



Governance & Policy Committee

October 2022

October 14, 2022

9:00 a.m.

Boardroom, McNamara Alumni Center

GOV - OCT 2022

1. Discussion of Board Public Engagement

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BOARD OF REGENTS DOCKET ITEM SUMMARY

Governance & Policy

October 14, 2022

AGENDA ITEM: Discussion of Board Public Engagement

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Review

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Review + Action

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Action

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Discussion

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This is a report required by Board policy.

PRESENTERS: Brian Steeves, Executive Director & Corporate Secretary
Maggie Flaten, Communications & Engagement Manager

PURPOSE & KEY POINTS

The purpose of this item is to discuss the Board's current and potential public engagement practices. This is the second in a series of discussions on how Minnesotans and the broad University community access the Board's work, and how the Board receives input from them. In addition to addressing questions raised in the September meeting, the item will include examples of public input models at peer institutions.

To guide discussion, Regents will be asked to consider the following questions:

- What are the most effective ways for the Board to build trust and demonstrate accountability?
- Recognizing that public engagement practices evolve over time, what is the 'custom fit' Minnesota needs today?
- How might technology aid in advancing access and engagement across the University community?

This conversation will shape next steps as the Board considers its approach to public engagement, and how the Office of the Board of Regents can support the Board in this work.

This series of discussions stems from a resolution introduced at the Board's June 2022 meeting. At that time, the Board voted to refer the resolution to the Governance & Policy Committee. The resolution, as introduced, is included in the docket materials. With the committee's work in September and October, and anticipated in the months ahead, the requests made in this resolution will largely be accomplished. Based on the discussion at this meeting, it is anticipated that OBR will return in December with preliminary recommendations for committee review.



REGENTS OF THE UNIVERSITY OF MINNESOTA

RESOLUTION RELATED TO

Public Comment

WHEREAS, established in 1851 at the founding of the University of Minnesota, the Board of Regents is the University's governing board; and

WHEREAS, Regents articulate a vision for the University and work to ensure the University of Minnesota fulfills its mission of education, research, and outreach for the benefit of the people of Minnesota, the nation, and the world; and

WHEREAS, the University of Minnesota is a public, R1, land grant institution with a robust teaching, research, outreach, and service mission built to positively benefit the citizens of the State of Minnesota; and

WHEREAS, the Board of Regents has a responsibility to be diligent and thoughtful stewards of the University's resources; and

WHEREAS, access and transparency are core attributes of a public governing board; and

WHEREAS, as a publicly elected governing board, all University and outside stakeholders should have a consistent public mechanism to have their voices heard on matters of University business; and

WHEREAS, having a permanent method of public address and engagement between members of the community and the Board of Regents positively contributes to a standard of accessibility, collaboration, trust, and respect; and

WHEREAS, a number of University of Minnesota peer institutions and fellow Big 10 schools incorporate public comment periods into their scheduled board meetings; and

WHEREAS, the Trustees of the University of Illinois at Urbana-Champaign have developed procedures in compliance with the Illinois Open Meetings Act by which interested groups and individuals may make presentations in person at meetings of the Board; and

WHEREAS, at Pennsylvania State University and following a specified procedure, members of the public are allowed to register to speak on any issue in front of the board by visiting the homepage of the Pennsylvania State University Board of Trustees; and

WHEREAS, Section 6 of the University of Maryland Board of Trustees' bylaws state, "Section 6. Addressing the Board. Each open meeting of the Board shall allow reasonable time for public comment. The Board will establish a protocol for advance sign up by persons who wish to comment at an open meeting of the Board, limits on time for an individual's comments, and overall limit on the time for all public comments; any aspect of the protocol may be waived by the Board provided that such waiver shall still permit the efficient conduct of the Board meeting; and

WHEREAS, Article V, Section H, of the University of Florida Board of Governors reserves a maximum of fifteen minutes during the plenary meeting of the Board to take public comment. Individuals, organizations, groups or factions who desire to appear before the Board to be heard on a proposition pending before the Board shall complete a public comment form specifying the matter on which they wish to be heard; and

WHEREAS, at the University of Texas at Austin, members of the public are allowed to present written and oral testimony, for a reasonable amount of time as determined by the Chairman of the Board, on any topic listed on the agenda for a Committee or Board meeting that is open to the public; and

WHEREAS, the American Council of Trustees and Alumni calls for governing boards, as fiduciaries of public colleges and universities, to be proactive in engaging with the campus community and the public, listening not only to the ideas of organized constituent groups but also to the perspectives of interested individuals, as is fitting for the public institutions of a free society; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The Office of the Board of Regents be directed to, in consultation with all twelve members of the Board via the Board of Regents Governance and Policy Committee or another appropriate venue, develop a proposed framework (including any recommended accompanying policies and procedures) for a regular-occurring public

comment period to be implemented into the Board of Regents standard governance cycle.

2. Upon benchmarking, consultation, and completion, the proposed framework for implementation of a public comment period will be reviewed and presented to the Board of Regents for consideration.

Board Public Engagement

Brian Steeves

Executive Director & Corporate Secretary

Maggie Flaten

Communications & Engagement Manager

October 14, 2022



Today's Discussion

- Review resolution referred to committee.
- Follow up on questions raised in September.
- Review select peer institution examples.
- Discussion questions.



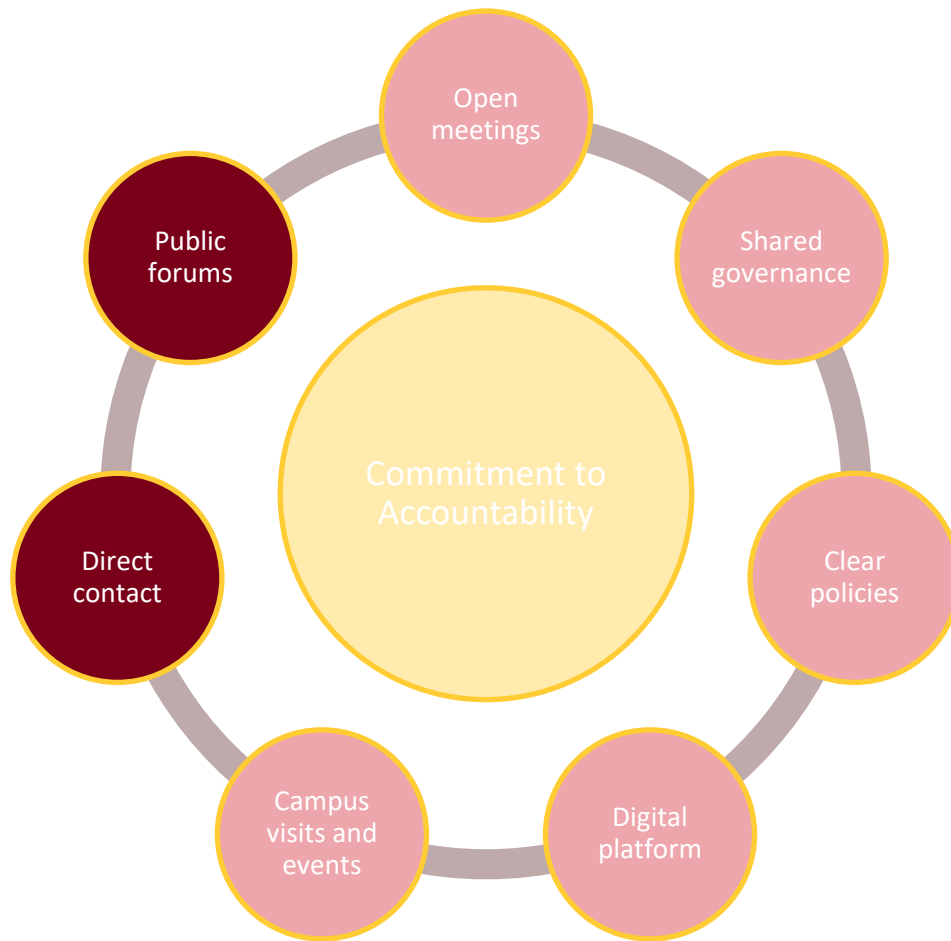
Public Comment Resolution

- Referred to committee in June 2022 for discussion and consideration in 2022-23 academic year

NOW, THEREFORE, BE IT RESOLVED that:

1. The Office of the Board of Regents be directed to, in consultation with all twelve members of the Board via the Board of Regents Governance and Policy Committee or another appropriate venue, develop a proposed framework (including any recommended accompanying policies and procedures) for a regular-occurring public comment period to be implemented into the Board of Regents standard governance cycle.
2. Upon benchmarking, consultation, and completion, the proposed framework for implementation of a public comment period will be reviewed and presented to the Board of Regents for consideration.





Current U Practices

- Annual budget forum; other forums required by law.
- Process to address Board outlined in *Bylaws*
 - Board Chair rules on requests
 - Not historically tracked; 4 requests in 24 months; 1 granted
- One Regent is student at time of election. Eight non-voting Student Representatives to the Board.
- Oral and written reports from SCC/FCC each semester.
- Written reports from PACC and CSCC annually.
- Direct Regent emails available to public.



Peer Comparisons: Public Comment Opportunities

Standing agenda item for regular meetings

None	Request/approval	Advance sign-up/approval	Advance sign-up	Open
<ul style="list-style-type: none">• Indiana• Penn State• Purdue• Wisconsin	<ul style="list-style-type: none">• Illinois• Minnesota• Minnesota State	<ul style="list-style-type: none">• Iowa	<ul style="list-style-type: none">• Michigan• Michigan State• Nebraska• UCLA	<ul style="list-style-type: none">• Maryland



Peer Example: Indiana

- Similar open meeting law.
- Biennial tuition forum, submitted written comments are read.
- University community is asked to reach out via email with topics of concern.
- One student trustee with full voting rights.
- Standing student and faculty reports at regular meetings.
- No direct trustee emails available to the public.



Peer Example: Illinois

- Similar open meeting law.
- About 75% of requests to address the board are approved.
- Three student trustees; one with full voting rights.
- Board Chair meets with the University Senates Conference once per year; includes system faculty.
- No direct trustee emails available to the public.



Peer Example: Iowa

- Similar open meeting law, certain meetings can be closed.
- Only one meeting in recent history where someone was turned away due to time limitations.
- Speakers sometimes address non-relevant or politicized topics; the board does not respond.
- One student regent with full voting rights.
- Regular interactions with student leaders and faculty; no formal interactions with staff.
- Direct regent emails available to public.



Peer Example: Nebraska

- Nebraska law: “Members of the public have the right to attend and the right to speak at meetings of public bodies...”
- Speakers never turned away provided they’ve signed up in advance; speakers may address any topic for 3 minutes.
- Four student body presidents serve as non-voting “Student Regents.”
- Faculty Senate presidents attend meetings, no formal engagement otherwise.
- Direct regent emails available to public.



Peer Example: California

- Similar open meeting law.
- Speakers must sign up day before board meeting; receive 1-3 minutes in-person or by phone (depends on demand).
- One student regent with full voting rights.
- Academic Senate chair and vice chair serve as faculty representatives to the board, no voting rights.
- No direct regent emails available to the public.



Observations & Considerations

- Goals of trusteeship: act in long-term best interest of the institution; create trust and demonstrate accountability.
- Public comment & direct contact: No clear best practices; peers are navigating varying circumstances to create a 'custom fit.'
- Boards that take regular input have generally not leveraged new technologies or evolved to the hybrid nature of today's work; it's predominately in-person and telephone speakers.



Discussion Questions

- What are the most effective ways for the Board to build trust and demonstrate accountability?
- Recognizing that public engagement practices evolve over time, what is the 'custom fit' Minnesota needs today?
- How might technology aid in advancing access and engagement across the University community?





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AGENDA ITEM: Board Input into the Regent Selection Process

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This is a report required by Board policy.

PRESENTERS:

Brian Steeves, Executive Director & Corporate Secretary
Sarah Dirksen, Deputy Director & Associate 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.”

Selection criteria used in 2020-21 is included in the docket for reference. Feedback provided by the committee will be shared with RCAC.



REGENT CANDIDATE ADVISORY COUNCIL

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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 Conduct 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, students 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 significant time necessary to serve as an effective and contributing member of the Board of Regents, and additionally to step into a board leadership role.