) **Decision-Maker's Responsibilities with Respect to the Live Hearing** The Live Hearing that shall be presided over by the Decision-Maker, who shall:

(a) Make all decisions regarding the scheduling and conduct of the hearing, except as otherwise provided in Sections 3-6-135 through 145 or in 34 C.F.R Section 106.45(b)(6);

(b) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, as well as inculpatory and exculpatory evidence;

(c) Permit each party's advisor to ask the other party and any witnesses only relevant questions and follow-up questions, including questions challenging the credibility of the parties and any witnesses as further described in Section 3-6-142(3), below;

(d) Permit only relevant documentary and other physical materials to be received in at the Live Hearing; and

(e) Not permit questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent or lack thereof.

(3) **Standard of Evidence** The standard of evidence used in the Live Hearing and by the Decision- Maker in their Determination Regarding Responsibility is the "preponderance of the evidence" as described in Section 3-6-126(18).

(4) **Procedures and Requirements Regarding Cross-Examination** Cross-examination of the parties and other witnesses during the Live Hearing shall be conducted consistent with the following procedures and requirements:

(a) Cross-examination of a party or other witness may only be conducted

by a party's advisor and not by the party themselves;

(b) If a party does not have an advisor present at the Live Hearing, the University will provide, without fee or charge to that party, an advisor of the University's choice, who may, but is not required to, be an attorney to conduct cross-examination on behalf of that party;

(c) Only relevant cross-examination questions and other questions may be asked of a party or witness, as determined by the Decision-Maker;

(d) Before a Complainant or Respondent or a witness answers a cross-examination or other question, the Decision-Maker shall first determine whether the question is relevant to the issues in the Live Hearing and shall explain their decision to exclude a question that they determine is not relevant; and

(e) If a party or witness does not submit themselves to cross-examination at the Live Hearing, the Decision-Maker shall not rely on any statement of that party or witness in reaching the Determination Regarding Responsibility, provided however, that the Decision-Maker shall not draw an inference in the Determination based solely on a party's or witness's absence from the Live Hearing or refusal to answer cross-examination or other questions.

(5) **Recording or Transcript of the Live Hearing** The University, in its discretion, will create an audio or audiovisual recording or a written transcript of the Live Hearing and make the recording or transcript available for the inspection and review of each party.

3-6-143 The Decision-Maker's Determination Regarding Responsibility

(1) **Issuance and Matters Addressed in the Determination Regarding Responsibility** After the Live Hearing has concluded, the Decision-Maker shall issue a written Determination Regarding Responsibility ("Determination") regarding the allegations of Sexual Harassment in the Formal Complaint, which Determination shall apply the "preponderance of the evidence" standard. The Determination must:

(a) Describe the allegations potentially constituting Sexual Harassment;

(b) Describe the procedural steps taken from the Filing of the Formal Complaint through the issuance of the Determination including any:

(i) Notifications to each party;

(ii) Interview of the parties and witnesses;

(iii) Site visits;

(iv) Methods used to gather other evidence; and

(c) State the Decision-Maker's findings of fact supporting the Determination;

(d) State the conclusions regarding the application of the relevant University policies and relevant provisions of the DCP to the facts;

(e) State the result as to each allegation and the rationale for such result, including the Determination regarding responsibility, any Disciplinary Sanctions the University is to impose on the Respondent, and any Remedies designed to restore or preserve equal access to the University Education Program or Activity that the University will provide to the Complainant; and

(f) The University procedures and permissible bases for the Complainant and Respondent to appeal the Determination, if either of them decides to do so.

(2) **To whom the Determination is Provided** The Decision-Maker must provide the Determination to each of the parties and to the Title IX Coordinator simultaneously.

(3) **When the Determination Becomes Final** The Determination becomes final either on the date that the University provides the parties with the Determination of the result of an appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

3-6-144 Appeals

(1) **Who may Appeal and Under What Circumstances** Either party may appeal from (1) a written Determination Regarding Responsibility or (2) the University's dismissal of a Formal Complaint or any of the allegations in a Formal Complaint, on the following bases only:

(a) Procedural irregularity that affected the outcome of the matter;

(b) New evidence that was not reasonably available at the time the Determination Regarding Responsibility or dismissal of the Formal Complaint (or any allegations contained in the Formal Complaint was issued, that would have affected the outcome of the matter; and/or

(c) The Title IX Coordinator, investigator(s) or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent involved in the Formal Complaint, that affected the outcome of the matter.

(2) **Deadline for Filing an Appeal** The deadline for filing an appeal and the procedures followed regarding such appeals is will be as stated in Section 3-6-133(6).

(3) **The Appeal Decision-Maker** The Appeal Decision-Maker is:

(a) The Dean of Students if the Complainant and Respondent are both University students; and

(b) The Dean of Students and the Senior Vice President or Vice President who has supervisory authority over the Respondent if the Complainant is a University student and the Respondent is a University employee, in which case the Dean of Students and Senior Vice President or Vice President who will collaborate to prepare the Appeal Decision.

3-6-145 Confidentiality

The University must maintain as confidential the identity of:

(1) any person who has made a report of or Filed a Formal Complaint of Sexual Harassment;

(2) any Complainant;

(3) any Respondent;

(4) any person who has been reported to have engaged in Sexual Harassment; and

(5) any witness who has provided information in any portion of the

Grievance Process or Live Hearing;

except as may be permitted by FERPA, required by law, and/or to carry out the purposes of 34 C.F.R. Section 106 including the conduct of any Grievance Process or judicial proceeding arising thereunder.

Policy History

3-6-102 HIRING POOLS.
Subsection 3-6-102(1) Exceptional Appointments (d) amended (July 2025)
Subsection 3-6-102 Hiring Pools (e)(h)(II) amended (July 2025)
Subsection 3-6-102(1) The Process (a)(b)(e)(f)(g) amended (Mar 2011)
Subsection 3-6-102(1) Exceptional Appointments (e)(I)(A) amended (Mar 2011)
Section 3-6-102 amended (Mar 2011)

3-6-104 AFFIRMATIVE ACTION.
3-6-104 section deleted (July 2025)

3-6-125 DISCRIMINATION COMPLAINT PROCEDURES – PURPOSE AND SCOPE.
3-6-125 Section added (Apr 2015)
Section 3-6-125 amended (Aug 2020)
3-6-126 DEFINITIONS.
3-6-126 Section added (Apr 2015)
3-6-127 GENERAL PROCEDURES.
3-6-127 Section added (Apr 2015)
3-6-128 INTERIM ACTIONS.
3-6-128 Section added (Apr 2015)
3-6-129 LIMITATIONS ON DISCLOSURE TO THE PUBLIC AND UNIVERSITY OFFICALS, EMPLOYEES AND STUDENTS.
3-6-129 Section added (Apr 2015)
3-6-130 INITIATION OF EXTERNAL PROCEDURES.
3-6-130 Section added (Apr 2015)
3-6-131 TIME LIMITS AND EXTENSIONS.
3-6-131 Section added (Apr 2015)
3-6-132 INFORMAL COMPLAINT PROCEDURES.
3-6-132 Section added (Apr 2015)
3-6-133 FORMAL COMPLAINT PROCEDURES.
3-6-133 Section added (Apr 2015)
3-6-133(6)(c) Section amended (May 2015)

3-6-134 INVESTIGATORS, DECISION MAKERS, COLLABORATORS AND APPEAL DECISION MAKERS.

3-6-134 Section added (Apr 2015)

3-6-135 through 3-6-145 ADDITIONAL TITLE IX RULE PROCEDURES ON OR AFTER AUGUST 14, 2020.

3-6-135 through 3-6-145 Sections added (Aug 2020)

3-7-101 Payroll Regulations. The University of Northern Colorado conducts payroll operations in compliance with all applicable state and federal laws and the regulations and reporting requirements of the Internal Revenue Service, the U.S. Department of Labor, the Immigration and Naturalization Service, the Social Security Administration and the Colorado Departments of Revenue and Personnel. Information and current reference materials concerning these laws and regulations are available in Human Resources.

3-7-101(1) Payroll Processing. The University shall utilize a human resources system for payroll/personnel processing. Operating procedures shall be maintained in the Payroll and Human Services. This system shall meet reporting requirements of Federal and State agencies.

3-7-102 University Travel. The State of Colorado Fiscal Rules are the basis of the University's travel procedures which are maintained by the Accounting Services Department and are distributed to departments/divisions on campus.

3-7-103 University Transportation Services. The University maintains a fleet of automobiles, vans, and buses for official travel throughout the State. The vehicles are housed and maintained at Parsons hall on the East Campus under the management of Facility Operations. A University vehicle may not be used to commute between office and home.

3-7-103(1)(a) Reservation of Cars. Requests for the use of University cars must be in writing on approved Travel Request forms and must be delivered to Facility Operations at the earliest possible date.

3-7-103(2)(b) Insurance.

3-7-104 Purchasing. The State of Colorado Procurement Rules are the basis of the University's purchasing procedures which are maintained by the Purchasing Office

and current rules are available from the Purchasing Office. Instructions for initiating purchases are distributed to all departments/divisions by the Purchasing Office.

3-7-105 Contracting.

3-7-106 Contracting Authority. No deed, instrument, or contract of any description, written or oral, purporting to be made on behalf of the University shall be valid as against the University unless executed by the Board of Trustees in accordance with the Bylaws or by the President of the University under authority delegated by the Board of Trustees. No other officer, employee, or agent of the University may enter into a contract on behalf of the University except as authorized in the Bylaws of the Board of Trustees or by a specific written delegation of authority by the Board of Trustees or the President of the University. All contracts must comply with the State Fiscal Rules and the University's internal contract procedures. A copy of the UNC contract procedures manual is available in all departments, divisions and Dean's Offices by University Counsel.

3-7-107 Fund Raising Authority. The responsibility for coordinating the University's search for gifts from the private sector (i.e., individuals, corporations, foundations, and associations of individuals) is assigned to the Office of Development.

All fund raising programs, projects, or solicitations directed to the private sector and which represent directly or indirectly any activity or unit of the University, or which involve any individual acting as a representative of the University, must be registered with, reviewed, and coordinated by the Office of Development.

As part of its responsibility for coordinating the university search for gifts in the private sector, the Office of Development will provide assistance to personnel who desire to seek gifts in support of authorized institutional projects.

Any intensive pre solicitation cultivation of an individual or organizational gift prospect, even if not intended to lead directly to an immediate contribution, must be reviewed in advance and approved by the Office of Development.

Prior to the initiation of any fund raising program, project, solicitation, or intensive cultivation, the individual or institutional unit desiring to initiate said activity must receive the approval of the administrative authority which is responsible for

supervising said individual or institutional unit.

The solicitation of grants or contracts through the submission of proposals from public (e.g., governmental) or private (e.g., foundations, corporations) will continue to be coordinated through the Sponsored Programs and Academic Research Center.

> **3-7-107(1) Definitions.** "Fund raising" includes any solicitation of any form of support (gifts, contributions, or any object or service of value) from private sources by University offices, organizations or individuals representing those offices, or by any other affiliate of the University.

3-7-108 Gift Repository. The University of Northern Colorado Foundation, Inc. has been designated as the official repository for gifts from the private sector which are contributed to support University programs, projects or activities. Prospective donors are to be encouraged to direct their gifts to the Foundation which will administer gifts on behalf of the University.

3-7-109 Approval. All gifts received by the University, whether or not derived from specific fund raising programs, shall be administered in accordance with the University policy statement on the administration of gifts from private sources.

3-7-110 Budget Process.

3-7-111 Description of Budget Process. The University has established a general budget development process that follows an annual cycle. The process begins in October, and ends with a final budget plan in June of the subsequent calendar year. The established process is intended to involve all campus constituents, with decentralization as a primary objective. The nature of involvement is influenced by frequently changing internal and external factors, and so may vary from year to year.

3-7-112 Deficit Accounts. Accounts which run a deficit for any monthly reporting period must be reported by the individual authorized to make the expenditures to that individual's supervisor within five working days of the authorized individual's receipt of knowledge of such deficit. The report must be in writing, and include an explanation for the deficit position and a plan for eliminating the deficit within the next thirty-day reporting period after the notice.

If the responsible party and the supervisor determine that the deficit cannot be eliminated within the required period, the supervisor, and responsible dean or officer if different, shall enter into a loan agreement with the University Controller for the repayment of the deficit, together with appropriate interest, within the shortest time feasible, but in no event past the end of the applicable fiscal year, unless otherwise authorized in writing by the President. The Controller shall notify the President of the execution of any such agreements. In the case of amounts owed to the University to which interest is traditionally not charged, such as scholarship and financial aid commitments paid through the UNC Foundation, Inc. or other sources at the disposal of the unit, the deficit must be eliminated within the thirty days immediately after the written report to the supervisor, unless expressly waived in writing by the President.

No UNC Foundation scholarships may be awarded by any department, school or unit until the funding for such scholarship is on deposit with the UNC Foundation, Inc., and the Foundation has confirmed that the funds are on deposit to the Student Financial Resources Office. No scholarship funds will be credited to a student's account by the financial aid officer until the cash funds have been received from the Foundation by the Accounting Services Office.

3-7-113 Presidential Powers. As the chief administrative officer of the University, the President is ultimately responsible for planning, organizing, and directing all operations of the University in accordance with policies of the Board. In all fiscal matters, the President has the final review as far as University of Northern Colorado spending is concerned. Further, CRS 1973, 24-30-202 (3) forbids the President to over-encumber appropriations, incur obligations, or to authorize disbursement of funds in excess of appropriations.

3-7-114 Budget Development for Special Areas and Sponsored Programs.

3-7-114(1) Capital Construction. State Buildings Division, OSPB, and CCHE, have a major influence on capital construction allocations, and input materially on capital construction projects to be funded throughout the state. At UNC, proposals for capital construction projects may originate with any unit and are forwarded through the proper dean to the Vice President of Administration. After initial review in that office, approval for the proposal and the establishment of a priority for it is obtained from the President's Office.

Requests for capital construction funds are determined on the basis of need by criteria established by OSPB and CCHE. A copy of the criteria is available in the Planning and Construction Office. Need for physical facilities must be justified by projecting estimated enrollment course by course, department by department, and school by school, using data supplied in the computer bank.

3-7-114(2) Sponsored Programs. Sponsored Programs are those activities/projects conducted by the University funded as grants or contracts by external sources in a specific time period. Prior to submission, proposals soliciting funds for sponsored projects must be developed by project directors and approved for submission by their department or division chairperson, dean, and the director of Sponsored Programs. Finally they must be approved by the President of the University or their designee. Such proposals will include project plans and line item budgets. When matching or institutional support funds are required, sources of such support must be indicated and verified. When grants or contracts are awarded, project directors are responsible for dispersing of financial resources as stipulated in award documents and as acknowledged by their signature.

3-7-114(3) Student Activity Fees. Student fees shall be established and administered as set forth in the board approved UNC Institutional Plan for student fees.

3-7-115 UNC Facility Scheduling Regulations.

3-7-115(1) Facility Ownership. UNC facilities (including buildings, adjacent grounds and parking lots) are considered a resource of the University. Facilities designated as state property, provided by the Citizens of Colorado, are primarily intended to support continuing programs of instruction, research and diversified service to enrolled students. Academic facilities are not owned by individual departments or campus units but by the State of Colorado and are operated and maintained by the University's Department of Facility Operations, under the direction of the Vice President for Administration. Auxiliary facilities are self-supporting buildings utilized primarily for activities that enhance the educational experience. Access is available to these facilities for University and non- University groups according to established scheduling procedures.

3-7-115(2) State Building Use Priority. Through established scheduling procedures and deadlines, state facilities are to be first reserved for the direct use of students enrolled in instructional programs.

3-7-115(3) Non-Academic Use of State Buildings. When not directly committed to the instructional service of enrolled students, the state facilities are to be made available for educational, administrative, and cultural events of recognized university organizations. Facilities also may be requested for use by members of the non-University community as facility space and resources permit.

No commitment for facility use, nor quote for associated event fees and charges, shall be made by any parties other than Event Planners in the University Scheduling and Events Office or the Vice President for Administration to maximize efficiency of facility scheduling and cost recovery. An appropriate rental fee, direct costs for services rendered and/or other usage fees shall be assessed groups permitted to use state facilities.

3-7-115(4) Sponsorship of Non-University Organizations. A written sponsorship request must be received and approved by the Vice President for Administration or the Vice President's designee prior to the date of the event. The event or meeting must be of educational, social, or cultural significance and be consistent with the mission of a public educational institution. Appropriate permits must still be obtained, and rental, labor/service, equipment rental and security fees must still be assessed to the sponsored non-University group. The sponsor of a non-academic event assumes the financial responsibility of the event if the individual or group does not provide payment as charged. Sponsorship includes the requirement that the sponsor attend the event in its entirety. Any fee negotiation must be approved by the Vice President for Administration or the Vice President's designee. Sponsored non-University events do not require a deposit.

Sponsors may be one or more of the following:

Colleges, Schools, Departments, and functional units of the University;

University recognized Student Organizations;

University allied or affiliated organizations (such as the University of Northern Colorado Foundation or Alumni Association).

3-7-115(5) Non-University/Non-sponsored Use. Non-sponsored, non-University individuals, groups, and organizations, can schedule University facilities with 30-day prior approval when the event or meeting is of educational, social, or cultural significance and is consistent with the mission of a public educational institution. Payment of the rental fee must be made in advance of the event unless other arrangements are made by the Vice President for Administration or the Vice President's designee.

3-7-115(6) Access Preference. Preference for use of space will be given within defined time periods to the scheduling of academic courses, and then to University events requiring specific facilities.
Space available after those requests are met will be assigned according to established preference priority consideration regulations and a first come first served basis.

Within the defined time periods established, space will be assigned based on the following categories of preference/priority:

(a) Academic courses.

(b) University-sponsored events requiring specific facilities.

(c) University-sponsored events open to the entire University community.

(d) University-sponsored events restricted to membership or internal meetings.

(e) Non-University group or organizational events open to the entire University community

(f) Non-University group or organizational events restricted to membership or internal meetings.

Once space is assigned according to these regulations, the University will make every attempt to honor the commitment for space. However, the University of Northern Colorado does reserve the right to refuse or cancel a reservation, or change the location of an event if it conflicts in any way with general regulations regarding events on campus.

3-7-115(7) Auxiliary Facility Use. Auxiliary facilities are available on a first come first served basis, with priority given to student and University groups. Facilities are also to be made available to non- University groups. An appropriate rental fee, direct costs for services rendered and equipment utilized and/or other fees shall be assessed all groups permitted to use the facilities.

Sponsorship of Non-University Organizations. All regulations and procedures designated for sponsorship of state facilities shall also be in effect for auxiliary units.

Auxiliary Access Preference. Preference for use of space will be given to student and university groups, with an overriding priority of first come first served. Once space is assigned, every attempt will be made to honor this commitment, however the University reserves the right to cancel or change a reservation or even change a location if deemed necessary.

3-7-115(8) Use of University Grounds. Because the use of any exterior facilities may present the possibility of disturbance to normal University activities and damage to the University property, the criteria governing the use of exterior space shall include, but not be limited to, the following:

(a) No permanent or semi-permanent structures may be constructed or placed for any activity in these spaces unless the construction itself is either done or approved by Facility Operations.

(b) No activities may be held which render a space unsatisfactory for use in its normal or primary function or which interfere with an activity previously scheduled according to this regulation or with normal or scheduled University activities.

(c) Individuals or groups wishing to use outdoor areas and outdoor facilities shall schedule such use with the University Scheduling and Events Office

in writing, no less than 5 days in advance of the event and include the time, place and nature of the proposed activity. The University Scheduling and Events Office will notify the University Police and other appropriate campus agencies. [See also University Board Policy Manual 1-1-410 Peaceful Assembly.]

(d) All uses of amplifying and public address systems must conform to all applicable laws and ordinances.

(e) Users, including sponsoring organizations, are responsible and accountable for the cleanliness and order of all open spaces following their use. Users will be billed for cleanup that they do not adequately complete themselves and such other University services as may be required because of the activity of the sponsoring organization.

(f) All activities or events must be conducted in such a manner that campus pedestrian, bicycle, and automobile traffic are not unreasonably impeded and that members of the University community who are not participating in the activity or event may proceed with their normal activity.

3-7-115(9) Cost Recovery. Standard facility rental fees are charged to individuals, groups, and organizations to recover costs to the University incurred related to specific scheduled events.
Appropriate permits must be obtained. All rental, labor/service, equipment and security fees will be assessed according to standard guidelines. Non-sponsored, non-University events require payment in advance of the event upon scheduling confirmation unless arrangements are made with the Vice President of Administration or the Vice President's designee.

No facility rental fees are charged for academic courses, course related support programs, and recognized student organizations. However, standard facility rental fees will be assessed to any student organization that charges a fee for the event.

3-7-115(10) Neutrality. The academic facilities at the University are provided for educational purposes and are not intended to be competitive with sites in

the community. All fees generated are to recover operation costs.

3-7-115(11) Specific Procedures and Fees. The specific scheduling regulations, procedures, and fee schedules for campus facility rental, equipment rental, facilities service fees, security fees, and food service fees are available at the University Scheduling and Events Office.

3-7-115(12) Standard Scheduling Process. University of Northern Colorado facilities shall be scheduled and managed in such a way as to provide appropriate utilization of State and University resources. It is required that all activity in University facilities be scheduled or registered through established scheduling procedures with the University Scheduling and Events Office. This requirement is to include academic courses, meetings, athletics, other University events, and non- University events. The University Scheduling and Events Office will initiate actions to process the necessary scheduling forms and inform appropriate offices of events. Only the University Scheduling and Events Offices are authorized to reserve University facilities for use by any party.

It should be recognized that departments, at times, are assigned a specialized facility for use for specialized programs. It is equally important to note, however, that because these facilities are in demand for events and meetings other than those sponsored by the department, such departments are expected to schedule these programs as soon as possible and then make the facility available to other appropriate groups in cooperation with University Scheduling and Events Office.

Due to the specialized nature of a majority of the academic facilities, individuals, groups and/or organizations wishing to use academic facilities shall schedule such use with the University Scheduling and Events Office in writing, five (5) business days prior to the event, to allow for coordination of adequate support services. The written notice must include time, place and nature of the proposed event. Non-University individuals, groups and/or organizations must have 30-day prior approval from the Vice President for Administration or the Vice President's designee. The University Scheduling and Events Office will notify the University Police and other appropriate campus agencies. [See also University Board Policy Manual 1-1-410 Peaceful Assembly.]

3-7-115(13) The University Scheduling and Events Office. The University Scheduling and Events Office (under the Vice President for Administration) is responsible for scheduling academic/athletic facilities, including academic classrooms, buildings, athletic facilities and fields, theaters and auditoriums in academic buildings and outdoors, and adjacent grounds and parking lots and is also responsible for scheduling auxiliary facilities, including the University Center, Campus Recreation Center, Centennial Hall, housing and residence hall facilities, and adjacent grounds.

Academic courses are to be scheduled using the academic approval process and course forms.

3-7-115(14) Catering. Facilities for catered events are reserved through the University Scheduling and Events Office. Catering services for reserved events at UNC facilities can be provided through University Catering or outside vendors in all non-auxiliary facilities**.**

Outside catering vendors are required to provide evidence of a current Colorado Retail Food Services license, maintain standard Workman's Compensation and Employer's Liability Insurance, and General and/or Personal Injury and/or Automobile Liability Insurance with a single occurrence limit of $600,000 or an annual aggregate limit of $1,000,000 with the State of Colorado named as an additional insured. Vendors shall submit to the University Scheduling and Events Office certificates of insurance coverage with a reference to the State being named as an additional insured seven working days prior to a scheduled catering event.

3-7-115(15) Alcoholic Beverages. The University requires a responsible approach to the serving and consuming of alcohol. University facilities and areas are available for scheduling functions at which alcoholic beverages will be served or consumed. However, permission for use of University facilities or areas for organized events will be determined through the University Scheduling and Events Office. Sponsoring individuals or groups must file an Alcoholic Beverage Permit Application with the 3-7-115(15) University Police Department to dispense or consume alcoholic beverages on University property.

The groups and/or individuals who are hosting the event shall designate if alcohol will be consumed and shall be fully liable for the conduct of all guests and for the compliance with City and State liquor regulations. Violation of any of the City of Greeley or State of Colorado Liquor Codes is a criminal offense, and violators may be subject to fines or imprisonment. The host individual and/or group is also responsible for monitoring the guests to insure that intoxicated persons and/or minors are not served alcoholic beverages.

Alcoholic beverages may be served at the University Center and Centennial Hall. All liquor is purchased and served by University Catering.

Open alcohol containers are prohibited on the University campus except at designated areas for scheduled events at which alcohol is authorized to be sold, served or consumed. These events shall be scheduled through the University Scheduling and Events Office.

3-7-116 Facilities Maintenance.

3-7-117 Remodeling or Modification of Facilities. Requests for remodeling or modification of facilities shall be sent to the Department's Division of Planning and Construction.

3-7-118 Routine Service Request Procedures. Requests for all facility related services can be made by phoning or writing the Service Center at Parsons Hall. Requests may also be submitted electronically.

3-7-119 Smoking Regulation. Smoking and the sale of tobacco products are prohibited in all buildings owned or leased by the state under control of the executive branch. This executive Order is effective January 1, 1991.

3-7-120 Rules and Regulations Governing University Buildings and Grounds.

3-7-121 Admission to Property. Property shall be closed to employees, students, and the general public during other than designated open hours of operation. These hours of operation shall be clearly posted at main entrances to each building or property. The closing of property will not apply to that space and in those instances where Facility services has approved entry by key issuance into the property, after posted

operating hours, or where the office of University Conference and Scheduling Services has approved use of the building or property for educational, cultural, recreational, or public service use consistent with University Conference and Scheduling Service policies. During posted operating hours, property shall be closed only when situations require such action to ensure the safe and orderly conduct of University functions. The decision to close property shall be made by the President of the University (or official designee). During periods when property is closed, admission to such property will be restricted to authorized persons who shall provide or display identifying credentials when requested to do so by personnel of the UNC Police Department or other authorized individuals. Entry upon property in violation of any of the above applicable provisions is prohibited.

3-7-122 Preservation of Property. The improper disposal of rubbish on University property, the willful destruction of or damage to University property, the theft of University property, the creation of any unreasonably hazardous condition to persons or things on University property, the throwing of articles of any kind from or at a building, or the climbing upon statues, roofs, or any parts of a building, are prohibited.

3-7-123 Conformity with Signs and Direction. Persons in and on University property shall at all times comply with official signs of a prohibitory, regulatory, or directory nature and with the direction of UNC Police Department Officers and other authorized individuals.

3-7-124 Disturbances. Any conduct which creates loud or unusual noise, a nuisance, unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots, otherwise impedes or disrupts the conduct of University functions, or which prevents students, faculty, staff, or the public from obtaining the services provided on University property in a timely manner is prohibited.

3-7-125 Gambling. Unlawful gambling on University property is prohibited.

3-7-126 Regulation of Controlled Substances. Refer to 3-7-1027.

3-7-127 Soliciting, Vending, and Debt Collection. Soliciting aims and contributions, commercial soliciting and vending of all kinds, displaying or distributing commercial advertising, or collecting private debts in or on University property is prohibited. This

rule shall not apply to (a) national or local drives for funds for welfare, health, or other purposes as authorized by the President; (b) approved notices posted by employees or students on authorized bulletin boards; and solicitation of organization membership or dues for authorized University organizations.

3-7-128 Posting and Distribution of Handbills. Posting or affixing materials such as pamphlets, handbills, posters, or flyers on bulletin boards or elsewhere on property and grounds is prohibited, except as authorized by the University on approved bulletin boards on bulletin turnstiles. Distribution of materials such as pamphlets, handbills, or flyers, except in those areas of the property open to the public such as entrances, lobbies, and open corridors, is prohibited unless conducted as part of authorized University activities. University Police shall be advised in advance of the proposed distribution in public areas, and may regulate the time and manner but shall not exercise control over the content of the material. All pamphlets, handbills, posters or flyers should clearly identify the author or sponsoring group.

3-7-129 Photographs for News, Advertising, or Commercial Purposes. Photographs may be taken in space occupied by a University department only with the consent of the occupying department. Except where security regulations apply or a court order or rule prohibits it, photographs for news purposes may be taken in entrances lobbies, foyers, corridors, or auditoriums when used for public meetings. Subject to the foregoing prohibitions, photographs for advertising and commercial purposes may be taken only with written permission of the Department of News and Publications.

3-7-130 Dogs and Other Animals. With the exception of seeing eye and guide dogs, dogs and other animals shall not be brought on the University property unless on a leash. Dogs are prohibited in all buildings and on the Butler Hancock playing fields except for service dogs and dogs used for security purposes at night, which are the responsibility of the owners and subject to the direction of the classroom instructors. Animals may not be left tied or secured to trees, railings or other property unattended. Owners are expected to dispose of waste of pets when on University property.

3-7-131 Vehicular and Pedestrian Traffic. Drivers of all vehicles entering or while on property shall drive in a careful and safe manner at all times and shall comply with the signals and directions of Officers of the UNC Police Department or other authorized individuals, all posted traffic signs and University traffic regulations. The blocking of

entrances, driveways, walks, loading plat-forms, or fire hydrants on property is prohibited. Except in emergencies and where otherwise allowed, parking on University property is not allowed without a permit. Parking without authority, parking in unauthorized locations or in locations 3-7-131 reserved for other persons, or parking contrary to the direction of posted signs or University regulations is prohibited. Vehicles parked in violation, shall be subject to removal at the owner's risk and expense.

This paragraph may be supplemented from time to time by the issuance and posting of such specific traffic directives as may be required, and when so issued and posted such directives shall have the same force and effect as if made a part hereof. Proof that a motor vehicle was parked in violation of these regulations or directives may be taken as presumptive evidence that the registered owner was responsible for the violation. Specific parking regulations and the University's approved Access Route System shall be available from either the UNC Police Department or Facility Services.

3-7-132 Weapons and Explosives. Except as permitted by Colorado law, no person shall carry or possess firearms, other dangerous or deadly weapons, explosives, or items intended to be used to fabricate an explosive or incendiary device on University property, unless for approved official purposes.

3-7-133 Enforcement. Whoever shall be found guilty of violating any of the rules, regulations, and related policies in sections 3-7-1041, shall be subject to all civil and criminal liabilities as called for in the applicable State statutes. Requests for interpretation of these rules and regulations should be forwarded to the Chief of University Police.

3-7-134 Access Control. The Vice President of Administration shall implement and enforce an access control program through Facility Operations for all University facilities.

A. Purpose

This policy complies with Board Policy, Title 1, Article 1, 1-1-408; and establishes standards for the University of Northern Colorado (UNC) to provide access to non-public UNC Facilities, in accordance with Colo. Rev. Stat. Ann. §§ 24-74.1 – 101-103.

B. Scope

This policy applies to all employees, students, and third parties.

C. Definitions

(1) Public Institution of Higher Education - means a state institution of higher education, as defined in Colo. Rev. Stat. Ann. § 23-18-102. UNC is a state institution of higher education. Colo. Rev. Stat. Ann. § 24-74.1-101(6).

(2) Federal Immigration Enforcement - means an effort to investigate, enforce, or assist in the investigation or enforcement of a federal civil immigration law or a federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States. Colo. Rev. Stat. Ann. § 24-74.1-101(2).

(3) Third Party - means a person or entity, including a law enforcement officer or agency, that is not a state agency, a state agency employee, a political subdivision, a political subdivision employee, or otherwise part of the state government or a political subdivision. "Third party" includes a private entity that contracts with, and collects or manages data on behalf of, a state agency or political subdivision. Colo. Rev. Stat. Ann. § 24-74-102(5).

(4) Employee - means a person in the service of a public institution of higher education while acting in the person's employment capacity. Employee includes an officer or employee, whether elected or appointed and whether full-time, part-time, or temporary. Employee also includes an agent of a public institution of higher education when acting in their capacity as an agent of public institution of higher education. Employee does not include a person acting in a volunteer capacity. Colo. Rev. Stat. Ann. § 24-74.1-101(1).

(5) Student – means a person who was or is enrolled in UNC. Colo. Rev. Stat. Ann. § 24-74.1-102(3)(a)(I).

D. Policy

In accordance with Colo. Rev. Stat. Ann. § 24-74.1-102(3)(a), this policy aligns with the requirements of C.R.S. §§ 24-74.1 – 101-103, regarding access to non-public UNC Facilities:

(1) Procedures for Access to Non-Public UNC Facilities.

(a) UNC's procedure regarding access to a nonpublic facility, auxiliary facility, property, or grounds is controlled by an Access Control Program through Facility Operations for all UNC facilities. *See* University Regulations § 3-7-134.

(b) According to the Access Control Program, the UNC – Lock and Key Policy centralizes the responsibility for maintaining, issuing, and controlling all keys and locking systems on campus with UNC Facilities. The Lock and Key Policy includes standard metal keys as well as encoded identification card keys.

(c) Federal immigration authorities cannot access non-public UNC facilities without a subpoena, order, or warrant issued by a federal judge or magistrate.

(2) Procedure to allow access to nonpublic facilities for federal immigration enforcement:

(a) The UNC Chief of Police is designated as the responsible UNC employee to be notified if access is requested for federal immigration enforcement.

(b) If federal immigration authorities provide a UNC employee with a subpoena, order, or warrant issued by a federal judge or magistrate for access to a nonpublic facility, the UNC employees must confirm that they are authorized to provide access to the facility by contacting the UNC Chief of Police.

(c) Before providing any information or access, the UNC Employee must request the first and last name of the person leading the federal immigration enforcement, badge or identification number, employer or agency affiliation, and request a copy of the subpoena, order, or warrant.

(d) The UNC employee should inform the officer that they are not obstructing the process, but they are required by this policy to contact UNC's Chief of Police for assistance.

(e) The UNC Chief of Police will respond directly to federal immigration authorities for all subpoenas, orders, or warrants for access to nonpublic facilities issued by a federal judge or magistrate.

(3) This policy does not preempt 8 U.S.C. sec. 1373.

3-7-135 Illumination in University Buildings. Levels of illumination in University buildings shall be those listed in Figure 9-80 of the IES Lighting Handbook, Illuminating Engineering Society, and 5th Edition. The levels of illumination shall be determined with a portable, color and cosine corrected, illumination meter.

3-7-136 Space Assignment.

3-7-136(1) Procedure.

3-7-136(1)(a) Requesting Allocation of Space. Initial contact regarding space needs shall be made, in writing, by a requesting office vice president, to the Office of Planning and Construction.

3-7-137 Emergency Response. The Emergency Response Plan, maintained by the University Chief of the UNC Police Department, sets forth the organization, responsibility and authority to maintain an organized, rapid and controlled University response to emergencies such as fire, explosions, civil disturbances, natural disasters, hazardous materials spills, and acts of war or terrorism. Organized response requires an understanding of the responsibilities of the persons, departments, or agencies of the University involved, coordination with City, County, and State emergency response services and periodic update, review and evaluation of results. The Vice President for Administrative Services, as the Executive Director of Emergency Management, has overall authority for emergency response services and will be aided by an Emergency Response Committee.

3-7-138 University Closure. When severe weather conditions exist, only the President or their designee may elect to close the University, and employees may be authorize to leave work early or directed not to report to work. Announcements of closure of

other State agencies by the Governor or other officials do not supersede the authority of the President to act on behalf of UNC.

When a decision to close the University is made, active employees will be granted administrative leave and paid their normal salary for the period of closure, authorization to leave work on administrative leave is granted on a University-wide basis only and is not granted individually. Employees without direct authorization for the President, or their designee, shall be subject to disciplinary action.

Employees who, with their supervisor's permission, leave work early or do not report to work, due to severe weather, will be charged personal leave for all normal working hours missed and not covered by a period of official University closure. Employees on pre-approved vacation, sick leave, compensatory time- off or a floating holiday on a day when the University is closed under this policy will be charged leave for the normal working hours missed and not covered by the closure. All employees who are on leave or are dismissed from work for severe weather should indicate "Administrative Leave" on their time sheets for the working hours covered by the official closure.

University employees in positions vital to the preservation of health, safety, security and critical operations may be required to work during a University closure. Every department that is required to function during a severe weather closure will designate the positions essential to critical operations. Employees in a designated essential position who work during a University closure will be granted compensatory time off for the actual hours worked during the closure period.

Employees are responsible for monitoring local media for announcements of temporary closure of the University.

3-7-139 Parking Services. All members of the academic community are charged a fee to park at the University. Rules and Regulations are updated annually and available in Parking Services.

> **3-7-139(1) Enforcement and Sanction.** Violations of the regulations are categorized according to the seriousness of the offense. Refer to the current parking regulations for fine amounts.

3-7-140 Environmental Safety. It is the general policy of this University to promote a safe environment through the collective efforts of all participants in its educational, cultural and informational programs. The University shall promulgate and support a general safety program to coordinate and guide the institution's collective efforts. All members of the University shall cooperate and become involved in the safety program to avert or control needless human suffering and property damage arising from unsafe practices, equipment or facilities. The University will also conserve scarce operating funds through development of an effective risk and loss prevention program as part of the general safety effort.

3-7-141 Investigation of University Premises. The University reserves the right to inspect all University owned or controlled property to ensure for physical plant maintenance, damages, safety or security considerations. This includes, but is not limited to, academic areas, offices, labs, storage areas, houses, living areas, other structures or open areas. As these inspections are not related to criminal activity, there is no requirement for a search.

3-7-142 Food Service. The Department of Auxiliary Services is the sole provider of food sold on the UNC campus. No others may sell food product without prior written authorization from the Assistant Vice President for Auxiliary Services or their designee.

3-7-143 Residence Life. Shall generate sufficient revenues to cover all operational costs, required bond payments, administrative overhead assessments and funds needed for equipment replacement, facility upgrade and other support identified by the University. University Residence Life provides rentable living accommodations to: single, married, undergraduate, graduate, non-traditional, and foreign students, faculty, staff; students, parents, conference groups and UNC guests in residence halls, fraternity and sorority house residences. Off-campus students are served by auxiliary off-campus properties and the Off-3-7-143 Campus Renters' Information Service.

3-7-144 Residence Halls. To support the academic mission of UNC, University Residence Life strives to create and maintain an environment in residence halls conducive to sleep, study, and personal development. For educationally-sound reasons and developmental purposes, University Residence Life is required to provide housing to all eligible freshman contingent upon availability. As a self-maintaining property with no tax support, students are required to contract on an academic year

basis. This insures that the most cost-efficient housing is available for the largest number of students.

3-7-145 University Records.

3-7-146 Unfair Business Competition Policy. The Board of Trustees directs the President to develop and adopt regulations and procedures to implement section 24-113-104, C.R.S.

3-7-147 Unfair Competition Grievance Procedure. A grievance, to be processed in accordance with this procedure, must be filed with the Unfair Competition Grievance Review Panel -- a three member panel appointed by and serving at the pleasure of the University President within sixty (60) days after the date when the grievant first knew or through the exercise of reasonable diligence should have known of the facts and circumstances giving rise to the grievance.

(1) A grievance must be filed in writing on a form prescribed by the Unfair Competition Grievance Review Panel, which form must be signed and verified by the grievant. The grievant shall set forth all facts and circumstances which are pertinent and names and addresses of witnesses who have information concerning the grievance of which the grievant is aware.

(2) Upon receipt of the grievance, the Unfair Competition Grievance Review Panel shall record the date and time of receipt and forward a copy to the President.

(3) The Unfair Competition Grievance Review Panel shall thereafter undertake a thorough analysis and investigation of the grievance which shall include a hearing. In the course of the investigation, the Unfair Competition Grievance Review Panel shall confer with all appropriate parties. A copy of all non-confidential responses shall be forwarded by the Unfair Competition Grievance Review Panel to the grievant.

(4) Upon completion of its investigation and hearing, and in no event later than sixty (60) calendar days after receipt of the grievance, the Unfair Competition Grievance Review Panel shall deter- mine whether or not violation of the law or University policy, regulation or procedure with

respect to the grievant has occurred. If the Unfair Grievance Review Panel determines that it is not probable, then it shall dismiss the grievance and shall make a good faith effort to inform the grievant of the reasons for the termination.

(5) The Unfair Competition Grievance Review Panel shall provide to the grievant any requested documentation which constitutes a record available to the public under applicable laws and regulations and which is within the custody or control of the University. Any request for information by the grievant must be submitted in writing. A request may be submitted at any time after the filing of a grievance and at least five (5) working days prior to the hearing. Such documentation shall be provided to the grievant for inspection and review within three (3) working days of receipt of the request for same. The University shall provide photocopies of the documents upon receipt or payment in advance of an administrative charge authorized under the Colorado Public Records Act.

(6) The grievant and the University shall provide for the attendance of any witnesses requested to be in attendance. Any such witness shall be entitled to be represented at the hearing by a person of their choosing, including legal counsel.

(7) The Unfair Competition Grievance Review Panel may interrogate any witness presented at the hearing. An electronic recording of the hearing shall be made by the Unfair Competition Grievance Review Panel.

(8) Upon completion of the hearing, the Unfair Competition Grievance Review Panel may conduct further investigation if evidence presented at the hearing requires further inquiry. When the Unfair Competition Grievance Review Panel is reasonably satisfied that all relevant and reliable evidence has been presented or discovered, it shall direct one of its three members to prepare a written report of its decisions and transmit it along with the entire investigatory and hearing record to the President within seventy-five (75) calendar days after receipt of the grievance. Copies of the report will also be provided to the other two members of the panel and the grievant. The report shall contain a specification of each fact which the Unfair Competition Grievance Review Panel finds has been established and a specification of

each conclusion which the Unfair Competition Grievance Review Panel reaches and a recommended decision.

(9) Within thirty (30) calendar days after receipt of notification of any decisions by the Unfair Competition Grievance Review Panel, the grievant may petition the President of the University for an appeal. If the grievant fails to petition the President within thirty (30) days, the action of the Unfair Competition Grievance Review Panel shall be final and not further reviewable.

(10) The grievant shall submit the appeal in writing to the President. Each appeal shall state in clear language and in sufficient detail: the grievant's name, address and telephone number and the name, address and telephone number of the grievant's business; attach a copy of the written notice of prior action; the date the grievant received written notice of said action; against whom the appeal is being filed; and a short and specific statement of the reason for the appeal.

(11) The President shall review the report of the Unfair Competition Grievance Review Panel and the appeal and reach a decision within thirty (30) calendar days. The President shall accept the report and recommended decision, modify the findings and/or conclusions and enter an appropriate decision, remand the grievance back to the Unfair Competition Grievance Review Panel for further investigation or make such further or other decisions as is justified under the circumstances. The President's decisions shall be transmitted to the Unfair Competition Grievance Review Panel, the grievant and the party charged.

(12) In the event the grievant wishes to appeal the President's decision, an appeal may be directed to the Board of Trustees.

(13) Within thirty (30) calendar days of receipt of the President's decision, the grievant wishing to appeal shall notify the Secretary of the Board of Trustees in writing of the specific grounds of appeal, including all relevant facts as presented in the record, and all legal arguments. The grievant shall provide a copy of the appeal document to the President who may submit a written response to the Secretary with a copy to the grievant. Within sixty (60) calendar days of the Secretary's receipt of the appeal document, the

Board of Trustees shall schedule a review of the appeal. A final decision on the appeal shall be issued to the grievant no later than forty-five (45) days after completion of the Board review.

3-7-148 Drug-Free Workplace Policy. The University prohibits the unlawful or unauthorized manufacture, distribution, dispensing, possession or consumption, sale or use of controlled substances on or in University owned or controlled property or in the course of University business or activities.
Individuals or entities including, but not limited to, students, employees, contractors, agents, volunteers or invitees, who violate this policy shall be subject to discipline, termination/dismissal, debarment, arrest or citation, as applicable. Additionally, employees or students who violate this policy may be required to participate satisfactorily in drug abuse assistance or rehabilitation programs approved by the University.

3-7-148(1) Definitions. For purposes of this section, 7.23, and the following subsections, the following terms shall be defined as hereinafter provided:

(a) “Controlled substance" means a controlled substance identified or described in Schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C. 812) as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15, and sections 12-22-309 through 12-22- 313, C.R.S., all as amended from time to time;

(b) “Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal and State criminal drug statutes;

(c) "Criminal drug statute" means a Federal, State, or other non-Federal criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance;

(d) "Grant" means an award of financial assistance, including a cooperative agreement, in the form of money, or property in lieu of money, by a federal agency directly to a grantee. The term grant includes block grant and entitlement grant program, whether or not exempted from the coverage under the grants management government-wide regulation ("Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"). The term does not include technical assistance which provides services instead of money, or other assistance in the form of loans, loan guarantees, interest subsidies,

insurance, or direct appropriations; or any veterans' benefits to individuals, i.e., any benefit to veterans, their families, or survivors by virtue of the service of a veteran in the Armed Forces of the United States.

3-7-148(2) Grant Recipients/Participants. Employees who are authorized to work on any grant shall, as a condition of acceptance of and prior to commencing any such work, be required to execute and deliver to the University Grants and Contracts administrator, a certification in a form approved by the University (which in any event shall set forth the provisions of 3-7-1052) that the employee is fully aware of the University's policy as specified in 3-7-1052, agrees to abide by it, and agrees to notify the University Grants and Contracts administrator who shall notify the vice president of the division in which the employee works in writing no later than five (5) calendar days after a convictions, of any criminal drug statute conviction for a violation occurring on or in University owned or controlled property on in the course of University business or activities.

3-7-148(3) University Response. No later than thirty (30) calendar days after receiving a notification of a drug statute conviction as required in 3-7-1052, the University shall, with respect to an employee so convicted:

(a) Take personnel action against such employee to include any range of authorized disciplinary actions up to termination/dismissal; and/or

(b) Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved by the University. In addition, the University Grants and Contracts administrator shall notify the agency which awarded the grant under which the employee was working at the time of the incident leading to the conviction of the notification received under 3-7-1053 no later than ten (10) calendar days after actual receipt.

3-7-148(4) Education. The University, through Human Resources, will make available to employees information concerning the dangers of drug abuse in the workplace, the provisions of 3-7-1052, available drug counseling, rehabilitation, and employee assistance programs, and the personnel actions which employees are subject to as a consequence of their violation of the provisions of 3-7- 1052, or the conviction of a criminal drug statue for a violation

occurring on or in University owned or controlled property or in the course of University business or activities. The complete text of the University's substance abuse policy is available from Human Resources.

The University, through the Drug Prevention/Education Office, will make available to students information concerning the dangers of drug abuse, the provisions of 3-7-1052, available drug counseling, rehabilitation, and student assistance programs and the sanctions which students are subject to as a consequence of their violation of the provisions of 3-7-1052, or the conviction of a criminal drug statute for a violation occurring on or in University owned or controlled property or in the course of University business or activities.

3-7-148(5) Debt Collection. The University Collection Manager may refer an unpaid loan account receivable to the State Collection Service or an outside collection agency, if in the Collection Manager's judgment the University lacks sufficient internal facilities or processes to collect the debt. If the collection Manager chooses to use a collection agency they must have written approval of the State Controller to use the specific collection agency.

3-7-149 Campus Violence. Violence, threats, harassment, intimidation and other disruptive behavior by members of the University community or visitors will not be tolerated by the University of Northern Colorado. Such behavior can include verbal or written statements, gestures, or expressions which communicate a direct or indirect threat of physical harm. All reports of incidents will be taken seriously and will be dealt with appropriately by appropriate staff. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both, in accordance with University procedures. The President may adopt procedures for the investigation and response to incidents or threats of campus violence.

Policy History

3-7-114 BUDGET DEVELOPMENT FOR SPECIAL AREAS AND SPONSORED PROGRAMS.

3-7-114(2) Sponsored Programs amended (May 2017)
3-7-134 Access Control amended (August 2025)

3-8-101 Research.

3-8-101(1) Obligations Regarding Research Subjects.

(d) Human Subjects. It is the policy of the University that all research and research-related activities, in which humans are used as subjects, shall be subject to review under current Public Health Service regulations by an Institutional Review Board (IRB). The involvement of human subjects in research covered by this policy shall be prohibited until the IRB has reviewed and approved the research protocol. Current IRB procedures can be obtained directly from the Office of Research.

(e) Non-Human Animal Subjects. It is the policy of the University that every research, testing, and teaching projects conducted by or at the request of any UNC researcher that involves the use of live, vertebrate animals must be reviewed under current Public Health Service and U.S. Department of Agriculture regulations by an Institutional Animal Care and Use Committee (IACUC). The involvement of animal subjects in research, testing, or teaching covered by this policy shall be prohibited until the IACUC has reviewed and approved an animal use protocol. The IACUC and the Principal Investigator (PI) responsible for the approved protocol share the responsibility for the ethical decisions made regarding the care and use of animals. However, the PI assumes the primary responsibility to ultimately assure the fulfillment of the institutional commitment to the ethical and humane treatment of live, vertebrate animals. Current IACUC policies and procedures can be found on the Office of Research website.

3-8-101(2) Indirect Costs. The University will collect fully all indirect costs to which it is entitled. Policies and procedures are available from the Office of Sponsored Programs.

3-8-102 Research, Scholarship, and Creative Works (RSCW) Misconduct Policy.

3-8-102(1) Definitions. For purposes of this policy, the following terms are defined as stated below.

(a) Academic Researcher. Any person (paid or non-paid) affiliated with the University conducting or collaborating in University Sponsored Research.

(b) Complainant. Any individual or entity who makes an allegation of misconduct under this policy.

(c) Conflict of Interest. Any pecuniary interest or organizational affiliation held by an Academic Researcher and/or Research Integrity Officer that prohibits or precludes, or is reasonably likely to prohibit or preclude, the Academic Researcher and/or Research Integrity Officer from exercising independent judgement in the conduct of University Sponsored Research.

(d) Deciding Official (DO). The DO is the University official who makes final determination regarding allegations of RSCW Misconduct and any University administrative actions in response to such allegations. The DO shall not be the same individual as the RIO and should have no direct prior involvement in the University's inquiry, investigation, or allegation assessment. The DO is the CAO, or a University official otherwise appointed in writing by the President of the University. Should the CAO need to recuse themselves due to a real or perceived Conflict of Interest, the President shall designate a substitute DO for that case.

(e) Research Integrity Officer (RIO). The RIO is the University official appointed in writing by the Chief Academic Officer (CAO). Should the RIO need to recuse themselves due to a real or perceived Conflict of Interest, the CAO shall designate a substitute RIO for the case. The RIO is the University official responsible for:

(i) assessing allegations of RSCW Misconduct to determine if they describe conduct as so defined, and warrant an inquiry on the basis that the allegation is sufficiently credible and specific so that potential evidence of RSCW Misconduct may be identified; and

(i) overseeing the inquiry and investigative processes and ensuring compliance of all parties with this policy in the conduct of inquiries and investigations of RSCW Misconduct.

(f) Respondent. Any individual accused of misconduct under this policy.

(g) RSCW Misconduct. Any action of an Academic Researcher in the conduct of University Sponsored Research that constitutes the following:

(i) falsification, fabrication, or plagiarism (and for purposes of defining RSCW Misconduct):

(A) "fabrication" is making up data or results and recording or reporting them as true and accurate;

(B) "falsification" is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record; and

(C) "plagiarism" is the appropriation of others' ideas, processes, results, or words without giving appropriate credit;

(ii) misrepresentation of credentials, sponsorships, approvals, or certifications;

(iii) a material violation of applicable laws, regulations, or procedures;

(iv) a material violation of applicable ethical or professional standards of the Academic Researcher's discipline or profession or of the teaching profession or, in the case of students, the discipline or profession relevant to the University Sponsored Research and/or in which the student is pursuing educational credentials;

(v) misappropriation or misapplication of research funds

(excepting minor deviations in research fund accounting which results in no personal gain or benefit to the Academic Researcher); or

(vi) an undisclosed Conflict of Interest.

(h) University Sponsored Research. RSCW, or consulting that is conducted by an Academic Researcher, in the name of or under the auspices of the University, or that is supported by University resources or facilities.

3-8-102(2) General Statement. Any individual who engages in an act or acts of RSCW Misconduct while engaged in University Sponsored Research shall be subject to discipline in accordance with the processes described in subsections (4) through (7) of this policy or through Voluntary Resolution, if permitted, as described in subsection (8) of this policy.

3-8-102(3) Confidentiality. The proceedings conducted under this policy shall be closed and confidential except to those involved in the proceedings.

(a) Except as otherwise required by law, all documents produced in the course of these proceedings shall be available only to:

(i) those involved in these proceedings or any further disciplinary proceedings resulting therefrom;

(ii) officials of the University with a need to know or who are authorized by the DO; and/or

(iii) governmental officials as required by law, regulations, or contract.

(b) Information about an RSCW Misconduct allegation, inquiry, investigation and/or its details shall be limited to relevant University officials (such as each Respondent's department chair/school director/program area coordinator and dean) with a need to know, as determined by the RIO.

(c) In order to provide due protections to the reputations of persons who make or are the subject of allegations of RSCW Misconduct, the RIO

shall inform all parties at each stage about the expectation of confidentiality regarding all aspects of the proceedings.

3-8-1-2(4) Allegations. Allegations of RSCW Misconduct shall be received and reviewed as follows:

(i) Allegations of RSCW Misconduct will be reported to the RIO by any individual with knowledge of observed, suspected, or apparent violations of this policy. These allegations shall be filed with the Office of the RIO in writing and shall be signed by the Complainant(s) who has/have made the allegations. Signatures shall not be required if the Complainant requests anonymity and the RIO determines that anonymity will affect materially the University's compliance with its responsibilities under this policy and/or as required by law.

(ii) If the RIO suspects RSCW Misconduct they shall file allegations of RSCW misconduct.

(iii) Upon receiving an allegation of misconduct, the RIO will assess the allegation to determine whether it is sufficiently credible and specific so that potential evidence of misconduct may be identified and if these criteria are met, an inquiry must be conducted.

(iv) If the RIO determines that these criteria are not met, they shall inform the Complainant(s), the Respondent(s), and the DO that an inquiry will not be initiated.

3-8-102(5) Inquiry. An inquiry regarding an allegation of RSCW Misconduct shall be initiated as follows:

(a) Upon the determination by the RIO that the allegations are sufficiently credible and specific, an inquiry shall be conducted by the RIO or the RIO's designee.

(b) The purpose of the inquiry shall be to determine whether there is sufficient evidence that supports the reasonable conclusion that a violation(s) of this policy has/have occurred.

(c) At the time an inquiry is initiated, the RIO must notify in writing the

Complainant(s), Respondent(s), if known, who is/are alleged to have violated this policy and each Respondent's department chair/school director/program area coordinator and dean, and the DO that an inquiry has been initiated. If the inquiry subsequently identifies an additional Respondent(s), written notifications must be made as described in the preceding sentence.

(d) The RIO or their designee must make reasonable efforts to obtain information in the care, custody or control of the University not privileged as a matter of law that is needed to conduct the inquiry. The RIO or their designee shall interview the Complainant(s), the Respondent(s), and person(s) believed to have information relevant to the inquiry, and review relevant documents and materials, prior to concluding the inquiry.

(e) The inquiry shall be completed no later than sixty (60) calendar days after the allegations of RSCW Misconduct are filed unless the RIO determines that, despite diligent efforts, the inquiry cannot properly be completed during that time, in which case, the time limit shall be extended for no more than thirty (30) additional calendar days.

(f) Upon completion of the inquiry, a written inquiry report shall be prepared and signed by the RIO that shall summarize the allegations, specify the findings made and conclusions reached, and state whether there is sufficient evidence that supports the reasonable conclusion that a violation(s) of this policy by the Respondent(s) has/have occurred.

(g) The RIO shall transmit the written inquiry report to the Complainant(s) and Respondent(s) and indicate that the report shall be transmitted to the DO fifteen (15) calendar days after such transmittal. If the Complainant(s) or Respondent(s) wish(es) to respond to the RIO's report, they must submit their response to the RIO within fifteen (15) calendar days from the transmission of the written inquiry report. The RIO shall transmit the inquiry report to the DO together with any response(s) from the Respondent(s) received by the RIO within the period stated above.

(h) The DO shall review the written inquiry report and any response(s) by

the Respondent(s) and determine whether an investigation is warranted. Any finding that an investigation is warranted must be made in writing by the DO to the RIO and the Complainant(s) and Respondent(s).

(i) The outcome of the inquiry, the DO's written decision, and a copy of the written inquiry report shall be sent "Confidential" to the last known email address(es) and home address(es) of the Complainant(s) and Respondent(s) by Registered Mail, Return Receipt Requested. The RIO shall inform each Respondent's department chair/school director/program area coordinator and dean whether an investigation shall be initiated under this policy.

(j) If the DO determines that an investigation is warranted, the RIO shall send a copy of the DO's decision and the written inquiry report to any funding sources that supported the Respondent(s)' University Sponsored Research and/or other agencies as required by law, regulations or contract. Funding sources, and/or other agencies, shall also be notified if the Respondent(s) have admitted that RSCW Misconduct has occurred, or for any reason other than a determination by the DO that an investigation is not warranted. Other notification requirements may apply at this or other stages within this policy. All pertinent regulations and/or contracts should be consulted. It is the responsibility of the RIO to meet compliance regarding such notification.

3-8-102(6) Investigation. If, as a result of the inquiry, it is determined that an investigation is warranted, the investigation shall be conducted as follows:

(a) The RIO shall, in consultation with the chair of the Faculty Senate and other University officials as appropriate under the circumstances presented by the allegations, appoint an Investigatory Committee (IC) to conduct the investigation of the allegations. The IC shall consist of individuals who do not have unresolved personal, professional, or financial Conflicts of Interest with those involved with the investigation. The IC shall be comprised of a minimum of three (3) individuals who have expertise relevant to the allegations under investigation and who are tenured University faculty members. The RIO shall select the chairperson of the committee.

(b) Upon the appointment of the IC, the RIO shall notify in writing the Complainant(s) and Respondent(s) of the allegations to be investigated.

(c) No later than thirty (30) calendar days after the DO's determination that an investigation is warranted, the RIO shall convene the first meeting of the IC to review the written inquiry report, the DO's determination, the information gathered pursuant to Section 3-8-102(5)(d), and the procedures for the conduct of the investigation, including the confidentiality requirements, and the development of a plan by which the investigation shall be conducted. Once these matters are completed, the appointed Chair of the IC shall assume the responsibility for conducting the investigation. The RIO is responsible for overseeing the investigative process and ensuring compliance of all parties with this policy in the conduct of the investigation, but shall not participate as a member of the IC. The IC Chair shall keep the RIO informed of the progress of the IC. The RIO shall provide administrative support to the IC throughout the investigation.

(d) The IC shall have the authority to review all records and evidence needed to conduct the misconduct proceedings not privileged as a matter of law, and may interview or require the attendance of any University employee or agent to provide testimony at any hearing conducted by the IC, unless on matters that are privileged as a matter of law.

(e) The IC may engage in any reasonable fact-finding processes that it deems appropriate in order to gather evidence relevant to the matter(s) under investigation. The processes may include, but are not limited to, a fact-finding hearing, at which witnesses may appear in person or through written statements as the IC may deem appropriate. At any fact- finding hearing, members of the IC shall be allowed to question witnesses who appear in person and the Respondent(s) shall be allowed to ask questions of such witnesses within reasonable limitations established by the IC.

(f) Prior to any appearance by the Respondent(s), the IC shall disclose

to the Complainant(s) and the Respondent(s), no less than ten (10) calendar days in advance, the issues or charges under investigation, the evidence gathered by the IC relevant to the issues or charges, and any further investigation to be conducted through the fact-finding hearing.

(g) In addition to review of the information gathered pursuant to Section 3-8-102(5)(d), interviews should be conducted of the Complainant(s) and Respondent(s), as well as other individuals who may have information relevant to the investigation. Summaries of all interviews should be included, with all other documents gathered, in files maintained by the IC.

(h) At its discretion, the IC may obtain the assistance of experts in the field of research under investigation or in other areas as deemed relevant to the investigation.

(i) The IC shall complete its investigation and issue a written report no later than one hundred and twenty (120) calendar days after the meeting held pursuant to Section 3-8- 102(6)(c). If the investigation cannot be properly concluded in that time, the time limit shall be extended for such period as is reasonably necessary to conclude the investigation, but no longer than an additional sixty (60) calendar days.

(j) The IC's investigation report shall be in writing and include:

(i) a description of the allegations of RSCW Misconduct that have been investigated;

(ii) the identification and summary of the records and evidence reviewed, and the identification of any evidence gathered that was not reviewed;

(iii) a summary of the relevant evidence, and a conclusion that contains an analysis as to whether RSCW Misconduct occurred (considering any reasonable explanation by the Respondent(s), and any admission of RSCW Misconduct by the Respondent(s)) for each distinct allegation of

RSCW Misconduct; and

(A) identify the Respondent(s) responsible for the RSCW Misconduct;

(B) identify whether the RSCW Misconduct was falsification, fabrication, or plagiarism;

(C) describe and document the external support, including, e.g., any grant numbers, grant applications, contracts, and publication listing external support; and/or

(D) identify any publications and/or other RSCW dissemination that the IC has concluded need correction or retraction.

(k) The initial report of the IC shall be sent "Confidential" to the last known email address(es) and home address(es) of the Complainant(s) and Respondent(s) by Registered Mail, Return Receipt Requested. If they wish, the Complainant(s) and Respondent(s) may respond to the report, and shall be given fifteen (15) calendar days from the date of receipt to respond to the report. At the end of the fifteen (15) calendar day period, the initial report, with any response by the Complainant(s) and/or Respondent(s), shall be filed with the DO.

(l) The DO, within thirty (30) calendar days of receipt of the initial report and any responses from the Complainant(s) and/or Respondent(s), shall communicate, in writing, to the Respondent(s), Complainant(s), the IC Chair, each Respondent's department chair/school director/program area coordinator and dean, and the RIO, the final decision of the DO as to whether RSCW Misconduct has occurred and the University actions to be taken.

(m) As required by law, regulations, or contract, the RIO shall send the DO's final decision (including the IC's initial report and any response(s) of the Complainant(s) and/or Respondent(s)) to all

funding sources supporting the Academic Researcher's University Sponsored Research.

3-8-102(7) Discipline. Any University policy to the contrary notwithstanding, violation of the policy shall be cause for discipline consistent with University policies, regulations, procedures, or applicable law. Such discipline may include:

(a) sanctions of written and/or oral reprimand;

(b) prohibition (either temporary or permanent) from involvement in any University Sponsored Research;

(c) suspension or dismissal from employment; and

(d) any other sanctions allowed.

3-8-102(8) Voluntary Resolution. The purpose of Voluntary Resolution is to attempt to resolve a complaint of RSCW Misconduct to the satisfaction of the Complainant(s) and Respondent(s).

(a) **When Voluntary Resolution is Not Allowed.** The Voluntary Resolution process may not be used if:

(i) any allegation(s) of RSCW Misconduct, if true, would constitute

(A) a material violation of applicable civil or criminal laws; and/or

(B) misappropriation or misapplication of research funds (excepting minor deviations in research fund accounting that result in no personal gain or benefit to the Academic Researcher);

(ii) any of the Complainant(s) and Respondent(s) do not agree to utilize the Voluntary Resolution process; and/or

(iii) criminal or civil judicial, quasi-judicial and/or governmental agency proceedings have been commenced based on any allegation(s) of RSCW Misconduct.

(b) **Steps In Pursuance of Resolution.** The RIO shall coordinate discussions with the Complainant(s) and Respondent(s) to attempt to

resolve the allegations of RSCW Misconduct in a manner acceptable to all parties. The RIO shall determine a reasonable period for such discussions and shall terminate the Voluntary Resolution process if a Complainant or Respondent requests that the process be terminated. The RIO may also, in the RIO's discretion, terminate the Voluntary Resolution process if reasonable progress is not made towards resolution or the proposed resolution violates University policy or applicable law. During the period in which the Voluntary Resolution process occurs, all deadlines under the RSCW Misconduct Policy shall be held in abeyance.

(c) **If Resolution is Achieved.** If a mutually acceptable resolution is achieved, the terms and conditions of the resolution shall be described in writing and signed by each Complainant and Respondent. The RIO shall provide the deadline for the completion and execution of the resolution document.

3-8-102(8) Retention of Records. All reports and records gathered regarding any allegations, inquiry, or investigation under this policy shall be maintained by the Office of the RIO for no less than seven (7) years after completion of all proceedings under this policy.

3-8-102(9) Further Reporting. If at any time during these proceedings, it is determined that criminal activity may have occurred or that funds are in jeopardy of loss or misappropriation, immediate notice shall be given to any funding source that has provided the funds and to appropriate law enforcement agencies. In such instances, the RIO shall take prompt action to sequester such funds to prevent their loss or misappropriation.

3-8-103 Academic Affairs Budget and FTE.

3-8-103(1) Budget and FTE Allocations.

(a) Vice Presidential level:

(I) FTE and dollar allocation s will be made by the Vice President for Academic Affairs to each dean.

(II) FTE and dollar allocations will be made so as to implement planning priorities established during the University planning

process.

(III) The FTE and dollars allocated to the deans may not exceed the allocations to the Vice President from the President. The Vice President may establish a contingency pool of FTE position and/or dollars.

(IV) Allocations of FTE or dollars to a dean may include specific guidelines relative to the assignment of any or all of the FTE dollars allocated to a dean. Individual positions may be identified explicitly by the Vice President for an FTE allocation or no GRE allocation.

(V) The FTE/dollar allocation from the Vice President may be for the fiscal year or for any portion of the fiscal year (e.g. a summer FTE allocation may be made prior to the fiscal year allocation).

(b) Dean level:

(I) As soon as practicable after receiving an FTE and/or dollar allocation from the Vice President, the dean will make an allocation to department chairs/school directors/program area coordinators.

(II) Tenure track positions allocated to departments/schools/program areas should be consistent with the 80% tenured plans of the college and department/school/program area.

(III) FTE and dollar allocations to departments/schools/program areas should be made so as to carry out the planning priorities of the college and department/school/program areas.

(IV) FTE allocated to T.A. positions within any given department/school/program **area** may not be reduced from year to year without the approval of the dean and the Vice President.

(V) The dean may include specific guidelines relative to the assignment of any or all of the FTE or dollars allocated to a

department/school/program area. Specific FTE and dollar guidelines from the Vice President will be included by the dean in the dean's guidelines to a department/school/program area.

(VI) FTE and dollar allocations from the dean may be for the fiscal year or for any portion of the fiscal year (e.g. summer only).

(VII) FTE and dollars allocated to departments/schools/program areas may not exceed the FTE and dollars allocated to the dean by the Vice President. The dean may, however, establish a contingency pool of FTE and/or dollars.

(VIII) Without approval of the Vice President, and the dean, a department/school/program area may not "lock in" its allocated FTE by assigning all FTE to tenure track and multiple year positions, even when the positions are within the 80% tenured plan of the department/school/program area and college.

(IX) FTE assigned to positions which become vacant during the year may be reassigned, at the discretion of the dean, within the college, provided the dollars to fund the position are not recalled by the Vice President.

(c) Department Chair/School Director/Program Area Coordinator level.

(I) FTE and dollars allocated to departments/schools/program areas may be assigned by the department chair/school director/program area coordinator to staff the needs of the department/school/program area, but assignments must be consistent with guidelines established by the dean. Tenure track positions, assignments from hiring pools, or assignments of T.A.'s etc., must conform to University hiring procedures for those positions.

(II) T.A. positions may not be reduced in any department/school/program area from one year to the next without the approval of the dean and the Vice President.

(III) FTE allocations at the dean and

departmental/school/program area levels do not guarantee funding for the FTE allocated. FTE must be funded through the budget allocation to the dean or department/school/program area. Departments/schools/program areas with unassigned FTE may request authorization from the dean to advertise positions, even though they may only have tentative expectations that they will be funded. Positions tentatively approved and authorized for advertising must contain a contingency statement that allows the University to withdraw a position that is not ultimately funded. Positions for which no FTE allocations have been made may not be advertised.

(IV) Without approval of the dean and the Vice President, a department/school/program area may not lock in its FTE by assigning all FTE to tenure track and multiple year term positions, even when the positions are within the 80% tenured plan of the college.

(V) When a dean signs a position authorization form for a departmental/school/program area request to fill a position, the dean should indicate to the department/school/program area the funding priority of the position (i.e., the conditions necessary for the position to be funded).

(VI) Budget allocations to departments/schools/program areas must be managed by the chair according to University and college fiscal policies.

3-8-104 Criteria and Procedures for Selection and Awarding Honorary and Posthumous Degrees.

3-8-104(1) Honorary Degrees.

(a) Purpose of this Regulation. This regulation describes the process by which the University may award honorary degrees to recognize individuals who have made significant contributions to the University and/or extraordinary achievements of lasting distinction.

(b) Limitations. UNC employees are not eligible for an honorary degree

while they are employed by the University. An honorary degree shall not be conferred on elected state and local officials while they hold office. The following are the titles of honorary degrees that may be conferred:

Doctor of Fine Arts (D.F.A.), for significant contributions to theatre, film, music, or visual arts;

Doctor of Human Services (D.H.S.), for significant contributions in human services, social work, public health, community engagement, nonprofits, counseling, or education;

Doctor of Humane Letters (L.H.D.), for significant contributions to society through humanitarian or philanthropic achievements;

Doctor of Laws (LL.D.), for significant contributions to law or politics;

Doctor of Letters (Litt.D.), for significant contributions to literature, language, or writing;

Doctor of Public Service (D.P.S.), for significant contributions to government or business;

Doctor of Science (Sc.D.), for significant contributions to science, technology, or medicine.

Under no circumstances shall earned degrees awarded by UNC be conferred as honorary degrees.

(c) Criteria. Nominees shall be evaluated with the following criteria at each step of the process 3-8-104(1)(e), below:

(i) Nominees shall have made significant contributions to the University over an extended period, or shall have demonstrated outstanding personal or professional accomplishments, that complement the University's mission.

(ii) Nominees shall exhibit exemplary character and integrity.

(d) Nominations.

(i) Procedure. A nomination may be made in writing at any time by

any UNC employee. A nomination shall be submitted to the Chief Academic Officer (CAO) at least one semester prior to the semester of conferral.

(ii) Materials. A nomination shall include a letter that describes how the nominee meets the honorary degree criteria, including the type of degree to be awarded.

(iii) Termination of Process. If the CAO, FSEC, or the President does not recommend approval of a nominee, the nomination process for that nominee ends.

(e) Review Process. All conversations and materials relating to nominee reviews and recommendations are confidential.

(i) Evaluation Materials. The evaluation materials for each nominee shall include the letter of nomination and the Honorary Degree Candidate Evaluation Form completed by the reviewers at each step in the review process. These materials shall be forwarded throughout the process.

(ii) Chief Academic Officer Review. A nomination is reviewed first by the CAO, who shall make a recommendation on each nominee including a determination of the type of degree to be conferred. If the CAO recommends approval of the nomination, such recommendation and the evaluation materials shall be forwarded to the FSEC for consideration.

(iii) Faculty Senate Executive Committee Review. If the CAO recommends approval of the nominee, the nomination is then reviewed by the FSEC in executive session. If the FSEC recommends the nomination for approval, such recommendation and evaluation materials shall be forwarded to the President for consideration.

(iv) President's Review. If the FSEC recommends approval of the nomination, the nomination is then reviewed by the President. The President shall review the evaluation materials, and if the President determines the nominee fulfills the honorary degree criteria in 3-8-104(c), the President shall first contact the nominee to inquire if they are interested in receiving an honorary degree. If they wish to be so recognized, the President shall forward the

evaluation materials to the Board of Trustees with a recommendation that the Board approve the nomination.

(v) Board of Trustees Review. The Board of Trustees shall review the evaluation materials. They shall discuss in executive session whether the nominee meets the honorary degree criteria. If so, a motion to approve the award of an honorary degree, and the date of the conferral, shall be made in public session. The honorary degree shall be conferred at a commencement or at a special convocation following approval by the Board of Trustees.

(f) Announcement of Board Approval of Nominee. If the nominee is approved by the Board of Trustees, the President shall make the public announcement of the Board's approval.

(g) Rescission of Approval or Conferral of Honorary Degree. The Board of Trustees has the authority to rescind its approval or conferral of an honorary degree. Such rescission may occur either before or after the degree is conferred if, in the judgment of the BOT, the nominee or degree recipient has engaged in conduct that constitutes a significant departure from generally recognized standards of behavior that may be injurious to the reputation of the University, and/or is inconsistent with the University's mission or values.

3-8-104(2) Posthumous. Students who die during their academic programs may be awarded posthumous degrees. The process shall follow the steps described in the undergraduate and graduate catalogs.

Policy History

ARTICLE 8 RESEARCH: RESEARCH, SCHOLARSHIP, AND CREATIVE WORKS (RSCW) MISCONDUCT POLICY; ACADEMIC AFFAIRS BUDGET AND FTE; AND HONORARY/POSTHUMOUS DEGREES.

3-8-102 Section amended (June 2022)
Entire article renumbered/amended (Aug 2018)
3-8-103 Section amended (June 2017)
3-8-104 Section amended (May 2017)
3-8-105 Section amended (May 2017)

3-8-104 CRITERIA AND PROCEDURES FOR SELECTION AND AWARDING HONORARY AND POSTHUMOUS DEGREES.

3-8-104(1) Section amended (April 2024)

3-8-104(2) Section amended (April 2024)
3-8-104(2) Section amended (June 2022)
3-8-104 Section renumbered/amended (May 2017)
Subsection 3-8-104(1)(a)(b)(c)(d)(e)(f)(g) amended (Jan 2020)
Subsection 3-8-104(2) renumbered (Jan 2020)
3-8-117 Section added (May 2016)
3-8-117(4) Section amended (May 2016)

Part 1: Information Technology Security Plan

3-9-101 Purpose. This information Security Plan ("Plan") describes the University of Northern Colorado's (UNC) safeguards to protect certain data and information which Federal and State laws and regulations require be protected herein after be referred as "covered data and information." The purpose of the Plan is to: (1) ensure the confidentiality, integrity, and availability of covered data and information; (2) protect against threats or hazards to the confidentiality, integrity, and availability of such information; and (3) protect against unauthorized access to or use of covered data and information that could result in substantial harm or inconvenience to any student, faculty or staff, hereinafter referred to as "customer."

3-9-102 This Information Plan Also Provides for Mechanisms to: (1) identify and assess the risks that may threaten covered data and information maintained by UNC; (2) develop written policies and procedures to manage and control these risks; (3) develop and implement technological solutions to manage and control these risks (4) implement and review the plan; and (5) adjust the plan to reflect changes in technology, the sensitivity of covered data and information and internal or external threats to information security.

3-9-103 Identification and Assessment of the Risks to Customer Information. UNC recognizes that it has both internal and external risks. These risks include, but are not limited to: (1) access of covered data and information whether in electronic or hard copy form by any unauthorized parties; (2) compromised system security as a result of system access by an unauthorized person; (3) interception of data during transmission; (4) loss of data confidentiality, integrity, and availability; (5) physical loss of data due to disaster, loss, or theft; (6) errors introduced into the system; (7) corruption of data or system; (8) unauthorized transfer of covered data and information through third parties.

3-9-104 List of Risks. UNC recognizes that the above may not be a complete list of the risks associated with the protection of covered data and information. Since technology growth is not static, new risks are created regularly. Accordingly, the Information

Technology Department will actively participate and monitor reputable advisory groups for identification of new risks.

3-9-105 Information Technology Safeguards. UNC believes that its current Information Technology safeguards are reasonable and sufficient to exercise due care and due diligence in providing confidentiality, integrity, and availability to covered data and information maintained by the University.

3-9-106 Information Security Plan Coordinators. The Assistant Vice President for Information Technology and the Assistant Vice President for Finance have been appointed as the coordinators of this Plan. They are responsible for assessing the risks associated with unauthorized access to and/or transfer of covered data and information and for implementing procedures to minimize those risks. Internal Audit Personnel will also conduct reviews of areas that have access to covered data and information to assess the internal control structure put in place by the administration and to verify that UNC departments comply with the requirements of this policy.

3-9-107 Employee Management and Training. Background checks will be conducted of new employees working in areas that regularly handle covered data and information, including but not limited to the Bursar's Office, Registrar, Financial Services, Student Financial Resources, Health Service and Human Resources, and Information Technology. Please see http://www.unco.edu/hr/job_opportunities.htm. During employee orientation, each new employee in these departments will receive proper training on the importance of confidentiality of student records, student financial information, and other types of covered data and information (including but not limited to the use of the unique UNC identifier, the "Bear Number"). Each new employee is also trained in the proper use of computer information and password management. Training also includes controls and procedures to prevent employees from providing confidential information to an unauthorized individual, including "pretext calling" ("Pretext calling" occurs when an individual improperly obtains personal information of the university customers so as to be able to commit identity theft. It is accomplished by contacting the University, posing as a customer or someone authorized to have the customer's information, and through the use of trickery and deceit, convincing an employee of the University to release customer identifying information) and how to properly dispose of documents that contain covered data and information. Each department responsible for maintaining covered data and information is instructed to take steps to protect the information from unauthorized access, alteration, destruction, loss or damage due to environmental

hazards such as fire and water damage, or technical failures. Further, each department is responsible for maintaining covered data and information should coordinate with the General Counsel on an annual basis for the coordination and review of additional privacy training appropriate to the department. These training efforts should help to minimize risk and safeguard covered data and information.

3-9-107(1) Protocol. UNC employees contacted by others, including law enforcement agents, requesting covered data and/or university information must not disclose any such information prior to immediately notifying UNC's General Counsel who will advise them of the appropriate action.

3-9-107(2) Physical Security. UNC has addressed the physical security of covered data and information by limiting access to only those employees who have a business reason to know such information. For example, personal information, accounts, balances and transactional information are available only to UNC employees with an appropriate business need for such information.

3-9-107(3) Paper Documents. Loan files, account information, health information and other paper documents are kept in file cabinets, rooms or vaults that are not left unattended and are locked each night. Only authorized employees know the combinations and the location of keys. Paper documents that contain covered data and information are shredded at the time of disposal.

3-9-107(4) Information Systems. Access to covered data and information via UNC's computer information system is limited to those employees who have a business reason to know such information. Each employee is assigned a user name and password. Databases containing personal covered data and information, including, but not limited to, accounts, balances, health information and transactional information, are available to UNC employees in appropriate departments and positions.

3-9-107(5) Responsibility. UNC will take responsibility and appropriate steps consistent with current technological developments to make sure that all covered data and information is secure and to safeguard the confidentiality, integrity, and availability of records in storage and transmission. Information Technology requires that all servers must be registered before being allowed

through UNC's firewall, thereby allowing Information Technology to verify that the system meets necessary security requirements as defined by Information Technology policies. These requirements include maintaining the operating system and applications, including applications of appropriate patches and updates in a timely fashion. User and system passwords are also required. In addition, an intrusion detection system has been implemented to detect and stop certain external threats, along with an incident response policy for occasions where intrusions do occur.

3-9-107(6) Encryption Technology. When commercially reasonable, encryption technology (please see www.unco.edu/cybersecurity for information regarding encryption) will be used for both storage and transmission. All covered data and information will be maintained on servers that are behind UNC's firewall. All firewall software and hardware maintained by Information Technology will be kept current. Information Technology has policies and procedures in place to provide security to UNC information systems. These policies are available upon request from the Assistant Vice President for Information Technology.

3-9-108 Management of System Failures. Information Technology has developed written plans and procedures to detect any actual or attempted attacks on UNC systems and has an incident response policy which outlines procedures for responding to an actual or attempted unauthorized access to covered data and information. This procedure is available upon request from the Assistant Vice President of Information Technology.

3-9-109 Selection of Appropriate Service Providers. Due to specialized expertise needed to design, implement, and service new technologies, vendors may be needed to provide resources that UNC determines not to provide on its own. In the process of choosing a service provider that will maintain or regularly access covered data and information, the evaluation process shall include ability of the service provider to safeguard all confidential information. Contracts with service providers may include the following provisions: (1) an explicit acknowledgement that the contract allows the contract partner access to confidential information; (2) a special definition or description of the confidential information being provided; (3) a stipulation that the confidential information will be held in strict confidence and accessed only for the explicit business purpose of the contract; (4) an assurance from the contract partner that the partner will protect the confidential information it receives according to commercially acceptable standards and no less rigorously than it protects its own confidential information; (5) a provision providing for the return or destruction of all

confidential information received by the contract partner upon completion of the contract; (6) an agreement that any violation of the contract's confidentiality conditions may constitute a material breach of the contract and entitles UNC to terminate the contract without penalty; and (7) a provision ensuring that the contract's confidentiality requirements shall survive any termination requirement.

3-9-110 Continuing Evaluation and Adjustment. The Information Security Plan will be subject to periodic review and adjustment. The most frequent of these reviews will occur within Information Technology, where constantly changing technology and evolving risks mandate increased vigilance. Continued administration of the development, implementation, and maintenance of the program will be the responsibility of the designated Information Security Plan Coordinators who will assign specific responsibility for implementation and administration as appropriate. The Coordinators, in consultation with the General Counsel, will review the standards set forth in this policy and recommend updates and revisions as necessary. It may be necessary to adjust the plan to reflect changes in technology, the sensitivity of student/customer data and internal or external threats to information security. [Editor's Note: For specific policy concerning health related information please see HIPAA (Health Insurance Portability and Accountability Act) policy and procedures located under the Student Health Center website. For specific policy concerning student educational records please see FERPA (Family Education Rights and Privacy Act) policy and procedures located under the Dean of Students website.

Part 2: Information Technology Acceptable Use Regulation

3-9-201 Overview. The intention of this Regulation is not to impose restrictions that are contrary to the University of Northern Colorado's (UNC) established culture of openness, trust and integrity. UNC is committed to protecting faculty, staff, students and the University from illegal or damaging actions by individuals. Either knowingly or unknowingly. This Regulation explains the acceptable use of University of Northern Colorado's computing and communication resources, including computers, networks, electronic mail, electronic information sources, voice mail, telephone services and other communication resources.

3-9-202 Purpose. These rules are in place to protect the faculty, staff, students and the University. Inappropriate use exposes all parties to risks including loss of data or data integrity, exposure of personal and/or confidential data, malicious programs, systems compromise, and legal issues.

3-9-203 Scope. This Regulation applies to employees, contractors, consultants, temporary employees, students, and other workers at UNC including all personnel affiliated with third parties. This Regulation applies to all equipment that is owned or leased by UNC.

3-9-204 Regulation. UNC's computing and communications resources are university owned. These resources are to be used to further the university's mission of teaching, learning, the advancement of knowledge and community services. These resources shall be used in a manner consistent with the instructional, research, and administrative objectives of the University. Computing and communication resources are provided for the use of faculty, staff, currently admitted or enrolled UNC students and other properly authorized users. Access to the computing and communication resource environment is a privilege and must be treated as such by all users of these systems.

3-9-205 General Use. By acquiring an account or utilizing University electronic resources, users assume the responsibility to adhere to the following: (1) all computer users must comply with these regulations, state laws, federal laws and all other UNC regulations and policies; (2) individuals will refrain from activities that may damage or obstruct the network and electronic resources and information (such activities are described in Sections 3-9-207 and 3-9-208); (3) computer users are expected to secure their passwords and make them difficult to obtain or guess and are responsible for the security of and actions taken with their accounts; (4) no user shall, knowingly or unintentionally expose Personally Identifiable Information (PII) to unauthorized individuals. This includes, but is not limited to, information such as bear number, social security number and credit card information; (5) users must protect and backup critical data; UNC Information Technology is not obligated to maintain backups of any file for any particular length of time; individual users and university units should develop procedures and practices to ensure regular backups of data and implement steps to ensure that all critical data is compatible with all current generations of computing equipment and storage media and media readers; (6) all UNC units should implement procedures to ensure that access to sensitive data is restricted to those employees who have a need to access the information; (7) default passwords, such as those from a manufacturer, should be immediately changed; (8) agree to cooperate and comply with requests for access to and copies of email messages or data when access or disclosure is authorized by this regulation or required or allowed by law or other applicable procedures, regulations and policies; (9) because information contained on portable computers is especially vulnerable, special care should be exercised to protect these devices (see,http://www.unco.edu/cybersecurity for more information); (10) all devices that are connected to the UNC network, whether owned

by the user or UNC, shall be patched to the most current level and running up to date virus-scanning software.

3-9-206 Privacy. UNC's computing resources, including all related equipment, networks and network devices, are provided for authorized UNC use only. UNC computer systems may be monitored for all official purposes. Use of UNC's computing infrastructure, authorized or unauthorized, constitutes consent to this regulation and the policies and procedures set forth by UNC. Evidence of unauthorized use collected during monitoring may be used for administrative action and/or criminal or civil prosecution by University legal counsel and law enforcement agencies. Under the Colorado Open Records Act, electronic files are treated the same as paper files. Any official university documents (as defined by law) in the files of employees of the State of Colorado are considered to be public documents, and may be subject to inspection through the Open Records Act. In such cases, the Legal Counsel to the Board of Trustees should inspect the contents of the applicable files to determine which portions may be exempt from disclosure. Any inspection of electronic files, and any action based upon such inspection will be governed by all applicable U.S. and Colorado laws and by university policy and regulations. (1) It is recommended that any information that users consider sensitive or vulnerable be encrypted; for guidelines on encrypting email and documents, please see http://www.unco.edu/cybersecurity for further information; (2) for security and network maintenance purposes, authorized individuals within UNC's Information Technology department may monitor equipment, systems and network traffic at any time; (3) UNC reserves the right to audit networks and systems on a periodic basis to ensure compliance with this regulation; (4) in cases of suspected violations of UNC policies and procedures, or when required by law, the system administrator may authorize detailed session logging; this may involve keystroke and session logging; in addition the system administrator may perform searches of user files to gather evidence on suspected violations; (5) University owned computers and equipment can be examined to detect unauthorized software use and to evaluate the security of the network; (6) all individuals must respect the rights and privacy of others, including intellectual property and personal property rights.

3-9-207 Unacceptable Use. Under no circumstances is an employee of UNC authorized to engage in any activity that is illegal under local, state, federal or international law, or that is against UNC rules and regulations while utilizing UNC owned resources. The activities listed below are strictly prohibited. These lists are by

no means exhaustive, but provide a framework for the types of activities which fall into the category of unacceptable use.

3-9-208 Unacceptable System and Network Activities. (1) Knowingly using any computer, computer system, computer network or any part thereof for the purpose of devising or executing any scheme or artifice to defraud; obtain money, property, or service by means of false or fraudulent pretenses, representations, or promises; using the property or services of another without authorization; or committing theft; (2) negligent or intentional conduct that alters, damages, or destroys any computer, computer system, computer network, or any system logs, computer software, program documentation, or date contained in such computer, computer system, or computer network; (3) use of resources for personal or private business or commercial activities, fund raising or advertising on behalf of non-UNC organizations; (4) misrepresentation or forging your identity on any electronic communication; (5) unlawful communications, including threats of violence, obscenity, child pornography and harassing communications; (6) reselling of UNC resources or services; (7) failure to comply with requests from appropriate UNC officials to discontinue activities that threaten the operation or integrity of computers, systems or networks, or otherwise violate this regulation; (8) violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by UNC; (9) unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, movies, and the installation of any copyrighted software for which UNC or the end user does not have an active license; (10) exporting software, technical information, encryption software or technology, in violation of international or regional export control laws; (11) using a UNC's computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws; (12) making fraudulent offers of products, items, or services originating from any UNC account; (13) engaging in security breaches or disruptions of network communication (Security breaches include, but are not limited to, accessing data of which the user is not an intended recipient or logging into a device or account that the user is not expressly authorized to access, unless these activities are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network monitoring, ping floods, buffer overflows, spoofing, denial of

service, and forged routing information for malicious purposes); (14) vulnerability and port scanning is expressly prohibited unless prior approval from the Information security office; (15) circumventing user authentication or security of any host, network or account; (16) using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet.

3-9-209 Unacceptable Email and Communications Activities. (1) Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam); (2) any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages; (3) unauthorized use, or forging, of email header information; (4) solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies; (5) creating or forwarding or replying to “chain letters” of any type; (6) use of unsolicited email originating from within UNC's networks of other Internet service providers on behalf of, or to advertise, any service hosted by UNC or connected via UNC's network; (7) posting the same or similar non-business-related messages to large numbers of Usenet newsgroups.

3-9-210 Enforcement. Those found to have violated this regulation may be subject to disciplinary action, up to and including criminal prosecution and/or termination of employment.

3-9-211 Related Policies, Procedures, and Codes of Conduct. All applicable laws and University policies, regulations and procedures bind UNC students and employees. Some applicable laws and procedures are listed below. This list is an illustration only. It is not intended to be exhaustive or to limit the applicability of any other law, policy, or regulation.

3-9-212 Mass E-mails to Campus. The University’s official electronic delivery method for communicating campus news, announcements and events to faculty, staff and students is through its e-newsletters. The Office of University Relations sends *UNC Today* by e-mail Monday through Friday, excluding holidays, to faculty and staff. *Around Campus* is a weekly e-newsletter sent to students during fall and spring semesters. Campus announcements also appear on Ursa (under the heading “Campus Announcements), http://ursa.unco.edu , UNC’s campus Web portal.

Making announcements through Ursa, *UNC Today* and *Around Campus* reduces, and in most cases eliminates, the need for sending e-mail to all faculty, classified, exempt and student through listservs. Ursa, *UNC Today* and *Around Campus* combine to reach all of the audiences who belong to those listservs — i.e., all members of the campus community who have university e-mail accounts. By employing this approach, the campus community receives from recognized and credible source relevant campus information in a consolidated format.

Targeted Announcements.
In certain cases, there are exceptions that warrant sending individual announcements directly to one or all of the student, faculty and staff listservs. These include:

(1) Emergency messages sent from UNC's Emergency Alert System.

(2) Messages deemed of critical importance from the offices of university president, provost, chief financial officer, UNC Police, university relations, general counsel, human resources, information technology and dean of students.

Approval for sending mass e-mails resides with these offices or their designees, keeping in mind that the preferred and recommended method is through the e-newsletters: the Provost (faculty and student requests) and Chief Financial Officer (employee requests), in consultation with the newsletter's editor. The university may rescind a community member's eligibility to send announcements for non-compliance with this or other university technology policies contained in "UNC Computer, Internet and Electronic Communication Procedures."

(3) This does not affect:

(a) Professors sending e-mail to students enrolled in their classes;

(b) Other listservs that are requested and managed by faculty, staff and students. These listservs use a Web interface to distribute e-mail to addresses on and off campus and can be modified to allow members to send and receive messages.

(c) This also does not affect sending e-mail to department e-mail distribution lists that have either been set up by an employee or by IT on the department's behalf. These lists can be created and managed locally through Outlook or requested through Information Technology so that they appear in the Global Address List. Members of a distribution list are the only ones available to send to these lists.

Guidelines for Submitting *UNC Today*/Ursa Campus Announcements.

(1) Announcements must be directly related to the university.

(2) Campus announcements must be relevant to a large segment of the university community and fall into one of these categories:

(a) **News and Events.**
Examples: Grants received by faculty, staff and students; ground-breaking research; faculty member's recently published books and articles; honors/awards; new programs and facilities; featured speakers on campus; defense of dissertation/oral exams; retirement receptions; and university-sponsored events such as concerts, speakers, performances, workshops, meetings, celebrations, athletics events and festivals.

(b) **Employee.**
Examples: Job openings, policy changes, training opportunities, updates on benefits plans; important deadlines

(c) **Student.**
Examples: Important deadlines (financial aid, registration, graduation, etc.)

(d) **Human-interest stories.**
Examples: A student's unusual job, a professor's out-of-the-ordinary volunteer activities, an employee who is retiring after 30 years at UNC

(3) Announcements must include a contact name, telephone number and e-mail address.

(4) Announcements may not conflict with UNC policies or regulations or

include material contrary to the university's mission and values.

(5) Announcements about commercial or fund-raising activities not associated with the university (e.g., solicitations) or about activities for personal financial gain will not be published.

(6) Announcements must comply with "UNC Computer, Internet and Electronic Communication Procedures, http://www.unco.edu/it/Policies/computingproceduresindex.html .

(7) To request a *UNC Today* announcement, use the form online at http://www.unco.edu/unctoday . Events on the university's online calendar are automatically considered for publication in Campus Announcements. **The submission deadline to be included in the next day's edition is 4 p.m.**

(8) All announcements are subject to editing (see below).

(9) Each campus announcement may run twice per semester. Following are examples:

(a) Event—two weeks in advance and day before event;

(b) Art exhibit—a few days before opening reception and a week before exhibit closes;

(c) Request for nominations—when nominations open and a few days before deadline;

(d) Last-minute meeting notice—day before and day of meeting.

(10) Calendar entries: All university events occurring on campus and sponsored by official campus groups should be entered into the online calendar. From a campus computer, visit. http://www.unco.edu/calendar/calendar.asp. Click 'Submit or edit an event' at the top of the page. Calendar entries will appear online within 24 hours of the time they're entered. Entries will be published in UNC Today and distributed in an e-mail titled 'Next Week on Campus,' which previews the on-campus events for the upcoming week.

Guidelines for Around Campus.

(1) Events published in Around Campus must be sponsored by official university groups.

(2) Events should be submitted to the online calendar to be included in the newsletter and considered as an announcement. From a campus computer, visit http://www.unco.edu/calendar/calendar.asp. Click 'Submit or edit an event' at the top of the page. Calendar entries will appear online within 24 hours of the time they're entered. Entries will be published in Around Campus under the headings, "Today and This Weekend on Campus," and "Next Week on Campus," which previews the on-campus events for the upcoming week.

(3) Announcements are selected by the Dean of Students Office from a list of upcoming campus events and/or pertinent information that's relevant to students.

(4) To submit ideas for spotlight stories, which are feature stories that appear in Around Campus, send an e-mail to newsletters@unco.edu. Examples of potential stories include, but aren't limited to: a student's unusual job or prestigious award or achievement (such as receiving an internship to work at NASA), a college class that has started as a result of student research, or a student's out-of-the-ordinary volunteer activities.

(5) Calendar entries must include a contact name, telephone number and e-mail address.

(6) Calendar entries may not conflict with UNC policies or regulations or include material contrary to the university's mission and values.

(7) Calendar entries about commercial or fund-raising activities not associated with the university (e.g., solicitations) or about activities for personal financial gain will not be published.

(8) Calendar entries must comply with "UNC Computer, Internet and Electronic Communication Procedures," http://www.unco.edu/it/Policies/computingproceduresindex.html

(9) All entries are subject to editing (see below).

Editing of Announcements.
The Office of University Relations staff will edit announcement and calendar submissions for accuracy, brevity, clarity and suitability. If a submission is better suited to a different communication vehicle, it will be forwarded. Items that are incomplete or inaccurate or do not meet guidelines will be e-mailed back to the submitter with an explanation. Submitters are encouraged to make necessary changes and resubmit the item. The university reserves the right to review, suspend or deny announcement requests for any reason.

UNC Today and *Around Campus* contact: newsletters@unco.edu.

About the Policy.
This policy is part of the "UNC Computer, Internet and Electronic Communication Procedures." Along with those procedures, it is reviewed periodically by the Information Technology Committee, a university-wide management and advisory committee established to provide communication, collaboration and coordination on issues regarding information technology policy, planning, resource management, standards, procedures and priorities that will develop and enhance the effective use of information technology by faculty, staff and students.

Administrative policies and procedures and student code of conduct are applicable to University system users,
http://www.unco.edu/it/Policies/computingprocedures.html#whatotherapplicable

CONDITIONS OF ADMINISTRATIVE SERVICE

CONDITIONS OF FACULTY SERVICE

CONDITIONS OF PROFESSIONAL SERVICE

CONFLICT OF INTEREST

COPYRIGHT & DIGITAL MILLENIUM COPYRIGHT ACT

GRAMM-LEACH BLILEY ACT

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

HONOR CODE

INTELLECTUAL PROPERTY

PERSONAL USE OF UNIVERSITY RESOURCES

POLITICAL ACTIVITY

PRIVACY POLICY

PROCUREMENT PROCEDURES

STUDENT CODE OF CONDUCT

TRADEMARK USE

3-9-209 Plan to Combat Unauthorized Distribution of Copyrighted Material.
In accordance with the Higher Education Act of 2008; the University has adopted this Plan to combat unauthorized distribution of copyrighted material through peer-to-peer file sharing. The Plan consists of 4 elements.

3-9-213(1) Technology Based Deterrents.
The University computing infrastructure has the ability to shape the majority of peer-to-peer applications in use today. This same technology can be used to assist with the identification of individuals who may be accessing P2P networks and potentially downloading and uploading copyrighted material. The University will use technologies that provide the ability to identify P2P applications and assist with the shaping of the traffic associated with such applications as appropriate to enhance the effectiveness of the Plan and consistent with preserving the computing infrastructure and University resources.

3-9-213(2) Education.
The University annually distributes an educational publication(s) to the campus community “Cyber- Security Awareness Month” The publication(s) outline the technology behind peer-to peer file sharing, provides examples of

how certain uses of that technology may constitute unauthorized distribution of copyrighted material, and provides information on resources and alternatives for legally obtaining copyrighted material. The publication describes the institution's policies with respect to unauthorized peer-to-peer file sharing and summarizes potential disciplinary actions for violation of the procedure. It also explicitly informs the campus community that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may result in civil and criminal liabilities and summarizes potential civil and criminal penalties. The information is distributed to the campus community annually and posted on the University's website located at http://www.unco.edu/cybersecurity

3-9-213(3) Policies.

The Student Code of Conduct, Section B.12 prohibits violations of federal law or any other conduct that unreasonably interferes with the operations of the University. This provision makes any copyright infringement by a student a violation of University policy. In addition, University Regulation 3-9-208(9) prohibits any use of the University network for unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, movies, and the installation of any copyrighted software for which UNC or the end user does not have an active license. Unauthorized distribution of copyrighted material through peer-to-peer file sharing is explicitly addressed in the University's Peer-to Peer File Sharing Procedure which appears in the University Regulations, Article 9 Information Technology located at http://www.unco.edu/trustees/University_Regulations.pdf

3-9-213(4) Assessment of Plan Effectiveness.

The Assistant Vice President for Information Technology will coordinate a periodic assessment of the effectiveness of this Plan. The assessment shall consist of a review of current legal alternatives for downloading or otherwise acquiring copyrighted material, a review of the University's current technology based deterrents, a review of the University's current educational efforts and a review of disciplinary actions for unauthorized distribution of copyrighted material. The assessment shall set out the criteria used for assessing Plan effectiveness, which may include tools for assessing campus awareness of the risks and consequences of unauthorized distribution of copyrighted material,

availability of legal downloading alternatives, statistics on repeat violators and analysis of DMCA violation notices and settlement letters for trends and fluctuations in type and frequency. Based on this assessment, the Assistant Vice President for Information Technology, in consultation with the Office of General Counsel, the Director of Human Resources and the Office of Student Affairs will update this Plan as needed.

3-9-210 Peer-to Peer File Sharing Procedure.

3-9-214(1) Overview.

The University's culture supports sharing knowledge and information in a manner that does not violate copyright law or University policy or regulation. File sharing is the practice of using the internet to make files available for others to download. Peer-to peer (P2P) file sharing applications allow a computer to connect to a P2P network, and once connected, make it possible to download as well as upload files for other users on the network. Campus computer networks are subject to be used to download and distribute copyrighted music, movies, television shows, pictures, games, software, etc. through the use of P2Pfile sharing networks.

While there are files we can legitimately obtain and share, for instance, works of our own creation or works in the public domain, it is against the law and University policy and regulation to download copyrighted materials (such as music, movies, video games, computer software, photographs, etc.) without legal authorization such as purchasing the work or obtaining the copyright holder's permission. Purchasing a work for your own use does not give you legal authorization to further distribute that work.

P2P file sharing poses risks to the University computer network and to the individuals involved. The University of Northern Colorado respects the intellectual property rights of others and expects students, faculty, and staff to do so as well. We also must ensure that the University's network is not put at risk or misused.

3-9-214(2) Risks of Unauthorized Peer-to-Peer File Sharing.

Illegal P2P downloading and distribution of copyrighted material, even if inadvertent, holds the risk of significant penalties beyond sanctions for

violation of University policy and regulation. Under federal law, a person found to have infringed upon a copyrighted work may be liable for actual damages and lost profits attributable to the infringement, and statutory damages from $200 up to $150,000. The copyright owner also has the right to permanently enjoin an infringer from further infringing activities, and the infringing copies and equipment used in the infringement can be impounded and destroyed. If a copyright owner hired an attorney to enforce their rights, the infringer of a work may also be liable for the attorney's fees as well as court costs. Finally, criminal penalties may also be assessed against the infringer and could include jail time depending upon the nature of the violation.

Along with the potential for University sanctions for violations of University policy and regulation and legal complications associated with P2P file sharing, the files downloaded or distributed through P2P file sharing can cause harm to individuals, their computers and the computing network and infrastructure. These risks include but are not limited to virus infections, worm infections, Trojan Horses, Spyware, sensitive information leakage, and identity theft.

3-9-214(3) Purpose.
It is the responsibility of all members of the UNC community to use copyrighted materials in a manner that complies with the United States Copyright Law and University policy and regulation. The purpose of this procedure is to combat unauthorized downloading and distribution of copyrighted materials using P2P file sharing and guard against the associated risks.

3-9-214(4) Scope.
This procedure applies to University employees, staff, faculty, students, guests, and all other users of the University's computing and network resources.

3-9-214(5) Procedure.
Uses of P2P applications on the University network in a manner that infringes copyright or interferes with or poses a risk to the network integrity or security are prohibited by this procedure.

Using P2P applications to download a copyrighted work is deemed to infringe

copyright protection if undertaken without legal authorization, which may be obtained through purchasing the work or obtaining the owner's written authorization. Purchasing a work for downloading does not authorize further distribution.

Using P2P applications interferes with or poses a risk to the University network whenever the use places an unusual burden on the network, for instance, when excessive bandwidth is occupied and when potentially unsafe content is downloaded or uploaded. P2P applications may be used for legitimate academic or research purposes or for personal purposes so long as those uses do not violate the law or this procedure.

3-9-214(6) Enforcement.

The University does not routinely monitor its computer network to detect infringement of copyright protected material; however it receives copyright infringement notifications of various kinds from owners of copyright protected material that has allegedly been infringed by University network users.

The Digital Millennium Copyright Act (DMCA) provides copyright owners with a procedure for notifying service providers of alleged infringing activities by their subscribers. The University is generally deemed a service provider under the DMCA. A notice of infringing activity must contain the following elements to be sufficient.

1) A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
2) Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site.
3) Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit the service provider to locate the material.
4) Information reasonably sufficient to permit the service provider to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.

5) A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

6) A statement that the information in the notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

If the University receives a notice that meets these requirements it will be taken as evidence of a potential violation of this procedure. The copyright owner's notice will be forwarded to the user at the IP address indicated with an indication of actions required to resolve the complaint.

If a P2P use is interfering with or placing the network at risk, the University will send the user a notice of evidence of a potential procedure violation with an indication of actions required to resolve the complaint.

Actions required to resolve a complaint of potential procedure violation may include one of more of the following: 1) requiring that the user immediately cease any prohibited activity, 2) requiring that the user participate in training on the risks of P2P file sharing 3) other action as deemed appropriate to the circumstances.

Failure of the user to comply with any required actions set out in a notice of potential procedure violation, or alternatively, on receiving a notice of potential procedure violation to provide the University with evidence that the use does not violate the law or University policy or regulation, may result in the immediate disconnection of the offending device from the University's computing network or disabling access for the person at the IP address. The University may disconnect an offending device or disable access for the person at the IP address without prior notice if the use is interfering with network operation or placing the network at risk until appropriate actions can be taken. Furthermore, violation of this procedure may result in disciplinary action under appropriate University disciplinary procedures for employees, faculty, staff, and students. Sanctions may include any sanction available under the appropriate disciplinary policy, up to and including dismissal from the University or termination of a user's University computing account. Civil and criminal legal consequences may also result.

3-9-214(7) Alternatives.

The University allows legal downloading on its network so long as the use does not interfere with or pose a risk to the network. Obtain legal downloading resource information at http://www.educause.edu/Resources/Browse/LegalDownloading/33381. These resources may not remain valid over time. It is up to the individual user to check out the legal statue of any music downloading service they might wish to use.

3-10-101 Objectives. The University of Northern Colorado recognizes that it collects and maintains confidential information relating to its students, employees, and individuals associated with the University and is dedicated to ensuring the privacy and proper handling of this information.

3-10-101(1) Purpose. The primary purpose of the University of Northern Colorado Student/Employee Identification Number Regulation is to provide the necessary procedures and awareness to ensure that University employees and students comply with both the letter and the spirit of this objective, to the letter and spirit of the Family Educational Rights and Privacy Act (FERPA) of 1974, revised and Colorado Revised Statute 23-5-127 (Identification Numbers for Postsecondary Students).

3-10-101(2) Objectives. The University is guided by the following objectives:

(a) Reduced reliance upon the Social Security Number (SSN) for identification purposes;

(b) Increased confidence by students and employees that SSNs are handled in a confidential manner.

(c) Broad awareness of the confidential nature of the SSN;

(d) Consistent policy towards and treatment of SSNs throughout the University.

3-10-102 Guidelines/Regulations. The Social Security Number Usage Committee is assigned the responsibility of overseeing the SSN usage at UNC. This committee's approval is required to use the SSN in any printed materials or electronic system. The committee will be composed of the Registrar, Director of Admissions, Director of Human Resources, the Assistant Vice President for Information Technology or designee, and the Director of Institutional Research who will serve as chair of the committee. Specific responsibilities are indicated in the Implementation section

below.

3-10-103 Unique Identifier. The UNC Bear Number is a unique identifier that is used to replace the Social Security Number as the primary identifier in most instances within the University. The Family Educational rights and Privacy Act (FERPA) explicitly includes a student identification number in the list of "personally identifiable information" which would make the student's identity easily traceable. Therefore, the UNC Bear Number should not be publicly displayed.

3-10-104 UNC Bear Number. The UNC Bear Number will be assigned at the earliest possible point of contact between the individual and the University for all students and employees. It will be permanently and uniquely associated with the individual to whom it is originally assigned.

(1) All services rendered by UNC and electronic business systems will rely on the identification and authentication services provided by this system.

(2) The Bear Number will be used in all future electronic and paper data systems to identify, track, and service individuals associated with the University.

(3) All University forms and documents that collect SSNs will use the language included below and will indicate whether the request is voluntary or mandatory. Forms and documents will be modified on an *as reprinted* basis with full compliance by January 1, 2005.

(4) Paper and electronic documents containing SSNs and/or the Bear Number will be disposed of in a secure fashion (either shredded or placed in a locked and secure recycle container).

(5) Non-directory information (as defined by FERPA) will not be publicly posted or displayed in a manner where either the SSN or Bear Number identifies the individual associated with the information.

(6) Except where the University is legally required to collect and use a SSN, individuals will not be required to provide their SSN, verbally or in writing, at any point of service, nor will they be denied access to those services should they refuse to provide a SSN.

(7) Social Security Numbers will be released by the University to entities outside the University only:

(a) As allowed by law; or

(b) When permission is granted by the individual; or

(c) When the external entity is acting as the University's contractor or agent and adequate security measures are in place to prevent unauthorized dissemination to third parties; or

(d) When the University's Legal Counsel has approved the release.

(8) The SSN will be used as:

(a) Allowed by law

(b) An alternate key to identify individuals whose Bear Number is unknown

(9) The Social Security Number Usage Committee will determine who has a legitimate need to access, collect, and/or store SSNs.

3-10-105 Implementation. The Social Security Number Usage Committee must approve the storage (via any medium) and/or use of a SSN as well as any university form or document that requests a SSN.

3-10-106 Requests. Requests must be submitted on the appropriate form and must provide the following information:

(1) Name of Unit

(2) Contact person plus e-mail address and phone

(3) What is being requested

(4) Why this is necessary

(5) How it will be used

(6) Who will have access to it

(7) How it will be disposed of

(8) Signature of department head

3-10-107 Denied Requests. Denied requests may be appealed by submitting a written request to meet with the Social Security Number Usage Committee to provide additional documentation and explanation of the necessity to use SSNs.

3-10-108 Approved Forms. All approved University forms and documents that collect SSNs will use the language substantially similar to the language indicated below.

(1) Student: "Use of Social Security Numbers: Providing a Social Security Number is voluntary and is not required for enrollment at UNC. However, the University is required by federal law to report to the Internal Revenue Service (IRS) the name, address and SSN of individuals from whom tuition and expenses are received and to whom compensation is paid. The SSN is required from individuals applying for and receiving financial aid and student employment; utilizing banking services; health services or the student health insurance program. The University will not disclose a SSN for any purpose not required by law without the consent of the student."

(2) Employee: "Use of Employee Social Security Numbers: The University is required by federal law to report income along with Social Security Number (SSN) for all employees to whom compensation is paid. Employee SSNs are maintained and used by the University for payroll, reporting and benefits purposes and are reported to federal and state agencies in formats required by law or for benefits purposes. The University will not disclose an employee's SSN without the consent of the employee to anyone outside the University except as mandated by law or required for benefit purposes."

(3) SSN Statement for Student Handbook and the University's Website: "The

University of Northern Colorado is committed to protecting the privacy of its students, employees and alumni, as well as other individuals associated with it. At times the University will ask you for your Social Security Number (SSN). Federal and state law required the collection of your SSN for certain purposes such as those relating to employment, student loans, and financial aid. Whenever your SSN is requested, the form (both electronic or hardcopy) used to collect your number will be clearly marked as to whether this request is voluntary or mandatory.

"The University is required by the IRS to supply them with the name, address, and Social Security Number of every tuition-paying student. The IRS relies on these lists to certify education related tax credits. The University cannot provide the IRS with this information without a valid SSN.

"The University is required to have a valid SSN before an individual can be entered into any business system involving financial transactions. Thus, without your SSN the University cannot grant an assistantship, waiver, or provide employment.

"Social Security Numbers collected by the University may be used in a variety of ways, such as, but not limited to, the following:

(a) To identify such student records as applications for admission, transcript and certification requests, medical immunization records, student financial records, financial aid records, health insurance records, and permanent academic records;

(b) To determine eligibility, certify attendance, and report student status;

(c) To use as an identifier for grants, loans, and other financial assistance programs; and

(d) To identify and track employment or medical records.

"The Social Security Number will not be disclosed to individuals or agencies outside the University of Northern Colorado except as allowed by law or with permission from the individual. This statement was created for informational purposes only and may be amended or modified. For a full

description of the University of Northern Colorado's Social Security Number policy, please visit the Board of Trustees website under University Regulations."

3-10-109 Enforcement. An employee or student who has substantially breached the confidentiality of either Social Security Numbers or the Bear Numbers may be subject to disciplinary action or sanctions up to and including discharge, dismissal, or prosecution under federal law as stipulated by FERPA in accordance with University policy and procedures.

3-11-101 The Drug and Alcohol Policy. The University of Northern Colorado strives to create a healthy environment, one in which the high risk use of alcohol and the use of illicit drugs does not interfere with learning, performance, or development. Substance abuse disrupts this environment and places at risk the lives and well-being of the members of the University community as well as the potential of students for contribution to society. It is important for all members of the University community to take responsibility for preventing the illegal or high risk use of alcohol or other drugs from negatively affecting the community's learning environment and the academic, physical, and emotional well-being of its students.

3-11-102 University Policy Statement. The University of Northern Colorado prohibits the unlawful possession, use, or distribution of drugs, alcohol, and other controlled substances by all members of the University community (students, faculty, staff, alumni, and guests). Individuals who violate this policy shall be subject to discipline, termination, dismissal, debarment, arrest, or citation as applicable. Additionally, employees or students who violate this policy may be required to participate satisfactorily in drug abuse education, counseling, or rehabilitation programs approved by the University.

3-11-103 Policy on Alcohol. The University of Northern Colorado neither encourages nor discourages the use of alcoholic beverages, (includes 3.2 and 6% beer, vinous or spirituous liquor), but does condemn the misuse/abuse and illegal use of alcoholic beverages, All members of the University community (students, faculty, staff, alumni and guests) are responsible for making decisions about their behavior within the context of Colorado and the City of Greeley laws and University regulations and in the case of travel within the requirements of State of Colorado Fiscal Rule 5-1.02. In addition, individuals must always be aware of, and respect the rights of others within the University and local community**.**

(1) No person under legal drinking age in Colorado may have in their possession or consume malt, vinous, or spirituous liquor on the University of Northern Colorado campus and/or properties owned by the University

or as part of any of its activities.

(2) Persons of legal age who adhere to the following responsible drinking guidelines may consume alcoholic beverages on campus:

(a) Individuals who possess or consume alcoholic (or non-academic) beverages will not litter University grounds;

(b) Individuals who possess, are consuming, or are under the influence of alcoholic beverages will not engage in abusive language or behavior or infringe upon the rights of any person;

(c) Individuals who possess, are consuming, or are under the influence of alcoholic beverages will not abuse University or local property.

(3) Individuals may not possess or consume alcohol in classrooms and academic or administrative buildings unless prior approval is obtained from the Vice President for Academic Affairs or their designee. Alcohol may not be purchased with State of Colorado or non-state University funds.

(4) When a group schedules use of University property for an organized function, it will be required to designate if alcohol will be consumed. If alcohol is to be consumed at an organized function, the group shall adhere to the UNC Alcohol Policy, the State of Colorado, and the City of Greeley laws (4) and regulations. Campus areas are available for scheduling functions at which alcoholic beverages will be served or consumed. However, permission for scheduling University facilities for organized events will be determined through the Office of Conference, Catering and Event Scheduling Services. The sponsoring group shall be responsible for assuring that no one under legal age is allowed to consume or possess alcoholic beverages.

(5) As a matter of University policy, the sponsoring group is encouraged to make reasonable efforts to persuade persons attending its functions to not drive a motor vehicle away from the function when that person is apparently impaired or intoxicated and provide alternative transportation.

(6) Advertisement of Events. The University of Northern Colorado encourages the celebration of events. These celebrations are usually accompanied by

food and drink which may include alcoholic beverages. The advertisement of such events on campus by sponsors shall not promote the misuse/abuse of alcoholic beverages. Publicity shall focus on the event and not emphasize the consumption of alcoholic beverages. Mention of alternative beverages and food must be included if alcohol is mentioned in the advertisement. Advertisements must include the statement: "The University of Northern Colorado prohibits the irresponsible and illegal consumption of alcoholic beverages."

(7) Admissions Charge for Functions Held by Non-Profit Organizations. Groups or organizations which are incorporated for non-profit reasons may charge admission to members and their guests attending a social function and alcoholic beverages may be served by the drink, at no charge per drink. When such an event is scheduled on University facilities, a security plan approved by the University Police Department must be submitted to the Office of Conference, Catering and Event Scheduling Services before the event is scheduled. When a special permit is necessary to sell alcoholic beverages, it must be obtained from the city or state agency after the event is scheduled. In addition, when an event is scheduled on University facilities, a security plan approved by the University Police Department must be submitted to the Office of Conference, Catering, and Event Scheduling Services before the event is scheduled. As long as alcoholic beverages are served during an event, food and a variety of popular non-alcoholic beverages must be served. If alcohol is served by the drink, the price of the non-alcoholic beverage may not exceed the price charged for the alcoholic beverage. It is encouraged that non-alcoholic beverages be served free of charge and provided to persons who are designated drivers or who desire to abstain from alcoholic beverages.

(8) Open alcohol containers are prohibited on the UNC campus, except at designated areas or scheduled events at which alcohol is authorized to be sold, served or consumed. These events shall be scheduled through the University Conference and Scheduling Office.

(9) Glass containers may not be present in areas adjacent to the Residence Halls, parks, athletic fields, or practice fields.

(10) Individuals are required to be in compliance with additional alcohol policies in effect in other areas of the campus which may be more restrictive than this policy. Other policies include, but may not be limited to, the Residence Halls, intramural and athletic programs, and the University Center. These policies and procedures can be found in the Residence Hall Handbook, Intramural Handbook, and University Center's Policy and Procedures Handbook.

3-11-104 Policy on Drugs. The University prohibits the unlawful or unauthorized manufacture, distribution, dispensing, possession, consumption, sale or use of controlled substances on or in University-owned or controlled property, or in the course of University business or at University activities. Individuals or entities including, but not limited to, students, employees, contractors, agents, volunteers, invitees, or student organizations who violated this policy may be required to participate satisfactorily in a drug abuse assistance or rehabilitation program approved by the University.

3-11-105 Enforcement of Policy. Any member of the University community who observes a violation of this policy or becomes aware of an individual with an alcohol/drug/substance abuse problem on campus is encouraged to seek assistance from the appropriate resources: Colorado State Employee Assistance Program, Dean of Student's Office, Drug Prevention/Education Program, Housing Officials, Office of the Vice President for Academic Affairs, UNC Counseling Center, UNC Health Center, UNC Police Department.

3-11-106 Sanctions for Violation of Alcohol Policy. When the University Police Department is called, any one of the following actions or combinations thereof may be taken:

(1) Warn and release

(2) Issue a summons

(3) Physically book into jail (when other crime is involved)

(4) Take to detoxification center

(5) Refer for administrative action

(6) Administratively, any one or a combination of the following sanctions may be invoked for violation of this policy:

(a) Referral for alcohol/drug education

(b) Referral for professional alcohol/drug evaluation

(c) Referral for counseling/treatment

(d) University Disciplinary Action

(I) Departmental or organizational

(II) University Disciplinary sanctions for misconduct as stated in the Student Rights and Responsibilities

(e) Restricting responsible individual or group privileges

(f) Loss of University recognition of sponsoring group or organization

(g) Penalties as otherwise prescribed by law

3-12-101 Purpose.

The University of Northern Colorado (UNC) recognizes the importance and benefits of breastfeeding/ chestfeeding and human milk for lactating individuals and their children. UNC also is committed to promoting a family-friendly work and study environment. Applicable Colorado Statutes (see Section 3- 12-105, below) provide for the privacy needs of employees who are breastfeeding/chestfeeding/ expressing milk. Faculty, staff, and students who are breastfeeding/chestfeeding/expressing milk should not be compelled to choose between continued employment or academic pursuits under adverse conditions that place their health and their professional and/or academic success at risk.

3-12-102 Responsibility.

All University supervisors, managers, directors, and faculty are responsible for being aware of the policy, and for working with lactating employees and students to arrange lactation break times in accordance with the policy. The Division of Student Affairs, Human Resources, and the Lactation Support Program will be responsible for distributing this policy to the University community, and for responding to any questions about the policy raised by faculty, staff, and students.

3-12-103 Policy on Lactation.

In keeping with or exceeding the requirements of Colorado and federal law, UNC acknowledges that an individual may breastfeed/chestfeed/express milk in any place they have a right to be on campus. UNC shall provide faculty, staff, and students who are lactating with breaks as defined by the individual, and a clean, private space (other than a restroom) for milk expression that is in close proximity to their work or study area.

3-12-103(1) Lactation Breaks.

(a) Employee Specific Information.

(i) UNC shall accommodate an employee who gives their Department Chair/Program Coordinator/Director/Supervisor notice of a need for lactation support and facilities to express milk. Note that Colorado state law supports up to two years after birth, but UNC will continue to provide lactation support as long as desired by employee.

(ii) An employee should notify their Department Chair/Program Coordinator/ Director/Supervisor in a timely manner of their request for lactation support when they are reasonably certain they will need to request time and/or a location to express milk.

(iii) Supervisors will work with employees (including faculty, staff, teaching and graduate students and student employees) who are expressing milk to schedule reasonable and flexible break times each day.

(iv) Where applicable, unpaid break time, or permitting an employee to use paid break time or mealtime, shall be allowed for the employee to express milk. The supervisor and employee shall work together cooperatively to establish times for the employee to express milk as often as needed and determined by the employee.

(b) Student Specific Information.

(i) UNC faculty and staff will offer support and resources to their students with their breastfeeding/chestfeeding/lactating needs.

(A) Examples of support include: identifying times a student will step out to express milk, identifying a space where expressing milk can occur, connecting them with other campus lactation support resources by visiting https://www.unco.edu/center-womens-and-gender-equity/what-we- offer/lactation-support/.

(ii) Students who are breastfeeding/chestfeeding who need to leave class to express milk shall inform the instructor of the need and estimated time away from class as soon as possible.

(iii) Instructors/faculty are prohibited from penalizing lactating students who are requesting or receiving any accommodations for expressing milk while taking their course.

(iv) Instructors/faculty and students shall work together to identify solutions for making up in-class work or participation credits, as well as instruction missed. If problems arise, or a student must miss class for longer periods of time due to medical necessity, the student and/or instructor/faculty member may contact the Title IX Coordinator and Equity Officer for assistance establishing reasonable accommodations.

(v) Exam accommodations shall be provided as necessary and may include extending the available time for an exam to allow for the expression of milk or situating the exam room closer to a lactation space to minimize disruption.

(vi) UNC's Title IX Coordinator and Equity Officer can serve as a liaison, support, and resource in the development and implementation of these accommodations to ensure the student's educational opportunities. These include, but are not limited to, in-class and all university sponsored activities (e.g., required clinical rotations, athletics), and are not diminished because of lactation. Per federal case law, lactation is a pregnancy-related medical condition.

3-12-103(2) Lactation Facilities.

(a) UNC shall provide clean, semi-private/private locations for employees and students to express milk, and shall make reasonable efforts to provide an area in close proximity to the employee's work area in accordance with applicable federal and Colorado law.

(b) Areas such as toilet stalls or areas within a restroom are not considered appropriate locations for expressing milk and are not permissible per federal and state law. A restroom equipped with a separate, closed off, designated room for lactation purposes is an appropriate location.

(c) A supervisor/faculty member who receives a request from an employee/student for break time and/or a private location to express milk shall review available space in their department/unit and be prepared to

provide appropriate nearby space and break time.

(d) The designated lactation station locations on the UNC campus are listed at: https://www.unco.edu/center-womens-and-gender-equity/what-we-offer/lactation-support/. Included are descriptions of each lactation station, and what, if any, pumping equipment is available.

(e) UNC's Lactation Support Program and employees/students who use the designated lactation stations on-campus will be responsible for keeping the facilities clean, and, where pumps are available, for cleaning and sanitizing the pump after each use. Employees/students will be responsible for cleaning and sanitizing their own pumps and pump pieces and storing their own milk.

3-12-104 Important Contact Information.

(1) Employees are encouraged to report issues related to lactation support request needs to Human Resources for consideration and resolution.

(2) Students are encouraged to report issues related to lactation support request needs to the Dean of Students Office for consideration and resolution. Depending on the circumstances, those involved in such investigations may include Human Resources, Dean of Students, Provost, University Counsel, Office of Institutional Equity & Compliance, and/or appropriate law enforcement agencies.

(3) Employees and students who have questions regarding access and use of the lactation stations or would like general information about expressing milk or UNC's Lactation Support Program may contact support staff at https://www.unco.edu/center-womens-and-gender- equity/about-us/meet-our-staff/.

3-12-105 Applicable Colorado Statutes.

(1) C.R.S. § 25-6-301, et seq. recognizes the benefits of breastfeeding children and allows a mother to breastfeed "in any place she has a right to be."

(2) C.R.S. § 8-13.5-101, et seq. recognizes the benefits of the breastfeeding of children. The statute requires employers to provide adequate break time for an employee to express breast milk for their nursing child up to two years after the child's birth. The statute also requires an employer to make

reasonable efforts to provide a room or other location in close proximity to the work area, other than a toilet stall, where an employee can express breast milk in privacy.

Policy History

3-12-101 LACTATION SUPPORT POLICY

Entire article added (Apr 2021)

Article 13: Organization of Academic Units Within a College

The policy below governs the structure of an academic college.

3-13-101 Definitions

(a) Academic Unit: A school or department, housed in an academic college.
(b) Chair: the unit leader of a department.
(c) Department: An academic division of a college housing at least one academic program.
(d) Director: the unit leader of a school.
(e) Academic Program: a graduate or undergraduate degree, certificate, or minor.
(f) School: An academic division of a college housing at least one academic program.

3-13-102 Department and School Distinction

Generally, larger units with greater administrative complexity are called schools and smaller units with lower administrative complexity are called departments. This distinction may also depend on discipline-based traditions and other factors. Factors that contribute to size and administrative complexity may include, but are not limited to, the number of program areas, the number of academic programs, external accreditation requirements, the number of faculty and staff, and student credit hour production.

3-13-103 Reorganization and Naming of Academic Units

The following process applies to the renaming of an existing unit, as well as any change in organization of academic units, including combining multiple academic units into a single unit, dividing one academic unit into multiple units, dissolving an academic unit, moving a unit from one college to another, moving an academic program between units, or any combination of the above.

3-13-103(1) Process

(a) Reorganization or renaming of academic units in a college or between colleges may be initiated either by their respective dean(s), or by a majority vote of the faculty of the affected unit(s).

(b) The dean and faculty of the unit will discuss the rationale for the change, including factors listed in 3-13-102 when determining whether the unit(s) shall be classified as a department or school.
(c) If there is agreement between the dean(s) and a majority of the faculty of the affected unit(s), then the proposal shall be forwarded to the CAO for final approval. In cases where units are combining, or a unit will be divided into distinct units, the support from the majority of faculty in each unit is required.
(d) If agreement cannot be reached, the faculty of the affected unit(s) and their dean(s) shall both provide the CAO with a rationale for their position.
(e) The final decision for any reorganization or renaming of units rests with the CAO.

Policy History

ARTICLE 13: ORGANIZATION OF ACADEMIC UNITS WITHIN A COLLEGE.

Entire article added (May 2023)