



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apply to all administrative/professional exempt staff employees of the University except to the extent that they are superseded by or inconsistent with the employee's individual appointment contract, in which case the latter shall control.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These provisions shall be superseded by the terms and provisions of the employee's individual employment contract to the extent they are inconsistent herewith.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)