

R220 Checklist of Presidents' and Trustees' Responsibilities¹

Purpose: To provide a checklist of responsibilities of the Boards of Trustees and the Presidents as to those matters for which the Board of Regents has adopted policies and procedures.

A. Trustees Responsibilities Established by Statute (Utah Code §53B-2-103)

1. Facilitate communication between the institution and the community;
2. Assist in planning, implementing, and executing fund raising and development projects aimed at supplementing institutional appropriations;
3. Perpetuate and strengthen alumni and community identification with the institution's traditions and goals; and
4. Select recipients of honorary degrees.

B. Trustees Approve and Forward for Board of Regents Approval

1. The President develops and the Trustees approve the institution's academic freedom, professional responsibility, and faculty tenure policy consistent with Regents' guidelines. The institution submits the approved plan for Board of Regents approval. (§§3.1 and 3.2 of R481, Academic Freedom, Professional Responsibility and Tenure)
2. The President develops and the Trustees approve the institution's plan to handle financial exigencies and personnel reductions consistent with Regents' guidelines. The institution submits the approved plan for Board of Regents approval. (§3.2 of R482, Bona Fide Financial Exigency and Personnel Reduction)
3. The Trustees must first approve capital projects funded in whole or in part from adjustments in student fees, incurring of contractual debt, or the disposal or exchange of land or other capital assets, and then forward the proposal to the Board of Regents for action at the same time the Board approves the proposed funding arrangement. (§4.5.5.1 of R710, Capital Facilities)
4. The President, after Trustees approval, shall forward proposals for major construction or major remodeling funded from private sources or from a combination of private and other non-state appropriated funds to the Board of Regents for approval. (§4.5.5.2 of R710, Capital Facilities)
5. The Trustees review and approve campus facilities master plans before they are forwarded to the Board of Regents. (§4.7.1 of R710, Capital Facilities)
6. The Trustees review and approve all institutional requests for funds for capital facilities to be appropriated by the Legislature through the State Building Board before these requests are forwarded to the Board of Regents. (§4.7.2 of R710, Capital Facilities)
7. The Trustees review and approve all planning or construction of capital facilities proposals that require State Building Board or Legislative project approval. If the project is inconsistent with approved programmatic planning or facilities master plan then it must be forwarded to the Board of Regents for review and action. (§4.7.3. of R710, Capital Facilities)

C. Trustees Monitor for or Report to the Board of Regents

1. The President submits copies of the Trustees bylaws and the institutional rules approved by the Trustees to the Board of Regents. (§3.3.4.5 of R120, Bylaws of the State Board of Regents)

¹ Revised November 2000.

2. Questions regarding role and scope of authority shall be referred by the President to the Commissioner for consideration by the Board of Regents. (§3.3.4.6 of R120, Bylaws of the State Board of Regents)
3. The President shall submit to the Trustees Chair and the Commissioner a budget for the residence for Board of Regents approval. (§3.6 of R207, Institutional Residences for Colleges and Universities in the Utah System of Higher Education)
4. The President shall submit to the Trustees an annual report revealing the number of faculty members eligible for tenure and the number awarded tenure, with a copy of the report to the Board of Regents. (§3.2 of R483, Award of Tenure)
5. The institutional investment policies adopted by the Trustees and the periodic reports therefrom are to be submitted to the Board of Regents. (§4.4, §4.6 and §4.7 of R541, Management and Reporting of Institutional Investments)
6. All Institutional Discretionary Funds shall be used for purposes authorized by the Board of Regents according to budgets adopted by the Trustees. Expenditures for construction, remodeling and landscaping projects of \$50,000 must be approved by the Trustees. Expenditures are reported to the Regents as part of the annual budget process. The Trustees are responsible for compliance with this policy. (§4.1 and §4.5.3 of R548, Institutional Discretionary Funds Administration and Accountability)
7. The Trustees are responsible to review annual reports and internal audits relating to the institution's Auxiliary Enterprises and to monitor both management of and quality of the services provided. (§8.1 of R550, Auxiliary Enterprises Operation and Accountability)
8. The Trustees are responsible to review annual vehicle fleet reports and periodic internal audits and to monitor both management and utilization of vehicle fleets. Non-incident personal use of an institutional vehicle must be authorized by the President and reported to the Trustees. (§4.8 and §4.5.3 of R557, Motor Vehicles)
9. The Trustees are responsible for general oversight of surplus property operations. The President shall report annually to the Trustees information on revenues, expenditures and allocation of net revenues. (§4.7 of R558, Surplus Property)
10. All initial issue, annual internal audit, compliance review and external audit reports with appropriate institutional response shall be submitted to the Trustees Chair. Where issues remain unresolved, the President shall submit a letter of resolution to the Trustee Chair. (§4.2 and §4.4 of R566, Audit Review Process)
11. Internal audit reports shall be made periodically to the Trustees. Personnel actions relating to the director of internal audits shall be approved by the Trustees. (§4.7 and 4.8 of R567, Internal Audit Program)
12. The Trustees recommend the appointment of architects, review and approve final plans, specifications and drawings for approved construction and major remodeling projects, and conduct all required public hearings on capital projects. (§4.7.4, §4.7.5 and §4.7.6 of R710, Capital Facilities)
13. The Trustees must approve institutional policies relating to overtime pay, payments for overload assignment, and compensatory time for compliance with State Board of Regents policy. (§4.3 or R816, Overtime Pay, Overload Assignments, and Compensatory Time)
14. The Trustees must approve institutional policies relating to campus police and security personnel, traffic violations and parking. (Utah Code Title 53B, Chapter 3)

D. Board of Regents/Trustees Consultations

1. The Board of Regents shall consult with the Trustees or the President or both prior to acting on matters pertaining to the institution. (Utah Code §53B-2-105)

2. The Trustees, after notification to the President, may petition the Board of Regents on any matter concerning the institution. (§4.5.6 of R220, Delegation of Responsibilities to the President and Board of Trustees)
3. Subject to Board of Regents approval, the President, with the approval of the Trustees, may appoint attorneys to provide legal advice to the institution. (R135, Institutional Legal Counsel in the System of Higher Education)
4. The Chair and other Trustees are consulted, as deemed advisable by the Regents' Chair, regarding the appointment of a presidential search committee. (§3.3 of R203, Search Committee Appointment and Function, and Regents' Selection of Presidents of Institutions)
5. The Board of Regents appoints the best qualified person as President after consulting with the institutional Trustees. (§4.1 of R203, Search Committee Appointment and Function, and Regents' Selection of Presidents of Institutions)
6. Prior to the final selection, the Trustees may petition the Board to arrange for more extended communications regarding the selection of the President. (§4.6.2.1 of R220, Delegation of Responsibilities to the President and Board of Trustees)
7. The designation of an institutional residence by the Board of Regents shall be based on a report prepared by the Commissioner in consultation with the President, the Trustees Chair and the Regents' Chair. (§3.3 of R207, Institutional Residences for Colleges and Universities in the Utah System of Higher Education)
8. Construction, Purchase and Remodeling of an institutional residence must have the prior recommendation of the Trustees and the approval of the Board of Regents. (§3.4 of R207, Institutional Residences for Colleges and Universities in the Utah System of Higher Education)
9. The Trustees Chair serves as a member of the President's Resource and Review Team to evaluate the President's performance, plans and goals, and to determine how the Regents and Trustees can facilitate the institution's and President's progress and effectiveness. (§3.1 and §3.2 of R208, Annual Chief Executive Officers Performance Review)
10. The Trustees Chair consults with the Commissioner concerning the list of potential members of the President's Appraisal Team. The Trustees are interviewed by the Team to provide feedback as to the President's areas of strength as well as the areas that need improvement. (R209, Appraisal of Chief Executive Officers)
11. The Board of Regents, in consultation with the Trustees, may grant a President a leave of absence to keep abreast of his or her field or for rest and renewal. The Trustees and President consult with the Board of Regents in all funding and leave decisions. (R210, Chief Executive Officer Leaves of Absence)
12. Trustees shall participate, where appropriate, on local advisory committees to advise concerning the delivery of programs by multiple institutions serving a geographic area and the operations of shared facilities. (R315, Service Areas for Off-Campus Courses and Programs)
13. A decision to involuntarily terminate or retire a President will be made by the full Board of Regents after confidential consultation with the Trustees. (§4.4 of R853, Transition and Retirement Provisions for Chief Executive Officers)
14. The Board of Regents may appoint a departing Chief Executive Officer to other executive or professorial posts after consultation with the Presidents and Trustees of the institutions involved. (§4.5 of R853, Transition and Retirement Provisions for Chief Executive Officers)
15. The Board, after consultation with the Trustees, may provide a departing President a leave of up to one year for reorientation to the appropriate field of study when the President plans to assume a faculty or other professional position. (§4.6 of R853, Transition and Retirement Provisions for Chief Executive Officers)

E. Trustees Responsibilities and Procedures

1. Trustees may enact bylaws for self government and submit a copy to the Board of Regents. (§3.3.4.4 of R120, Bylaws of the State Board of Regents)
2. The Trustees shall provide for faculty and staff participation and policy input in Trustees meetings and decisions. (R223, Faculty and Staff Participation in Institutional Board of Trustees Meetings)
3. The Commissioner, President, Trustees or other institutional officers shall not advocate budget items, capital facility priorities or other legislation to legislators, the governor, or other state agencies which are inconsistent with actions or policies of the Board of Regents. (§3.3.3.6 of R120, Bylaws of the State Board of Regents)
4. The Trustees may provide furnishings and equipment to the residence for institutionally related functions. (§3.5 of R207, Institutional Residences for Colleges and Universities in the Utah System of Higher Education)
5. The Trustees have full responsibility to manage and report institutional investments in compliance with Board of Regents policy. (§4.1 of R541, Management and Reporting of Institutional Investments)
6. The Trustees adopt investment policies, designate a public treasurer, and approve the format of reports submitted for its review. (§4.2 of R541, Management and Reporting of Institutional Investments)
7. The Trustees should adopt written policy relating to details of banking procedures within the parameters of Board of Regent policy. (§3.3 of R543, Commercial Banking Services)
8. Per diem rate changes determined by the State Director of Finance for appointed members of state boards shall automatically be in effect for Trustees. (§3.3 of R582, Per Diem Compensation for Services)

F. Joint President and Trustees Responsibilities

1. The President and Trustees should adopt detailed rules and criteria for the appearance and performance on campus of speakers. (R251, Campus Speakers)
2. The Board of Regents has assigned responsibility for regulating the appropriate use of institutional facilities to the President and Trustees as the immediate governing authority or the institution. (R253, Campus Discipline)
3. The Board of Regents delegates authority to the President and Trustees to organize, and enter into contracts with, nonprofit corporations and foundations to aid and assist the institution in attaining its approved education, research, and public service goals. (R271, Foundations and Private Corporations)
4. Institutional Discretionary Funds should be used first for to support current Educational and General or Auxiliary Enterprise expenditures. The President and Trustees should consider carefully decisions to use such funds for major capital projects. (§4.4 of R548, Institutional Discretionary Funds Administration and Accountability)

G. President Proposes and Trustees Approve

1. Except for certain matters reserved to itself, the Board of Regents delegates administrative responsibilities for institutional operations to the President and Trustees. (R131, Functions of the State Board of Regents)
2. The President, with the approval of the Trustees, may appoint, prescribe duties and fix salaries of the faculty, staff, officers and employees of the institution. (§3.3.3.3 of R120, Bylaws of the State Board of Regents)
3. The President, with the approval of the Trustees, is responsible to enact rules for regulating and safeguarding the well-being of persons and the security of property at the institution consistent with the law and policies of the Board of Regents. (§3.3.3.4 of R120, Bylaws of the State Board of Regents)

4. The President recommends and the Trustees approve all candidates for degrees and diplomas. (§3.3.4.3 of R120, Bylaws of the State Board of Regents)
5. The Trustees may approve new certificates, minors, emphases, and options, as well as School of Education endorsement and certification programs, that are within existing major degree programs previously approved by the Board of Regents. (§4.2 and §4.3 of R402, Program Additions or Changes Requiring Board Approval or Notification)
6. The Trustees are responsible to approve the elimination of instructional programs as well as name changes of existing programs or administrative units. (R402-5 and R402-8, Program Additions or Changes Requiring Board Approval and Notification)
7. The review of existing programs is the responsibility of institutional faculty and administrators and Trustees. Recommendations concerning existing programs will be submitted to the Trustees. (§3.2 and §3.4 of R411, Review of Existing Programs)
8. The President of Utah State University, with the approval of the Trustees, may establish, operate and administer a Research Park. The President and Trustees shall exercise active review and discretion regarding leases granted to tenants of the Park. (§4.3 and §4.4.4 of R491, University Research Parks)
9. The President, with Trustees approval, may enter into contracts for maintenance, research grants, and continuing programs at the institution under specified amounts. (§5.6 of R532, Acceptance and Approval of Contracts and Grants)
10. The President proposes and the Trustees approve a statement of purpose, authority, and responsibility for internal auditing services as defined by Board of Regents policy. The Trustees or the Board of Regents Audit Review Subcommittee determine which audit standards to apply to particular audit assignments. (§3.2 and §4.6 of R567, Internal Audit Program)
11. The President, with Trustees approval, shall develop an institutional capital facilities community impact policy. A copy to be filed with the Commissioner. (§3.1 of R714, Capital Facilities Community Impact)
12. The institution, with Trustees approval, must classify its eligible employees into not more than three retirement groups. (§4.1 of R851, Guidelines for Retirement Programs)