

December 8, 2023

BOT Agenda Item VI.A.i.

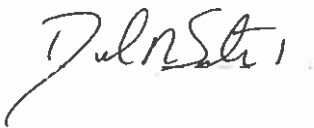
**Board Policy Manual Amendments
Section 1-1-203 President**

RECOMMENDATION

It is recommended that the Board of Trustees approve updates to section **1-1-203 President** of the Board Policy Manual.

BACKGROUND

At its June 9, 2023, meeting, the Board of Trustees approved the Procedure for Presidential Evaluation. This action updates section **1-1-203** of the Board Policy Manual to include the approved procedure.



Responsible Staff

11/27/2023
Date



President

11/30/2023
Date

Board Action

Date



Part 2 – Governance

1-1-203 President.

The President shall be the chief executive and administrative officer of the University. They shall direct and administer all operations and activities of the University subject to the right of superintendence and preemption of the BOT.

1-1-203(1) President Duties and Responsibilities. The President shall have the following specific duties and responsibilities, as well as others as may be assigned by the BOT from time to time:

- (a) represent the interest of the University in matters under the purview of the Legislative or Executive branches of the government of the State of Colorado and the United States;
- (b) prepare and present to the BOT annually a financial budget for the operation of the University within the limit of available funds;
- (c) hire, sever and administer the employment relationship of all University employees;
- (d) present a report at each regularly scheduled BOT meeting of all changes in employment status occurring between BOT meetings, such report to include hirings, severances, retirements, faculty promotions and exempt staff compensation changes;
- (e) prepare, maintain and provide to each member of the BOT a compilation of University policies, regulations, and procedures;
- (f) maintain University operations and activities in compliance with applicable federal, state and local governmental unit and agency laws and regulations;
- (g) prepare and maintain an inventory of all physical assets of the University;
- (h) adopt such regulations and procedures in furtherance of BOT policy as are necessary and appropriate to the proper conduct of the operations and activities of the University;

- (i) recommend to the BOT the adoption of such policies as are necessary and appropriate to the proper governance of the University;
- (j) prepare and maintain an inventory of courses, programs, and degrees offered by the University;
- (k) recommend to the BOT the establishment of tuition and fees;
- (l) recommend to the BOT the establishment of programs of study and degrees;
- (m) secure the assets of the University, both tangible and intangible against loss, theft, unauthorized use and infringements;
- (n) represent the interests of the University to the University of Northern Colorado Foundation.

The duties and responsibilities of the President may be provisionally delegated to other University officers, agents or employees as the President deems necessary and appropriate to the proper direction and administration of the University except the authority to hire and sever exempt staff and the responsibility to make recommendations to, or advise the BOT on matters set forth in items 2, 9, 11, and 12 above. Any such delegation shall not relieve the President of ultimate responsibility for the proper exercise of such delegated duties or responsibilities.

1-1-203(2) Procedure for Presidential Evaluation.

- (a) Purpose:
 - (I) This Procedure sets forth the University of Northern Colorado ("UNC" or the "University") Board of Trustees ("Board") process for review of the President's performance.
 - (II) Consistent with the Board's Bylaws and as outlined in Section 5 below, presidential evaluation results may also inform the Board's review of the President's compensation.
- (b) Authority:
 - (I) The Board has the authority to do all things lawfully appertaining the University in like manner as municipal corporations in the State of Colorado on behalf of the University. Section 23-40-104(1)(a), C.R.S.
 - (II) The selection of the President, who is the chief executive and administrative officer of the University, is a function and responsibility of the Board. Board Policy Manual 1-1-201(3), 1-1-203.

- (III) The President is an exempt employee who is appointed by, and serves at the pleasure of, the Board. Assessing the effectiveness of the President is a fundamental, non-delegable responsibility of the Board the purpose of which is to:
 - (A) Ensure institutional goals are pursued and achieved,
 - (B) Foster enhanced employee performance and advance the strategic position of the University,
 - (C) Identify areas of strength and potential for continued growth, and
 - (D) Inform and guide successful leadership of the University.
- (IV) The Board may (Bylaw(s) No. 8, 11):
 - (A) Designate a Presidential Evaluation Committee comprised of voting Trustees for the purpose of stewarding Presidential Evaluation as outlined in Bylaws and (4) below, and
 - (B) Designate a Presidential Evaluation Committee comprised of voting Trustees to discuss and propose changes to this Procedure, in consultation with the President, with any such changes to be approved by the full Board during a public meeting.
- (c) Guiding Principles: Evaluation(s) will be conducted in an objective manner that facilitates clear and transparent communication, reflects best practices, fosters a trusting relationship between the President and the Board, and supports development of the President and success of the University.
- (d) Process:
 - (I) Methods: The Board assesses the President's performance in achieving goals and metrics established by the Board in partnership with the President through two distinct methods: the Annual Evaluation and the Periodic Comprehensive Evaluation.
 - (II) Annual Evaluation:
 - (A) The Board will annually (Bylaw No. 11) solicit information for the purpose of reviewing the President's performance.
 - (B) The Annual Evaluation period will run concomitant with the University's fiscal year: July 1 through June 30.
 - (C) The Annual Evaluation is based on the President's written annual Self-Assessment Report ("Report") and on progress toward, and achievement of, annual goals adopted by the Board that align with the University's Strategic Plan.

- (i) The Report is due 14 calendar days before the Board's final regular meeting of the fiscal year and will be based on information available as of the due date.
- (ii) The Report will minimally include:
 1. Progress on meeting the annual goals, including relevant data,
 2. Preliminary data on agreed upon annual metrics, with final data provided to the Board at or before the first regular Board meeting of the fiscal year,
 3. An assessment of the University's advancement of key actions outlined in the Strategic Plan, and
 4. The President's proposed goals for the next year.
- (iii) Review of the Report will be conducted as follows:
 1. The President will submit their Self-Assessment Report to the Chair.
 2. All Trustees will be given an opportunity to review the Report and to provide individual input.
- (D) The Board will meet with the President at the final regular Board meeting of the fiscal year in Executive Session to review the President's performance, as well as to discuss and provide input about the President's goals for the succeeding year(s).
- (E) The Board will provide a written summary of feedback to the President to include any associated recommendations.
- (III) Periodic Comprehensive Evaluation:
 - (A) The Board will from time-to-time (Bylaw No. 11) conduct a Comprehensive Evaluation, which may be facilitated by an external consultant hired by the Board for that purpose.
 - (B) The Board may conduct a Comprehensive Evaluation at least once every five years (or prior to contract renewal), including more or less frequently as it deems necessary.
 - (C) The Comprehensive Evaluation is based on cumulative progress toward, and achievement of, long-term goals adopted by the Board that align with the University's Strategic Plan, and all prior Annual Evaluations since the prior Comprehensive Evaluation.

- (D) The Board will solicit and consider feedback from a diverse sampling of constituents including faculty, staff, and students, as well as of external campus partners.
 - (E) Prior to commencing a Comprehensive Evaluation, the Presidential Evaluation Committee will make recommendations to the Board about the specific constituents, identified in consultation with the President, and the methods by which input will be gathered from those constituents.
 - (F) Comprehensive Evaluation feedback will be provided to the President as set forth in (4)(b)(iv-v).
 - (G) In the year in which a Comprehensive Evaluation is conducted, it will replace the Annual Evaluation.
- (IV) Goals and Metrics:
- (A) The Board has authority to approve and set Presidential goals and metrics.
 - (B) The President will propose annual goals and metrics, which the Board will review and offer feedback regarding.
 - (C) Goals and metrics should align with the University's Strategic Plan and any priorities set forth in the President's employment contract.
 - (D) The President will provide updates, periodically and upon request, to the Board on progress toward achievement of the goals in alignment with metrics.
- (e) Compensation: The President's compensation is set by the Board of Trustees through its written contract with the President, the term of which may be up to five (5) years as set forth in Section 24-19-104(1.5)(a)(I), C.R.S. The Board may, in its discretion, offer a compensation increase to the President mid-term of that contract in response to any Annual or Comprehensive Evaluation cycle. Prior to offering a mid-term increase, the Board may review information from sources including national repositories of compensation data reported by peer institutions, the Colorado Department of Higher Education's survey of other Colorado postsecondary institutional executive compensation, and other data points in order to ensure that the

University is compensating the President consistent with the Colorado Equal Pay for Equal Work Act.

- (f) Confidentiality: Colorado law governs the treatment of personnel records. Evaluations will be received and maintained in a manner consistent with Section 24-72-202(4.5), C.R.S. to maximally maintain confidentiality of the employee. Likewise, the Board will meet with the President in an Executive Session to discuss the result of both Annual and Comprehensive Evaluations as permitted by Section 24-6-402(3)(b)(i), (d), C.R.S.

Policy History

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

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

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

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

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

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

1-1-203 PRESIDENT.

Section 1-1-203 amended (December 2023)