



# Governance & Policy Committee

June 2021

June 11, 2021

15 min Following Adjournment of Public Forum on the President's Recommended FY 2022 Annual Operating Budget

Videoconference & Boardroom, McNamara Alumni Center

## GOV - JUN 2021

### 1. Board of Regents Policy: Code of Conduct for Members of the Board of Regents – Annual Review

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### 2. University Policy Overview & 2021 Board Policy Report

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# BOARD OF REGENTS DOCKET ITEM SUMMARY

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**Board of Regents**

**June 11, 2021**

**AGENDA ITEM:** Board of Regents Policy: *Code of Conduct for Members of the Board of Regents*  
– Annual Review

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

*This is a report required by Board policy.*

**PRESENTERS:** Douglas Peterson, General Counsel  
Brian Steeves, Executive Director & Corporate Secretary

## **PURPOSE & KEY POINTS**

This item fulfills the required annual review of the procedures and requirements stated by Board of Regents Policy: *Code of Conduct for Members of the Board of Regents*. The discussion will provide an overview of the policy, including:

- The fiduciary duties section.
- Financial disclosure requirements.
- Guidelines relating to gifts and expenses.
- A summary of the conflict of interest process.

A copy of the policy is included in the docket materials.

## **BACKGROUND INFORMATION**

Section XII of *Code of Conduct for Members of the Board of Regents* requires that the Board to publicly review the requirements and procedures of the policy annually. The policy was adopted by the Board in February 2020 after an extensive comprehensive review and discussions by the Governance & Policy Committee.



## **BOARD OF REGENTS POLICY:** ***Code of Conduct for Members of the Board of Regents***

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### **SECTION I. SCOPE.**

This policy governs the conduct and activities of members of the Board of Regents (Board) of the University of Minnesota (University). In addition to this policy, the Board further defines its role and authority, the conduct and activities of Regents, and guiding principles for the University through the *Bylaws of the Board of Regents (Bylaws)* and other Board policies and actions.

### **SECTION II. GUIDING PRINCIPLES.**

The Board, created under Minnesota Territorial Laws of 1851 by the passage of the University Charter and perpetuated by the Constitution of the State of Minnesota, is the governing body of the University. Exercising its constitutional autonomy, the Board defines a vision and mission for the University and ensures that the University fulfills its land grant legacy.

Regents shall adhere to the highest ethical standards. Regents bring to their task varied backgrounds and expertise, but are expected to put aside personal interests and keep the welfare of the entire University, not just a particular constituency, at all times paramount.

### **SECTION III. FIDUCIARY DUTIES.**

When articulating and carrying out the University's mission, Regents must act in good faith in accordance with the constitution and laws of the land, the *Bylaws*, and the policies, rules, and regulations of the University. Regents are expected to actively participate in the work of the Board, speak forthrightly at Board meetings, and adhere to the following fiduciary duties:

- *Duty of Care*: The duty of care generally requires a Regent to carry out their responsibilities in good faith; with the diligence and skill that the Regent believes to be in the best interests of the University; and with the care an ordinarily prudent person in a like position would reasonably exercise under similar circumstances.
- *Duty of Loyalty*: Regents have an absolute duty of undivided loyalty to the University as a whole and its mission. In keeping the interests of the University paramount, Regents must avoid using their position for monetary or personal gain. When Regents sit on boards of associated organizations as voting or non-voting members, as defined by Board of Regents Policy: *Associated Organizations* and

outlined in Board of Regents Policy: *Appointments to Organizations and Boards*, their ultimate duty of loyalty is to the University and not to the associated organization.

- *Duty of Obedience*: The duty of obedience requires fidelity to law and mission. Regents have a duty to abide by the constitution and laws of the land, and to establish and abide by the bylaws, rules, policies and regulations of the University. Regents also have a duty to preserve the confidentiality of University matters as required by law and all applicable privileges.

#### **SECTION IV. DEFINITIONS.**

##### **Subd. 1. Business Associated with a Regent.**

*Business associated with a Regent* shall mean an organization, corporation, partnership, proprietorship, or other entity if either the Regent or a member of the Regent's family:

- (a) receives compensation in excess of \$500 in any month or has any contractual right to future income in excess of \$6,000 per year;
- (b) serves as an officer, director, partner, or employee; or
- (c) holds a financial interest valued in excess of \$10,000.

For purposes of this policy:

- service on boards of associated organizations, as defined by Board of Regents Policy: *Associated Organizations* and outlined in Board of Regents Policy: *Appointments to Organizations and Boards*, does not constitute a business associated with a Regent; and
- compensation shall not include reimbursement for expenses, any non-employment related funds from a governmental source, investment or savings income, retirement or insurance benefits, or alimony.

##### **Subd. 2. Employment-Related Conflict of Interest.**

An *employment-related conflict of interest* exists whenever a Regent's employment relationships, or those of a family member, may impair independence of judgment.

##### **Subd. 3. Family Member.**

*Family member* shall mean a spouse, parent, sibling, child, domestic partner, dependent, or any person currently residing in the Regent's household.

##### **Subd. 4. Financial Interest.**

*Financial interest* shall mean a foreseeable financial effect that may result from Board action.

##### **Subd. 5. Gift.**

*Gift* shall mean any gratuity, favor, accommodation, discount, entertainment, hospitality, loan, forbearance, services, training, transportation, lodging, meals, or other item if there is reason to believe it was given to or received by a Regent or a Regent's family member because of the Regent's official status.

##### **Subd. 6. Recusal.**

*Recusal* shall mean noninvolvement of a Regent in discussion of, or decision regarding, the relevant matter. Recusal is intended to ensure that the Regent's independence of judgment is not compromised, that the public's confidence in the integrity of the Board is preserved, and that the University's public mission is protected.

## **SECTION V. FINANCIAL DISCLOSURE REQUIREMENTS.**

Within 30 days of election to office and annually on March 31 thereafter, Regents shall file a financial disclosure statement with the executive director and corporate secretary in a form consistent with the financial disclosure required for senior University officials. The general counsel shall review the disclosure statements for compliance with this policy.

## **SECTION VI. GIFTS.**

### **Subd. 1. Government Officials.**

No Regent shall give a gift or solicit another to give a gift to any government official or any member of that official's staff. Political contributions made by a Regent to a candidate, political committee, organization, or party as permitted by state and federal law shall not constitute a gift. Tickets to University events, informational material, trinkets, mementos, or meals of reasonable value given by a Regent to a government official or any member of that official's staff in the normal course of University business shall not constitute a gift under this policy.

### **Subd. 2. Financial or Personal Interests.**

No Regent shall solicit a gift from any person or organization or accept such a gift if there is reason to believe it was given because of the Regent's official status.

Regents may accept the following:

- (a) anything for which the Regent pays the market value;
- (b) anything the Regent receives but returns or gives to the University without substantial personal use or benefit;
- (c) food or refreshments of reasonable value in the normal course of University business;
- (d) plaques, trophies, mementos, hats, or similar items of reasonable value not to exceed \$75;
- (e) any gift from a family member, provided that the Regent has no reason to believe that the gift was provided because of the Regent's official University position;
- (f) informational materials in the form of books, articles, other written materials, audio/video media, and other similar materials;
- (g) anything received because a Regent participated in a group, a majority of whose members are not Regents and who customarily may receive an equivalent item;
- (h) anything paid for or reimbursed by the University pursuant to University policy;
- (i) tickets to University events; and
- (j) anything received in their individual capacity due to employment or activities not connected to their official status as a Regent.

The Office of the Board of Regents (OBR) shall maintain guidelines regarding Regent use of tickets to University events.

## **SECTION VII. EXPENSES.**

Regents serve without compensation. They are entitled to reimbursement for expenses incurred while representing the University in an official capacity in accordance with guidelines maintained by OBR.

## **SECTION VIII. CONFLICTS OF INTEREST.**

A conflict of interest exists when a Regent has a financial or other personal interest inconsistent with their duty of loyalty, or when a Regent, a Regent's family member, or a business associated with a Regent or a Regent's family member has an actual or potential financial or other personal interest in a matter pending before the Board that may impair a Regent's independence of judgment or objectivity in the discharge of their responsibilities on behalf of the University, including in a transaction or other action taken by the University. Regents must be aware of the appearance of a conflict of interest and the potential for such conflicts. Accordingly, the conflict of interest provisions of this policy shall be interpreted and applied to best serve the interests of the University and its mission. For purposes of this policy, "conflict of interest" or "conflict" shall mean an actual or potential conflict of interest.

### **Subd. 1. Procedure for Addressing Conflicts of Interest.**

#### *(a) Disclosure of Conflicts.*

Conflicts of interest shall be reported to the Board chair by the Regent who is the subject of the conflict, and may be reported to the Board chair by any other person. A Regent with a conflict of interest question is encouraged to consult with the general counsel who, if requested, shall provide a written opinion on whether a conflict exists under this policy. A copy of any such opinion shall be provided to the Board chair. The Board chair may also request an opinion from the general counsel on any conflict of interest question. If the Board chair is the subject of the conflict of interest, the Board vice chair shall receive or may request an opinion from the general counsel.

#### *(b) Guidance on Recusal and Impact on Deliberations and Voting.*

Regents who declare or have been determined to have a conflict of interest by the three-person group set forth in Subd. 1(c) of this section, or who have received an opinion from the general counsel that a conflict exists shall, as a general rule, recuse themselves regarding the matter determined to be the conflict. However, in some cases, full disclosure and consideration of the facts may indicate that a conflict is insubstantial and that the Regent may participate fully or in part in discussions, deliberations, or voting on the matter. If doubt remains regarding the need for recusal after full disclosure and consideration to address a conflict, the Regent must recuse on the matter. Recusal because of a conflict does not reflect adversely on the recusing Regent.

Disclosure of a conflict of interest and recusal shall be noted in Board minutes.

#### *(c) Resolution of Disputed Conflicts of Interest.*

Any disputed issues relating to the existence of a conflict of interest or the plan to address a conflict shall be referred to a group of three Regents consisting of the Board chair, the Board vice chair, and one other Regent appointed by the Board chair. This group shall determine whether a conflict exists. In addition, if this group determines that a conflict exists, they shall determine whether the conflict requires recusal or determine a plan for the Regent to address the conflict. The group shall report its determinations to the Board. In the event that the Regent disputes the determinations of this group, the Board, in its discretion, may take up the matter and make the final determination.

If the Board chair is the subject of the conflict dispute, the Board vice chair shall appoint another Regent to take the chair's place on the group of three Regents. If the Board vice chair is the subject of the dispute, the Board chair shall appoint another Regent to take the vice chair's place. If both the Board chair and vice chair are the subjects of the dispute, the chair of the Governance & Policy Committee shall appoint other Regents to take their place.

**Subd. 2. University Employment.**

Notwithstanding any other provision of this policy, a Regent shall not serve as a compensated University employee, except that the Regent elected to hold the seat designated for a student may hold student employment at the University as defined by Board of Regents Policy: *Employee Group Definitions*, Section V, Subds. 5 and 6.

**Subd. 3. University Enrollment.**

Enrollment by a Regent or Regent's family member in a course or academic program at the University, whether degree or non-degree seeking, does not constitute a conflict of interest or financial conflict of interest for the Regent.

**Subd. 4. Elected or Appointed Public Office.**

Upon filing to become a candidate for any elected public office within the federal, state, or local government, other than Regent, the Regent shall inform the Board and consult with the general counsel to evaluate whether any conflicts of interest may arise from such candidacy. If requested by the Regent or Board chair, the general counsel shall provide a written opinion on whether a conflict exists under this policy. If the opinion of the general counsel is that a conflict exists under this policy, then the procedure set forth in Subd. 1(b) and (c) of this section shall be followed.

If a Regent is elected or appointed to any public office within the federal, state, or local government, other than Regent, the Regent shall inform the Board and consult with the general counsel to evaluate whether any conflicts of interest may arise from holding such a position. If requested by the Regent or Board chair, the general counsel shall provide a written opinion on whether a conflict exists under this policy. If the opinion of the general counsel is that a conflict exists, and the Regent disputes this opinion, then the procedure set forth in Subd. 1(b) and (c) of this section shall be followed. If a conflict exists, either the Board shall approve a plan for addressing the conflict or the Regent shall resign from the Board.

**SECTION IX. COMMUNICATION OUTSIDE OF MEETINGS.**

The president is the primary spokesperson for the University. The Board chair, or Board vice chair in the chair's absence, is the spokesperson for the Board and may represent the position of the Board once it has acted. When necessary, the Board chair, or Board vice chair in the chair's absence, will speak on behalf of the University. While all Regents have the right to share their individual views on University matters, as fiduciaries, Regents should be aware that the timing, tone and substance of their words reflect on the University and could have legal or other consequences. When sharing their individual views on University matters, Regents shall clarify that they are not speaking for the Board.

**SECTION X. INFORMATION REQUESTS.**

Regents are encouraged to be fully informed about the University. Specific requests for information by a Regent shall be made through OBR. OBR will work with the president or delegate to ensure the timely fulfillment of those requests. The president may seek guidance from the Board on the scope and priority of any request.

**SECTION XI. VIOLATIONS AND BREACHES.**

Review of an alleged violation by a Regent of state or federal law or an alleged breach of this policy or any other University policy shall be initiated when seven Regents sign a written complaint describing the allegations and deliver it to the Board chair or the vice chair if the complaint is about the chair. Upon receipt of the written complaint, the Board chair shall call a special meeting to be held within 30 calendar

days for the Board to hear the complaint. At the start of the special meeting, the Board shall adopt a resolution establishing its process to consider the written complaint, which shall include the right of the Regent in question to address the Board. If necessary, a supermajority of the Board, as required by the *Bylaws*, may act to impose sanctions on the Regent as it deems appropriate.

## **SECTION XII. ANNUAL REVIEW.**

At its annual meeting, the Board, with assistance of the general counsel and the executive director and corporate secretary, shall publicly review the requirements and procedures of this policy.

## **REVISION HISTORY**

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**Adopted:** February 14, 2020

**Amended:** February 14, 2020

**Supersedes:** *Code of Ethics for Members of the Board of Regents* adopted February 9, 1996 and last amended February 10, 2012



# BOARD OF REGENTS DOCKET ITEM SUMMARY

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**Governance & Policy**

**June 11, 2021**

**AGENDA ITEM:** University Policy Overview & 2021 Board Policy Report

**Review**

**Review + Action**

**Action**

**Discussion**

*This is a report required by Board policy.*

**PRESENTERS:**

Brian Steeves, Executive Director & Corporate Secretary  
Jason Langworthy, Board Associate, Policy & Committees  
Michele Gross, Director, Policy Program, Office of Institutional Compliance

## **PURPOSE & KEY POINTS**

The purpose of this item is to provide an overview of both the University’s policy framework and the 2021 Board Policy Report.

### **University Policy Overview**

The overview of the University’s policy framework will center on the University’s two primary systemwide policy types – Board of Regents policy and Administrative policy. This item will focus on:

- The University policy framework hierarchy.
- Key policies that define the policy framework.
- A comparison of Board and Administrative policy.
- The ways in which both policy types are reviewed and amended.
- An update on ongoing efforts to ensure policy alignment.

### *Key policies*

**Board of Regents Policy: [Board Policy Development](#)** defines the content and structure of Board policy and other University policies, including Administrative policy. It defines the University’s policy hierarchy and requires that Board policies be comprehensively reviewed every six years.

**Administrative Policy: [Establishing Administrative Policies](#)** defines the content and structure of Administrative policies. It defines the review process, including the requirement that Administrative policies be comprehensively reviewed every four years unless an exception is granted.

Both policy types follow a similar review process that includes required and significant consultation with target audiences affected by the policy as well as formal consultation with the relevant committees and senates of the University Senate governance.

## *Board of Regents Policy*

The 88 Board of Regents policies are the highest level of systemwide policy. Board policies govern the University and establish fundamental principles as a basis and guide for later action. They define the Board's reserved and delegated authority. Policies of this type are intended to be enduring given their broader nature.

Adoption and amendments for Board policies are typically recommended by the president and approved by the Board, with the exception of those Board policies that govern how the Board functions (e.g. *Board Operations and Agenda Guidelines, Code of Conduct for Members of the Board of Regents*) which are not recommended by the president.

## *Administrative Policy*

Administrative policies are systemwide policies that implement Board policy; achieve compliance with laws, rules, or regulations; or address a risk to the institution that cannot be adequately addressed elsewhere. If there is a conflict between Board and Administrative policies, Board policy takes precedence. Compared to Board policies, Administrative policies are used to administer the University and contain procedures, appendices, FAQs, and forms. Administrative policies are amended more frequently, helping to promote operational efficiency and effectiveness.

Adoption and significant amendments to Administrative policies are approved by the President's Policy Committee (PPC). The PPC is a standing committee of University senior leaders authorized by the president to provide final institutional review and approval of new Administrative policies, significant amendments, or policies proposed for retirement. Minor changes are approved by the Policy Advisory Committee (PAC). PAC is a standing committee of University administrators authorized by the PPC to work in partnership with policy owners to review policy plans and drafts, and make recommendations for action to the PPC.

Board of Regents Policy: *Board Policy Development* does provide that in "unusual circumstances suggest the advisability of Board ratification of other University policies, changes to such policies shall be submitted to the Board for action." This provision is used infrequently, with most recent example of occurring in July 2020 related to changes to the University's sexual misconduct policies to ensure compliance with the U.S. Department of Education's new Title IX regulations.

## **2021 Board Policy Report**

The 2021 Board Policy Report includes two sections – a summary of the current year, and the upcoming year's plan. The 2020-21 policy review summary includes an overview of the past year and notes the policies that:

- Were comprehensively reviewed, but required no changes.
- Were amended by the Board.
- Are pending approval by the Board.
- Remain under review by the policy implementer.

The second part of the report is the 2021-22 policy work plan. Each year, the Office of the Board of Regents develops an annual policy work plan that includes the next set of policies scheduled for comprehensive review, policies requested for inclusion by the Board or the President, or policies held over from the previous year.

## **BACKGROUND INFORMATION**

Board of Regents Policy: *Board Policy Development* defines the Board policy review process and requires an annual report to the Board.



OFFICE OF THE BOARD OF REGENTS  
**2021 Board Policy Report**

**2020-21 POLICY REVIEW SUMMARY**

The objective of the policy review process is to ensure that the Board’s policies align with the strategic direction and mission of the University as defined by the Board. Over the past year, the Office of the Board of Regents coordinated review of policies identified for comprehensive review and those policies identified for amendment by the Board or President. With the continued impact of COVID- 19, more policies are being held over to complete comprehensive review compared to a typical year.

<b>Comprehensively Reviewed - No Revisions Recommended</b>	
<i>Activities Involving Recombinant and Synthetic Nucleic Acid Molecules or Other Potentially Hazardous Biological Agents</i>	
<i>Animal Care and Use</i>	
<i>Awards, Honors, and Recognition</i>	
<i>Direct Sales of Goods and Services</i>	
<i>Faculty and Staff Retirement</i>	
<i>Faculty Emeriti</i>	
<i>Nepotism and Personal Relationships</i>	
<i>Property and Facility Use</i>	
<i>Reserve Officers Training Corps</i>	
<b>Amended by the Board of Regents</b>	<b>Date Amended</b>
<i>Alcoholic Beverages</i>	February 2021
<i>American Indian Advisory Boards</i>	May 2021
<i>Board Operations and Agenda Guidelines*</i> (Urgent approval authority)	February 2021
<i>Debt Transactions</i>	October 2020
<i>Protection of Individual Health Information</i>	October 2020
<i>Sexual Harassment, Sexual Assault, Stalking and Relationship Violence*</i>	August 2020
<b>Consolidated by the Board of Regents</b>	<b>Date Superseded</b>
<i>Selection of Design Professionals and Wage Rates for Contractors</i>	September 2020
<b>Pending Action by the Board of Regents</b>	<b>Anticipated Action</b>
<i>Student Education Records</i>	June 2021
<i>Targeted Business, Urban Community Economic Development, and Small Business Programs</i>	June 2021

<b>Ready for Consultation</b>
<i>Code of Conduct</i>
<b>Still Under Review by Policy Implementer</b>
<i>Appearances Before the Legislature and Other Public Bodies</i>
<i>Disability Services</i>
<i>Employees Campaigning for or Holding Public Office</i>
<i>Gift Solicitation and Acceptance</i>
<i>Intercollegiate Athletics - Twin Cities Campus</i>
<i>Private Practice Plan – School of Dentistry</i>
<i>Private Practice Plan – University of Minnesota College of Pharmacy</i>
<i>Private Practice Plan – University of Minnesota School of Nursing</i>
<i>Private Professional Practice – University of Minnesota Medical School Duluth</i>
<i>Private Practice Plan – University of Minnesota Medical School Twin Cities</i>
<i>Student Conduct Code</i>
<i>Tuition and Fees</i>

\* Off-cycle change added to the work plan at the request of the Board or President.

## 2020-21 POLICY WORK PLAN

Each year, the Office of the Board of Regents develops a policy work plan that includes policies scheduled for comprehensive review, policies requested for inclusion by the Board or the President, or policies held over from the previous year.

<b>Policies for Comprehensive Review</b>	<b>Last Reviewed</b>	<b>Adopted or Last Amended</b>	<b>Policy Implementer</b>
<i>Academic Misconduct</i>	March 2010	March 2010	Research
<i>Board Policy Development</i>	May 2017	May 2017	Board of Regents
<i>College Constitutions</i>	July 2016	March 2010	Provost
<i>Commercialization of Intellectual Property Rights</i>	June 2015	June 2015	Research
<i>Eminent Domain</i>	July 2009	July 2009	General Counsel
<i>Employee Development, Education, and Training</i>	December 2012	December 2012	Human Resources
<i>Equity, Diversity, Equal Opportunity, and Affirmative Action</i>	July 2010	June 2018	Equity and Diversity
<i>Foundations at the University</i>	August 2013	March 1994	General Counsel

<i>Individual Conflicts of Interest</i>	March 2010	March 2010	President
<i>Institutional Conflicts of Interest</i>	July 2012	October 2017	President
<i>Legal Defense and Indemnification of Employees</i>	June 2010	March 1985	General Counsel
<i>Namings</i>	December 2015	December 2015	Board of Regents/ Provost
<i>Outside Consulting and Other Commitments</i>	July 2015	July 2006	Provost
<i>Purchasing</i>	July 2015	July 2008	University Finance
<i>Student Services Fee</i>	June 2010	June 2005	Student Affairs
<b>Carried Over from 2020-21 Plan</b>	<b>Last Reviewed</b>	<b>Adopted or Last Amended</b>	<b>Policy Implementer</b>
<i>Appearances Before the Legislature and Other Public Bodies</i>	February 2010	November 2006	President
<i>Disability Services</i>	July 2010	July 2010	Equity and Diversity
<i>Employees Campaigning for or Holding Public Office</i>	July 2013	May 2005	President
<i>Gift Solicitation and Acceptance</i>	August 2013	December 2017	General Counsel
<i>Intercollegiate Athletics - Twin Cities Campus</i>	July 2009	July 2009	President
<i>Private Practice Plan – School of Dentistry</i>	August 2013	July 2012	Academic Clinical Affairs
<i>Private Practice Plan – University of Minnesota College of Pharmacy</i>	August 2013	November 2006	Academic Clinical Affairs
<i>Private Practice Plan – University of Minnesota School of Nursing</i>	June 2014	March 2005	Academic Clinical Affairs
<i>Private Professional Practice – University of Minnesota Medical School Duluth</i>	June 2014	March 2005	Academic Clinical Affairs
<i>Private Practice Plan – University of Minnesota Medical School Twin Cities</i>	June 2014	March 2005	Academic Clinical Affairs
<i>Student Conduct Code</i>	June 2016	October 2017	Provost/ Student Affairs
<i>Tuition and Fees</i>	June 2013	June 2013	Provost/ University Budget

## **TYPES OF REVIEW**

Board policies undergo three main types of review and change:

### **1. Comprehensive Review**

The purpose of the comprehensive review is to determine:

- Whether the fundamental principles established in the policy still align with the strategic direction and mission of the University.
- If the policy is still needed.
- Whether the policy aligns with current practice.

The comprehensive review also ensures that policies are monitored and reviewed in a timely manner. Each of the 88 Board policies is comprehensively reviewed every six years. Policies are divided into “classes,” which seek to balance review load across policy implementers and Board committees. Comprehensive review does not automatically lead to changes in a given policy; policies not requiring amendments are noted as current and placed back into the review cycle.

### **2. Off-Cycle Change**

Off-cycle changes to Board policies focus on specific, essential, and time-sensitive changes and are outside of the comprehensive review cycle. When opened for an off-cycle change, the policy is not comprehensively reviewed and remains in its regular review cycle. Off-cycle changes follow the policy review process.

### **3. Technical Change**

Board of Regents Policy: *Board Policy Development* Section III. allows for minor corrections that do not alter the substance of the policy to be made by the executive director & corporate secretary, with review by the Board chair. Technical changes are noted on the policy and updated in the Board’s policy index.

# University Policy Overview & 2021 Board Policy Report

Brian Steeves

Executive Director & Corporate Secretary

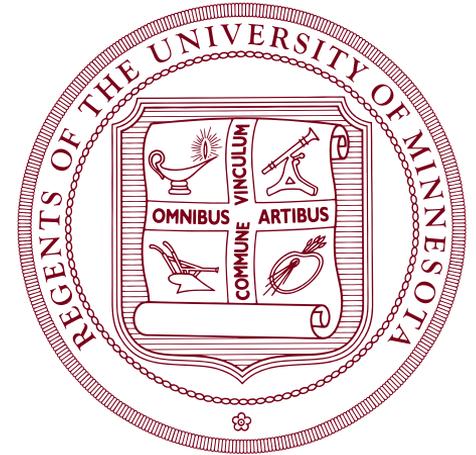
Michele Gross

Director, Policy Program, Office of Institutional Compliance

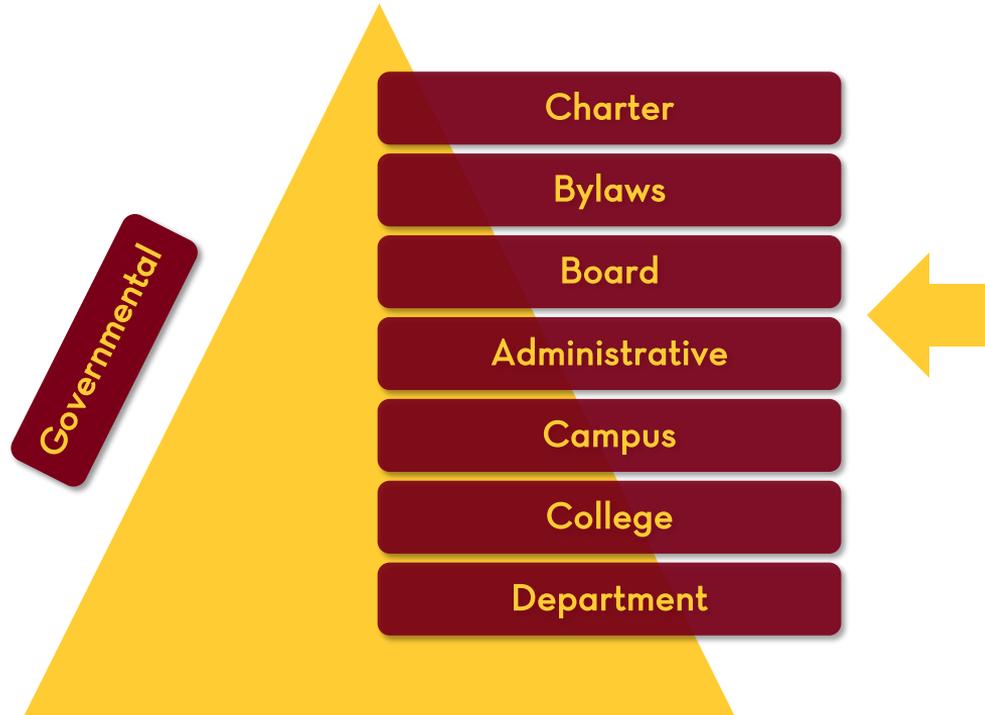
Jason Langworthy

Board Associate, Policy & Committees

June 11, 2021



# University Policy Framework Hierarchy



# University Policy Framework

- Key policies
  - Board of Regents Policy: *Board Policy Development*
  - Administrative Policy: *Establishing Administrative Policies*



# Comparison:

## Board Policies to Administrative Policies

- Both policy classifications
  - Systemwide.
  - Follow similar revision process and consultation model.
  - Language aimed for use by the broad University community.
- Board policies
  - 88 policies broken into six categories.
  - Establish fundamental principles as a basis and guide for later action.
  - Defines reserved and delegated authority.
  - Intended to be enduring.



# Comparison: Board Policies to Administrative Policies

- Administrative policies
  - 200 policies broken into six categories.
  - Implement Board policy; achieve compliance with laws, rules, or regulations; or address a risk to the institution that cannot be adequately addressed elsewhere.
  - Contain procedures, appendices, FAQ and forms.
  - Promote operational efficiency and effectiveness.
  - Amended more frequently.



# Types of Review

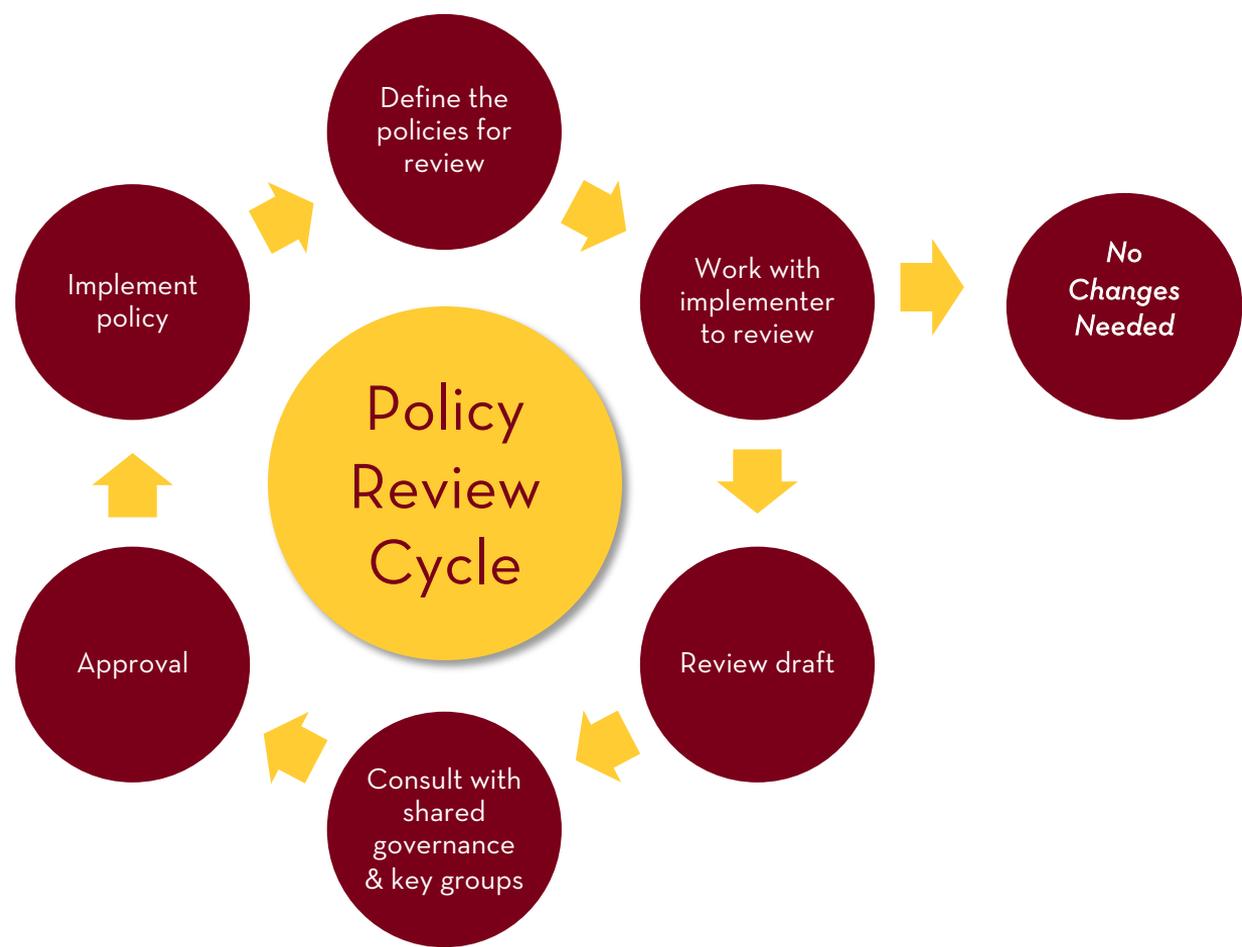
- Comprehensive review
  - Objective of the review is to determine:
    - Whether the content established in the policy still aligns with the strategic direction and mission of the University.
    - If the policy is still needed.
    - Whether the policy aligns with current practice.
  - May or may not result in changes to the policy.
  - Frequency
    - Board – every six years.
    - Administrative – every four years unless an exception is granted.



# Types of Review

- Off-cycle change
  - Focus on specific, essential, and time-sensitive changes.
  - Outside of the comprehensive review cycle.
- Technical change
  - Minor corrections that do not alter the substance of the policy.





# Policy Alignment

- Board added a regular review of other University policies for alignment to Board policy in 2017.
- Since the last update in June 2019, all four areas of misalignment that were identified in the initial review have been addressed.
- Additional steps to foster alignment have been implemented, including:
  - Joint orientation on Board and Administrative policy structure for new/interim senior leaders.
  - OBR advisory member on the Policy Advisory Committee.



# 2021 Board Policy Report

- Required by Board of Regents Policy: *Board Policy Development*.
- Three main objectives:
  - Report results of policy work completed during the current fiscal year (2020-21)
  - Outline policy work plan for the next fiscal year (2021-22), including the next set of policies up for comprehensive review, those held over from the previous year, and any policies that may require off-cycle changes.
  - Invite feedback from the Board.





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