

[Amended proposal for Reference J](#)

Approved-Handbook Revision, Chancellor and Board of Regents’ Roles/Relationships, Proposed Change to Regents’ Bylaws, Article VII – The Board of Regents and Interim Chancellor James Rogers discussed the role of the chancellor and the Board of Regents regarding the termination and discipline of presidents. [The Board approved Interim Chancellor Rogers’ request for a proposed Regents’ Bylaws change in Article VII to allow the chancellor to discipline and terminate presidents for cause with an amendment for the presidents’ right to appeal on termination. This was the second reading for this proposed change \(Ref. J on file in the Board office\) .](#)

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A previous discussion involved the presidents’ right of appeal. One president already has the right of appeal included in her contract. Regent Derby felt it was important for the presidents to have a right of appeal. A de facto right of appeal exists with any three Regents able to bring forward any issue for a Board agenda. She would rather have the issue codified to strike the appropriate balance. She felt that it appeared punitive not to allow the right of appeal. She could not imagine a chancellor firing a president under extraordinary circumstances without having the widespread support of the Board. She felt the Bylaw change appropriately strengthened the hand of the chancellor, but also felt it important to incorporate the presidents’ right of appeal.

[Regent Derby offered an amendment to include the presidents’ right of appeal to the Handbook revision. Regent Rosenberg seconded.](#)

Regent Derby said she felt very strongly that it was important for the Board to pass this and confer greater authority to the chancellor. However, she also felt it was important to allow the right of appeal. In spite of the fact that any three Regents could bring an appeal forward, she did not feel that it was fair that one president had the right of appeal while the other seven did not. She asked whether an existing motion could be amended. In trying to do so, Vice Chancellor Klaich had not allowed it. She asked whether she could provide another motion if the current one was defeated. Vice Chancellor Klaich replied that if the motion did not pass, a person voting against the motion (*prevailing side*) could reconsider the matter. Regent Derby asked whether it had to be done in such a fashion and that the motion could not be amended. Vice Chancellor Klaich replied they could make a specific motion to amend the motion and vote on that first. Regent Derby established that she could offer an amendment to the current motion, which the Board would then vote upon.

Regent Derby moved approval of amending the current motion to include a right of appeal, the chancellor’s action approved by a simple majority, and there be agreement with the Board Chair. Regent Rosenberg seconded.

Regent Derby moved approval of amending the current motion to incorporate a right of

appeal for presidents to the Board regarding termination.

Chair Anthony clarified there would be a right of appeal when a president is terminated by the chancellor. However, in order for the chancellor to terminate a president the Board Chair must approve.

Regent Derby moved approval of amending the motion to provide the presidents the right of appeal under the circumstance of termination by the chancellor. Regent Rosenberg seconded.

Regent Derby moved approval of amending the motion so the president may appeal termination to the Board of Regents, using the procedures established in Section 6.14 of the Code (*Title 2, Chapter 6*) so far as they can be made applicable and subject to the following: the appeal must be filed with the chief administrative officer of the Board of Regents; and the chancellor may file a written reply to the appeal with the chief administrative officer of the Board of Regents. The appeal must be filed within ten working days after receipt of a written notice of intent to terminate from the chancellor. The imposition of such termination is stayed pending a decision from the Board of Regents on appeal.