



# Governance & Policy Committee

June 2023

June 9, 2023

8:00 a.m.

Boardroom, McNamara Alumni Center

## GOV - JUN 2023

### 1. Board of Regents Policy: Namings and Renamings: Gift Definition Clarification – Action

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# BOARD OF REGENTS DOCKET ITEM SUMMARY

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**Governance & Policy**

**June 9, 2023**

**AGENDA ITEM:** Board of Regents Policy: *Namings and Renamings*: Gift Definition Clarification

**Review**

**Review + Action**

**Action**

**Discussion**

*This is a report required by Board policy.*

**PRESENTERS:** Michael Volna, Associate Vice President, Finance  
Jason Langworthy, Policy Manager & Assistant Secretary

## **PURPOSE & KEY POINTS**

The purpose of this item is to act on proposed off-cycle amendments to Board of Regents Policy: *Namings and Renamings*. The proposed amendments clarify three definitions in the policy – gift, sponsor, and sponsorship – in response to questions from the Board when the policy was ready for action last February:

- The proposed definition for gift contains additional language to make clear that a gift is a contribution made by a donor where the donor will not receive any direct economic benefit or tangible compensation.
- To complement the gift definition, the proposed definition for sponsorship states that support is provided with the expectation of a returned economic benefit.
- The third modification simplifies the definition of sponsor.

The clarified definitions ensure continued alignment with IRS donation regulations. If approved, Administrative policies and procedures that use these definitions will also be updated.

In addition, based on committee feedback from the review of the proposed amendments at the February meeting, the following changes have been made to Section III, Subd. 5:

- The term “contract” was changed to “agreement.”
- “to the University” was added after “other support.”
- “to the trade or business” was added after “returned economic benefit” at the end of the subdivision.

## **BACKGROUND INFORMATION**

The proposed amendments were drafted by the Controller’s Office, Office of the General Counsel, University of Minnesota Foundation, and the Office of the Board of Regents.

Board of Regents Policy: *Namings and Renamings* was last amended in February 2022. Those amendments were extensive and the result of a comprehensive review of the policy.

**PRESIDENT'S RECOMMENDATION**

The President recommends adoption of proposed amendments to Board of Regents Policy: *Namings and Renamings*.



## BOARD OF REGENTS POLICY: *Namings and Renamings*

### SECTION I. SCOPE.

The policy governs the namings, renamings, and retention of namings of significant University of Minnesota (University) assets, including:

- (a) honorary namings (Section IV);
- (b) namings associated with gifts or sponsorships (Section V);
- (c) other namings (Section VI);
- (d) renamings and revocation of namings (Section VII); and
- (e) the retention of namings (Section VIII).

### SECTION II. GUIDING PRINCIPLES.

The following principles shall guide the namings, renamings, and retention of namings of significant University assets:

- (a) **Community and belonging** - The University is committed to fostering a welcoming community that values accessibility, equity, diversity, and dignity in people and ideas as stated in Board of Regents Policy: *Equity, Diversity, Equal Opportunity, and Affirmative Action*.
- (b) **Preservation** - The University acknowledges the full, living history that formed it. Before a decision is made to name, rename, revoke, or retain a naming, care shall be taken that the process includes broad conversation; does not erase historical moments, persons or places; and makes room for voices held silent in the past.
- (c) **Exceptionality** - The naming, renaming, revocation, or retention of a naming to honor an individual or non-University entity's contribution to the University is a serious matter and should be undertaken with great care; exemplify the University's mission, guiding principles, and standards for integrity as defined by Board of Regents Policy: *Mission Statement* and Board of Regents Policy: *Code of Conduct*; advance the evolving landscape of University history and achievement, and consider the impact to University history.
- (d) **Deliberation** - Each request for consideration of a naming, renaming, revocation, or retention of a naming shall be considered on its own through a careful, informed, inclusive, and deliberative approach that reflects the University's consultative and collaborative decision-making process; ensures the proper review and approval of all naming proposals; and preserves confidentiality consistent with applicable law.

- (e) **Change** - Change across the University occurs continuously and the understanding and interpretation of campus history can also change over time. Consistent with the University's mission and guiding principles as defined by the Board of Regents (Board), the University benefits from examining its own long-standing history and traditions and will consider questions raised about namings granted by this policy.

**SECTION III. DEFINITIONS.**

**Subd. 1. Significant University Assets.**

*Significant University assets* shall mean tangible or intangible resources of the University that are of significant prominence or visibility. Assets include but are not limited to the following: colleges and schools; University-level academic programs, centers, and institutes; and buildings, significant portions of buildings, grounds, physical structures, streets, and areas.

**Subd. 2. Donor.**

*Donor* shall mean a person or entity transferring money or other property to the University or one of its recognized foundations in connection with a naming, whether or not the donor is the subject of the naming.

**Subd. 3. Gift.**

*Gift* shall mean a contribution made by a donor (individual or organization) for the benefit of the University to be used in accordance with donor intent. Gifts are transfers of money or property (i.e., equipment, land, etc.) for which the donor will not receive a direct economic benefit or any other tangible compensation (i.e., goods or services) transfer of, or promise to transfer, money or other property to the University without reciprocal benefit to the donor.

**Subd. 4. Sponsor.**

*Sponsor* shall mean a party to a sponsorship agreement~~person or entity entering into a sponsorship.~~

**Subd. 5. Sponsorship.**

*Sponsorship* shall mean an agreement with a trade or business involving the provision of funds or other support to the University with the expectation of returned economic benefit to the trade or business~~contract involving the provision of funds or other support with the expectation of returned benefits, public acknowledgement, or promotional opportunity.~~

**Subd. 6. Street.**

*Street* shall mean any private road or driveway as defined in the *Regents of the University of Minnesota Traffic Regulations Ordinances*.

**SECTION IV. HONORARY NAMINGS**

Significant University assets may be named in honor of an individual or a non-University entity to recognize service, dedication, or meritorious contributions to the institution when the naming is not associated with a gift or sponsorship. Honorary namings shall remain for a duration of 75 years, unless retained as described in Section VIII of this policy.

**Subd. 1. Naming of Colleges, Schools, and University-Level Academic Programs.**

These assets may be named in honor of an individual or non-University entity.

- (a) **Approval.** The Board reserves to itself authority to name, rename, or revoke the honorary naming of these assets.

- (b) **Management.** The Senate All-University Honors Committee (Honors Committee) manages the process and submits recommendations to the president, who makes recommendations to the Board. Review procedures and criteria that align with Section II of this policy shall be maintained by the Honors Committee and approved by the president.

**Subd. 2. Naming of Departmental Chairs.**

A departmental chair may carry an honorary naming.

- (a) **Approval.** The president or delegate approves this naming, with concurrence of departmental chairs.
- (b) **Management.** The relevant unit manages this naming process.

**Subd. 3. Naming of Buildings and Other Significant University Assets.**

Buildings and other significant University assets may be named in honor of an individual or non-University entity. A building may not be named for a current University employee.

- (a) **Approval.** The Board reserves to itself authority to name, rename, or revoke the honorary naming of buildings and other significant University assets.
- (b) **Management.** The Honors Committee manages the process and submits recommendations to the president, who makes recommendations to the Board. Review procedures and criteria that align with Section II of this policy shall be maintained by the Honors Committee and approved by the president.

**Subd. 4. Naming of Significant University Assets for Regents or Regents Emeriti.**

Significant University assets may not be named in honor of current or former members of the Board except as provided in Section V of this policy. Such gift related namings may not include the title “Regent” or “Regent Emeritus.”

**Subd. 5. Naming of Buildings for Past Presidents.**

The University may name buildings for past presidents. Consideration of a naming may not take place while a past president is employed by the University.

- (a) **Approval.** The Board reserves to itself authority to name, rename, or revoke the naming of buildings for past presidents.
- (b) **Management.** The chair of the Board convenes a committee with representatives from the Board, the Faculty Consultative Committee, and the Honors Committee to develop a recommendation. This recommendation shall be forwarded to the Honors Committee for information prior to submission to the Board for final action.

**Subd. 6. Naming of Separate Building Parts.**

Separate building parts that are not significant University assets may be named in honor of an individual or a non-University entity. An independent committee of the relevant academic or administrative leadership and building occupants shall manage and approve the namings.

**SECTION V. NAMINGS ASSOCIATED WITH GIFTS OR SPONSORSHIPS.**

University assets may be named for individuals or non-University entities to recognize significant gifts or as part of a sponsorship. Namings associated with gifts or sponsorships shall remain for the useful life of the physical campus feature or academic endeavor, unless otherwise negotiated under contract, and

subject to Board approval. Colleges, schools, academic programs, centers, or institutes are not usually named for commercial entities; if the name of a commercial entity is to be considered, Board approval is required.

**Subd. 1. Naming of Endowed Chairs, Professorships, Faculty Fellowships, and Other Positions.**

The University seeks and welcomes private financial support for endowed chairs, professorships, faculty fellowships, and other positions that provide scholars or other leaders a continuous and reliable source of support to pursue their teaching, research, outreach, or other relevant activities. Awards established in these categories shall typically carry the name of the donor, of a person or institution designated by the donor, or of a person in whose name the University seeks funds to endow the award.

- (a) **Approval.** The president or delegate approves the naming of a chair, professorship, faculty fellowship, or other position.
- (b) **Management.** The relevant college, unit, or department establishes and manages the process for chairs, professorships, faculty fellowships, and other positions. Proposals to establish one of these institutional awards shall specify the conditions of the naming, the activities to be supported by the gift or sponsorship, and the amount of the endowment or the annual level of funding.
- (c) **Candidates.** The University shall have sole authority to appoint the holders of endowed chairs, professorships, faculty fellowships, and other positions.
- (d) **Provisions.**
  - (1) **Restrictions on the Use of Title.** Chairs, professorships, faculty fellowships, and other positions shall not include such terms as *University, distinguished*, or the title *Regents Professor*. These titles are conferred only by the Board.
  - (2) **Level of Endowment.**
    - (i) **Endowment for Chairs.** A chair may be established when \$2 million or more has been placed in an endowment that provides in perpetuity the annual funds needed for support of the chair. Alternatively, a chair may be established if a minimum of \$200,000 per year for 10 years is provided by the donor to spend for the chair's designated purpose.
    - (ii) **Endowment for Professorships.** A professorship may be established when \$1 million or more has been placed in a permanent endowment. Alternatively, a professorship may be established when a minimum of \$100,000 per year for 10 years is provided by the donor to spend for the professorship's designated purpose.
    - (iii) **Endowment for Faculty Fellowships.** A faculty fellowship may be established when \$500,000 or more has been placed in a permanent endowment for the faculty fellowship. Alternatively, a faculty fellowship may be established when a minimum of \$50,000 per year for 10 years is provided by the donor to spend for the faculty fellowship's designated purpose.
    - (iv) **Other Named Positions.** Other named positions may be established from time to time through endowed gifts or minimum annual funding levels as determined by the University.

**Subd. 2. Naming of Colleges, Schools, Buildings, and Other Significant University Assets.**

These assets may be named to recognize gifts or as part of a sponsorship. No commitment regarding namings associated with gifts or sponsorships shall be made to the donor or sponsor prior to the applicable University review and approval.



- (a) **Consultation.** Prior to entering into substantive discussions or making an oral or written commitment regarding a naming to a donor or sponsor, any individual acting on behalf of the University or a recognized University foundation shall (1) inform the donor or sponsor of this policy; (2) consult with the president to determine whether the naming opportunity requires the review and approval process outlined below; and (3) consult with the recognized University foundations as appropriate to determine whether the proposed naming meets the guidelines of the recognized University foundations.
- (b) **Review.** A naming committee, with two representatives from the Honors Committee, representatives from the recognized University foundations, and relevant academic and administrative officers, shall review naming proposals and submit recommendations to the president. The president recommends namings to the Board.
- (c) **Approval.** The Board reserves to itself authority to name, rename, or revoke the naming of colleges, schools, buildings, and other significant University assets.
- (d) **Management.** For gifts, the recognized University foundations shall maintain guidelines to implement this policy in order to ensure consistency in the size of gifts relative to the significance of the asset being named. For sponsorships, the president or delegate shall ensure the consistency of the size of the sponsorship agreement relative to the overall significance of the asset to be named.

**Subd. 3. Other Namings Associated with Gifts or Sponsorships.**

University assets not covered by the definition in Section III., Subd. 1., may be named to recognize gifts or as part of a sponsorship, including but are not limited to the following: scholarships, fellowships, lecture series, or other named awards that may be established on occasion from endowments or annual minimum award amounts.

- (a) **Approval.** The president or delegate shall approve the naming of these assets.
- (b) **Management.** Recognized University foundations shall manage the process for the naming of these assets and maintain guidelines and criteria for these namings.

**SECTION VI. OTHER NAMINGS.**

This section shall govern the naming of significant University assets when the name is not in honor of an individual or non-University entity and the naming is not associated with a gift or sponsorship.

**Subd. 1. Naming of Colleges and Schools.**

A college or school may be named to reflect the relevant academic discipline.

- (a) **Approval.** The Board reserves to itself authority to name, rename, or revoke the naming of colleges and schools.
- (b) **Management.** The president or delegate makes recommendations to the Board.

**Subd. 2. Naming of Buildings, Significant Portions of Buildings, Grounds, Physical Structures, Areas, or Streets.**

These assets may be named to describe the academic or administrative purpose of the asset or to reflect a symbolic meaning appropriate for the asset.

- (a) **Approval.** The Board reserves to itself authority to name, rename, or revoke the naming of buildings, significant portions of buildings, grounds, physical structures, areas, or streets.

- (b) **Management.** The Honors Committee manages the process for the naming of buildings, significant portions or buildings, grounds, physical structures, areas, or streets and submits recommendations to the president. The president recommends namings to the Board.
- (c) **Working Titles.** The president or delegate may provide a working title for buildings, significant portions of buildings, grounds, physical structures, areas, or streets during planning and construction and prior to official naming by the Board.

## **SECTION VII. RENAMINGS AND REVOCATION.**

### **Subd. 1. Authority.**

The University reserves the right to rename or revoke any naming if for any reason the naming is inconsistent with the University's mission; jeopardizes the integrity of the University; presents risk or harm to the reputation of the University; or if the intent of a gift or the terms of a sponsorship associated with the naming cannot be fulfilled.

For all namings requiring Board approval, the Board reserves to itself authority to rename or revoke a naming, except that the Board delegates authority to the president to revoke a naming granted by the Board under Section V, Subd. 2 of this policy if the intent of the gift or the terms of the sponsorship associated with a naming cannot be fulfilled by the donor or sponsor.

Other namings not reserved to the Board may be renamed or revoked by the president or delegate consistent with the approval process for the specific naming as described in this policy.

### **Subd. 2. Request for Renaming or Revocation.**

The president shall consider a renaming or revocation of any naming at the request of the Board. The president may also consider a renaming or revocation of any naming in response to a well-considered written request submitted by an individual or at the president's own initiative. Anonymous proposals shall not be considered. A well-considered written request shall address the factors described in Subd. 4 of this section and:

- the specific behavior of the individual or non-University entity after whom a significant University asset is named that is inconsistent with the University's mission, jeopardizes the integrity of the University, or presents risk or harm to the reputation of the University;
- the sources and strength of the information of that behavior;
- the nature, depth, and extent of the present and future harm that the continued use of the name may inflict on the University; and
- how renaming comports with the principles described in Section II of this policy.

A request to rename or revoke a naming shall include only one significant University asset per request. Upon receipt of a request for a renaming or revocation of a naming, the president may make further inquiries to its submitters before making an initial determination whether the request should proceed. If the request proceeds, the Honors Committee shall examine and research the request.

### **Subd. 3. Review of Request.**

A review of a request for renaming or revocation of a naming by the Honors Committee shall be guided by principles described in Section II of this policy and factors described in Subd. 4 of this section.

The University, the Honors Committee, and those involved in evaluating a renaming or revocation request, shall adhere to the standards of inquiry and discourse appropriate for an institution of higher education. As a part of the review, the Honors Committee shall invite comments from all interested members of the

University community, including those who were impacted by the behavior in question or their heirs and the subject of the naming or their heirs. The Honors Committee should take care that the inquiry itself does not exacerbate the harms that are being considered. Where helpful, the Honors Committee should take full advantage of the expertise of members of the University community. Review procedures shall be maintained by the Honors Committee and approved by the president.

**Subd. 4. Review Factors for Renaming or Revocation.**

The Honors Committee shall consider the following factors as a component of their review of a request for renaming or revocation of a naming:

- (a) **Advancement of the University’s mission, guiding principles, and shared history** - The Honors Committee should consider the impact of the naming to University history, and whether the current naming exemplifies the highest aspirations of the institution’s mission and guiding principles and advances the evolving landscape of University history and achievement.
- (b) **Impact on the University’s diversity, equity, and inclusion goals** - In considering whether to retain or remove a name, the Honors Committee should consider how the advancement of the University’s diversity, equity, and inclusion goals are relevant in these matters.
- (c) **The harm caused by retaining the name, and the harmful impact of the individual’s or non-University entity’s behavior** - This factor examines whether the individual’s or non-University entity’s behavior is inconsistent with the University’s mission and guiding principles, jeopardizes the integrity of the University, or presents risk or harm to the reputation of the University. The case for renaming is stronger to the extent that retaining a name creates an environment that impairs the ability of students, faculty, or staff of a particular gender, sexual orientation, race, religion, national origin, or other characteristic protected by federal law or University policy to participate fully and effectively in the University’s mission.
- (d) **Strength and clarity of the historical evidence** - The case for renaming is strongest when there is clear and unambiguous documentation of the wrongful behavior by the individual or non-University entity and is weakest when the documentation is scant or ambiguous. The documentation shall also include the totality of an individual’s or the non-University entity’s public and private actions that factor in the affirmation of or against renaming.

The president may include other factors for the Honors Committee to consider based on the specific circumstances of the request. The president shall report those additional factors to the Board prior to the submission of the Honors Committee report, as outlined in Subd. 5 of this section.

**Subd. 5. Report of the Honors Committee.**

The Honors Committee shall submit a written report to the president that summarizes the renaming or revocation request, details how the guiding principles and factors were applied to the request and describes the committee’s findings with attribution to the sources relied upon for the findings. The president may ask Honors Committee for additional information and analysis if needed.

**Subd. 6. Board Action.**

The president shall submit the Honors Committee’s report and the president’s recommendation to the Board for action, including plans for contextualization to avoid the potential for erasure and to communicate historical information if renaming or revocation is recommended. The Board may request additional information before acting on the president’s recommendation.

If a request for a renaming or revocation is granted by the Board, the Honors Committee shall research and propose a new naming to the president, which promotes broad representation of the University’s history,

## **DRAFT for Action**

mission, guiding principles, and achievements. The president shall submit the new naming to the Board for action.

**SECTION VIII. RETENTION OF HONORARY NAMINGS.**

**Subd. 1. Consideration of Retention.**

Honorary namings, as defined by Section IV of this policy, are eligible for indefinite retention when the honorary naming reaches 75 years since it was granted. At the president's discretion, retention of an honorary naming may be considered three years before the naming's 75th year.

The president shall consider the retention of an honorary naming at the request of the Board. The president may also consider the retention of an honorary naming in response to a well-considered written request submitted by an individual or at the president's own initiative. Anonymous proposals shall not be considered. A well-considered written request shall be guided by principles described in Section II of this policy and factors described in Subd. 3 of this section. A request to retain an honorary naming shall include only one significant University asset per request.

**Subd. 2. Retention Review.**

A review of a request for a retention of an honorary naming by the Honors Committee shall be guided by principles described in Section II of this policy and factors described in Subd. 3 of this section.

For non-retained namings, the president shall request the Honors Committee to research and propose a new naming to the president, which promotes broad representation of the University's history, mission, guiding principles, and achievements in alignment with Sections II and IV of this policy. Approval of the new naming shall follow the process for that type of naming as defined by Section IV of this policy.

The University, the Honors Committee, and those involved in evaluating a retention request, shall adhere to the standards of inquiry and discourse appropriate for an institution of higher education. As a part of the review, the Honors Committee shall invite comments from all interested members of the University community. Where helpful, the Honors Committee should take full advantage of the expertise of members of the University community.

**Subd. 3. Review Factor for Retention.**

The Honors Committee shall consider the following factor as a component of their review for the retention of an honorary naming:

- (a) **Extraordinary impact on the University's past, present, and future** - The Honors Committee shall consider whether the honorary naming is so extraordinary that it should be sustained indefinitely beyond its 75<sup>th</sup> year. The Honors Committee shall consider if retention of the name serves as an exemplar of the University's past, present, and future and the highest aspiration of the institution's mission and guiding principles, including the University's diversity, equity, and inclusion goals, and the evolving landscape of University history and achievement, that it should be sustained indefinitely beyond its 75th year.

The president may include other factors for the Honors Committee to consider based on the specific circumstances of the request. The president shall report those additional factors to the Board prior to the submission of the Honors Committee report, as outlined in Subd. 4 of this section.

**Subd. 4. Report of the Committee.**

The Honors Committee shall submit a written report to the president that summarizes the retention review, details how the guiding principles and factors were applied to the review, and describes the Honors Committee's findings with attribution to the sources relied upon for the findings. The president may ask Honors Committee for additional information and analysis if needed.

**Subd. 5. Board or Presidential Action.**

For those honorary namings that require the Board approval, the president shall submit the Honors Committee's report and the president's recommendation to the Board for action. The president's recommendation shall include plans for contextualization to avoid the potential for erasure and to communicate historical information if the naming is not retained. The Board may request additional information before acting on the president's recommendation.

For those honorary namings that do not require Board approval, the president shall act on the Honors Committee report.

**Subd. 6. Renaming or Revocation of an Indefinitely Retained Naming.**

For honorary namings indefinitely retained, the University reserves the right to rename or revoke any such naming if for any reason the naming is inconsistent with the University's mission; jeopardizes the integrity of the University; or presents risk or harm to the reputation of the University, consistent with Section VII of this policy.

**SECTION IX. IMPLEMENTATION.**

**Subd. 1. Legal Review.**

All gift agreements or contracts involving a naming are subject to this policy and must be reviewed by the Office of the General Counsel prior to approval.

**Subd. 2. Administration.**

The president or delegate shall establish and maintain administrative policies and procedures to implement this policy.

**Subd. 3. Coordination.**

The University shall ensure coordination in the following ways: (1) with the goals and priorities of the Systemwide Strategic Plan; (2) between the institution and recognized University foundations; and (3) between the fundraising and academic units in order to maintain alignment of institutional and development priorities and compliance with University policies and procedures.

**REVISION HISTORY**

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**Adopted:** June 11, 2010

**Amended:** December 11, 2015; February 11, 2022

**Last Comprehensive Review:** 2022



# BOARD OF REGENTS DOCKET ITEM SUMMARY

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**Governance & Policy**

**June 9, 2023**

**AGENDA ITEM:** University Process for Data Practices Act Requests from State Officials

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

*This is a report required by Board policy.*

**PRESENTERS:** Brian Slovut, Deputy General Counsel  
Laurie Beyer-Kropuenske, Chief Data Practices Compliance Officer, Data Access & Privacy Director

## **PURPOSE & KEY POINTS**

The purpose of this item is consideration of the resolution related to DPA Requests from State Officials, which was referred to the committee at the February 2023 meeting of the Board of Regents. The resolution is included in the docket. This item is before the committee for discussion.

The discussion will include an overview of the University’s current data practices compliance efforts, including the tools used to manage the ever-increasing volume of data requests to the University. These tools include the statutorily based practice of uniformly seeking reimbursement, where allowed, from requestors who file formal public records requests under the Minnesota Government Data Practices act, regardless of requestor status (citizen, legislator, etc.).

The discussion will also include the minor modifications adopted in December 2020 to Administrative Policy: *Public Access to University Information*, which instituted a \$50 cost threshold for collecting request costs and provided that costs would be collected in advance to enhance transparency, improve efficiency, and incentivize requestors to make focused and targeted requests. Current data practices compliance implementation modifications have resulted in greater transparency through more data being provided to more requestors more quickly.

Data practices compliance is an area of delegated authority to the President. If there is interest in considering the resolution further based on the June discussion, the committee’s workplan could include agenda items to address any direction the Board would wish to provide the administration.



## REGENTS OF THE UNIVERSITY OF MINNESOTA

### RESOLUTION RELATED TO

#### DPA Requests from State Officials

**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 in supporting thoughtful and transparent stewardship of University's resources; and

**WHEREAS**, access and transparency are core attributes of a public institution; and

**WHEREAS**, according to [University of Minnesota Administrative Policy Public Access to University Information](#), "individuals requesting public information will be provided access to all public information in accordance with Minnesota's Public Records Law, the Minnesota Government Data Practices Act (MGDPA), Chapter 13 of the Minnesota Statutes"; and

**WHEREAS**, "[Minnesota Government Data Practices Act - Procedures for Requesting Information from the University of Minnesota](#)" is a procedure embedded under the aforementioned University administrative policy; and

**WHEREAS**, the MGDPA "authorizes entities to charge the cost of searching for, retrieving, copying and transmitting the data" which may include employee time, materials, and mailing costs; and

**WHEREAS**, members of the State Legislature have a history of requesting materials from the University under the MDGPA which serves an important function for aiding them in their operational review and consideration for state funding role as a branch of our state government; and



**WHEREAS**, as a public institution, the University has a responsibility to be as open and accessible as possible when it comes to the fulfillment of requests for information; and

**NOW, THEREFORE, BE IT RESOLVED** that:

1. Under the [Administrative Procedure: Minnesota Government Data Practices Act - Procedures for Requesting Information from the University of Minnesota](#), the Board of Regents directs University administration to create an exemption under the “Charges for copies of public data” subsection for members of the Minnesota State Legislature and Constitutional Officers of the State of Minnesota (or their respective offices).

# Data Practices Compliance

Board of Regents | June 9, 2023  
Governance and Policy Committee

Office of the General Counsel

Brian Slovut, Deputy General Counsel

Laurie Beyer-Kropuenske, Chief Data Practices Compliance Officer & Data Access and Privacy Director



# Today we will cover:

- The Minnesota Government Data Practices Act
- 2019 Data Practices Review and Recommendations
- The University's Data Access and Privacy Office (DAP) Overview
- 2020 Comprehensive Policy Changes
- Current Compliance Status/Trends



# Data Access and Privacy Office



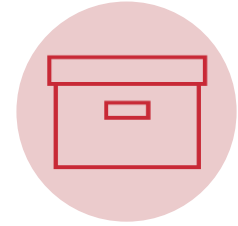
STAFF MEMBERS WHO  
SPECIALIZE IN THE  
DATA PRACTICES ACT



WITHIN THE OFFICE  
OF GENERAL  
COUNSEL



RECEIVE PUBLIC  
RECORDS REQUESTS  
THROUGH AN ONLINE  
PORTAL



OVERSEE 2  
UNIVERSITY POLICIES  
RELATED TO DATA  
REQUESTS/RECORDS





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## Data Request Center

The University of Minnesota responds as promptly as possible to public records requests while protecting the privacy rights of our students and employees, as well as other information that is protected under federal and state laws.

Click [here](#) to view FAQs, including the University's policy on public records and information for University employees. If you need help using this request portal, click [here](#) to access the requester support page.

Please note that public records requests, and responses to those requests, are also public records.

For the best user experience and functionality, we recommend that you use the Google Chrome browser.

Search

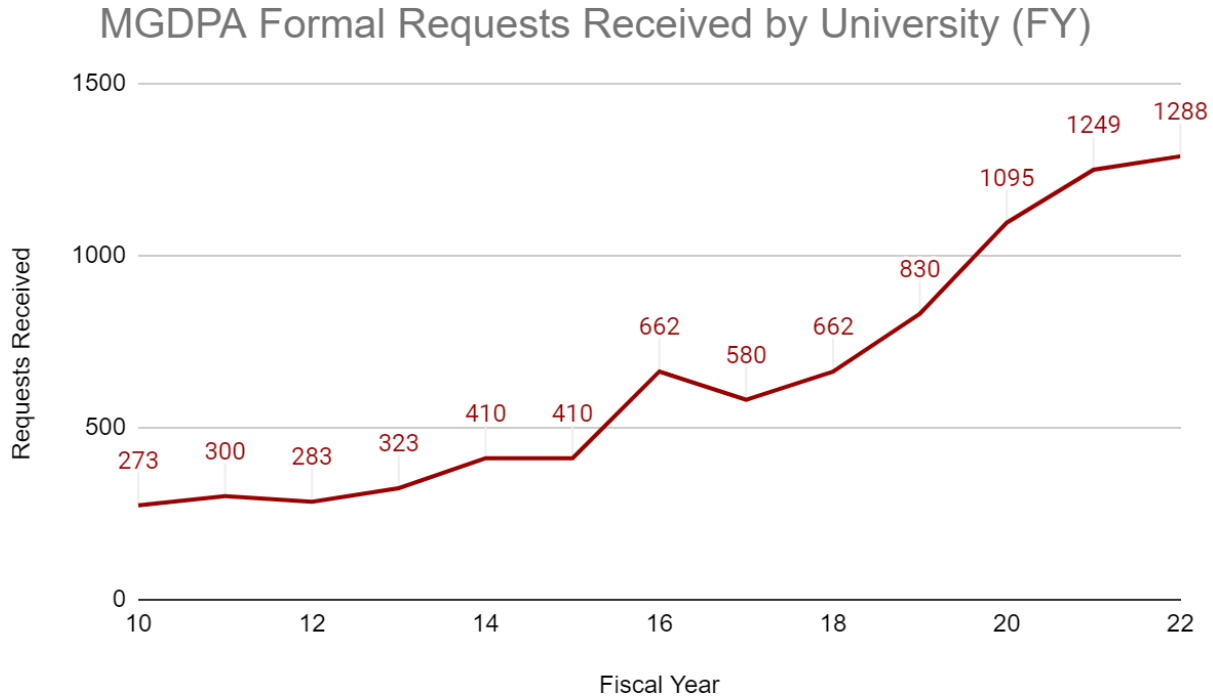
Search **720** requests and counting.

Make Request

Make a new public records request.

umn.nextrequest.com

# University Data Requests History



# The MN Government Data Practices Act

- State law that applies to state/local government, including the University of Minnesota
- Presumes data are public
- Creates duty to protect data
- “Government data” recorded information, including paper files, emails, texts, videos, photos, etc.
- Provides civil & criminal penalties for non-compliance



# Public Records Requests



Anyone may submit one



Anyone can request copies of data you have



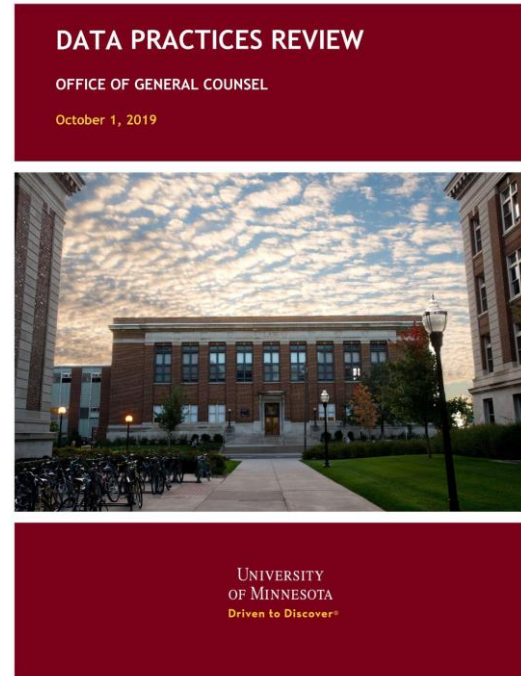
If you create or receive government data on a personal device, it's still government data





# Data Practices Review-October 2019

- Technology
- Enhanced quality control measures
- Office Restructuring
- *University Policy Revisions*
- University Systemwide Training



# Progress since the 2019 report

- Restructured the Office
- Responsible Authority/Data Practices Compliance Officer selection
- Implementation of new request portal
- University-wide training video for employees
- Enhanced redaction verification/review process
- Comprehensive Policy Review completed



# 2020 Comprehensive Policy Review

## Public Access to University Information Policy

### Goals

- Enhance transparency
- Improve efficiency
- Incentivize requesters to submit focused and targeted requests

### Inspection/Copy Charging Policy

- Prioritizes small, non-complex requests over larger, complex request.
- Requires email box searches be submitted by employee name/email address
- Charging for copies of public data, \$50 threshold and applied evenly
- In-person inspection at a University Office



# Public Requests for Email Searches

## Statutorily Allowed Charges:

- Staff time to *search/retrieve* data
- Staff time to make copies
- Mailing costs
- Storage devices (disks, portable drives)
- *Cannot charge to redact data*

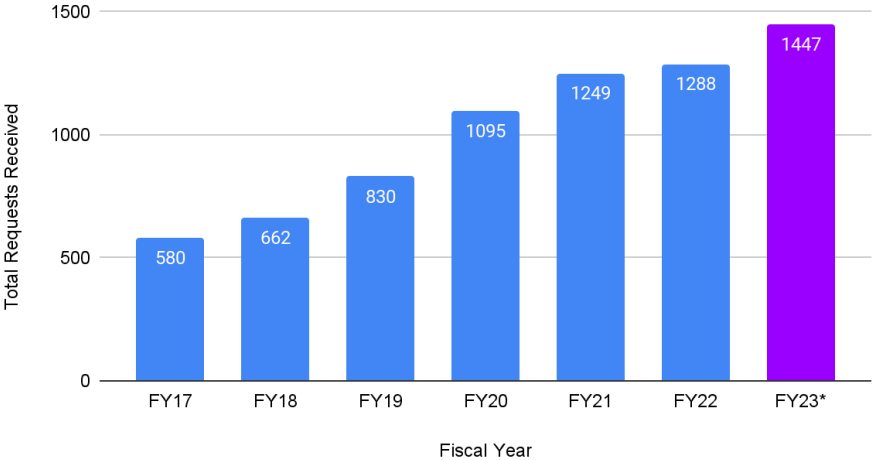
No charge to inspect in person

*MN Stat. 13.03 subd. 3*

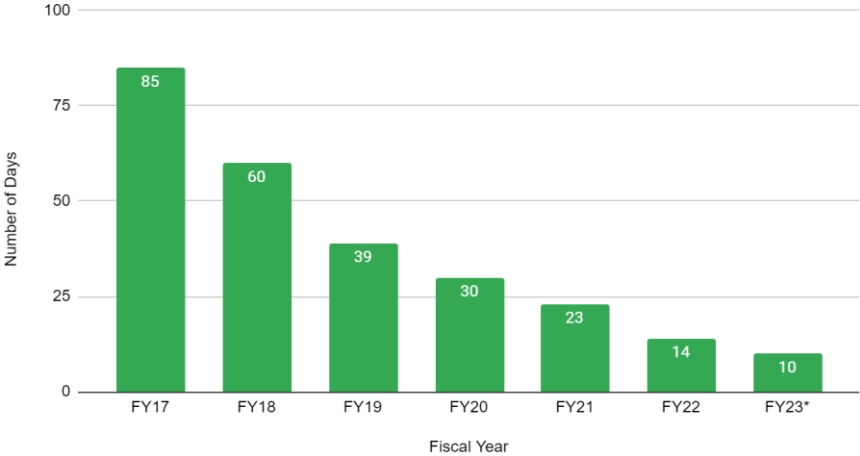


# Requests vs. Average Days to Close

Total Requests Received by Fiscal Year



Average Number of Days to Close a Request by Fiscal Year

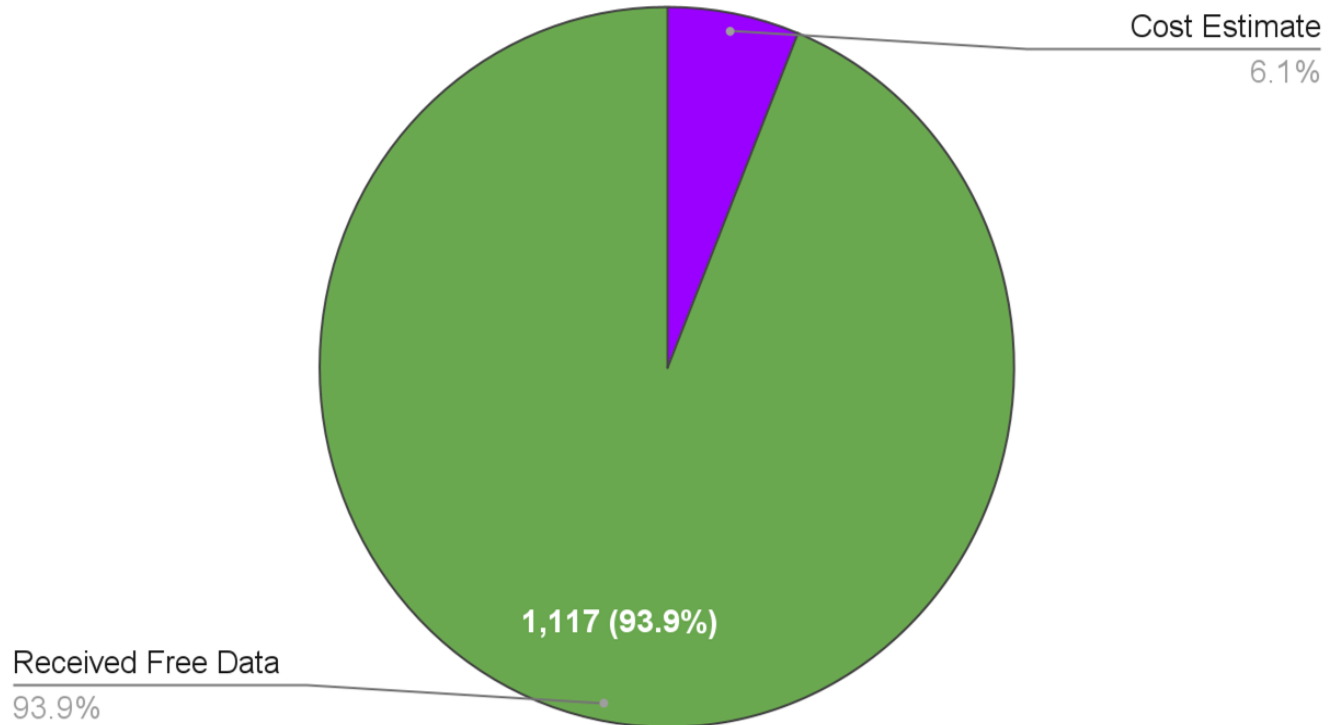


# Legislative requests

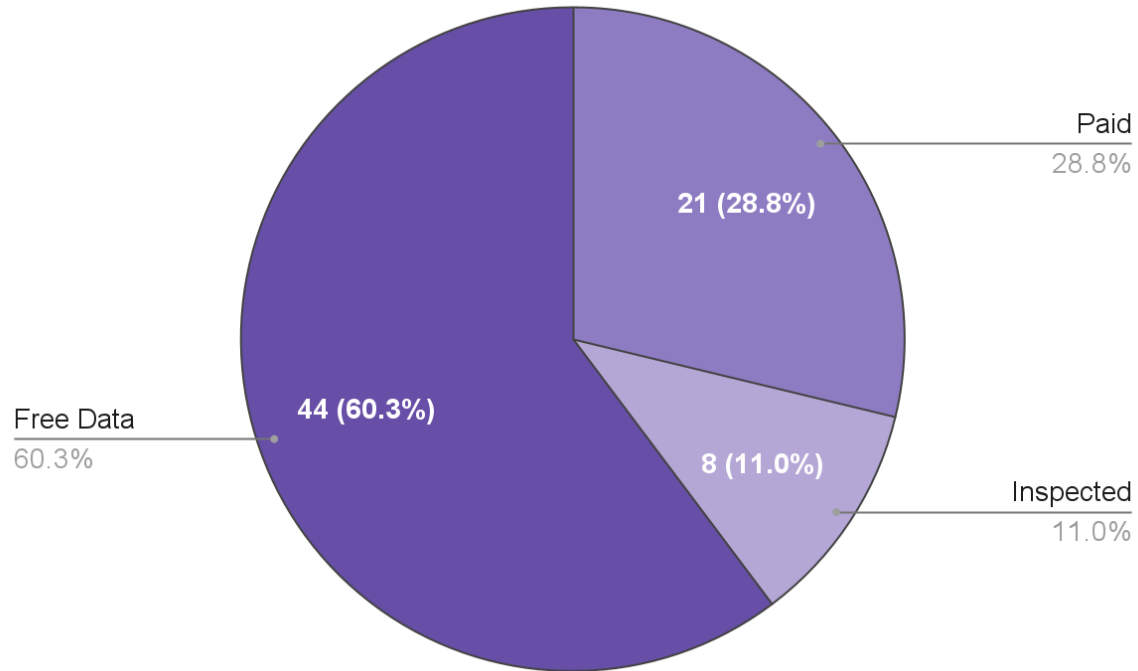
2019	4 (personnel issue, political rally)
2020	4 (gender policy development, COVID)
2021	1 (COVID)
2022	9 (UMD Chancellor searches, contracts, President travel/outside membership, expense reports, campus events)
2023	No legislative requests



# FY23 Total Cost estimates vs. Free data

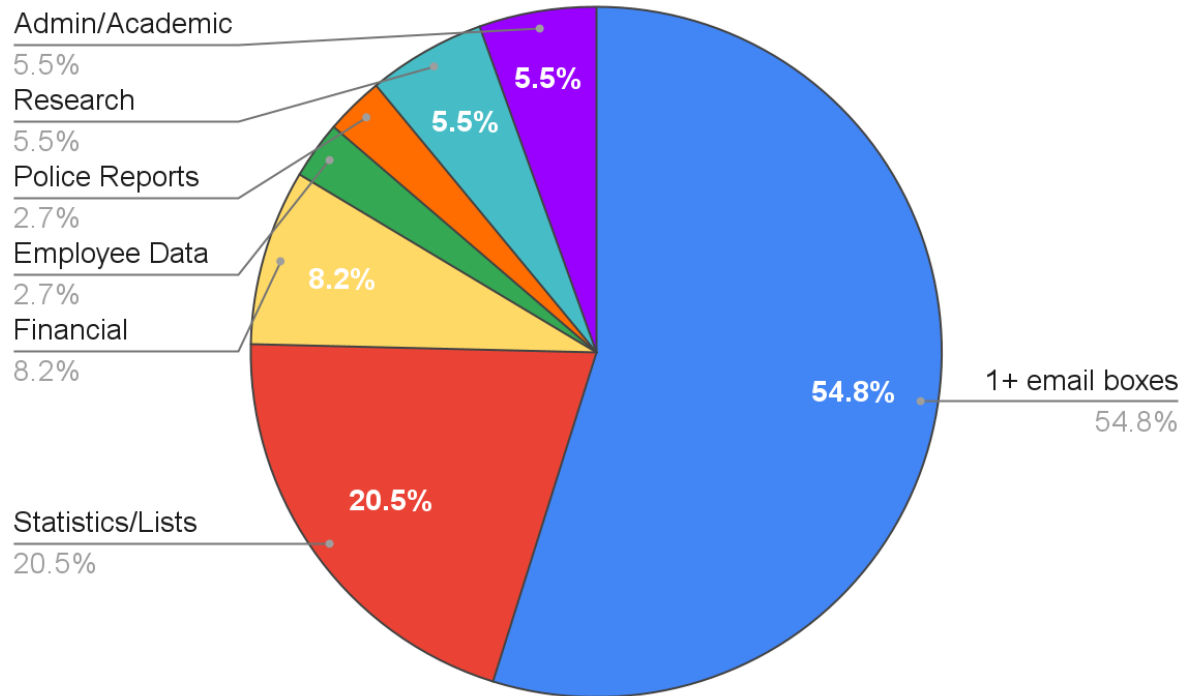


# FY23 Breakdown of Cost Estimates

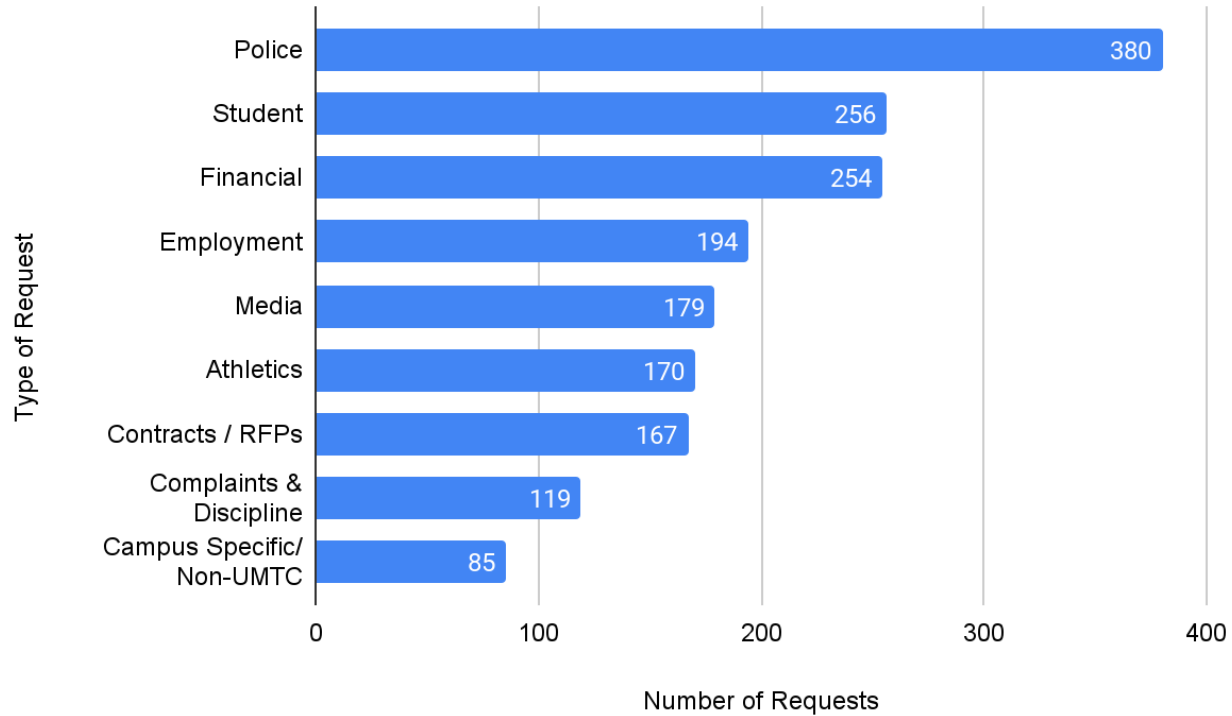




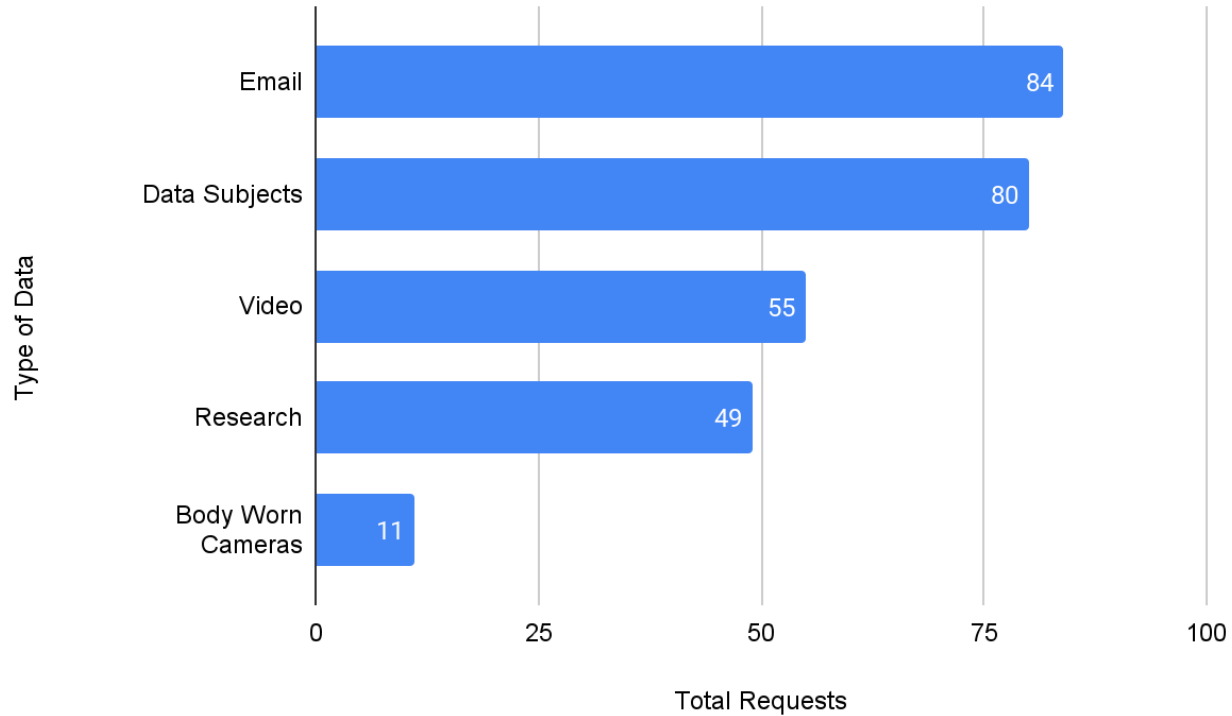
# Cost Estimates by Type/Repository



# Top Request Types



# Categories of Time-Intensive Requests



# Most common redaction citations

- Student data
- Personnel
- Security information
- Trade secret
- Criminal investigations
- Business/bids/RFP
- Attorney-Client
- Donor data
- Investment data
- Civil Investigations
- Labor relations data
- Security services
- Social security numbers



# Questions?





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# BOARD OF REGENTS DOCKET ITEM SUMMARY

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**Board of Regents**

**June 9, 2023**

**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 9, 2023**

**AGENDA ITEM:** University Policy Overview & 2023 Board Policy Report

**Review**

**Review + Action**

**Action**

**Discussion**

*This is a report required by Board policy.*

**PRESENTERS:**

Jason Langworthy, Policy Manager & Assistant Secretary  
Seth Beccard, Policy Program Director and Compliance Officer, 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 2023 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.

#### *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.

## **2023 Board Policy Report**

The 2023 Board Policy Report includes two sections – a summary of the current year, and the upcoming year's plan. The 2022-23 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 2023-24 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  
**2023 Board Policy Report**

**2022-23 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.

<b>Comprehensively Reviewed - No Revisions Recommended</b>	
<i>American Indian Advisory Boards</i>	
<i>Appearances Before the Legislature and Other Public Bodies</i>	
<i>Board Operations and Agenda Guidelines</i>	
<i>Campus Public Art</i>	
<i>Employee Health Benefits</i>	
<i>Employee Performance Evaluation and Development</i>	
<i>Historic Preservation</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 Financial Aid</i>	
<i>University of Minnesota Press</i>	
<b>Amended by the Board of Regents</b>	<b>Date Amended</b>
<i>Student Conduct Code</i>	June 2022
<i>Debt Transactions*</i>	July 2022
<i>Commercialization of Intellectual Property Rights</i>	December 2022
<i>Namings</i>	February 2022
<i>Property and Facility Use</i>	May 2022

<b>Pending Action by the Board of Regents</b>	<b>Anticipated Action</b>
<i>Disability Services</i>	June 2022
<i>Endowment Fund*</i>	June 2022
<i>Namings and Renamings*</i>	June 2022
<b>Drafting of Amendments in Progress</b>	
<i>Code of Conduct</i>	
<i>Equity, Diversity, Equal Opportunity, and Affirmative Action</i>	
<b>Still Under Review by Policy Implementer</b>	
<i>Academic Misconduct</i>	
<i>Associated Organizations</i>	
<i>Central Reserves Fund</i>	
<i>Code of Conduct</i>	
<i>Investment of Reserves</i>	
<i>Legal Review of Contracts and Transactions</i>	
<i>Openness in Research</i>	
<i>Student Services Fee</i>	
<i>Tuition and Fees</i>	

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

## 2023-24 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>Attorneys and Related Services</i>	2017-18	2014	General Counsel
<i>Conflict Resolution Process for Student Academic Complaints</i>	2017-18	2006	Provost
<i>Copyright</i>	2017-18	2007	Provost
<i>Employee Compensation and Recognition</i>	2017-18	2022	Human Resources
<i>Employee Recruitment and Retention</i>	2017-18	2010	Human Resources
<i>Employee Work-Life and Personal Leaves</i>	2017-18	2007	Human Resources
<i>Founding Date, Corporate Name and Seal, and University Marks</i>	2017-18	2010	Board of Regents
<i>Health and Safety</i>	2017-18	2018	University Services
<i>Intercollegiate Athletics - Twin Cities Campus</i>	2017-18	2009	President
<i>International Education, Research, and Outreach</i>	2017-18	2018	Provost
<i>Investment Functions</i>	2017-18	2011	University Finance
<i>Legal Claims and Settlements</i>	2017-18	2014	General Counsel
<i>Mission Statement</i>	2017-18	2008	Board of Regents
<i>Research Involving Human Participants</i>	2017-18	2018	Research
<i>Reservation and Delegation of Authority</i>	2017-18	2021	Board of Regents
<i>Sexual Harassment, Sexual Assault, Stalking and Relationship Violence</i>	2017-18	2020	Equity and Diversity
<b>Carried Over from 2022-23 Plan</b>			
<b>Drafting of Amendments in Progress</b>			
<i>Code of Conduct</i>			
<i>Equity, Diversity, Equal Opportunity, and Affirmative Action</i>			

<b>Still Under Review by Policy Implementer</b>
<i>Academic Misconduct</i>
<i>Associated Organizations</i>
<i>Central Reserves Fund</i>
<i>Code of Conduct</i>
<i>Investment of Reserves</i>
<i>Legal Review of Contracts and Transactions</i>
<i>Openness in Research</i>
<i>Student Services Fee</i>
<i>Tuition and Fees</i>

## **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

Seth Beccard

Policy Program Director and Compliance Officer

Office of Institutional Compliance

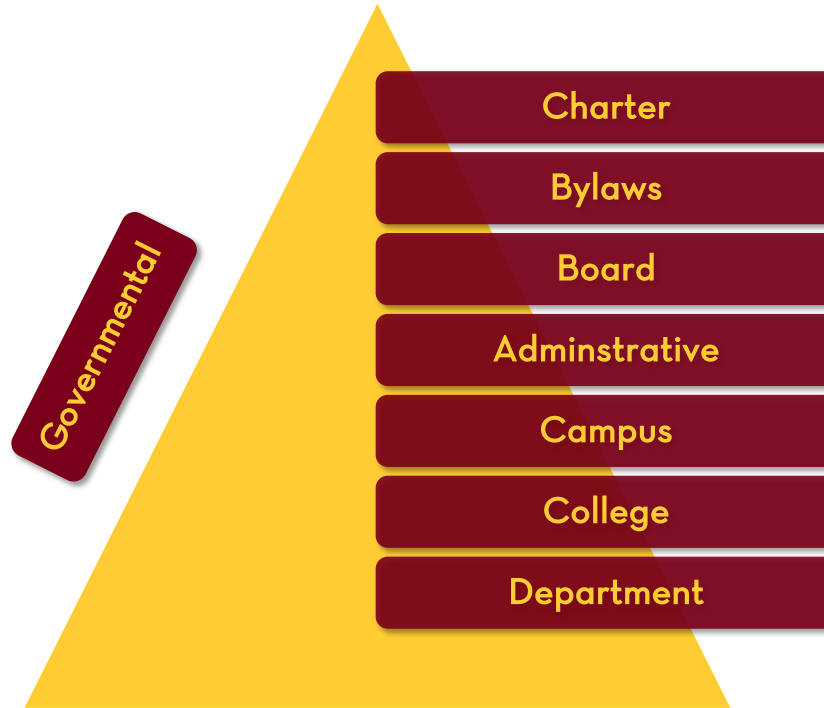
Jason Langworthy

Policy Manager & Assistant Secretary

Office of the Board of Regents

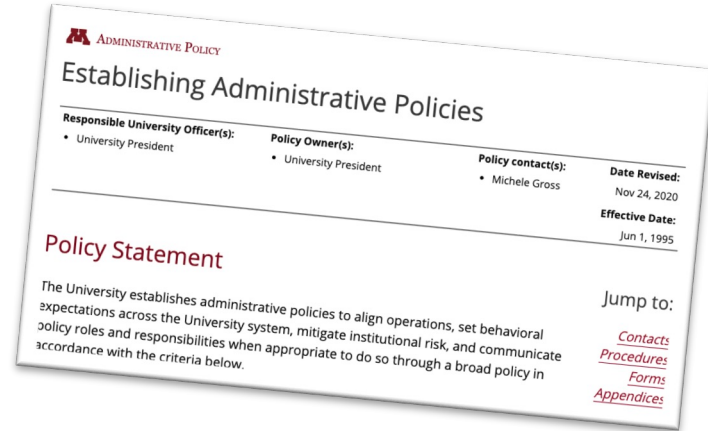
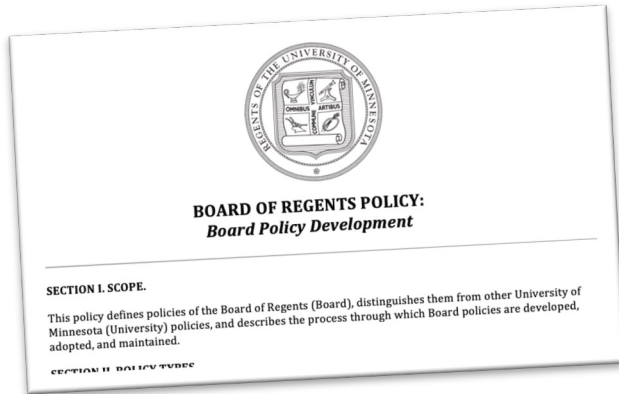


# University Policy Framework Hierarchy



# 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
  - 199 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.





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