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ARTICLE K. APPOINTMENTS OF PRESIDENTS AND EXECUTIVE DIRECTOR

6-1101 Appointments of presidents and executive director

A. Applicability

1. This Policy governs the appointment and employment of a president or the executive director of the board office.

B. Conditions of Employment

1. All terms and conditions for the employment of a president or executive director will be set forth in a written contract or a letter of appointment.
2. The presidents and executive director shall not be subject to the Conditions of Service Policies for Administrators (6-101), Faculty (6-201), Professional (6-301), Classified Staff (6-401), or University Staff (6-510) in their roles as president or executive director unless the contract or letter of appointment states otherwise. A president or executive director may, with the express permission of the board, concurrently hold an appointment to another board employment position which is subject to one of these policies.

C. Board approval

Board approval is required for any appointment for a president or executive director of the board office. The board may delegate its authority to execute the contract or letter of appointment to the Board Chair, following a review of the contract or letter of appointment by Board Counsel.

D. Contract Provisions

Each contract or letter of appointment will include the following terms, in addition to other terms negotiated by the parties.

1. Effective date, which may not be earlier than the date of approval by the board and the execution of the contract or letter of appointment;

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2. Period of appointment, which may be at-will and which is not to exceed 3 years for the initial appointment. Following the initial appointment term, the board may authorize an exception to provide an appointment of no more than 5 years;
3. Duties and responsibilities of the president or executive director;
4. Requirement to provide an annual disclosure statement to the board describing all organizations with which the president or executive director is affiliated;
5. Requirement to disclose all outside compensation including any consideration provided by a university foundation or university affiliated entity related to the role of university president or executive director (this section does not require the president or executive director to report personal and passive investment income to the board);
6. Statement that compensation beyond the current fiscal year is subject to legislative non-appropriation;
7. An explicit condition that the role of president or executive director is primary, and although outside activities are permitted, they must not conflict with or interfere with the individual's successful accomplishment of the responsibilities as president or executive director.
8. Any employment benefits provided by the university and board.
9. If the parties enter a contract for the appointment:
 - a. A provision permitting the board, at its sole discretion, to terminate the contract at any time without cause by paying, as liquidated damages in lieu of all other remedies available to the president or executive director, a specified sum not greater than that which the president or executive director should have received as salary to the end of the then-existing contract term, and the extent to which the sum to be paid will be reduced by the amount of compensation

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received by the president or executive director if subsequently employed in a comparable position during the period covered by the appointment with the board, and

- b. The basis on which the contract can be terminated for cause and the procedures to be followed.