

COLORADO STATE UNIVERSITY SYSTEM

Policy and Procedures Manual

SUBJECT: GOVERNANCE

POLICY 100: The Colorado State University System Board of Governors
Policy and Procedures Manual

Board Policy:

The Colorado State University System (CSUS or System) Board of Governors (Board) discharges its constitutional and statutory responsibilities through bylaws, policies and procedures, and administrative rules and regulations adopted by and established under the authority of the Board. To insure the availability of this manual, the Office of the Chancellor, maintains, in hard copy and electronically on the CSUS web site (www.csusystem.edu), The CSUS Board of Governors Policy and Procedures Manual (Manual). These policies and procedures are issued in accordance with Article XII of the Board's bylaws and supersede or modify all prior policies. This manual shall be interpreted in accord with the Board's bylaws and in the event of a conflict, the bylaws shall govern.

- A. Pursuant to Article VIII, Section 5, of the Colorado Constitution and Colorado Revised Statutes (CRS) Sections 23-30-101 *et seq.*, the supervision and control of the CSUS is vested in the Board. As a body corporate of the State of Colorado, the CSUS consists of three legally established institutions of higher learning and four affiliated agencies: Colorado State University (CSU), in Fort Collins, Colorado State University-Pueblo (CSU-P), located in Pueblo, and Colorado State University-Global Campus (CSU-GC), located in Denver. The Colorado State Forest Service, Agricultural Experimental Station, Cooperative Extension Service and Colorado Water Resources Research Institute, are also established by separate statute and operate as component parts of CSU.
- B. The Board has powers, rights, and privileges granted under Colorado law, including but not limited to suing and being sued; taking and holding personal property and real estate; contracting and being contracted with; selling, leasing, and exchanging real property; controlling and directing all monies received by it or its constituents institutions; and determining personnel matters pertaining to the CSUS.
- C. With the exceptions of legislative and judicial powers vested exclusively in the

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Board, the Board may in its discretion, delegate authority to the Chancellor, campus Presidents, and other CSUS or campus officers and agents to approve and execute contracts, agreements, grants, warrants, and other binding instruments in the name of the Board; and may, delegate specifically identified personnel powers, including the power to appoint and/or terminate employees exempt from the State Personnel System, to the Chancellor and campus Presidents, and allow these named officers to re-delegate, these personnel powers to other System and campus officers.

- D. Attached as Appendix A to this Policy 100 is a summary of delegations of authority and powers reserved to the Board which have been previously approved by the Board. Upon the effective date of this manual, all resolutions relating to delegation of authority to the Presidents are hereby modified to delete any reference to Fort Lewis College, and University of Southern Colorado. Further, to the extent necessary all such resolutions are modified to add the Presidents of CSU-Pueblo and CSU-Global Campus as appropriate. For details on prior delegations of authority please refer to the specific Board resolutions posted on the CSUS website.

Procedures:

- A. The Chancellor, in consultation with the Board coordinates policy development for the Board.
- B. The Chancellor and campus Presidents assure that the System Office and campus policies and procedures comply with this Manual.
- C. The CSUS General Counsel reviews all proposed policies for compliance with legal requirements and coordinates periodic revision to assure internal consistency and conformity to the law; bylaws of the Board; and Board resolutions.

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DISCLAIMER:

NOTHING CONTAINED IN THIS MANUAL SHALL BE DEEMED TO CREATE ANY PROMISE OF EMPLOYMENT OR EMPLOYMENT AGREEMENT. THIS MANUAL SETS FORTH POLICIES AND GUIDELINES OF THE CSUS WHICH MAY BE AMENDED FROM TIME TO TIME IN THE DISCRETION OF THE BOARD. ANY QUESTIONS REGARDING THE INTERPRETATION OF ANY POLICY IN THE MANUAL SHOULD BE DIRECTED TO THE GENERAL COUNSEL. FINAL INTERPRETATION AND DECISIONS REGARDING THE MEANING OR APPLICATION OF THESE POLICIES REMAINS IN THE SOLE DISCRETION OF THE BOARD.

Effective: October 4, 2013

APPENDIX A TO POLICY 100
SUMMARY OF DELEGATIONS OF BOARD AUTHORITY
TO THE PRESIDENTS FOR
ADMINISTRATIVE AND PERSONNEL MATTERS

A. Resolution dated December 8-9, 1987 (Operational and Administrative Delegations). The Institution Presidents are authorized to act for and on behalf of the Board as follows:

Except as otherwise provided herein and subject to such reviews and approvals of other state agencies as may be required by state statutes and fiscal rules, the Institution Presidents are authorized to approve and execute all contracts, agreements, grants, warrants, and other binding legal instruments presented in the name of the Board for the State of Colorado which are either: (1) expressly approved by resolution of the Board, or; (2) usual, necessary, and appropriate to the normal operation of the institution and within the budgeted expenditures as approved by the Board. The Institution Presidents may, in writing, authorize other administrators to negotiate and execute instruments so long as such authorization is limited to instruments which are usual, necessary and appropriate to the normal operations of the institution, and within the budgeted expenditures for the institution.

Neither the Institution Presidents nor their delegates are authorized to approve and execute the following without express prior approval of the Board:

1. Leases of real property where the Board is lessor.
2. Contracts to purchase or sell real property.
3. Agreements requiring the expenditure of \$10,000.00 or more to resolve lawsuits, grievances, or other civil claims against the Board, the institution, or their agents and employees. Amended by resolution dated June 22, 2006 raising the amount to \$100,000.
4. Agreements which conflict with, or require modification of this resolution or any resolution of the Board.
5. Personnel matters which are reserved to the Board, except Institution Presidents are authorized to accept resignations when tendered and to perform such duties as prescribed by law.
6. Initial budgets.
7. Bond matters and such other fiscal matters requiring bond counsel opinion related to issuance.
8. Degrees conferred by the Board.
9. Bank resolutions and related signature authority.
10. Parking and traffic regulations.

11. New academic programs, creation of academic units or departments, and schools and colleges, or change of names of the foregoing.
12. Establishment of tuition.
13. Program plans and capital construction projects.

B. Resolution dated May 3, 1995 (Personnel Delegations).

I. Personnel Powers Hereby Delegated by the Board to the Presidents:

- A. The power to appoint and enter into employment relationships with all personnel other than Vice-Presidents and personnel reporting directly to the presidents who have been separately identified to the Board in writing by the Presidents as having senior administrative status—collectively (“Senior Administrators”). See: Policy 122 delegating approval for Senior Administrators to the Chancellor. Each President shall maintain a summary of all personnel actions taken pursuant to the power and make it freely available to any person, subject to any limitations imposed by federal or state law.
- B. The power to renew or not renew employment contracts with all personnel having such contracts.
- C. The power to make final determinations with respect to performance-based adjustments of compensation and payment of supplemental salary to personnel.
- D. The power to renew or not renew employment contracts with all personnel having such contracts.
- E. The power to approve transitional retirement applications and to enter into transitional retirement agreements with eligible employees.
- F. The power to terminate all personnel having “at will” status and to make final decisions with respect to the termination of contractual and tenured employees consistent with procedures set forth in the Handbook.
- G. The power to establish such procedures as may be necessary to afford personnel appropriate due process where legally required if procedures set forth in the handbook are not sufficient to meet such requirement. Such power shall include the right to establish procedures for providing due process prior to the threatened denial of any constitutional right, notwithstanding the existence of rights in the handbook to grieve actions after they have been taken. Such procedures shall be reviewed with the Board prior to implementation.
- H. The power, concurrently with and in addition to existing inherent power, to impose disciplinary sanctions upon Personnel for violations of established university policies, including, but not limited to, the power to suspend, demote and reassign.
- I. Notwithstanding the delegation of the powers set forth above, the Presidents shall inform the Board of all matters that may reasonable be expected to have a materially positive or negative impact upon their respective institutions.

II. No sub-delegation

None of the powers set forth above shall be further delegated by the Presidents to any person.

III. Specific powers not delegated but retained by the Board:

- A. The power to make final decisions on all appeals from grievances initiated under procedures established by the handbook.
- B. The power to make all decisions relating to the appointment, employment, compensation, evaluation, and termination of the Presidents.
- C. The power to award or deny tenure to any of the Presidents.
- D. The power to appoint and enter into employment relationships with all senior administrators. See: Board Policy 122 amendment to this power.
- E. The power to declare a financial exigency or reduction of force as provided in the handbooks.
- F. The power to make determinations as to sabbaticals and other forms of leave by personnel. Amended by Board resolution of August 3, 2012 delegating authority to the institutional Presidents to approve the expansion of the delegated and re-delegable authority to include approval, in accordance with Board-approved institutional policies, of 1) Sabbatical Leaves and revisions to them; 2) Emeritus Faculty Appointments; and 3) all requests for Leave Without Pay, with periodic reports to the Board.
- G. The power to confer emeritus status on retiring personnel. (See Resolution August 3, 2012.)
- H. The power to award honorary degrees.
- I. The final power to approve any and all personnel policies of the Institutions including, without limitation, handbooks and policies within handbooks, affirmative action plans and policies, salary administration plans, performance evaluation system, performance evaluation arrangement, and promotion and tenure policies. No institutional policy shall have any form or effect unless adopted or approved by the Board.

C. Resolution dated December 2, 2002. Modifies May 3, 1995 Resolution permitting Personnel Powers to be re-distributed by the Presidents to Institutional Vice Presidents. See also: Resolutions dated June 17, 2003, March 17, 2004, May 7, 2008.

D. Board Resolution dated June 22, 2006 granting Vice Presidents for Administration authority to approve and sign workers

compensation settlements up to \$250,000, with review by the Office of General Counsel.

E. Resolution dated December 4, 2009 which provides for consolidation and re-vesting in the Presidents all prior delegations to the Vice Presidents.

The Board of Governors delegates to the Presidents all prior delegations of authority to their Vice Presidents. Prior delegations are those relating to personnel powers, easements, workers' compensation settlement agreements, and short-term leases of land and water rights. The Presidents are authorized to re-delegate such authority to the appropriate Vice Presidents at their respective institutions. This re-delegation eliminates the need for the Board of Governors to update prior delegates due to title changes and shifts in organizational responsibility below the Presidential level.