



Governance & Policy Committee

September 2020

September 11, 2020

8:00 a.m.

Boardroom, McNamara Alumni Center

GOV - SEP 2020

1. 2020-21 Committee Work Plan
 - Docket Item Summary - Page 3
 - Draft Work Plan - Page 4
2. Board of Regents Policy: Protection of Individual Health Information - Review
 - Docket Item Summary - Page 6
 - Revised Policy - Page 7
3. Board Input into the Regent Selection Process
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4. Information Items
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BOARD OF REGENTS DOCKET ITEM SUMMARY

Governance & Policy

September 11, 2020

AGENDA ITEM: 2020-21 Committee Work Plan

Review **Review + Action** **Action** **Discussion**

This is a report required by Board policy.

PRESENTERS: Regent Janie Mayeron
Brian Steeves, Executive Director & Corporate Secretary

PURPOSE & KEY POINTS

The purpose of this item is to review and discuss the 2020-21 committee work plan.

BACKGROUND INFORMATION

Board of Regents Policy: *Board Operations and Agenda Guidelines* describes the role of the Governance & Policy Committee as follows:

The Governance & Policy Committee (GOV) oversees and makes recommendations to the Board related to policy and processes that seek to ensure the integrity and high performance of the Board. The committee supports effective governance by guiding the Board to: articulate a clear vision for the University and its major components; clarify reserved and delegated authorities; establish institutional benchmarks and performance measures; and thoughtfully considers risks that may impact the performance of the institution.

Specifically, this committee recommends to the Board:

- amendments to the Bylaws and changes to the structure and function of the Board;
- amendments to Board policies not routed through one of the other standing committees; and
- consideration of other University policy matters referred to the committee by the Board chair.

This committee provides oversight to:

- evaluate the effectiveness of the Board through periodic self-assessment;
- ensure that Regents are fully oriented and receive ongoing education; and
- identify best practices in governance for possible implementation.

**Governance & Policy Committee
2020-21 Work Plan**

Date	Topics
2020	
September 10-11	<ul style="list-style-type: none"> • 2020-21 Committee Work Plan Overview of committee's 2020-21 work plan, including discussion of potential policy recommendations. • Board of Regents Policy: <i>Protection of Individual Health Information</i> - Review • Board Input into the Regent Selection Process The Regent Candidate Advisory Council (RCAC), a body created by and accountable to the Legislature, will be recruiting and screening candidates for the Board of Regents this fall/winter. In support of that work, the committee will have the opportunity to review selection criteria used by RCAC in 2018 and provide input. • Information Items <ul style="list-style-type: none"> ○ Completed Comprehensive Review of Board Policy
October 8-9	<ul style="list-style-type: none"> • Board of Regents Policy: <i>Protection of Individual Health Information</i> - Action • Governance best practices topic Board staff will identify an outside expert from AGB to share a governance best practice and lead a discussion with the committee. • Board of Regents Policy: <i>Namings</i> - Review • Placeholder: potential Board policies for review • Information Items <ul style="list-style-type: none"> ○ Update on Administrative Policy Alignment Review
December 10-11	<ul style="list-style-type: none"> • Discussion of Board assessment options and objectives Board staff will provide an overview of potential board assessment approaches and objectives so the committee can provide feedback on whether and how an assessment should be conducted. • Board of Regents Policy: <i>Namings</i> - Action • Placeholder: potential Board policies for review and/or action
2021	
February 11-12	<ul style="list-style-type: none"> • [Board assessment plan] • Placeholder: potential Board policies for review and/or action

June 10-11	<ul style="list-style-type: none"> • Board of Regents Policy: Code of Conduct for Members of the Board of Regents – Annual Review • Governance best practices topic Board staff will identify an outside expert from AGB to share a governance best practice and lead a discussion with the committee. • 2021 Board Policy Report The committee will discuss the 2021 Board Policy Report. The report includes two sections – a summary of policy work performed over the current year, and the upcoming year’s policy work plan. • Placeholder: potential Board policies for review and/or action
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Board policies scheduled for comprehensive review in 2020-21 that may generate proposed amendments for consideration by the committee this year:

- *American Indian Advisory Boards*
- *Alcoholic Beverages on Campus*
- *Awards, Honors, and Recognition*
- *Gift Solicitation and Acceptance*
- *Intercollegiate Athletics - Twin Cities Campus*

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BOARD OF REGENTS DOCKET ITEM SUMMARY

Governance & Policy

September 11, 2020

AGENDA ITEM: Board of Regents Policy: *Protection of Individual Health Information*

Review **Review + Action** **Action** **Discussion**

This is a report required by Board policy.

PRESENTERS: Kaley Klanica, Senior Associate General Counsel
Lori Ketola, Chief Health Information Compliance Officer and Director,
Health Information Privacy & Compliance

PURPOSE & KEY POINTS

The purpose of this item is to review proposed amendments to Board of Regents Policy: *Protection of Individual Health Information*. The proposed amendments are the result of a comprehensive review of the policy. They align the policy with current Board policy conventions; simplify the language for readability and clarity; and make no substantive changes to the University's operations in this area.

BACKGROUND INFORMATION

Board of Regents Policy: *Protection of Individual Health Information* was adopted in 2003 and last amended on March 13, 2009.

PRESIDENT'S RECOMMENDATION

The President recommends adoption of the proposed amendments to Board of Regents Policy: *Protection of Individual Health Information*.



BOARD OF REGENTS POLICY:

Protection of ~~Individual~~Individually Identifiable Health Information

Subd. 1. Policy Statement.

SECTION I. SCOPE.

~~This policy governs the protection of individually identifiable health information. This policy and the administrative policies and procedures implementing this policy shall apply to all University of Minnesota (University) faculty members, employees, trainees, students, and volunteers who handle, transmit, receive, or have access to individually identifiable health information.~~

SECTION II. PROTECTION OF INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION.

~~It is the policy and practice of the University of Minnesota (University) that individually identifiable health information gathered:~~

- ~~(a) in the course of research conducted at the University; or~~
- ~~(b) through the provision of health care by the University; or~~
- ~~(c) in the course of health plan administration at the University~~

~~shall be protected in accordance with applicable state and federal law, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 and its implementing regulations.~~

Subd. 2. Delegation of Authority.

SECTION III. IMPLEMENTATION.

~~The president or delegate shall administer and implement this policy, including the adoption and amendment of appropriate administrative policies and procedures.~~

Subd. 3. Application.

~~The administrative policies and procedures implementing this policy shall apply to all University faculty members, employees, trainees, students, and volunteers who handle, transmit, receive, or have access to~~

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~~protected health information in the course of research conducted at the University, through provision of health care at the University, and in the course of health plan administration at the University.~~

REVISION HISTORY

Adopted: February 14, 2003

Amended: March 13, 2009



BOARD OF REGENTS DOCKET ITEM SUMMARY

Governance & Policy

September 11, 2020

AGENDA ITEM: Board Input into the Regent Selection Process

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Brian Steeves, Executive Director & Corporate Secretary

PURPOSE & KEY POINTS

The purpose of this item is for the committee to discuss and provide feedback on the selection criteria used by the Regent Candidate Advisory Council (RCAC).

Minnesota Statutes 137.0245, Subd. 3, (a), (1) requires that RCAC “develop, in consultation with current and former regents and the administration of the University of Minnesota, a statement of the selection criteria to be applied and a description of the responsibilities and duties of a regent, and shall distribute this to potential candidate.”

The selection criteria used in 2018-19 are included in the docket for reference. Feedback provided by the committee will be shared with RCAC.



REGENT CANDIDATE ADVISORY COUNCIL

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Regent Candidate Advisory Council Selection Criteria Report

January 15, 2019

This Report is submitted pursuant to Minn. Stat. §137.0245, Subdivision 3, in connection with the work of the Regent Candidate Advisory Council (“RCAC”), established for the purpose of (i) recruiting and screening candidates for positions on the Board of Regents of the University of Minnesota (“Board of Regents”), and (ii) making recommendations to the Minnesota State Legislature and the Regent Nomination Joint Legislative Committee.

In September of 2018, a Selection Criteria Committee (“Committee”) was formed to review and update the Selection Criteria for Members of the University of Minnesota Board of Regents (“Criteria”). On September 14, 2018, the Governance and Policy Committee of the Board of Regents reviewed and provided feedback on the 2016-2017 Regent Candidate Selection Criteria in a public meeting that was recorded and made available on the webpage hosted by the Board of Regents. This feedback was given careful attention by the members of the Committee and proposed changes were disseminated within the membership of the Committee for review.

On September 24, 2018, the Committee met in an open meeting to review and revise the Criteria. The Committee discussed the applicable portion of the September 14th Board’s Governance and Policy Committee meeting, taking the Board of Regents comments into consideration as the Criteria for the 2018-2019 candidate selection process was revised. The Committee unanimously adopted the Criteria for utilization as part of the 2018 – 2019 candidate selection process.

On December 12, 2018, the Selection Criteria Committee reported on its work to the full RCAC. The RCAC voted unanimously to adopt the Selection Criteria Committee Report.

Attached is the Criteria that was recommend by the Selection Criteria Committee and utilized by the RCAC in its evaluation and recommendation of candidates for the Board of Regents to the Regent Nomination Joint Legislative Committee and Minnesota State Legislature in 2019. All of the candidates recommended by the RCAC are believed to reflect, to a greater or lesser degree, the attributes included in the Criteria.



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Selection Criteria for Members of the University of Minnesota Board of Regents

Foundation for the Development of the Selection Criteria

University of Minnesota Regents are charged with stewarding the University toward successful outcomes for the people of the State of Minnesota. Primary focuses include development of the long-term vision, setting strategies for achieving that vision and ensuring the University president and his/her leadership team is effectively managing the operations of the organization.

Selection Criteria

The Regent Candidate Advisory Council ("RCAC") may take the following items into consideration throughout the application review, interview process and recommending candidates to the legislature for the position of Regent to the University of Minnesota:

1. A commitment to the University of Minnesota and an understanding of its role in education, economics and innovation in the state, nation and world.
2. Integrity along with a personal code of honor and high ethical standards which includes a willingness to comply with the Code of Ethics for Members of the Board of Regents and its conflict of interest policy.
3. An ability to maintain a respectful and professional relationship with administration, faculty, employees and external stakeholders.
4. The ability to negotiate, compromise, and build consensus.
5. The ability to define and strategically analyze choices to adequately balance long-term visions with short-term priorities.
6. An inquiring mind, a willingness to listen and the ability to speak articulately and succinctly.
7. The capacity to both challenge and support the administration, and each other, when appropriate.
8. The capacity to effectively coach, analyze and evaluate the performance of the president.
9. The ability to function as a member of a diverse team in an atmosphere of public transparency, collegiality and selflessness.
10. An appreciation of the public nature of the position of Regent.

11. An ability to address the issues of diversity in geography, gender, race, occupation, international awareness and operational needs of the Board of Regents.
12. A willingness to embrace and utilize current technologies needed to operate effectively as a Regent (e.g., understanding that the Board relies on an online portal for all official meeting materials).
13. History of success that reflects a breadth and diversity in life experience, as well as any subject matter expertise, that would be beneficial to the priorities of the University of Minnesota.
14. Recognition and understanding of the differences between governance and management. Experience and willingness to learn and enhance personal knowledge of governance and strategic oversight of large, complex organizations.
15. An understanding of education trends nationally and in Minnesota.
16. An ability and willingness to devote the time necessary to serve as an effective and contributing member of the Board of Regents, and potentially step into a board leadership role.



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AGENDA ITEM: Information Items - **REVISED**

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Brian Steeves, Executive Director & Corporate Secretary

PURPOSE & KEY POINTS

Completed Comprehensive Review of Board Policy

The purpose of this item is to inform the committee that comprehensive reviews of the following Board policies are complete and the policy implementer recommends that no changes be made at this time:

- [Board of Regents Policy: Awards, Honors, and Recognition](#)
- [Board of Regents Policy: Student Representatives to the Board of Regents](#)

Each policy can be accessed using the above hyperlinks.

If there are items that the committee would like addressed, those will be recorded and referred back to the policy implementer. If the committee raises no additional items, the comprehensive review process will be complete, and the date of last comprehensive review will be noted within the policy. The president and policy implementers have the ability to recommend changes outside of the comprehensive review process as needed (e.g., changes resulting from the implementation of the Systemwide Strategic Plan).



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- [Board of Regents Policy: *Appearances Before the Legislature and Other Public Bodies*](#)
- [Board of Regents Policy: *Awards, Honors, and Recognition*](#)
- [Board of Regents Policy: *Student Representatives to the Board of Regents*](#)

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