



UTAH SYSTEM OF  
HIGHER EDUCATION

# MEMORANDUM

TAB D

October 29, 2021

## **Revisions to R208, *Resource and Review Teams* and R209, *Evaluation of Presidents***

Two years ago, the Board adopted R805, *Gender, Race, and Ethnicity Representation Within the Utah System of Higher Education Workforce*. Under this policy, the System's chief economist develops a demographic report assessing the number of faculty and staff, faculty tenure status and rank, and salaries, all disaggregated by gender, race, and ethnicity for each institution. The policy directs presidents to analyze that demographic data; develop strategies that foster a diverse, representative, and equitably compensated workforce; and report their progress to their resource and review team annually.

Although R805 specifically references resource and review teams, the policies that govern resource and review teams and presidential performance reviews—R208 and R209—do not reflect R805. In its strategic plan, the Board directed the Commissioner to revise R208 and R209 to ensure the resource and review teams and evaluation committees include presidents' efforts to foster a diverse, representative, and equitably compensated workforce as part of the evaluation criteria.

Accordingly, these proposed revisions to R208 and R209 add references to R805 and incorporate language from R805 as part of the evaluation criteria for presidents. These revisions will help the Board better support the presidents in their efforts to provide students with an educational experience rooted in diverse perspectives, experiences and backgrounds.

### **Commissioner's Recommendation**

The Commissioner recommends the Committee approve this item and forward it to the Committee of the Whole on the consent calendar where the full Board can adopt the revisions to R208, Resource and Review Teams and R209, Evaluation of Presidents effective immediately.

### **Attachments**



## R208, Resource and Review Teams<sup>1</sup>

**R208-1 Purpose:** The purpose of this policy is to help the president be successful in his or her responsibilities through (1) regular communication between the presidents and Regents; (2) informing the Regents about institutional issues and problems in a timely manner; (3) appointing liaisons between the Board of Regents and institutional Boards of Trustees; and (4) providing a mechanism for annual performance review of each president.

### R-208-2 References

**2.1** Utah Code [§53B-2-102](#), Board to Appoint President of Each Institution

**2.2** Utah Code [§53B-2-103](#), Board of Trustees – Powers and Duties

**2.3** Utah Code [§63G-2-20](#), Right to Inspect Records and Receive Copies of Records

**2.4** Utah Code [§63G-2-302](#), Private Records

**2.5** Board Policy [R220](#), Delegation of Responsibilities to the President and Board of Trustees

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**2.6** Board Policy [R209](#), Evaluation of Presidents

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**2.7** Board Policy [R805, Gender, Race, and Ethnicity Representation within the Utah System of Higher Education Workforce](#)

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### R208-3 Definitions

**3.1 Confidential** means the document is a “private record” under Utah Code §63G-2-302. As a private record, any such documents are exempt from public records requests and shall not be disclosed except pursuant to Utah Code §63G-2-201(5).

**3.2 Resource and Review Team** means a team of two Regents and the Chair and Vice-Chair of the institution’s Board of Trustees. This four-person team acts as the Resource and Review Team for its respective institution.

### R208-4 Policy

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<sup>1</sup> Adopted XXX; amended XXX

**4.1 Fall Meeting:** During the months of September through November each president shall meet with his or her Resource and Review Team.

**4.1.1 Objectives:** The objective of the fall meeting is to (1) identify the ways the Board of Regents and the Board of Trustees can better assist the president, (2) update the resource and review team regarding progress on the institution's strategic goals and to discuss ongoing or potential issues important to the president and the institution.

**4.1.2 Agenda:** The president is to set the agenda and conduct the meeting.

**4.1.3. Report:** There shall be no written or formal report of the fall meeting.

**4.2 Spring Review:** During the months of March through May, the resource and review team shall evaluate the president's performance.

**4.2.1 Objectives:** In addition to the objectives of 4.1.1., the objective of the Spring review is to review of the president's performance, and to identify areas of success and areas that need improvement.

**4.2.2 Agenda:** The chair of the resource and review team shall set the agenda in consultation with the president.

**4.2.3 Report:** The resource and review team shall produce a written and confidential report pursuant to section 5.4.

**4.2.4 Criteria for Evaluation:** The resource and review team shall assess the president's performance in the following areas:

**4.2.4.1 Institutional Vision and Strategic Goals:** The resource and review team shall review institutional mission and the president's vision for the institution and the strategic goals associated with that vision. The team will discuss with the president his or her progress toward accomplishing the goals. The team should interview the president's executive team regarding the strategic goals, whether the president effectively communicates his or her priorities, and the president's overall performance.

**4.2.4.2 Presidential Effectiveness:** The resource and review team, in collaboration with the president, shall identify issues, challenges, and problems which impede the accomplishment of identified priorities and goals. Such problems may relate directly to the institution, the president's executive team, the president's performance, or the president's relationship with the Board of Trustees, the Board of Higher Education and

other stakeholders. The team will work with the president to identify his or her strategies for addressing the challenges or problems, record those strategies in the evaluation report, and follow up with the president during the fall meeting regarding his or her progress at resolving the challenges or issues.

**4.2.4.3 Equity, Diversity, and Inclusion:** The resource and review team—using the annual demographic report provided by the Commissioner’s Office—shall assess the president’s progress toward fostering a diverse, representative, and equitably compensated workforce across all levels of faculty and staff, and providing students with an educational experience rooted in diverse perspectives, experiences and backgrounds in accordance with R805.

**4.3 Liaisons:** The resource and review team shall function as liaisons between the institution and the Board of Regents. As time and circumstances permit, the resource and review team shall do the following: (1) visit campus, (2) attend trustee meetings, (3) attend campus events—especially commencement ceremonies, (4) identify specific ways that the Board of Regents can build a positive and productive relationship with the Board of Trustees and president, and (5) coordinate and facilitate communication between the Board of Regents, Board of Trustees, and the president. The team chair shall note such activities and suggestions in the written report to the Board of Regents.

**4.4 Integration with R209 Evaluation:** Pursuant to Regents’ Policy [R209](#), presidents are to be comprehensively evaluated following the first year of employment, and every fourth year thereafter. During the year of R209 comprehensive evaluation, the resource and review team shall not conduct a performance review, but will still meet with the president to receive an update on the president’s current challenges, successes, and upcoming events or issues.

## **R208-5 Procedures**

**5.1 Appointment of Resource and Review Teams:** Each resource and review team shall consist of the Chair and Vice-Chair of the institution’s Board of Trustees and two Regents. The Regents’ Chair shall (1) appoint the two Regents to serve on the Resource and Review Team, (2) notify the chair and vice-chair of the institutional Board of Trustees as to their responsibility to serve on the institution’s resource and review team, and (3) designate the chair of the resource and review team.

**5.2 Interaction with Board of Trustees and Consultation with Regents’ Committees:** In preparation for the spring review, the resource and review team should consult with the Chair and Vice-Chair of the Regents, the Chair and Vice-Chair of the Trustees and the Commissioner to identify any concerns or issues with either the president’s performance or institutional direction that needs to be addressed. The Commissioner’s Office will assist and support the team by

providing data, guidance or other information necessary for the evaluation, [including the annual demographic data assessing an institution's progress toward a diverse, representative workforce under R805](#).

**5.3 Written Reports:** After completing the annual performance evaluation, the team chair shall prepare a written, confidential report of the findings and counsel. The Commissioner's Office may provide a standard report format. The report shall be marked confidential.

**5.3.1 Who Receives the Report:** Copies of the report are to be forwarded to the president, the chair of the Board of Trustees, the Commissioner, and the Chair and Vice Chair of the Board of Regents. The report shall not be disclosed to other individuals or entities without Regents' approval pursuant to Utah Code [§63G-2-201](#).

**5.3.2 Presidential Comments:** The president shall have opportunity to comment in writing on the report. The presidential statement shall be included in the final report prior to submitting it to the Board of Regents.

**5.3.3 Confidentiality of Spring Review Report:** All spring review reports, including notes and drafts, all meetings conducted pertaining to the Resource and Review Team's work, and all recommendations and responses, are confidential private records protected from disclosure by Utah Code [§63G-2-201, 302](#).

**5.3.4 Retention of Presidential Records:** Reports (along with presidential comments) shall be stored in the president's personnel file at the Board of Higher Education office.

**5.3.5 Board Review of Report:** The report shall be reviewed in closed session by the Board of Regents—typically at the next regularly scheduled meeting. The Chair of the Board of Regents may direct a resource and review team to report to the Board of Regents on a more frequent basis

## R209, Evaluation of Presidents<sup>1</sup>

**R209-1 Purpose:** The purpose of this policy is to establish procedures for the comprehensive performance evaluation each president in the Utah System of Higher Education. The comprehensive evaluation process will reflect the full scope of the president’s duties, general institutional oversight, and provide meaningful, substantive feedback from key constituents, regarding the president’s efforts and areas of strength as well as the areas that need improvement.

### R-209-2 References

**2.1** Utah Code §53B-2-102 (Board to Appoint President of Each Institution)

**2.2** Board Policy R120, Bylaws; 3.3.3., Institutional Governance and Administration

**2.3** Board Policy R208, Resource and Review Teams

**2.4** [Board Policy R805, Gender, Race, and Ethnicity Representation within the Utah System of Higher Education Workforce](#)

### R209-3 Definitions

**3.1 Commissioner of Higher Education:** For purposes of this policy, the Commissioner is subject to the same evaluation requirements and criteria where applicable.

**3.2 Confidential:** As used in this policy, “confidential” means the document is a “private record” under Utah Code §63G-2-302. As a private record, any such documents are exempt from public records requests and shall not be disclosed except pursuant to Utah Code §63G-2-201(5).

### R209-4 Policy

**4.1 Comprehensive Evaluation:** The performance of each president will be comprehensively evaluated following the first year of his or her tenure and every four years thereafter. The comprehensive evaluations shall occur in the spring in lieu of the spring review under R208. The Board or the president may request a comprehensive evaluation at a shorter interval.

**4.2 Guidelines for Evaluation:** The comprehensive evaluation shall adhere to the following guidelines in order to make the evaluation process fair, meaningful, and effective:

**4.2.1 Objectivity:** Objectivity extends to the criteria to be assessed, the use of verifiable data wherever possible, the process for the completion of the evaluation, and the selection of persons who will participate in the evaluation.

**4.2.2 Clearly-defined criteria that relate to the institution’s missions and goals:** The criteria for evaluation must encompass an appropriate scope. The criteria

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<sup>1</sup> Adopted April 26, 1977; amended July 27, 1977; May 17, 1983; September 11, 1987; July 21, 1989; November 4, 1994; November 3, 1995, April 22, 2005, April 3, 2009, April 1, 2010, March 29, 2013, March 28, 2014 and February 9, 2018.

shall include outcome standards that relate the actions of the individual to the mission and goals of the institution as well as process criteria that describe the critical behaviors of effective leaders.

**4.2.3 Meaningful evaluation:** Appraisal of an individual's job performance should be made only by those in a position to observe that performance or is directly impacted by the president's performance. Opinions concerning the president's performance will be limited to those faculty, students, staff, and others in positions that afford them sufficient interaction with the president to make meaningful judgments.

**4.2.4 Well-planned schedule of implementation:** The evaluation committee shall establish a reasonable timetable for evaluation to provide an adequate period for collecting data, interviews, review, and feedback.

**4.2.5 Opportunity for response and self-assessment:** Each president will have the opportunity to complete a self-assessment and provide a response to the evaluation.

## **R209-5. Procedures**

### **5.1. Evaluation Committee**

**5.1.1. Composition of Evaluation Committee:** The evaluation will be conducted by an Evaluation Committee of no fewer than three (3) members, including an evaluation consultant. The Chair of the Board of Higher Education shall appoint the evaluation committee members upon the recommendation of the Commissioner.

**5.1.2. Evaluation Consultant/Chair of Evaluation Committee:** The evaluation consultant shall chair the evaluation committee and shall have extensive experience in higher education and evaluating executive performance. The Commissioner of Higher Education shall select and retain the services of a qualified evaluation consultant or consultants as needed.

**5.1.3. Appointment of Evaluation Committee:** The Chair of the Board of Higher Education, in consultation with the president and the Commissioner, shall appoint the evaluation consultant and the other members of the evaluation committee.

### **5.2. Evaluation Planning**

**5.2.1. Planning Meeting:** In advance of the evaluation, the evaluation committee chair, the Commissioner, and the president may discuss the details of the evaluation and any issues that pertain to the evaluation process.

**5.2.2. Selection of Interviewees:** The evaluation committee shall submit a list of potential Interviewees for approval by the Commissioner (for evaluation of presidents) or the Chair of the Board of Higher Education (for evaluation of the Commissioner) for consideration by the Evaluation Committee. This list shall normally consist of individuals both internal and external to the institution who are knowledgeable about the institution, and who have had sufficient interaction with or are directly impacted by the president's performance as to make meaningful judgments.

**5.2.3. Preparation for Interviews:** Prior to conducting confidential interviews, the evaluation committee shall meet with the president and his or her resource and review team for the purpose of reviewing strategic plans, goals, objectives, relevant policies, major challenges, successes and shall review the resource and review team's prior evaluation reports. ~~The Commissioner's staff will assist and support the committee by providing data, guidance or other information necessary to a comprehensive evaluation.~~

[5.2.3.1 The Commissioner's staff will assist and support the committee by providing data and guidance, including the annual demographic data assessing an institution's progress toward a diverse, representative workforce under R805.](#)

**5.2.4. Self-Report:** The president shall prepare a confidential self-evaluation based upon the criteria of evaluation outlined in Section 5.4. of this policy as well as the

presidential charge received from the Chair of the Board of Higher Education at the beginning of his/her presidency. The self-report shall be submitted to the to the evaluation committee.

### **5.3 Evaluation Process**

**5.3.1 Confidentiality:** Participants in the evaluation process shall maintain confidentiality. The evaluation committee will assure those being interviewed that their responses will remain confidential and that only a composite of responses will be made available to the Board and the president.

**5.3.2 Required Interviews:** The evaluation committee should interview a broad range of vice presidents, deans, academic and administrative department heads, faculty, students, community leaders, alumni, and local and state government leaders. The evaluation committee shall also take into consideration input provided by the Faculty Senate, Board of Trustees, and Board of Higher Education. The committee may solicit written comments about the president's performance from various internal and external constituencies.

**5.3.3 Exit Meeting:** Prior to the end of the campus evaluation visit, the evaluation committee will meet with the president to review the preliminary results and to follow up on any questions that may remain.

**5.4 Evaluation Criteria:** The evaluation committee shall use the following criteria to evaluate the president's performance.

#### **5.4.1 Vision, Mission, Strategic Planning and Goals**

**5.4.1.1** The president has established a clear vision for the institution in line with its statutory mission and understands his or her role in implementing that vision.

**5.4.1.2** The president has established long-range and short-range strategic goals around the mission and vision. The president has established baseline measurements for the strategic goals and is tracking measurable outcomes to assess the institution's progress toward achieving those goals.

**5.4.1.3** The president has established strategies, tactics, benchmarks and timelines to accomplish the strategic goals, and has effectively delegated responsibility for those goals.

**5.4.1.4** The president has clearly and effectively communicated the strategic plan and its goals to the campus community and has kept the community informed about the institution's progress made toward those goals. The campus community understands the strategic plan for the institution and recognizes how it will help the president achieve his or her vision for the institution.

#### **5.4.2 Institutional Fiscal Health**

**5.4.2.1.** The president demonstrates sound oversight over the institution's fiscal health, including setting budgetary priorities encourage efficient and effective use of resources.

**5.4.2.2.** The president establishes priorities for fiscal resources in a manner that is conducive to achieving institutional goals and objectives.

**5.4.2.3.** The president evaluates fiscal and budgetary matters as often and rigorously as is necessary to properly oversee his or her budget and finance officer's performance.

#### **5.4.3. Academic/Instructional Leadership and Planning**

**5.4.3.1.** The president's strategic planning, priorities and goals supports the critical role of scholarship, intellectual diversity and academic freedom.

**5.4.3.2.** In overseeing the institution's academic/instructional mission, the president has appropriately prioritized teaching quality and focused on students and curriculum.

**5.4.3.3.** The president has directed his or her academic staff to maintain an effective academic program review procedure designed to serve as a basis for allocating staff, evaluating the quality of instruction, and implementing the institution’s strategic goals.

**5.4.3.4.** The president has fostered collaboration with businesses, industries and government to identify workforce needs and adjusted program offerings to support workforce needs.

**5.4.3.5.** In addition to the criteria listed in this section, the resource and review team, in consultation with the president, will establish review criteria that is specific to the institution’s specific mission and role, such as research, teaching, outreach, public engagement or career technical education.

#### **5.4.4 Personnel**

**5.4.4.1** The president’s leadership fosters a positive work environment for faculty and staff.

**5.4.4.2** The president holds his executive team members and direct reports accountable for their performance and takes corrective action when necessary to further enhance the institution’s effectiveness.

**5.4.4.3** The president seeks the counsel of his or her executive team and ensures they are focused on the institution’s strategic priorities.

**5.4.4.4** The president effectively determines those issues which are the proper responsibility of his or her executive team and those which require the action of the chief executive officer, and appropriately delegates responsibility.

[5.4.4.5 The president adopts strategies that foster a diverse, representative, and equitably compensated workforce across all levels of faculty and staff, and provide students with an educational experience rooted in diverse perspectives, experiences and backgrounds in accordance with R805.](#)

#### **5.4.5. Decision Making and Problem Solving**

**5.4.5.1.** The president demonstrates a willingness to assume responsibility for his or her decisions and endeavors to fully understand issues prior to making a decision.

**5.4.5.2.** The president shows an ability to identify potential areas of conflict and proactively find solutions before the problem escalates.

**5.4.5.3.** The president demonstrates an understanding of how the interrelated nature of budgeting, curriculum, social and political realities, group interests and pressures, laws and regulations impact the management of the institution.

**5.4.5.4.** The president initiates new ideas and embraces change when necessary to meet the institution’s strategic goals and vision. The president seeks to obtain support from stakeholders and sees new ideas to completion.

#### **5.4.6. External Relations and Fundraising**

**5.4.6.1.** The president establishes positive relationships with the community in which the institution is located.

**5.4.6.2.** The president oversees and encourages a robust alumni program.

**5.4.6.3.** The president oversees a fundraising/development program that has clear goals and strategies. The president actively cultivates relationships with donors, effectively promotes the institution’s vision, and shows successful fundraising efforts.

**5.4.6.4.** The president collaborates with the other presidents in the system.

**5.4.6.5.** The president successfully navigates relationships with legislators, the Governor's office, other state and federal agencies, and with other public officials on matters affecting the institution. The president shows strong understanding of the political environment's impact on the institution and is able to properly adjust strategies in the face of those realities.

#### **5.4.7. Relationship to the Institutional Board of Trustees and to the Board of Higher Education**

**5.4.7.1.** The president provides professional leadership for the Board of Trustees or, in the case of the Commissioner, for the Board of Higher Education and to present candid judgments on matters affecting the institution.

**5.4.7.2.** The president has presented a strategic plan and vision for the Trustees to review and approve. The president regularly updates the Trustees and Board of Higher Education about the institution's progress towards its strategic goals and seeks counsel or assistance when issues arise that may prevent the institution from reaching a goal.

**5.4.7.3.** When serious challenges for the institution arise, the president engages the Trustees and the Board of Higher Education appropriately and recommends the best course of action.

**5.4.7.4.** The president successfully oversees the day-to-day operations and is able to carry out duties which have been or may be delegated or assigned by the Board of Higher Education or the Board of Trustees.

#### **5.4.8. Student Engagement**

**5.4.8.1.** The president establishes expectations and goals for his student services staff that encourages student success and well-being, including issues of retention, graduation rates, affordability, safety and mental health, and career and academic counseling.

**5.4.8.2.** The president prioritizes and fosters a vibrant, challenging and positive learning environment for the institution's students.

### **5.5. Evaluation Report**

**5.5.1. Report Content:** The evaluation committee chair shall compile information gathered during the course of the evaluation in a confidential, written report, documenting the president's strengths and areas for future focus and improvement.

**5.5.2. Opportunity for Response:** The chair will submit the final report to the to the president for an opportunity to prepare a written response to the report.

**5.5.3. Review by Board Officers:** The chair shall send the final report and the president's response and self-evaluation to the Commissioner the Chair and Vice Chair of the Board of Higher Education.

**5.5.4. Review by Board of Higher Education:** As soon as practical, the president will meet with the Commissioner, the Chair and Vice-Chair of the Board of Higher Education and the Chair and Vice-Chair of the Board of Trustees to review the findings and recommendations.

**5.5.5. Recommendations to Board of Higher Education:** At the conclusion of the evaluation process, the Chair of the Board of Higher Education may recommend actions to the Board.

**5.5.6. Retention of Report in Personnel File:** A copy of the evaluation report, together with a copy of the president's self-evaluation and response to the report, will be retained as a confidential record in the president's personnel file.

**5.5.7. Confidentiality of Report:** The evaluation report, including all notes, drafts, records of meetings conducted during the course of the evaluation, and all recommendations and responses, are confidential personnel records protected from disclosure by Utah law.

### **5.6. Application of Evaluation Procedures to Commissioner**

**5.6.1. General Procedures to Be Followed:** The evaluation of the Commissioner shall generally follow the procedures outlined in this policy for the evaluation of presidents, with adjustments to ensure the process is objective.