

# **SOUTH DAKOTA BOARD OF REGENTS**

## **Policy Manual**

**SUBJECT:** Chief Executive Officers

**NUMBER:** 4.1.2

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### **A. PURPOSE**

To define special employment provisions for the roles of president, superintendent or director of a special school and the executive director.

### **B. DEFINITIONS**

1. **Institution:** Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines & Technology, South Dakota State University, South Dakota School for the Blind and Visually Impaired, South Dakota Services for the Deaf, University of South Dakota, and the Office of the Executive Director.

### **C. POLICY**

#### **1. Employment**

Individuals in the positions of president, special school superintendent/director, or executive director shall be designated chief executive officers. The Board shall approve the salaries for chief executive officers upon appointment and thereafter on an annual basis. The initial appointment shall include a contract for employment, and, unless action to non-renew is taken by formal action of the Board, the contract shall be self-renewing with appropriate amendments based on annual salary considerations.

#### **2. Professional Leave**

- 2.1. Chief executive officers who are performing satisfactorily may be eligible for professional leave after three calendar years of service as a chief executive officer. Such leave is not an entitlement and shall be at the discretion of the Board. The leave shall be granted only where it appears the professional leave would enhance job performance of the chief executive officer. Professional leave may be granted for a period of not less than five working days and not more than three months. While CEOs are eligible for professional leave following three calendar years of satisfactory service as a chief executive officer, the maximum professional leave granted to a CEO may not exceed three months for each six years of satisfactory performance as a CEO, *i.e.*, no more than six months professional leave during twelve years of satisfactory service as a CEO, no more than nine months of professional leave during eighteen years of satisfactory service as a CEO, etc.

- 2.2. Professional leaves shall be requested in writing and shall include an appropriate plan

for the leave. Upon return, a substantive report regarding the leave shall be submitted to the Board. Professional leaves may not be utilized to extend a renewable appointment nor may professional leave be used to establish eligibility for subsequent professional leave requests. A chief executive officer who is on professional leave under the provisions of this policy shall be considered a full-time exempt employee with all the benefits, rights, and privileges of such employment status during the professional leave. The grant of a professional leave shall be conditioned on the execution of a written agreement by the CEO to return to the service of the Board for a period not less than four times the length of the professional leave. This agreement shall provide, further, that a CEO who fails to complete this return-to-service obligation shall reimburse the Board for an amount equivalent to the CEO's contract salary while on professional leave.

### **3. Distinguished Regental Professorships**

Chief executive officers may be eligible for appointment to a Distinguished Regents Professorship after performing satisfactorily as a chief executive officer for a minimum of seven calendar years. The following criteria shall govern the appointment of Distinguished Regents Professors:

- 3.1. Distinguished Regents Professorships shall be academic year appointments for a minimum of one year and a maximum of five years. The professorships shall be evaluated consistent with BOR policy and the collective bargaining agreement.
- 3.2. Initial salary for a Distinguished Regents Professor assigned to an institution of higher education shall be the average salary of the individual as determined by the most current Oklahoma State University national faculty salary data for a full professor in the discipline to which the individual is assigned by the Board. Initial salary for a Distinguished Regents Professor assigned to a special school shall be the salary of the individual determined pursuant to the procedures ordinarily used to fix the salary of newly hired instructors; except, a superintendent hired from within the staff shall not be paid less than the salary received at the time of hire plus those salary increases that would have accrued had the individual remained in that position. Increases to salary after initial appointment shall be determined on the same basis as used for other professors in that discipline.
- 3.3. A transitional stipend, in addition to the salary determined pursuant to paragraph (2) above, shall be paid to Distinguished Regents Professors. Payment of the transitional stipend shall be prorated in equal monthly installments over a time certain not to exceed five years beginning with the date on which the chief executive officer relinquishes the duties of that position; provided that the monthly payment of the stipend shall end upon the termination for any reason of employment or acceptance of a tenure track or tenured appointment, and, in either event, all sums yet to be paid shall be forfeited. A transitional stipend shall be the difference between (A) the initial salary determined pursuant to paragraph (2) above and (B) up to seventy percent (70%) of the individual's final contract salary as chief executive officer multiplied by (C) the appointment's designated time certain in years, *i.e.*,  $[(B - A) \times C]$ .
- 3.4. Distinguished Regents Professorships shall be term contracts. However, a Distinguished Regents Professor who is eligible for AND accepts an offer of a tenure track appointment

may receive credit for prior service toward tenure consistent with BOR policy and the collective bargaining agreement. Acceptance of an offer of a tenure track appointment shall terminate a Distinguished Regents Professorship and effect a forfeiture of the transitional stipend on the intended contract date of the tenure track appointment. The title “Distinguished Regents Professor” may be enjoyed upon relinquishment of the transitional stipend and upon Board approval.

- 3.5. Distinguished Regents Professors may be assigned to any institution in the System or the Board Office for special projects. In such case, the institution of service shall be responsible for a portion of the salary, stipend, and benefits commensurate with the percentage of duties at the institution of service.

## **FORMS / APPENDICES:**

None

## **SOURCE:**

BOR October 1991; October 2023 (Clerical).