



CUSG/CHANCELLOR
OPERATING AGREEMENT

December 13, 1985
Revised April 29, 2013
Revised September 25, 2014
Revised November 2, 2020
Revised October 4, 2021

The Laws of the Regents, Article 7, Part D addresses “Student Government” and states that “[on] each campus, the students shall be represented by a campus student government organization that reports to the chancellor.” Laws of the Regents, Article 7.D.1. Article 7 also provides that “[e]ach campus student government organization shall operate in accordance with a constitution that defines its governing structure and principles. The constitution is subject to the approval of the chancellor.” Laws of the Regents, Article 7.D.2

Regent Policy further delineates campus student governments’ governing documents and operations. This operating agreement is established pursuant to Regent Policy 7.D.2.A.

- I. PROGRAMMATIC, POLICY AND MANAGEMENT AUTHORITY FOR CUSG-FUNDED ACTIVITIES
 - A. Generally, programmatic, policy, and management authority for CUSG-funded activities rests with the CUSG Executive(s). Thus, programmatic, policy, and management issues relating to those activities should generally be handled within the CUSG.
 - B. The Chancellor designates the Vice Chancellor for Student Affairs, hereafter referred to as VCSA, as their representative.
 - C. The VCSA may request from the CUSG Executive(s) a review of any programmatic, policy, and/or management issue with CUSG and its activities.
 - D. In turn, the VCSA may be asked by the CUSG Executive(s) to provide consultation on any programmatic, policy, and management issue regarding CUSG and its activities.
 - E. Governing documents and decisions made or approved by CUSG that impact the operations, finances, or staffing of a CUSG-funded area can be reviewed at the

VCSA's discretion for approval before implementation.

- F. The VCSA and CUSG Executives will review processes and protocols as needed for effective management of CUSG activities. In the event that no process exists, the VCSA will work with CUSG to create and implement processes in writing within a pre-determined time frame that is mutually agreed upon by the CUSG Executive(s) and the VCSA. In the event CUSG is unable to create a process or protocol, the VCSA will have the authority to determine the appropriate process or protocol and CUSG shall implement the given process or protocol.
- G. Additionally, the director of any CUSG-funded activity may request that the Associate Vice Chancellor ("AVC") who oversees that area provide clarification on any programmatic, policy, and/or management issue relating to that director's area of responsibility. Policy formation should occur with the CUSG organization. This consultation provision is intended to facilitate regular CUSG decision-making processes and provide campus administration resources to assist directors in the carrying out of their duties. If the AVC fails to do so, then the VCSA shall be consulted.
- H. The review and consultation provisions provided for above are not intended to be substitutes for CUSG's authority for the programmatic, policy, and management issues for CUSG-funded activities. Rather the focus of the review and consultation provisions is to assist CUSG in the accomplishment of its objectives as a student government by encouraging the open exchange of information and cooperation to solve problems.
- I. When required by University policy or when otherwise requested, the CUSG executives will appoint student representatives to work with each Cost Center as well as any appropriate official campus committees or boards including, but not limited to, administrative faculty search committees, Shared Governance, and/or the Intercampus Student Forum. The CUSG shall appoint three representatives to the Fee Advisory Board.
- J. The CUSG Executive(s), upon election or upon the appointment of the significant CUSG officials, may request that the VCSA or designee provide a briefing on the nature of the campus as an organization, and engage subject matter experts to provide these briefings as available. Topics for such a briefing might include, but not be limited to, the organization and hierarchy of the university, the budgeting system, University services available to students, personnel policies and procedures, the committee structure of the campus, and other topics deemed relevant for the executives. The VCSA will work with students to provide for student input into Office of Student Conduct policies and procedures.

II. PERSONNEL MATTERS

A. General Policies

- 1. The University of Colorado Boulder, which includes the CUSG, is an affirmative action/Equal Opportunity Employer.

2. Personnel actions to be taken with respect to CUSG Cost Center Directors (“Directors”) shall include input by the CUSG Executive(s) to the AVC who oversees the area. In the event that circumstances preclude consultation on such matters the VCSA will inform the CUSG Executive(s) about the action as soon as possible.
3. Directors serve at the pleasure of and by mutual agreement between the VCSA, their AVC, and the CUSG Executive(s) with the approval of the Chancellor. The appointment evaluation, termination, or other personnel policies **and matters** relating to Directors of CUSG areas, shall comply with Regent laws, campus policies, and Federal, State and local regulations.
4. Directors of CUSG departments have hiring and appointing authority for all employees in their respective department, subject to final approval by the Chancellor.
5. CUSG Executive(s) have authority to make student employee hiring selections, schedule student employee work and approve leave, and counsel student employees on performance with guidance from the CUSG Advisor who will supervise the student employee. All student employees of the CUSG are employed as per policies and procedures established by the Student Employment Office.

B. PROCEDURES FOR HIRING CUSG COST CENTER DIRECTORS

1. A search committee shall be established by the VCSA and the CUSG Executive(s) to receive applications and interview candidates to fill Director positions in the CUSG.
2. The search committee should include strong student representation which can consist of the chairperson of the respective Board, the legislative council president, and the legislative council representative assigned to that respective Board, a student selected by the executives, and such additional members appointed by the VCSA and the CUSG Executive(s).
3. The search committee should be co-chaired by a student selected by the CUSG Executive(s), and a non-student selected by the Appointing Authority.
4. The search should be conducted in accordance with Human Resources guidance and policies.
5. The search committee shall forward recommendations to the Appointing Authority.
6. The appointing authority and the CUSG Executives will work together to reach an agreement as to the appointment of the director. In the event that there is not a mutual agreement on the selected candidate, the VCSA will make the final decision regarding the appointment.

C. PROCEDURES FOR CUSG MEMBERS

1. Branch leaders are required to meet with the VCSA, DOS, or their designee upon their request to stay apprised of initiatives, relationships, and barriers to progress. This also applies when disruptions are occurring that inhibit the

progress of the work of CUSG to discuss action steps and to help mediate and resolve conflict as needed.

2. The VCSA, DOS or their designee can remove a student from any CUSG position if after intervention, their behavior constitutes a material and substantial disruption to the progress or continued work of CUSG. This supersedes any constitutional language, branch bylaws or impeachment proceedings.
3. The VCSA, DOS or their designee will also review the process, rationale, and findings in impeachment proceedings or the removal of a student from their role by other students within CUSG to ensure compliance with all federal and state regulations, and university policies. If the VCSA, DOS, or their designee find any of the above are not in line with these regulations or policies, they may overturn an impeachment or removal decision. This is applicable to all CUSG members and supersedes any constitutional language, branch bylaws or impeachment proceedings.

III. FINANCIAL CONSIDERATIONS

A. Bonds

Only the Board of Regents has the authority to establish bonded indebtedness on campus facilities, including those CUSG-managed facilities such as the University Memorial Center and the Recreation Center. Although university-issued bonds are in the name of the Board of Regents, they may be backed by student fee monies. (The Board of Regents maintains the authority to increase student fees in order to pay off the bonds.) The CUSG will not be responsible for bonded indebtedness in any areas other than those listed above, unless mutually agreed upon by the VCSA and CUSG. Any student fees proposed for capital construction must follow the current Regent-approved Institutional Student Fee Plan.

B. Budget Process

The CUSG shall have the authority and responsibility to develop and administer budgetary and programmatic policy for CUSG Student Activity and Rec Center Expansion Fees including the bottom-line budgetary figure as well as the scope and quality of services. Internal fiscal procedures which shall guide the director's activities shall also be developed. This includes the authority to determine the disposition of any net revenues resulting from its various operations. These procedures shall be conducted in a manner which is consistent with applicable federal, state, university, and campus fiscal policies and procedures. The final student fee package shall be submitted to the Board of Regents by the VCSA through the Chancellor. The VCSA and the Chancellor must approve the final student fee package. The requested fee amounts are submitted to the Chancellor for Board of Regents approval after the VCSA has reviewed and approved.

1. Budgets for CUSG-funded areas must have VCSA approval prior to being submitted to Finance Board.
2. Finance Board shall determine the annual budget for Cost Centers including the level of the student fees and the rate schedule, the identification of activities which merit continuing fee support, and the establishment of the level of such support for recurring allocations.
 - a. Finance Board may not increase the prior year student fee allocation to a

Cost Center by more than 2% plus unduckables in one fiscal year without approval by the VCSA.

- b. Finance Board may not decrease the prior year student fee allocation to a Cost Center by more than 2% in one fiscal year without approval by the VCSA.
 - c. Finance Board shall present the annual budget for Cost Centers to the CUSG Legislative Council.
3. CUSG Legislative Council reviews the student fee budget as follows:
- a. CUSG Legislative Council may decrease specific budget lines of the Cost Center budget approved by Finance Board. Any CUSG Legislative Council decrease in combination with a Finance Board decrease may not decrease the prior year student fee allocation to a Cost Center by more than 2% in one fiscal year without approval by the VCSA.
 - i. CUSG Legislative Council may decrease or eliminate enhancements approved by Finance Board.
 - ii. Any decrease in budget of a Cost Center or enhancement must be by a simple majority.
 - b. CUSG Legislative Council may increase specific lines of the Cost Center budget approved by Finance Board. Any CUSG Legislative Council increase in combination with a Finance Board increase may not increase the prior year student fee allocation to a Cost Center by more than 2%, plus unduckables, in one fiscal year without approval by the VCSA.
 - i. CUSG Legislative Council may increase enhancements approved by Finance Board, or revisit proposed enhancements eliminated by Finance Board.
 - ii. A two-thirds majority will be needed to call to question any increase in the Cost Center approved by Finance Board.
 - iii. Any increase in budget of a Cost Center or enhancement must be by a simple majority.
 - c. CUSG Legislative Council may overturn any CUSG Executive(s) specific increase or decrease veto, or a veto of the entire budget, by a two-thirds majority.
 - d. The annual budget for Cost Centers will be approved during the second budget hearing.
4. The CUSG Executive(s) may veto specific decreases, increases or the entire budget made by CUSG Legislative Council during the second budget hearing according to CUSG Executive bylaws.
5. The VCSA will approve the budget as originally submitted by Finance Board if the CUSG Executive(s) and CUSG Legislative Council fail to approve a budget within campus budget deadlines.

C. Emergency Budget Reductions

1. In the event of a sudden reduction in student fee or auxiliary revenue, CUSG will maintain procedures to evaluate changes in the previously approved budget and make recommendations to the VCSA within provided deadlines.
2. An emergency budget reduction will be defined as the need to create significant reductions (greater than 2%) in the overall CUSG budget outside the regular annual budgeting process. These reductions are intended to be temporary, with the goal of returning to the previously approved annual budget as student fee and auxiliary revenue stabilize.
3. Nothing in this agreement shall prevent the Chancellor, upon determining that a campus wide fiscal exigency exists, from taking budgetary actions necessary to address the exigency.

IV. DISPUTES AND DISAGREEMENTS

- A. Mutual agreements therein are between CUSG executives, the relevant AVC, VCSA, and Chancellor.
- B. Disputes within CUSG, between members, branches, or otherwise, will be mediated first within Student Conduct and Conflict Resolution or the appropriate entity given the dispute. If CUSG members are unwilling to participate in this process, or are unable to resolve conflict, the VCSA or designee may intervene to change procedures or enact Article I.F. of this agreement and charge CUSG with creating a new process or procedure. If the dispute is causing or will imminently cause material and substantial disruption to any member of the CU Community or community at large, the VCSA may resolve the concern and establish or revise protocols as needed. CUSG Members in violation of these new or revised protocols will be held accountable to the student code of conduct.
- C. When mutual agreements cannot be made between Student Affairs and CUSG, disputes will be taken to the next appropriate level within Student Affairs for resolution (for example, Director to AVC to VCSA to Chancellor).

V. AMENDMENTS TO THE AGREEMENT PROTOCOLS

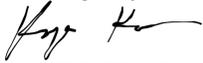
- A. This agreement is intended to delineate the protocol by which the relationship between CUSG and the Boulder Campus Administration will be carried out, and is intended to be the more easily amended document.
- B. Per the revision in 2020, the "CUSG/Boulder Chancellor Agreement of Principles and Responsibilities", revised October 22, 1985, serves as a historical reference only. This document serves as the current agreed upon protocol. This agreement supersedes all previous agreements between CUSG and the Chancellor. Any agreements preceding the date of this document are hereby revoked.
- C. The document of agreement protocols may be revised upon the mutual consent of the CUSG Executive(s) and the VCSA.
- D. The document of agreement protocols will be reviewed by the VCSA and CUSG Executive(s) at least every three years.

The following signatures indicate agreement on what is laid out in the document, effective the date all signatures are received.

DocuSigned by:

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Ben Capeloto
Tri-Executive, CU Student Government

10/4/2021
Date

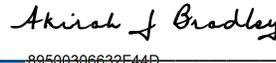
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Kavya Kannan
Tri-Executive, CU Student Government

10/5/2021
Date

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Taylor Weinsz
Tri-Executive, CU Student Government

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DocuSigned by:

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Akirah Bradley
Vice Chancellor for Student Affairs

10/5/2021
Date

DocuSigned by:

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Philip DiStefano
Chancellor

10/5/2021
Date