# **Institute Charter Establishment and Reauthorization**

Version: October 28, 2022

Check List

* Reference UCCS Campus [policy 200-013](https://vcaf.uccs.edu/sites/g/files/kjihxj1631/files/inline-files/200-013.pdf) in developing the following materials.
* Establish (or update) the Program Plan
* Establish (or update) the Bylaws
* Establish (or update) the fiscal control provisions (i.e., accounting procedures, use of general funds, terms and conditions of expenditure and authorization, agreements for indirect cost recovery, etc.) as Appendix A.
* A *complete charter* consists of a program plan, bylaws, and Appendix A.
* Submit a complete charter for approval, using the Institute establishment routing form available <https://centersandinstitutes.uccs.edu/>
* Ensure compliance with UCCS campus policy 200-013 and [APS 1008](https://www.cu.edu/ope/aps/1008).
* Within one month of establishment approval or reauthorization, post the approved bylaws on a publicly available website and provide a copy of the complete charter to the Executive Vice Chancellor for Academic Affairs (EVCAA).
* Provide a copy of the Institute’s [*Facilities and Administrative (F&A)*](https://www.uccs.edu/vcaf/sites/vcaf/files/inline-files/2019_JUN_06_900-003%20Distribution%20of%20Facilities%20and%20Administrative%20%28F%26A%29%20Recovery%20from%20Externally%20Sponsored%20Programs%20%28APPROVED%29.pdf)distribution plans to the AVC-Research.
* Delete this page - it should not be part of your charter.

Approvals

A complete Charter shall be reviewed by the appropriate department chair (if housed within a department), the appropriate dean (if housed within a college), the chair of Faculty Assembly, the Executive Vice Chancellor for Academic Affairs (EVCAA), campus compliance and campus legal counsel. Their recommendations shall be forwarded to the Chancellor, who shall have final authority for the approval of any new Institute. Use the Institute Establishment Routing Form available on the website to allow reviewers to comment and approve.

Institute Program Plan Instructions

\* All content may not be applicable to your Institute. Required elements are shown in italics

\* Delete this page before submitting.

[Institute Name]

Program Plan

1. Purpose, Goals, and Evaluation of the Institute
2. *Purpose & Background*
	1. *Problem(s) to be solved or addressed (i.e., central theme, issue, project, or policy topic)*
	2. *Rationale – why is the Institute necessary? How does the Institute meet the definition of “Institute” as described in APS 1008?*
	3. *Principles – how does the Institute impact the reputation of the university? Describe how the Institute balances the four guiding principles outlined in 200-013.*
3. *Primary Focus*
	1. *Primary focus (or foci) of the Institute: research, scholarship and creative work, support service, community, and/or education*
	2. *Primary discipline if applicable and involvement of other disciplines*
4. *Goals, Objectives, and Agenda*
	1. *Goals*
	2. *Objectives*
	3. *Means to achieve goals and objectives*
	4. *High-level seven-year agenda*
5. *Evaluation*
	1. *Criteria for measuring and evaluating the success of the Institute*
6. Congruence with Role and Mission of University, Campus, and Parent Unit
7. [*UCCS mission, vision, and values.*](https://www.uccs.edu/mission) *Explain how the Institute contributes to the UCCS mission, guiding principles, and vision.*
8. [*UCCS strategic plan.*](https://strategicplan.uccs.edu/) *Explain how the Institute contributes to the UCCS Strategic Plan.*
9. *Parent unit mission and initiatives: Explain how the Institute contributes to the mission and initiatives of the parent unit. For example, a department, college, or academic affairs.*
10. Institutional Capability for Implementing the Institute
11. *Qualifications, previous experience, and demonstrated success, including a list of participating faculty, their home units, and their role(s) in the Institute*
12. *Start-up funds, if applicable*
13. *Space to be used for the Institute, any necessary alteration to the space, and funding for such renovations if applicable.*
14. Administrative Structure
15. *Director, faculty,* committee(s), executive board, advisory board, etc*.*
16. *State who the Director reports to in their role as Institute Director.*
17. *Administration and finance staff,* student employees, etc.
18. Resource Implications
19. *Needs and plans*

Institute Bylaw Instructions

\* All content may not be applicable to your Institute. *Optional items are noted as such with “if appropriate”.*

*\* Items that are not applicable should be retained and stated as not applicable*

*\*Remove parenthetical instructions*

\* Delete this page before submitting.

**Institute for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**or**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Institute**

**BYLAWS**

**ARTICLE I – PURPOSE**

**1.1.** **Purposes and Powers.** The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (“Institute”) shall have the purposes and shall exercise those powers in the furtherance of its purposes as stated in these bylaws and as permitted by the University of Colorado Colorado Springs (“University” or “UCCS”). *Describe the problem(s) to be solved or addressed and/or the rationale for the Institute.*

**1.2 Goals and Objectives.** The Institute’s main goals are to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

The following specific objectives will be pursued:

 **A. Objectives of the Institute.**

* Research and Creative Work Objectives
* Training and Mentoring Objectives
* Public and Professional Leadership Objectives
* Educational Objectives.
* Support Service Objectives *(if applicable).*

**ARTICLE II**

**2.1** The Institute is recognized as an Institute within \_\_\_\_\_\_\_\_\_

**ARTICLE III – GOVERNANCE**

**3.1 Director.**

**A. Qualifications.** [State the qualifications of the Director, for example, if the Institute Director must be an employee of the University, or a regular faculty member of the University and/or have an active, ongoing professional interest in the mission of the Institute.]

**B. Appointment, Term, Removal and Replacement.** [State how one becomes the Director, the term, and process for removal and replacement.]

**C. Supervisor.** [State who the Director reports to. This person must be either the EVCAA or Chancellor or Designee]

**D.** **Duties.** [State duties of the Director. Typical duties might include oversee the development, administration, and media relations of the Institute; write grants; oversight of annual budget; oversight of the objectives, supervise event planning, manage volunteers, etc.]

 **3.2 Associate Director *(if applicable)*.** [The inclusion of an associate director is optional] [Include any other members of the Institute’s Governing Board].

**A. Qualifications.** [State qualifications of Associate Director].

**B. Appointment, Term, Removal and Replacement.** [State how one becomes the Associate Director, the term, and process for removal and replacement.]

**C. Supervisor.** [State who the Associate Director reports to.]

**D. Duties.** [State the duties of the Associate Director]

**3.3** **Institute Executive Committee.** [State applicable membership qualifications, appointment and term limits, duties, voting roles, and removal/replacement.]

**ARTICLE IV – MEMBERS/AFFILIATES**

**4.1** [Provide description of Institute’s members/participants (e.g. faculty, affiliate faculty, non- faculty affiliates, visiting scholars, staff, students).]

**ARTICLE V – INDUSTRY MEMBERS OR COMMUNITY MEMBERS *(if applicable)[[1]](#footnote-1)***

**5.1 [Provide description of industry members and/or community members]**

**A. Qualifications.**

**B. Term.** [Provide an appropriate term for proposed industry or community members based on an event, agreement or payment of a membership fee]

**C. Removal.**

**ARTICLE VI – ADVISORY BOARD *(if applicable)***

**6.1 Members.**

 **A. Qualifications.** [State qualifications of advisory board members.]

**B. Duties.** [For example, “The members of the Advisory Board provide advice regarding overall direction and vision for the Institute, which assist the Institute to define, develop and achieve its educational goal, and help facilitate the Institute’s relationships with the community. The members of the Advisory Board have no governance responsibility or appointing authority for personnel matters.”]

**C. Appointment/Term.** [Please include an appropriate term and appointment structure for Advisory Board members.]

**D. Removal and Replacement.** [For example, “Advisory Board members may be removed at any time and for any reason by a majority vote of the Executive Committee or at the discretion of the Director.”]

**E**. **Chairperson.** [State who presides over the advisory board meetings and how this person is appointed, term limits, remove/replacement.]

**ARTICLE VII – OTHER COUNCILS *(if applicable)***

**7.1 Members.**

 **A. Qualifications.** [State qualifications of other committees, scientific councils, or advisory board members.]

**B. Duties.** [State the duties.]

**C. Appointment/Term.** [Please include an appropriate term and appointment structure for members.]

**D. Removal and Replacement.** [For example, “scientific council members may be removed at any time and for any reason by a majority vote of the Executive Committee or at the discretion of the Director.”]

**ARTICLE VIII - ADMINISTRATION AND FINANCE**

**8.1 Financing Strategies.** [State the short- and long-term financing strategies of the Institute. A detailed financial control and budget plan must be included in Appendix A.]

**8.2. Fiscal Management and Review.** Fiscal management will be carried out using UCCS fiscal and administrative procedures. [Describe the fiscal administrator position, duties, and staff funding source.]

**8.3. Fiscal Control Provisions.** The Institute will follow and abide by all UCCS, University of Colorado, and State fiscal policies.

**8.4. F&A Distribution Plans.** [Describethe Institute’s [*Facilities and Administrative (F&A)*](https://vcaf.uccs.edu/sites/g/files/kjihxj1631/files/inline-files/2019_JUN_06_900-003_Distribution_of_Facilities_and_Administrative_%28F%26A%29_Recovery_from_Externally_Sponsored_Programs_%28APPROVED%29.pdf)distribution plans. A copy of these plans must be on file with the Executive Director of the Office of Sponsored Programs (OSP).]

**ARTICLE VIX - PROVISIONS FOR CHANGING BYLAWS**

**9.1** Subject to applicable University policies, these bylaws or any part therein may be changed, amended, or repealed and new bylaws adopted by the Institute after approval by a unanimous vote of… [describe who must give approvals for new bylaws].

**ARTICLE X – DISCONTINUANCE**

**10.1** The period of the Institute’s existence shall commence with the date of its approval as an academic Institute in accordance with Policy 200-013 and shall be subject to review, continuance, and discontinuance processes per Policy 200-013 and APS 1008.

**ARTICLE XI - MISCELLANEOUS PROVISIONS**

**11.1. Limitation of Activities.** Notwithstanding any other provisions of these bylaws, the Institute shall not conduct or engage in any activities not permitted pursuant to the educational entity exemption from federal income tax under Section 501(c) (3) of the Internal Revenue Code. Furthermore, the Institute shall not conduct or engage in any activities not permitted to be carried on by, or in a manner prohibited by, University policies.

**11.2. Distribution of Assets.** Upon the Institute’s termination, any assets remaining after payment, or provision for payment of its legitimate obligations, shall be distributed as directed by appropriate University personnel in accordance with University policies and consistent with the University’s tax exempt status.

**11.3. Prohibition Against Private Inurement.** No part of the Institute’s net revenue shall inure to the benefit of, or be distributable to, its officers, advisors, staff, fellows, or other private persons except: 1) as reasonable compensation for services rendered; 2) as provided by in agreements concluded with funding parties or agencies in accordance with University policies and as approved by appropriate University personnel; and 3) as otherwise permitted by University policies consistent with the University’s exempt status, including, but not limited to, policies related to intellectual property and technology transfer.

**Appendix A.**

**Financial Control Provisions and Plan – Estimated Revenues and Expenses**

*Per APS Institutes should have substantial external funding (typically over $1 million/year), commitments for associated faculty lines, evidence of long-term sustainability, a program of research training, and substantial infrastructure. The annual operating budget should be fiscally independent of other academic units.*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Budget Expenses | Year 1\* | Year 2 | Year 3 | Year 4-7 |
|  |  |  |  |  |
| Estimated staff personnel costs |  |  |  |  |
|  |  |  |  |  |
| Estimated associated faculty line costs |  |  |  |  |
|  |  |  |  |  |
| Estimated operating costs (e.g., travel, office supplies, equipment upkeep, marketing, etc). |  |  |  |  |
|  |  |  |  |  |
| Other expenses  |  |  |  |  |
| TOTAL |  |  |  |  |

*Year 1 refers to the first year of establishment or first year of reauthorization.*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sources of Funding and Revenues | Year 1 | Year 2 | Year 3 | Year 4-7 |
|  |  |  |  |  |
| One-time commitments or seed money (describe sources and amounts) |  |  |  |  |
|  |  |  |  |  |
| On-going sources of funding (e.g., grants, fee for service, gift revenues, etc). |  |  |  |  |
|  |  |  |  |  |
| Other revenue sources |  |  |  |  |
| TOTAL |  |  |  |  |

**Narrative description of fiscal control provisions and plan:**

1. If your Institute will have industry members, other clauses may be necessary (e.g. confidentiality policy, publication policy, intellectual property policy, etc.). Please contact the UCCS Office of University Counsel in this case. [↑](#footnote-ref-1)