



Board of Regents

March 2024

March 8, 2024

8:30 a.m.

Boardroom, McNamara Alumni Center

BOR - MAR 2024

1. Approval of Minutes - Action

Minutes - 4

2. Report of the Interim President

Docket Item Summary - 31

3. Report of the Chair

Docket Item Summary - 32

4. Receive & File Reports

Docket Item Summary - 33

UMN Students for Climate Justice - 34

Contamination Remediation of University Land in Rosemount, Minnesota
- 39

2024 Forever Green Initiative Mandated Report - 41

5. Consent Report - Review/Action

Docket Item Summary - 45

Gifts - 46

Summary of Amendment to Employment Agreement - 55

Amendment to Employment Agreement - 58

6. Report of the Student Representatives to the Board of Regents

Docket Item Summary - 63

2023-24 Student Representatives Summary Handout - 64

Appendix: Student Body President Updates - 65

Presentation Materials - 75

7. Public Safety Update: Spring Semester

Docket Item Summary - 82

8. President-Designate Cunningham Employment Agreement - Review/Action

Docket Item Summary - 84

Employment Agreement - 86

9. Presidential Conflicts of Interest - Action

Docket Item Summary - 95

Revised Policy - 97

10. Board of Regents Policy: Reservation and Delegation of Authority - Review

Docket Item Summary - 100

Summary of Potential Changes - 102

Revised Policy - 106

Threshold Data - 114

11. Reports of Committees

Docket Item Summary - 124

12. Resolution to Conduct Non-Public Meeting of the Board of Regents
to Discuss Attorney-Client Privileged Matters - Review/Action

Docket Item Summary - 125

Resolution - 126

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Audit & Compliance Committee
February 8, 2024**

A meeting of the Audit & Compliance Committee of the Board of Regents was held on Thursday, February 8, 2024, at 9:45 a.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: James Farnsworth, presiding; Mary Davenport, Robyn Gulley, and Tadd Johnson.

Staff present: Chancellors Lori Carrell and Mary Holz-Clause; Interim Chancellor David McMillan; Executive Vice President and Provost Rachel Croson; Vice Presidents Bernard Gulachek and Ken Horstman; Executive Director Brian Steeves; Chief Auditor Quinn Gaalswyk; and Associate Vice President Michael Volna.

Student Representatives present: Alex Middendorf and Ebba Wako.

The docket materials for this meeting are [available here](#).

EXTERNAL AUDITOR'S REVIEW OF COMPLETED AUDIT WORK

Regent Farnsworth invited Mollie Viola, Controller, Judi Dockendorf, Managing Director, Deloitte & Touche LLP, and Nicole Hoium, Audit Manager, Deloitte & Touche LLP to provide the committee with a summary of the completed work by the University's current external auditor, as detailed in the docket.

The docket materials for this item begin on page 3. The closed-captioned video of this item is [available here](#).

FY 2024 EXTERNAL AUDIT PLAN

Regent Farnsworth invited Mollie Viola, Controller, Jean Bushong, Principal, CliftonLarsonAllen LLP, and Daniel Persaud, Principal, CliftonLarsonAllen LLP to provide an overview of the plan the University's new external audit firm, CliftonLarsonAllen LLP, has for conducting the University's FY 2024 financial and compliance audits and other engagements, as detailed in the docket.

The docket materials for this item begin on page 153. The closed-captioned video of this item is [available here](#).

INTERNAL AUDIT UPDATE

Regent Farnsworth invited Chief Auditor Gaalswyk to provide the update on Internal Audit activities, results, and observations, as detailed in the docket. Chancellors Carrell and Holz-Clause, and Vice President Gulachek were also invited to address the committee.

The docket materials for this item begin on page 168. The closed-captioned video of this item is [available here](#).

INFORMATION ITEMS

Regent Farnsworth invited Chief Auditor Gaalswyk to discuss the information items in the docket:

- Engagements Less Than \$100,000 Requiring After-the-Fact Reporting

The docket materials for this item begin on page 199. The closed-captioned video of this item is [available here](#).

The meeting adjourned at 10:36 a.m.



BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Special Committee on Academic Health
February 8, 2024**

A meeting of the Special Committee on Academic Health of the Board of Regents was held on Thursday, February 8, 2024, at 9:45 a.m. in the West Committee Room, 600 McNamara Alumni Center.

Regents present: Penny Wheeler, presiding; Doug Huebsch, Ruth Johnson, Janie Mayeron, Mary Turner, and Kodi Verhalen.

Staff present: Interim President Jeffrey Ettinger; Vice Presidents Jakub Tolar and Julie Tonneson; General Counsel Douglas Peterson; Executive Director Brian Steeves; Chief Public Relations Officer Chuck Tombarge; Associate Vice President Michael Volna; and Executive Director of Government and Community Relations Melisa López Franzen.

The docket materials for this meeting are [available here](#).

**GOVERNOR'S TASK FORCE ON ACADEMIC HEALTH AT THE UNIVERSITY OF MINNESOTA:
FINAL REPORT AND NEXT STEPS**

Regent Wheeler invited Interim President Ettinger and Vice President Tolar to provide an update and invite input from the special committee on the final report of the Governor's Task Force on Academic Health at the University of Minnesota, as detailed in the docket.

The docket materials for this item begin on page 3. The closed-captioned video of this item is [available here](#).

The meeting adjourned at 10:56 a.m.



BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Mission Fulfillment Committee
February 8, 2024**

A meeting of the Mission Fulfillment Committee of the Board of Regents was held on Thursday, February 8, 2024, at 11:30 a.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: Ruth Johnson, presiding; Mary Davenport, James Farnsworth, Robyn Gulley, Doug Huebsch, Tadd Johnson, Mike Kenyanya, Janie Mayeron, Mary Turner, Kodi Verhalen, and Penny Wheeler.

Staff present: Interim President Jeffrey Ettinger; Chancellors Lori Carrell, Mary Holz-Clause, and Janet Schrunk Ericksen; Interim Chancellor David McMillan; Executive Vice President and Provost Rachel Croson; Vice Presidents Bernard Gulachek, Kenneth Horstman, Mercedes Ramírez Fernández, and Julie Tonneson; General Counsel Douglas Peterson; Executive Director Brian Steeves; Chief Auditor Quinn Gaalswyk; and Associate Vice President Michael Volna.

Student Representatives present: Taiwo Aremu and Niko Vasilopoulos.

The docket materials for this meeting are [available here](#).

**HIGHER LEARNING COMMISSION ACCREDITATION FOR THE
ROCHESTER AND TWIN CITIES CAMPUSES 2025 UPDATE**

Regent R. Johnson invited Executive Vice President and Provost Croson, Robert McMaster, Vice Provost and Dean of Undergraduate Education, and Erin Slattengren, Office of the Executive Vice President and Provost, to provide the committee with an update about the University's processes and progress toward its 2025 accreditation renewal for the Rochester and Twin Cities campuses, as detailed in the docket.

The docket materials for this item begin on page 3. The closed-captioned video of this item is [available here](#).

TERM FACULTY AND INSTRUCTIONAL STAFF: TWIN CITIES CAMPUS

Regent R. Johnson invited Executive Vice President and Provost Croson and Beth Lewis, Vice Provost for Faculty and Academic Affairs, to discuss the contributions of term (contract) faculty and instructional staff to the University's mission, as detailed in the docket.

The docket materials for this item begin on page 36. The closed-captioned video of this item is [available here](#).

CONSENT REPORT

Regent R. Johnson invited Executive Vice President and Provost Croson to present the Consent Report for review and action, as detailed in the docket.

The docket materials for this item begin on page 60. The closed-captioned video of this item is [available here](#).

Request for Approval of New Academic Programs

- Carlson School of Management (Twin Cities campus)—requests approval to create a new Bachelor of Science in Business Analytics, effective fall 2024.
- College of Design (Twin Cities campus)—requests approval to create a new Bachelor of Science in User Experience Design, effective fall 2025.
- College of Liberal Arts (Twin Cities campus)—requests approval to create a new Bachelor of Arts degree in Economics–Business Economics Emphasis, effective fall 2024.
- College of Liberal Arts (Twin Cities campus)—requests approval to create a new undergraduate minor in Medical Spanish, effective fall 2024.
- College of Liberal Arts (Twin Cities campus)—requests approval to create a new undergraduate certificate in Cross-Cultural Health in Spain, effective fall 2024.
- Humphrey School of Public Affairs and Carlson School of Management (Twin Cities campus)—request approval to create a new Sustainable Environmental, Social and Governance Leadership Post-Baccalaureate Certificate, effective fall 2024.
- Medical School (Twin Cities campus)—requests approval to create a Global Breast Cancer Fellowship, effective fall 2024.
- School of Public Health (Twin Cities campus)—requests approval to create a new Public Health Data Science graduate minor, effective fall 2024.

Request for Approval of Changed Academic Plans

- Carlson School of Management (Twin Cities campus)—requests approval to change the program delivery modality options in the Corporate Financial Management Post-Baccalaureate Certificate, effective fall 2024.
- Carlson School of Management (Twin Cities campus)—requests approval to add a hybrid delivery modality option in the Leadership for Managers Post-Baccalaureate Certificate, effective fall 2024.
- Carlson School of Management (Twin Cities campus)—requests approval to change the program delivery modality options in the Medical Industry Post-Baccalaureate Certificate, effective fall 2024.
- Carlson School of Management (Twin Cities campus)—requests approval to add both hybrid and completely online delivery modality options in the Strategic Management Post-Baccalaureate Certificate, effective fall 2024.
- Carlson School of Management (Twin Cities campus)—requests approval to change the program delivery modality options in the Strategic Marketing Post-Baccalaureate Certificate, effective fall 2024.
- Carlson School of Management (Twin Cities campus)—requests approval to change the program delivery modality options in the Supply Chain Management for the Medical and Health Sector Post-Baccalaureate Certificate, effective fall 2024.

- College of Design (Twin Cities campus)—requests approval to change the name of the Research Practices subplan to Applied Research in Practice in the Master of Science in Architecture, effective fall 2024.
- College of Design (Twin Cities campus)—requests approval to change the name of the Bachelor of Science degree in Retail Merchandising to Retail and Consumer Studies, effective fall 2024.
- College of Design (Twin Cities campus)—requests approval to change the name of the Retail Merchandising undergraduate minor to Retail and Consumer Studies, effective fall 2024. • College of Education and Human Development (Twin Cities campus)—requests approval to change the name of three subplans in the Master of Education and Initial Teaching License degree, effective fall 2024.
- College of Food, Agricultural and Natural Resource Sciences (Twin Cities campus)—requests approval to add a new subplan in the Master of Science in Applied Economics degree, effective fall 2024.
- College of Food, Agricultural and Natural Resource Sciences (Twin Cities campus)—requests approval to change the academic-degree-granting college for the PhD, the MS, and the graduate minor in Water Resources Science from the Graduate School to the College of Food, Agricultural and Natural Resource Sciences, effective fall 2024.
- College of Liberal Arts (Twin Cities campus)—requests approval to change the academic-degree-granting college for the Master and graduate minor programs in Heritage Studies and Public History from the College of Design to the College of Liberal Arts, effective fall 2024.
- College of Liberal Arts (Twin Cities campus)—requests approval to change the name of the Moving Image Studies graduate minor to Moving Image, Media & Sound, effective fall 2024.
- College of Liberal Arts (Twin Cities campus)—requests approval to change the name of the Master and graduate minor programs in Scientific and Technical Communication to Technical Communication, effective fall 2024.
- College of Liberal Arts (Twin Cities campus)—requests approval to add two new subplans in the Bachelor of Arts in Statistical Practice, effective fall 2024.
- College of Liberal Arts (Twin Cities campus)—requests approval to update the names of three subplans in the Bachelor of Arts in Theatre Arts, effective fall 2024.
- College of Science and Engineering (Twin Cities campus)—requests approval to add two new integrated degree program (IDP) subplans in the Bachelor of Materials Science and Master of Science in Data Science for Chemical Engineering degree programs effective fall 2024.
- College of Science and Engineering (Twin Cities campus)—requests approval to change the academic-degree-granting college for the History of Science, Technology, and Medicine PhD, Master and graduate minor programs from the Graduate School to the College of Science and Engineering, effective fall 2024.
- Medical School (Twin Cities campus)—requests approval to change the Child Neurology Fellowship to a Residency, effective summer 2024.
- Medical School (Twin Cities campus)—requests approval to change the academic-degree-granting college for the Health Informatics PhD, MHI, MS, and graduate minor programs from the Graduate School to the Medical School, effective fall 2024.

Request for Approval of Discontinued Academic Plans

- Carlson School of Management (Twin Cities campus)—requests approval to discontinue the Asset Management Post-Baccalaureate Certificate, effective fall 2024.

- College of Design (Twin Cities campus)—requests approval to discontinue the Master of Arts in Design, effective fall 2024.
- School of Public Health (Twin Cities campus)—requests approval to discontinue the Advanced Management Training for Clinician Leaders Post-Baccalaureate Certificate, effective fall 2024.
- School of Public Health (Twin Cities campus)—requests approval to discontinue the Aging Studies Post-Baccalaureate Certificate, effective fall 2024.
- School of Public Health (Twin Cities campus)—requests approval to discontinue the Industrial Hygiene subplan in the Environmental Health PhD, Master of Science, and Master of Public Health degrees, effective fall 2024.
- School of Public Health (Twin Cities campus)—requests approval to discontinue the Public Health Performance Improvement Post-Baccalaureate Certificate, effective fall 2024.
- Swenson College of Science and Engineering (Duluth campus)—requests approval to discontinue the Bachelor of Science in Environmental Science, effective fall 2024.
- Swenson College of Science and Engineering (Duluth campus)—requests approval to discontinue the Bachelor of Science in Geological Sciences, effective fall 2024.
- Swenson College of Science and Engineering (Duluth campus)—requests approval to discontinue the Bachelor of Arts in Geological Sciences, effective fall 2024.

Request for Conferral of Tenure for New Hires

- Shawn Boyne, professor with tenure, Department of Humanities, Social Sciences, and Education, Crookston campus
- Jordan Cofer, professor with tenure, Morris campus
- Alex Grenning, associate professor with tenure, Department of Chemistry, Twin Cities campus
- John Hulleman, associate professor with tenure, Department of Ophthalmology and Visual Neurosciences, Medical School, Twin Cities campus
- Nicholas Swanson-Hysell, associate professor with tenure, Department of Earth and Environmental Sciences, College of Science and Engineering, Twin Cities campus
- Alexandra Wright, associate professor with tenure, Department of Ecology, Evolution, and Behavior, College of Biological Sciences, Twin Cities campus

Request for Approval of Amended Bell Museum Collections Management Policy

A motion was made and seconded, and the committee voted unanimously to approve on behalf of the Board the Consent Report.

INFORMATION ITEMS

Regent R. Johnson invited Executive Vice President and Provost Croson to discuss the information items in the docket:

- A. University, Student, Faculty, and Staff Activities and Awards
- B. Reports to the State of Minnesota
 - Postsecondary Institution Voter Registration Report
 - Veterinary Diagnostic Laboratory Expenditures Report
 - Minnesota P-20 Education Partnership Report

The docket materials for this item begin on page 82. The closed-captioned video of this item is [available here](#).

The meeting adjourned at 12:50 p.m.

A handwritten signature in black ink that reads "Brian R. Steeves". The signature is written in a cursive style with a large initial "B".

BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Finance & Operations Committee
February 8, 2024**

A meeting of the Finance & Operations Committee of the Board of Regents was held on Thursday, February 8, 2024, at 2:30 p.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: Penny Wheeler, presiding; Mary Davenport, James Farnsworth, Robyn Gulley, Douglas Huebsch, Ruth Johnson, Tadd Johnson, Mike Kenyanya, Janie Mayeron, Mary Turner, and Kodi Verhalen.

Staff present: Interim President Jeffrey Ettinger; Chancellors Lori Carrell, Mary Holz-Clause, and Janet Schrunk Ericksen; Interim Chancellor David McMillan; Executive Vice President and Provost Rachel Croson; Senior Vice President Myron Frans; Vice Presidents Bernard Gulachek, Kenneth Horstman, Alice Roberts-Davis, and Julie Tonneson; General Counsel Douglas Peterson; Executive Director Brian Steeves; Chief Auditor Quinn Gaalswyk; Chief Public Relations Officer Chuck Tombarge; and Associate Vice President Michael Volna.

Student Representatives present: Lee El Cohen and Hal Johnson.

The docket materials for this meeting are [available here](#).

FY 2025 ANNUAL OPERATING BUDGET FRAMEWORK

Regent Wheeler invited Vice President Tonneson to discuss the FY 2025 Annual Operating Budget Framework, highlighting revenue and expense categories, as detailed in the docket. Interim President Ettinger was also invited to address the committee.

The docket materials for this item begin on page 4. The closed-captioned video of this item is [available here](#).

EVOLUTION OF THE UNIVERSITY'S EMPLOYMENT STRUCTURE

Regent Wheeler invited Vice President Horstman and Lincoln Kallsen, Assistant Vice President, Office of Institutional Analysis, to provide an overview of the current University employment structure and its evolution over time, as detailed in the docket.

The docket materials for this item begin on page 30. The closed-captioned video of this item is [available here](#).

Wheeler left the meeting. Regent Mayeron took the chair and presided over the rest of the meeting.

Mayeron recessed the meeting at 4:11 p.m.

MPACT 2025: SUSTAINABILITY UPDATE

Regent Mayeron called the meeting back to order at 4:24 p.m. She invited Shane Stennes, Chief Sustainability Officer, to provide an update on progress toward the sustainability goals in the MPact 2025 Systemwide Strategic Plan, as detailed in the docket.

The docket materials for this item begin on page 61. The closed-captioned video of this item is [available here](#).

AMENDMENT TO THE UNIVERSITY'S SUPPLEMENTAL FY 2025 STATE BUDGET REQUEST

Regent Mayeron invited Interim President Ettinger and Senior Vice President Frans to present for action the amendment to the University's FY 2025 Supplemental Budget Request to the State of Minnesota, as detailed in the docket.

The docket materials for this item begin on page 97. The closed-captioned video of this item is [available here](#).

A motion was made and seconded, and the committee voted unanimously to approve on behalf of the Board the amendment to the University's Supplemental FY 2025 State Budget Request.

CONSENT REPORT

Regent Mayeron invited Senior Vice President Frans to present for review and action the Consent Report, as detailed in the docket.

The docket materials for this item begin on page 112. The closed-captioned video of this item is [available here](#).

Capital Reserves General Contingency Allocations

Purchase of Goods and Services \$1,000,000 and Over

- To Huron Consulting Group for the extension of the existing contract for an additional \$2,650,000 for consulting services for the systemwide PEAK Initiative (Positioned for Excellence, Alignment, and Knowledge) Phase 2 transition for the period of February 5, 2024 through October 31, 2024. Funding will be provided from central funding sources intended for one-time projects such as PEAK. Huron Consulting Group was originally selected through a competitive Request for Proposal (RFP) conducted by Purchasing Services in November 2020. Seven suppliers responded to the RFP and one was a targeted supplier. This additional consulting work is within the scope of the original RFP and will complete the Phase 2 implementation transition of the project.
- To PIER Group for an estimated \$3,318,700 for expansion of the Agate Supercomputer cluster for Minnesota Supercomputing Institute (Twin Cities campus). This purchase is budgeted for the current fiscal year using Minnesota Supercomputing Institute's regular operating funds. PIER Group was originally selected as a result of a competitive RFP

conducted by Purchasing Services in March 2021. Nine suppliers responded to the RFP and two were targeted businesses.

- To Schindler Elevator Corporation for an estimated \$6,592,000 for maintenance services for the Twin Cities campus vertical transportation equipment (elevators and escalators) through Facilities Management for the period of July 1, 2024 through June 30, 2027, with three optional one-year contract extensions through June 30, 2030, for an estimated additional \$7,064,000. The total contract value, if all options are exercised, would be an estimated \$13,656,000. This approval authorizes both the base term and the optional contract extensions. Maintenance and operations of elevators and escalators are funded by a variety of organizations on the Twin Cities campus through their facilities budget. Schindler Elevator Corporation was selected as the result of a competitive RFP conducted by Purchasing Services. Two suppliers responded to the RFP and neither was a targeted business.
- To Vector BioMed Inc. for \$1,000,000 for the design, synthesis, and manufacturing of research-grade lentiviral vectors for the disease Fanconi Anemia for the Department of Pediatrics on the Twin Cities campus for the period of February 12, 2024 through August 11, 2025. This project is funded by non-sponsored philanthropic funding, specifically the Kidz1stFund. The funds are available this fiscal year, as well as in FY25. The basis for supplier selection is included in the docket.
- To Zoom Communications, Inc. for an estimated \$13,150,000 to provide an enterprise Voice Communication and Video Collaboration solution systemwide for the University of Minnesota through the Office of Information Technology (OIT) for the period March 7, 2024 through October 7, 2031 with three optional one-year contract extensions through October 7, 2034 for an additional estimated \$6,975,000. The total value of the contract, if all options are exercised, would be an estimated \$20,125,000. This approval authorizes both the base term and the optional contract extensions. The source of funds for the purchase is currently budgeted with existing voice modernization efforts and will continue to be funded utilizing O&M funds. The basis for supplier selection is included in the docket.

Capital Budget Amendments

- Advanced Operations Center
- Hasselmo Hall Cryo Lab
- Mondale Hall Courtroom Renovation
- St. Paul Student Center

Employment Agreements

- Jordan Cofer, Vice Chancellor of Academic Affairs and Dean, Morris Campus
- Mark Coyle, Athletics Director, Twin Cities campus
- Corey Hetherman, Defensive Coordinator, Football, Twin Cities campus

Real Estate Transactions

- Purchase of 78 acres in Carlton County for the College of Food, Agricultural and National Resource Sciences (CFANS).

Schematic Designs

- Advanced Operations Center
- Hasselmo Hall Cryo Lab
- Mondale Hall Courtroom Renovation

Regent Farnsworth requested to separate out the Coyle Employment Agreement. A motion was made and seconded, and the committee voted unanimously to approve on behalf of the Board the remaining items in the Consent Report. A motion was made and seconded, and on a vote of 8 to 2 the committee voted to approve on behalf of the Board the Coyle Employment Agreement. Regents Farnsworth and Gulley voted no.

INFORMATION ITEMS

Regent Mayeron invited Senior Vice President Frans to discuss the information items in the docket:

- A. Reports of the State of Minnesota
 - Biomedical Science Research Facilities Funding Program Report
 - Capital Appropriations Expenditure Report
 - Unemployment Insurance Aid Report
- B. Ratings Report Update

The docket materials for this item begin on page 170. The closed-captioned video of this item is [available here](#).

Regent Mayeron recognized and expressed appreciation to Senior Vice President Frans for his service as senior leader liaison to the Finance & Operations Committee. The meeting adjourned at 5:37 p.m.



BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Governance & Policy Committee
February 9, 2024**

A meeting of the Governance & Policy Committee of the Board of Regents was held on Friday, February 9, 2024, at 8:00 a.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: Kodi Verhalen, presiding; Douglas Huebsch, Ruth Johnson, Janie Mayeron, Mary Turner, and Penny Wheeler.

Staff present: Chancellor Mary Holz-Clause; Interim Chancellor David McMillan; Executive Vice President and Provost Rachel Croson; Vice Presidents Kenneth Horstman, Calvin Phillips, Mercedes Ramírez Fernández, Alice Roberts-Davis, Jakub Tolar, and Julie Tonneson; General Counsel Douglas Peterson; Executive Director Brian Steeves; Associate Vice President Michael Volna; and Executive Director of Government and Community Relations Melisa López Franzen.

The docket materials for this meeting are [available here](#).

BOARD OF REGENTS POLICY: *RESERVATION AND DELEGATION OF AUTHORITY*

Regent Verhalen invited Executive Director & Corporate Secretary Steeves and Associate Secretary Jason Langworthy to review proposed amendments to Board of Regents Policy: *Reservation and Delegation of Authority*, as detailed in the docket. Jon Steadland, Chief of Staff, Office of the President, Associate Vice President Volna, and Leslie Krueger, Assistant Vice President Planning, Space, and Real Estate were also invited to address the committee.

The docket materials for this item begin on page 3. The closed-captioned video of this item is [available here](#).

PRESIDENTIAL CONFLICTS OF INTEREST

Regent Verhalen invited Associate Secretary Jason Langworthy to review proposed amendments to Board of Regents Policy: *Institutional Conflict of Interest* related to presidential conflicts of interest, as detailed in the docket.

The docket materials for this item begin on page 15. The closed-captioned video of this item is [available here](#).

Verhalen recessed the meeting at 9:08 a.m. due to disruption. Verhalen called the meeting back to order at 9:15 a.m.

BOARD COMMITTEE STRUCTURE: NEXT STEPS

Regent Verhalen invited Executive Director & Corporate Secretary Steeves and Associate Secretary Jason Langworthy to discuss next steps for considering the Board's committee structure, as detailed in the docket.

The docket materials for this item begin on page 20. The closed-captioned video of this item is [available here](#).

INFORMATION ITEMS

Regent Verhalen invited Executive Director & Corporate Secretary Steeves to discuss the information items in the docket:

- Referral of Motion

The docket materials for this item begin on page 33. The closed-captioned video of this item is [available here](#).

The meeting adjourned at 9:26 a.m.



BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Special Committee on University Relations
February 9, 2024**

A meeting of the Special Committee on University Relations of the Board of Regents was held on Friday, February 9, 2024, at 8:00 a.m. in the West Committee Room, 600 McNamara Alumni Center.

Regents present: Robyn Gulley, presiding; Mary Davenport, James Farnsworth, Tadd Johnson, and Mike Kenyanya.

Staff present: Interim President Jeffrey Ettinger; Chancellors Lori Carrell and Janet Schrunk Ericksen; Vice President Julie Tonneson; Executive Director Brian Steeves; Chief Public Relations Officer Chuck Tombarge; and Executive Director of Government and Community Relations Melisa López Franzen.

The docket materials for this meeting are [available here](#).

GOVERNMENT RELATIONS UPDATE

Regent Gulley invited Executive Director of Government and Community Relations López Franzen to provide an update on the strategic work taking place within the Office of Government and Community Relations to advance the University's priorities with the Federal Government and the State of Minnesota, as detailed in the docket.

The docket materials for this item begin on page 3. The closed-captioned video of this item is [available here](#).

OVERVIEW OF PUBLIC RELATIONS AND INTERNAL COMMUNICATIONS AT THE UNIVERSITY

Regent Gulley invited Chief Public Relations Officer Tombarge to discuss the public relations and internal communications functions across the University system, as detailed in the docket.

The docket materials for this item begin on page 11. The closed-captioned video of this item is [available here](#).

**PUBLIC RELATIONS AND INTERNAL COMMUNICATIONS BEST PRACTICES
IN HIGHER EDUCATION**

Regent Gulley invited Chief Public Relations Officer Tombarge to engage the special committee in a discussion of best practices in public relations and internal communications at a public university, as detailed in the docket.

The docket materials for this item begin on page 35. The closed-captioned video of this item is [available here](#).

The meeting adjourned at 9:19 a.m.

A handwritten signature in black ink that reads "Brian R. Steeves". The signature is written in a cursive style with a large, sweeping initial "B".

BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Board of Regents
February 9, 2024**

A meeting of the Board of Regents of the University of Minnesota was held on Friday, February 9, 2024, at 9:51 a.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: Janie Mayeron, presiding; Mary Davenport, James Farnsworth, Robyn Gulley, Douglas Huebsch, Ruth Johnson, Tadd Johnson, Mike Kenyanya, Bo Thao-Urabe, Mary Turner, Kodi Verhalen, and Penny Wheeler.

Staff present: Interim President Jeffrey Ettinger; Chancellors Lori Carrell, Mary Holz-Clause, and Janet Schrunk Ericksen; Interim Chancellor David McMillan; Executive Vice President and Provost Rachel Croson; Senior Vice President Myron Frans; Vice Presidents Kenneth Horstman, Calvin Phillips, Mercedes Ramírez Fernández, Alice Roberts-Davis, Jakub Tolar, and Julie Tonneson; General Counsel Douglas Peterson; Executive Director Brian Steeves; Chief Auditor Quinn Gaalswyk; Chief Public Relations Officer Chuck Tombarge; Associate Vice President Michael Volna; and Executive Director of Government and Community Relations Melisa López Franzen.

The docket materials for this meeting are [available here](#).

APPROVAL OF MINUTES

The Board voted unanimously to approve the following minutes as presented in the docket materials:

Audit & Compliance Committee – December 7, 2023
Special Committee on Academic Health – December 7, 2023
Mission Fulfillment Committee – December 7, 2023
Finance & Operations Committee – December 7, 2023
Governance & Policy Committee – December 8, 2023
Special Committee on University Relations – December 8, 2023
Board of Regents – December 8, 2023
Litigation Review Committee – December 14, 2023
Litigation Review Committee – January 19, 2024

The docket materials for this item begin on page 3. The closed-captioned video of this item is [available here](#).

REPORT OF THE INTERIM PRESIDENT

Interim President Ettinger delivered the report of the President.

The docket materials for this item begin on page 33. The closed-captioned video of this item is [available here](#).

REPORT OF THE CHAIR

Regent Mayeron delivered the report of the Chair.

The docket materials for this item begin on page 34. The closed-captioned video of this item is [available here](#).

RECEIVE AND FILE REPORTS

Regent Mayeron noted the following report to receive and file this month:

- Virtual Forum Comments

The docket materials for this item begin on page 35. The closed-captioned video of this item is [available here](#).

CONSENT REPORT

Regent Mayeron presented for review and action the Consent Report as described in the docket materials, including:

- A. Gifts
- B. Election of the Interim Treasurer
- C. Memorandum of Understanding with the University of Minnesota Alumni Association
- D. Report of the All-University Honors Committee
- E. Report of the Naming Committee

The docket materials for this item begin on page 36. The closed-captioned video of this item is [available here](#).

A motion was made and seconded, and the Board voted unanimously to approve the Consent Report.

UNIVERSITY PERFORMANCE AND ACCOUNTABILITY REPORT

Regent Mayeron invited Interim President Ettinger and Executive Vice President and Provost Croson to present for action the University Performance and Accountability Report, as detailed in the docket.

The docket materials for this item begin on page 97. The closed-captioned video of this item is [available here](#).

A motion was made and seconded, and the Board voted unanimously to approve the University Performance and Accountability Report.

UNIVERSITY OF MINNESOTA AND FAIRVIEW HEALTH SERVICES: LETTER OF INTENT

Regent Mayeron invited Interim President Ettinger, Senior Vice President Frans, and Vice President Tolar to present for review and action the resolution related to the Non-Binding Letter of Intent with Fairview Health Services, as detailed in the docket.

The docket materials for this item begin on page 125. The closed-captioned video of this item is [available here](#).

A motion was made and seconded, and the Board voted unanimously to approve the resolution related to the Non-Binding Letter of Intent with Fairview Health Services as follows:

WHEREAS, in late 2023, the University of Minnesota (University) and Fairview Health Services (Fairview) each gave reciprocal notices of their intent not to renew the 1997 Academic Affiliation Agreement and related agreements between the parties when they end, by their terms, on December 31, 2026; and

WHEREAS, the University viewed its notice to Fairview around the 1997 Academic Affiliation Agreement as an affirmation of a commitment to work with Fairview to redesign the parties' joint public health mission for the years beyond 2026, recognizing that any such notice, while a contractually required formality carrying legal consequences for both parties, serves as a challenge to all concerned to work together to build a better future for Minnesota's public health; and

WHEREAS, the University and Fairview have been engaging in good faith discussions around a redesigned relationship and have prepared a Non-Binding Letter of Intent (Non-Binding LOI), attached to this resolution, that reflects the parties' interest in advancing discussions around creating a new relationship, centered around the University's eventual ownership and control of the University of Minnesota Medical Center, and that allows for the parties to begin the next steps of necessary due diligence around such relationship.

NOW, THEREFORE, BE IT RESOLVED by the Board of Regents as follows:

1. The Non-Binding LOI is approved.
2. The Interim President or delegate are hereby authorized to execute, deliver, and enter into, on behalf of the University, the Non-Binding LOI.

Mayeron recessed the meeting at 11:19 a.m.

REPORT OF THE AUDIT & COMPLIANCE COMMITTEE

Regent Farnsworth, chair of the committee, reported that the committee did not act on any items this month.

The committee docket materials can be found [here](#). The closed-captioned video of this item is [available here](#).

REPORT OF THE MISSION FULFILLMENT COMMITTEE

Regent R. Johnson, chair of the committee, reported that the committee voted unanimously to approve on behalf of the Board the following item.

The committee docket materials can be found [here](#). The closed-captioned video of this item is [available here](#).

- 1) Approval of the Consent Report for the Mission Fulfillment Committee as presented to the committee and described in the February 8, 2024 committee minutes.

REPORT OF THE FINANCE & OPERATIONS COMMITTEE

Regent Wheeler, vice chair of the committee, reported that the committee voted unanimously to approve on behalf of the Board the following items.

The committee docket materials can be found [here](#). The closed-captioned video of this item is [available here](#).

- 1) An amendment to the University's Supplemental FY 2025 State Budget Request
- 2) Approval of the Consent Report for the Finance & Operations Committee as presented to the committee and described in the February 8, 2024 committee minutes.

Wheeler reported that the committee voted 8-2 to approve on behalf of the Board the following item.

- 3) An amendment to the employment agreement for Twin Cities Athletics Director Mark Coyle

REPORT OF THE GOVERNANCE & POLICY COMMITTEE

Regent Verhalen, chair of the committee, reported that the committee did not act on any items this month.

The committee docket materials can be found [here](#). The closed-captioned video of this item is [available here](#).

REPORT OF THE LITIGATION REVIEW COMMITTEE

Regent T. Johnson, chair of the committee, reported that the committee held two meetings since the last Board of Regents meeting in December. At both meetings, the committee considered and adopted a resolution that authorized the closing of the meeting. In the closed meeting, discussion was held on matters subject to the attorney-client privilege.

The committee docket materials can be found [here](#) and [here](#). The closed-captioned video of this item is [available here](#).

REPORT OF THE SPECIAL COMMITTEE ON ACADEMIC HEALTH

Regent Wheeler, chair of the special committee, reported that the special committee did not act on any items this month.

The committee docket materials can be found [here](#). The closed-captioned video of this item is [available here](#).

REPORT OF THE SPECIAL COMMITTEE ON UNIVERSITY RELATIONS

Regent Gulley, chair of the committee, reported that the committee did not act on any items this month.

The committee docket materials can be found [here](#). The closed-captioned video of this item is [available here](#).

RESOLUTION TO CONDUCT NON-PUBLIC MEETING OF THE BOARD OF REGENTS TO DISCUSS ATTORNEY-CLIENT PRIVILEGED MATTERS

Regent Mayeron announced that due to time, this item would be deferred to a later meeting.

Mayeron recessed the meeting at 10:51 a.m.

SELECT FINALISTS TO BE INTERVIEWED FOR PRESIDENT OF THE UNIVERSITY OF MINNESOTA

Regent Mayeron called the meeting back to order at 11:07

Regent Thao-Urabe joined the meeting.

Mayeron led the Board in a process to select finalists to be interviewed for president of the University of Minnesota, as detailed in the docket.

The docket materials for this item begin on page 142. The closed-captioned video of this item is [available here](#).

Mayeron asked each Regent to provide remarks on all candidates.

Mayeron recessed the meeting at 12:26 p.m.

Mayeron called the meeting back to order at 12:34 p.m.

Regents identified their preferred candidates by using dots to indicate their preference. Based on that exercise, the Board reached consensus to eliminate the candidate with the fewest dots.

A motion was made and seconded and the Board voted unanimously to name Candidates A, B, and C as finalists for President of the University of Minnesota.

Mayeron directed that a roll call vote be taken. The vote was as follows:

Regent Davenport	Yes
Regent Farnsworth	Yes
Regent Gulley	Yes
Regent Huebsch	Yes
Regent R. Johnson	Yes
Regent T. Johnson	Yes
Regent Kenya	Yes
Regent Thao-Urabe	Yes
Regent Turner	Yes
Regent Verhalen	Yes
Regent Wheeler	Yes
Regent Mayeron	Yes

On a vote of 12 to 0, the motion was approved.

The meeting adjourned at 12:51 p.m.



BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Litigation Review Committee
February 13, 2024**

A special meeting of the Litigation Review Committee of the Board of Regents was held on Tuesday, February 13, 2024, at 4:30 p.m. in the West Committee Room, 600 McNamara Alumni Center.

Regents present: Tadd Johnson, presiding; Ruth Johnson, Mike Kenya, Janie Mayeron, and Mary Turner.

Staff present: Interim President Jeffrey Ettinger; Executive Vice President and Provost Rachel Croson; General Counsel Douglas Peterson; Associate Secretary Jason Langworthy; and Chief Auditor Quinn Gaalswyk.

Others present: John Casserly, Chuck Gross, Susan Kratz, Tim Pramas, Carrie Ryan Gallia, and Brian Slovut.

The docket materials for this meeting are [available here](#).

**RESOLUTION TO CONDUCT NON-PUBLIC SPECIAL MEETING
OF THE LITIGATION REVIEW COMMITTEE**

The meeting convened in public session at 4:30 p.m. A motion was made and seconded that the following resolution be adopted:

WHEREAS, based on advice of the General Counsel, the Board of Regents Litigation Review Committee has balanced the purposes served by the Open Meeting Law and by the attorney-client privilege, and determined that there is a need for absolute confidentiality to discuss litigation strategy in particular matters involving the University of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Minn. Stat. § 13D.01, Subd. 3 and 13D.05 Subd. 3(b), a non-public special meeting of Litigation Review Committee be held on Tuesday, February 13, 2024 at 4:30 p.m. in the West Committee Room, 600 McNamara Alumni Center, for the purpose of discussing attorney-client privileged matters including the following:

- I. *Tracy Bibelnieks v. Regents of the University of Minnesota; Bethany Kubik v. Regents of the University of Minnesota*
- II. Office of Civil Rights, Department of Investigation, complaints
- III. *Imran Mohamed, a minor child, by his parents and natural guardians, Fardosa Omar and Osman Farah, and Fardosa Omar individually and Osman Farah individually v. Regents of the University of Minnesota and the University of Minnesota Physician f/d/b/a University of*

*Minnesota Physicians Smiley's Family Medicine Clinic and/or Smiley's
Clinic*

The committee voted unanimously to adopt the resolution and the public portion of the meeting ended at 4:34 p.m.

The meeting adjourned at 5:24 p.m.

A handwritten signature in black ink, appearing to read "Jason R. Langworthy". The signature is fluid and cursive, with a long horizontal stroke at the end.

JASON R. LANGWORTHY
Associate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Board of Regents
February 26, 2024**

A special meeting of the Board of Regents of the University of Minnesota was held on Monday, February 26, 2024, at 9:00 a.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: Janie Mayeron, presiding; Mary Davenport, James Farnsworth, Robyn Gulley, Douglas Huebsch, Ruth Johnson, Tadd Johnson, Mike Kenyanya, Bo Thao-Urabe, Mary Turner, Kodi Verhalen, and Penny Wheeler.

Staff present: Executive Vice President and Provost Rachel Croson; Vice President Alice Roberts-Davis; General Counsel Douglas Peterson; Executive Director Brian Steeves; and Chief Public Relations Officer Chuck Tombarge.

The docket materials for this meeting are [available here](#).

INTERVIEW FINALISTS FOR PRESIDENT OF THE UNIVERSITY OF MINNESOTA

Regent Mayeron outlined the process by which the Board would interview the three finalists, as detailed in the docket.

The docket materials for this item begin on page 3. The closed-captioned video of this item is [available here](#).

Mayeron invited Laura Bloomberg to interview for the position of president.

Mayeron recessed the meeting at 10:32 a.m.

Mayeron called the meeting back to order at 10:47 a.m. and invited Rebecca Cunningham to interview for the position of president.

Mayeron recessed the meeting at 12:09 p.m.

Mayeron called the meeting back to order at 12:53 p.m. and invited James Holloway to interview for the position of president.

Mayeron recessed the meeting at 1:40 p.m. due to technical difficulties.

Mayeron called the meeting back to order at 1:46 p.m. and the Board completed Holloway's interview.

Mayeron recessed the meeting at 2:33 p.m.

SELECTION OF PRESIDENT OF THE UNIVERSITY OF MINNESOTA

Regent Mayeron called the meeting back to order at 2:56 p.m. and provided further instructions to guide the Board’s deliberations leading to selection of the 18th President of the University of Minnesota, as detailed in the docket.

The docket materials for this item begin on page 55. The closed-captioned video of this item is [available here](#).

Mayeron asked each Regent to provide remarks and identify a lead candidate, allowing additional time for Regents to discuss and advocate for a particular finalist.

Once a majority consensus was reached, the Board voted unanimously to approve the resolution related to selection of President of the University of Minnesota as follows:

BE IT RESOLVED that the Board of Regents (Board) selects Dr. Rebecca Cunningham as the President of the University of Minnesota effective July 1, 2024, as defined by the terms of an employment agreement to be negotiated between the University of Minnesota and Dr. Rebecca Cunningham.

BE IT FURTHER RESOLVED that the Board delegates authority to the Board chair to negotiate and finalize an employment agreement with the President-Designate and submit that employment agreement to the Board for approval.

BE IT FURTHER RESOLVED that the Board directs Interim President Ettinger and his administration to begin working with the President-Designate on a transition plan that ensures continuity of leadership and sustained advancement of the Board’s priorities.

Mayeron directed that a roll call vote be taken. The vote was as follows:

Regent Davenport	Yes
Regent Farnsworth	Yes
Regent Gulley	Yes
Regent Huebsch	Yes
Regent R. Johnson	Yes
Regent T. Johnson	Yes
Regent Kenya	Yes
Regent Thao-Urabe	Yes
Regent Turner	Yes
Regent Verhalen	Yes
Regent Wheeler	Yes
Regent Mayeron	Yes

On a vote of 12 to 0, the resolution was approved.

The meeting adjourned at 4:38 p.m.

A handwritten signature in black ink that reads "Brian R. Steeves". The signature is written in a cursive style with a large initial 'B' and 'S'.

BRIAN R. STEEVES
Executive Director and
Corporate Secretary



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Report of the Interim President

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Interim President Jeffrey Ettinger

PURPOSE & KEY POINTS

It is customary for the Interim President to report on items of interest to the University community at each Board meeting.



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Report of the Chair

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Regent Janie S. Mayeron

PURPOSE & KEY POINTS

It is customary for the Chair to report on items of interest to the University community at each Board meeting.



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Receive & File Reports

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Regent Janie S. Mayeron

PURPOSE & KEY POINTS

The following items are included for receipt and filing:

A. Virtual Forum Comments

Comments that were received by the Board’s Virtual Forum from February 7, 2024, through 10:00 a.m. March 1, 2024, and comply with the Board’s guidelines are available at <https://z.umn.edu/MAR2024BORVirtualForum>.

B. UMN Students for Climate Justice

On February 9, 2024, members of UMN Students for Climate Justice, a registered student organization, asked to appear before the Board of Regents regarding the zero waste resolution included in the docket. Pursuant to the Board’s *Bylaws*, Article VI, Section E, the Chair granted this request.

Maia Bowman, Twin Cities undergraduate student; Gracelyn McClure, Twin Cities undergraduate student; and Neil Seldman, expert from Zero Waste USA will address the Board for up to 5 minutes.

C. Reports to the State of Minnesota

- Contamination Remediation of University Land in Rosemount, Minnesota
- 2024 Forever Green Initiative Mandated Report

Concerning: The development of a comprehensive Twin Cities campus zero waste plan
Created November 15, 2023

Authors:

Gracelyn McClure, Zero Waste Coalition Member, Students for Climate Justice at UMN
Max Pritchard, Zero Waste Coalition Member, Students for Climate Justice at UMN
Bryce Reisner, Zero Waste Coalition Member, USG Student Group Representative
Katerina Trachtova, USG Student Group Representative
Ava Walters, Zero Waste Coalition Member
Maia Bowman, Zero Waste Coalition Member, Students for Climate Justice at UMN

Co-Sponsors:

Ethan Rubin, USG Environmental Accountability Committee Director
Nidhi Kamath, USG Student Group Representative
August Mentch, USG At-Large Representative
Jackson Kerr, Teamsters Local 320
Solomon Como, Students for Climate Justice at UMN
Kaiden Larsgaard, Students for Climate Justice at UMN
Nora Wilcek, USG At-Large Representative
Anna Wollaeger, Undergraduate Student
Rachel Boulden, Students for Climate Justice at UMN
Marta Struve, Students for Climate Justice at UMN
Madison Slininger, Students for Climate Justice at UMN
Sairoong Brunner, CFANS Undergraduate Student
Olivia Tuisl, CFANS Undergraduate Student
Megan Reed, CEHD Senator
Niel Drabek, CLA Senator
Katie Smithberg, GLA Local Affairs Coordinator
Addie Sweeney, USG Student Life & Wellbeing Committee Director
Jenna Monday, USG At-Large Representative
Jacob Richter, CLA Senator

Student Group Sponsors:

Students for Climate Justice at UMN
Cultural Reconnection Coalition
Students for a Democratic Society
Environmental Student Association
Natural Resources Association of Graduate Students

Faculty/Staff Sponsors:

Mary Turner, Regent
Danielle Dadras, Institute for Global Studies
Kat Cantner, Continental Scientific Drilling Facility
Charles "Sashi" White, PhD Student, Department of Forest Resources
Hannah Jo King, PhD Student, Natural Resources Science and Management
Dr. Michelle Garvey, Sustainability Studies
Eric Daigre, English Department
Melissa Licht, Department of English
Courtney Gildersleeve, Former Adjunct Instructor, Cultural Studies & Comparative Literature
Yuichiro Onishi, African American & African Studies/Asian American Studies

WHEREAS, “The University of Minnesota Twin Cities long-term goal is to divert 90% of its municipal solid waste (MSW) from the [Hennepin Energy Recovery Center (HERC)]¹,” but no comprehensive zero waste plan exists to accomplish this goal;

WHEREAS, To reach zero waste, MSW must be diverted from landfills and the environment *and* incineration.² In 2022, the University of Minnesota - Twin Cities’ waste diversion rate was about 55%;³

WHEREAS, The University of Minnesota is committed to a comprehensive Climate Action Plan and carbon neutrality by 2050.⁴ The current Climate Action Plan and activities of the Twin Cities Sustainability Committee do not address waste management or waste reduction. However, the 2023 Intergovernmental Panel on Climate Change report recommends “improved water and waste management infrastructure” for urban areas to achieve emissions reduction goals;⁵

¹ <https://facilities.umn.edu/our-services/reuse-recycling-waste/recycling/recycling-u>

² <https://zwia.org/zero-waste-definition/>

³ <https://sustainable.umn.edu/waste-diversion-rate>

⁴ <https://sustainable.umn.edu/cap>

⁵ Intergovernmental Panel on Climate Change (2023). *AR6 Synthesis Report: Climate Change 2023*. <https://www.ipcc.ch/report/ar6/syr/>

WHEREAS, The City of Minneapolis has released a zero waste plan, calling for 80% recycling and organics recycling by 2030⁶, and the Hennepin County zero waste plan outlines a target of 90% waste diversion by 2040⁷;

WHEREAS, Over 238,000 people live within a 3-mile radius of the HERC, of which 49% are people of color and 45% are low-income.⁸ As Hennepin County Commissioner Angela Conley said at a staff presentation in September 2023, “Racism in Hennepin County is a public health crisis. The HERC is an example of institutionalized racism;”⁹

WHEREAS, After a vote in favor of shutting the HERC down between 2028 and 2040 in October 2023,¹⁰ the Hennepin County Board of Commissioners tasked their staff with creating a transition plan.¹¹ As part of Hennepin County, the University of Minnesota-Twin Cities is responsible to meet the goals laid out in a transition plan away from the HERC;

WHEREAS, Landfills are not the long-term solution; they contribute significantly to global warming by releasing gas as organics degrade.¹² Additionally, they contribute to environmental injustice, as they are often located in communities “that exceed national averages for people of color or residents considered low-income.” An Environmental Integrity Project (EIP) report found that 54% of landfills that require EPA regulations are located within a mile of such communities;¹³

⁶ <https://www.minneapolismn.gov/government/programs-initiatives/zero-waste/>

⁷ <https://www.hennepin.us/-/media/hennepinus/your-government/projects-initiatives/solid-waste-planning/zero-waste-plan.pdf>

⁸ <https://experience.arcgis.com/experience/2e3610d731cb4cfcbcec9e2dcb83fc94>

⁹ <https://sahanjournal.com/climate-environment/herc-trash-incinerator-closure-down-date-hennepin-county-board-of-commissioners/>

¹⁰

<https://mynorthnews.org/stories/2023/10/29/hennepin-county-votes-to-close-herc-but-critics-say-its-not-soon-enough>

¹¹ https://www.scribd.com/document/704322121/Hennepin-County-HERC-Plan#from_embed

¹² https://www.energyjustice.net/files/incineration/incineration_vs_landfills.pdf

¹³ <https://environmentalintegrity.org/news/methane-from-landfills-is-a-major-source-of-climate-pollution-that-epa-is-failing-to-adequately-control/>

WHEREAS, Incinerators are not the solution; the Zero Waste International Alliance categorizes them as ‘unacceptable,’ the lowest possible ranking for waste systems and policies, due to their threat “to the environment and human health;”¹⁴

WHEREAS, Facilities management workers have expressed concerns that they are not adequately compensated or trained when it comes to zero waste initiatives and sustainability efforts on the Twin Cities campus;¹⁵

WHEREAS, Teamsters Local 320, the union that represents frontline service staff at the University, has approached the State Legislature requesting the creation and appropriations for a Green Training Fund that would facilitate better zero waste and sustainability training for staff members;¹⁶

WHEREAS, The University has signed a food services agreement with the Chartwells division of Compass Group USA, Inc. which requires that Chartwells: “support and participate in current and future waste management programs”; “work with the University to implement a zero-waste dining policy”; “be responsible for education, outreach, programming and signing involved to educate food service customers on the sorting methods for food waste recovery”; use a mix of reusable and compostable items and wares; and maintain internal evaluation and scorecard systems that involve regular consultation with University representatives;¹⁷

WHEREAS, Other leading institutions such as Boston University, Stanford, and University of California - Berkeley have released comprehensive zero waste plans for their respective campuses,¹⁸ and The University of California system has set a system-wide zero waste goal;

¹⁴ <https://zwia.org/zwh/>

¹⁵ <https://mndaily.com/271577/news/university-frontline-workers-express-concerns-about-waste-management-practices/>

¹⁶ <https://www.youtube.com/watch?t=3678&v=8NxmKjKbjEo&feature=youtu.be>

¹⁷ FOOD SERVICES MANAGEMENT AGREEMENT Between CHARTWELLS and THE REGENTS OF THE UNIVERSITY OF MINNESOTA (2021). Pages 102-105.

¹⁸ UC Berkeley Office of Sustainability. (2020). *UC Berkeley Sustainability Plan*. Retrieved from https://sustainability.berkeley.edu/sites/default/files/uc_berkeley_sustainability_plan_2020_1.pdf

THEREFORE BE IT RESOLVED, The University of Minnesota develops and implements a zero waste plan with the active involvement of relevant department leaders, workers, students, and community members at every step of the process. These groups will be represented by members on a planning committee or task force selected in consultation with the UMN Twin Cities Sustainability Committee. This plan will be developed in one year and implemented, in full, by 2035;

BE IT FURTHER RESOLVED, The University of Minnesota's 2050 Climate Action Plan should be revised to acknowledge the role of waste management in combating climate change and encourage zero waste initiatives;

BE IT FURTHER RESOLVED, The University of Minnesota makes public their planning for zero waste and provides annual reports to the Board of Regents containing data that aids in measuring zero waste progress, including waste diversion rates;

BE IT FURTHER RESOLVED, The University of Minnesota increases waste diversion rates to 75% by 2028 and to 90% by 2035 using a multi-faceted approach of source reduction, diversion, and pushing for state and federal legislation to hold manufacturers accountable;

BE IT FURTHER RESOLVED, The University of Minnesota fully severs all connections from the HERC by January 1, 2026;

BE IT FURTHER RESOLVED, The University of Minnesota provides adequate compensation and training to the workers who will implement these zero waste initiatives;

BE IT FINALLY RESOLVED, This plan puts the full might of the University of Minnesota towards this resolution to ensure the completion of a zero waste plan.

Stanford Office of Sustainability. (2020). *Stanford University Zero Waste Report*. Retrieved from https://sustainable.stanford.edu/sites/g/files/sbiybj26701/files/media/file/stanford_zerowaste_sustainabilityreport_2.6-compressed.pdf

Boston University Office of Sustainability. (2021). *Boston University Zero Waste Plan*. Retrieved from <https://www.bu.edu/sustainability/files/2021/03/BU-Zero-Waste-Plan-web.pdf>

January 30, 2024

Elizabeth Lincoln, Director
Legislative Reference Library
645 State Office Bldg.
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1050

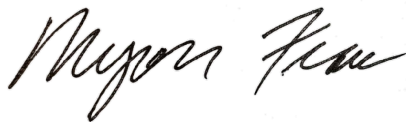
Dear Ms. Lincoln:

On behalf of the Board of Regents of the University of Minnesota, I submit the following annual report to the Legislature under Minnesota Statutes Section 137.52(b) regarding the University's efforts and the efforts of the United States Department of Defense to remedy environmental impacts associated with the former Gopher Ordnance Works, a World War II smokeless powder production facility located on University land in Rosemount, Minnesota. That land includes Vermillion Highlands: A Research, Recreation, and Wildlife Management Area, which is managed under a cooperative agreement between the University and the Department of Natural Resources. Per Minn. Stat. §3.187, the cost to prepare this report was \$756.00.

In 2023, the University continued to perform the first phase of the Feasibility Study requested by the Minnesota Pollution Control Agency to identify cleanup options for identified hazardous substances at the site. This study is being completed in the northcentral portion of the site, which is closest to the ongoing and planned residential and commercial redevelopment projects. The University anticipates that based on this study, the MPCA will select a cleanup plan later this year that is consistent with the planned property uses in that area of the site.

The University, the Army Corps, and E.I. du Pont de Nemours and Company have very recently reached a tentative settlement in the cost recovery litigation the University commenced in federal district court. As a result, the trial scheduled for February 5, 2024, has been taken off the Court's calendar. The parties are drafting a proposed Consent Decree to document all terms of the settlement, which include a payment by the Army Corps to the University to be applied against the University's past and future response costs at the site. Once prepared, the Consent Decree is subject to Court review and approval, with a hearing currently set in April for that purpose.

Sincerely,



Myron Frans
Senior Vice President for Finance and Operations

Elizabeth Lincoln

Page 2

January 30, 2024

cc: Brian Steeves, Executive Director and Corporate Secretary, Board of Regents
Jon Steadland, Chief of Staff, Office of the President
Douglas Peterson, General Counsel
Alice Roberts-Davis, Vice President, University Services
Melisa Lòpez Franzen, Executive Director of Government and Community Relations
Leslie Krueger, Assistant Vice President for Planning, Space, and Real Estate
Jami Markle, Central Region Wildlife Manager, DNR, Vermillion Highlands Joint
Steering Committee

University of Minnesota Forever Green Initiative

Annual Progress Report to the Legislature

2023 Minn. Laws Chap. 43 Art.1 Sec. 2 Subd. 4(a)

Per the requirements set forth in Minnesota Statute 3.197, the cost to prepare this report was \$300.

Submitted February 1, 2024 by Mitch Hunter (mhunter@umn.edu), Associate Director of the Forever Green Initiative and Adjunct Assistant Professor in the Department of Agronomy and Plant Genetics, UMN College of Food, Agricultural and Natural Resource Sciences (CFANS)

The Forever Green Initiative received \$802,000 in AGREETT funding in FY24.

Abstract:

The Forever Green Initiative (FGI) at the University of Minnesota is developing and improving winter-hardy annual and perennial crops that protect soil and water while driving new economic opportunities for growers, industry, and communities across Minnesota. By combining these novel crops with traditional annual crops, farmers can keep the soil covered all year round. This approach to farming with “continuous living cover” can greatly enhance the efficiency and sustainability of Minnesota agriculture. Uniquely, FGI combines basic research with crop commercialization efforts, so that it can be profitable for farmers to produce these crops across rural Minnesota. This comprehensive approach moves new crops out of the lab and onto the landscape, where they can make a difference for farmers, the environment, industry, and society. The FGI portfolio includes over 15 crops (Figure 1), each supported by a multidisciplinary team that may include expertise in the areas of genomics, breeding, agronomics, natural resource sciences, food science, sociology, economics, and commercialization. The AGREETT funding from the Legislature provides long-term stability for key FGI personnel, including crop breeders and staff leadership. In this first year of funding, we have identified the individuals whose salaries will be covered, reprogrammed their remaining salary funds to support their research programs, and made progress against key objectives. All AGREETT funds were provided directly to FGI; none were used for finance or other UMN administrative costs. However, two of the personnel covered by this funding, Hunter and Cureton, have administrative duties directly related to Forever Green operations, such as budgeting, project management, and grant program administration.

Forever Green Initiative Crop Portfolio



Perennial Crops

- Kernza®
- Perennial wheat
- Perennial oats
- Perennial cereal rye
- Perennial flax
- Silphium/silflower
- Perennial sunflower
- Alfalfa
- Kura clover
- Native polyculture
- grassland mixtures

Winter Annuals

- Winter camelina
- Pennycress
- Winter barley
- Winter & spring field pea
- Winter hybrid rye
- Winter durum
- Hairy vetch

Native Woody Crops

- Hazelnuts
- Elderberry
- Shrub willow
- Agroforestry

Figure 1. The Forever Green Initiative crop portfolio.

Objectives and Accomplishments:

Note: Due to the contracting process with MDA, funds were secured on December 1, 2023, with some retroactively applied back to October 9, 2023. Therefore, accomplishments during this reporting period are minimal.

1. **Advance perennial grain breeding and crop development.** Funds have been allocated to support the salary of Dr. Prabin Bajgain, lead breeder on Kernza® intermediate wheatgrass (*Thinopyrum intermedium*), perennial cereal rye, and other perennial cereal crops, which protect soil and water quality while providing highly nutritious grains as well as livestock forage. Existing salary funds were reprogrammed to support research technicians; purchase field and laboratory supplies and equipment; genotype the Kernza® breeding population, and pay for greenhouse space and land rental to accommodate increasing population sizes. Since October 9, 2023, Dr. Bajgain has acquired approximately \$377,000 in funding to support research and breeding of perennial grains, presented at two invited meetings/conferences, published one peer-reviewed article (two in review), and is mentoring one undergraduate student under the University of Minnesota’s Undergraduate Research Opportunities Program (UROP) project on nitrogen use efficiency of Kernza.

2. **Advance winter oilseed breeding and crop development.** Funds have been allocated to support the salary of Dr. Julia Zhang, lead breeder on domesticated pennycress (*Thlaspi arvense*), a novel winter oilseed crop for Minnesota that can protect the soil while providing feedstock for low-carbon fuel and high-protein meal for animal feed. Existing salary funds were reprogrammed to support a laboratory technician, undergraduate labor, a graduate student assistantship, and field/greenhouse/DNA marker laboratory breeding activities. Since October 9, 2023, Dr. Zhang has worked with the public & industry partners to devise pennycress research & commercialization strategies; served in the Executive Leadership Team of a pennycress CAP grant - IPREFER; presented research results in ASA, PAG and a symposium on Nitrogen Management and Environmental Impacts in Winter Oilseed Cropping Systems; developed 4 grants as PI or Co-PI, and so far two (1-PI; and 1-coPI) were funded; led the field and molecular breeding activities; collected fall season data in the yield trials grown in MN and ND; selected and advanced breeding populations in the greenhouse using DNA markers generated in the marker lab; created new breeding crosses; trained and supervised full-time technicians and undergraduate students; recruited technician, postdoc and graduate student candidates.

3. **Advance winter and spring pea breeding and crop development.** Funds have been allocated to support the salary of Dr. Steve Mulkey, lead breeder on winter and spring pea, a key ingredient for the emerging plant-based protein market that also improves soil fertility and can cover the soil over the winter. Existing salary funds were reprogrammed to support a graduate student, a research technician and undergraduate labor, as well as to acquire needed equipment. Since October 9, 2023, Dr. Mulkey has overseen field trials to evaluate and advance over 500 winter pea breeding lines at multiple stages in the breeding cycle; generated over 120 new crosses for winter and spring pea germplasm; and received approval for two FGI grants; one as the principal investigator examining the mechanisms that lead to variation in protein content and quality in peas (a potential obstacle to their uptake in the burgeoning plant protein industry), and the second as a Co-Investigator examining methods of optimizing establishment and phenotyping of multiple crop species.

4. **Advance hybrid hazelnut breeding and crop development.** Funds have been allocated to support the salary of Dr. Lois Braun, lead breeder on hybrid hazelnuts, a high-value agroforestry crop that provides delicious nuts as well as wildlife habitat, carbon sequestration, and water quality benefits. Existing salary funds were reprogrammed to support a research technician and undergraduate labor. Since October 9, 2023, Dr. Braun has written two FGI grant proposals, of which one, for the hazelnut breeding program, was selected for funding; written the annual grant reports for the multi-state Upper Midwest Hazelnut Development Initiative's USDA-NIFA Specialty Crop Research

Initiative (SCRI) grant and co-written a pre-proposal for a new SCRI grant; helped plan the 2024 Upper Midwest Hazelnut Development Initiative conference; made revisions on a paper on N fertilization of hazelnuts, which has been accepted for publication; and started evaluating 2023 nut yield data and planning for the 2024 field season.

5. **Enhance FGI's management capacity and prepare for leadership transition.** Funds have been allocated to support the salary of Dr. Mitch Hunter, FGI Associate Director. Dr. Hunter is providing necessary additional management capacity for this rapidly growing program, with responsibility for: supporting the crop research teams, overseeing the FGI grant program, budgeting, strategic planning, communications, and strategic partnerships. Dr. Hunter is also preparing for the impending leadership transition—when Co-Directors Dr. Don Wyse and Dr. Nick Jordan retire—by developing a new FGI Executive Committee that includes elected faculty members, to develop new faculty leaders and institute more representative governance. Existing salary funds were reprogrammed to support FGI priorities, including extending the term of employment of FGI Commercialization Team staff. Since October 9, 2023, Dr. Hunter has secured a major grant from the Cargill Foundation (\$2,500,000 over five years); overseen review panels and final funding decisions for the 2023 FGI Grant Program; launched a strategic planning process with professional consultants, and co-led a symposium on Nitrogen Management and Environmental Impacts in Winter Oilseed Cropping Systems.

6. **Advance the commercialization, adoption, and scaling of FGI crops.** Funds have been allocated to support the salary of Colin Cureton, MS, FGI Director of Commercialization, Adoption, and Scaling. Cureton provides management, strategy, and operational leadership in bridging new perennial and winter annual crops to the wide range of stakeholders involved in advancing their success on the landscape and in the market. Cureton also provides program leadership for FGI, serving on the leadership team and the Executive Committee, and informing overall strategy. Since October 9, 2023, Cureton has supported development of a multi-million dollar research, commercialization, and scaling partnership with a major MN-based processor, represented UMN Forever Green in MBOLD coalition communications, supported reorientation of Kernza market actors to current market conditions, participated in State working group for a low-carbon fuels standard, expanded de-risking of grower adoption from Kernza to three winter annuals, and continued to manage a 4 FTE commercialization team spanning diverse activities on new perennial and winter annual crops.



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Consent Report

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Regent Janie S. Mayeron

PURPOSE & KEY POINTS

A. Gifts

The Board Chair and Interim President recommend approval of the Summary Report of Gifts to the University through January 31, 2024.

B. Report of the Naming Committee

The Interim President recommends approval of the Naming Committee recommendations, forwarded to the Board in a letter dated March 1, 2024.

C. Employment Agreement

The Interim President recommends approval of the amendment to the following employee agreement:

- PJ Fleck, Head Coach Football, Twin Cities campus

RECOMMENDATIONS

The Interim President recommends approval of the Consent Report with the exception of the acceptance of gifts from the Hormel Foundation.

Chair Mayeron recommends approval of the acceptance of gifts from the Hormel Foundation.

**MEETING OF THE BOARD OF REGENTS
GIFTS TO BENEFIT THE UNIVERSITY OF MINNESOTA
SUMMARY REPORT***

March 2024 Regents Meeting

	<u>January</u>		<u>Year-to-Date</u>	
	<u>2024</u>	<u>2023</u>	<u>07/01/23 01/31/24</u>	<u>07/01/22 01/31/23</u>
U of M Gift Receiving	\$ 1,548	\$ 8,704	\$ 1,138,450	\$ 473,982
Arboretum Foundation	\$ 1,117,767	326,197	12,947,634	33,433,852
Univ of MN Foundation	\$ 31,643,234	16,499,099	206,928,786	182,894,014
Total Gift Activity	<u>\$ 32,762,549</u>	<u>\$ 16,834,000</u>	<u>\$ 221,014,870</u>	<u>\$ 216,801,848</u>

*Detail on gifts of \$5,000 and over is attached.

Pledges are recorded when the commitment is made. To avoid double reporting, any receipts which are payments on pledges are excluded from the report amount.

Gifts to benefit the University of Minnesota
Gifts received January 2024

Donor	Gift/Pledge	Purpose of Gift
\$1 Million and Over		
Anonymous Donor	Pledge	College of Science and Engineering
Cargill Fdn	Pledge	College of Food, Agricultural and Natural Resource Sciences
James C Cross Estate	Gift	Carlson School of Management
Otto Bremer Trust	Pledge	Academic Clinical Affairs; University of Minnesota Morris
Patricia S Kane Estate	Gift	Medical School; School of Nursing
\$500,000 - \$1,000,000		
Randy Shaver Cancer Research & Community Fund	Gift	Academic Clinical Affairs
William L Byrne Estate	Gift	Undesignated
\$250,000 - \$500,000		
David M and Janis Larson Foundation	Gift	Intercollegiate Athletics
Delta Dental of Minnesota Foundation	Gift/ Pledge	School of Dentistry
Duane L Packer Estate	Gift	College of Science and Engineering
K S Kim Foundation	Gift	Office of Undergraduate Education
Mary Kurth	Pledge	Carlson School of Management; College of Science and Engineering
Saint Paul & Minnesota Foundation	Pledge	College of Veterinary Medicine
Shine A Ligh7 Foundation	Pledge	Academic Clinical Affairs
\$100,000 - \$250,000		
Acorn Charitable Trust	Gift	College of Veterinary Medicine
Angela Frey and Nicholas Frey, Ph.D.	Gift	College of Design; College of Food, Agricultural and Natural Resource Sciences
Anonymous Donor	Gift	Medical School
Anonymous Donor	Gift	Minnesota Landscape Arboretum
Arthur and Susan Sands	Gift	Carlson School of Management
Brian Meyer and Wei Meyer, Ph.D.	Gift	College of Education and Human Development
Cisco University Research Prog Fund-Silicon Valley Comm Fdn	Gift	College of Science and Engineering
Darwin and Geraldine Reedy	Gift	Minnesota Landscape Arboretum
David and Lisa Goldberg	Gift	University of Minnesota Duluth
Engdahl Family Foundation	Gift	Medical School
Excelen	Gift	Medical School
Flad Architects	Gift	College of Liberal Arts
Harald and Patricia Schmid	Gift	Office of the Vice President for Research
Hormel Foundation	Gift	Office of the Vice President for Research
James House, M.D. and Janelle House	Gift	Medical School
James Ramsey, Ph.D. and Roberta Ramsey	Gift	College of Science and Engineering
Joan Policoff Estate	Gift	College of Liberal Arts
John W Mooty Foundation Trust	Gift	Carlson School of Management; Academic Clinical Affairs; College of Education and Human Development
Judy Olausen and Brian Sundstrom	Gift	College of Design
Knight Foundation Fund-St Paul & Minnesota Foundation	Gift	Carlson School of Management
Mary Jo Kane	Gift	College of Education and Human Development
Pathways to Children Foundation	Gift	Academic Clinical Affairs
Peter Pujado, Ph.D. and Joanne Pujado	Gift	College of Science and Engineering
Petsmart Charities Inc	Pledge	College of Veterinary Medicine

\$100,000 - \$250,000

Richard and Juanita Luis	Gift	Intercollegiate Athletics; Law School
Schwan's Corporate Giving Foundation	Pledge	College of Food, Agricultural and Natural Resource Sciences; Carlson School of Management
Strada Education Network Inc	Gift	University of Minnesota Rochester
Swenson Family Foundation	Gift	University of Minnesota Duluth
Tennant Co Inc	Gift	Carlson School of Management
Venkatram Mereddy, Ph.D. and Sangeeta Mereddy	Gift	University of Minnesota Duluth
William L Eichenberger Estate	Gift	Office of Undergraduate Education

\$50,000 - \$100,000

Abbott Fund	Gift	Intercollegiate Athletics; Medical School
Allan Apter and Brenda Ion	Gift	University of Minnesota Duluth
Andrew and Melanie Rupprecht	Pledge	Intercollegiate Athletics
Bernard Rice Jr. and Edith Rice	Pledge	Intercollegiate Athletics
Brungardt Grantor Charitable Lead Annuity Trust	Gift	College of Science and Engineering
Charles Nauen and Pati Pofahl	Gift	Law School
Charles Rich, M.D.	Pledge	Undesignated
Donald and Patricia Garofalo	Gift	Office of Undergraduate Education
Hilti Aktiengesellschaft	Gift	Undesignated
Huntington National Bank	Gift	Academic Clinical Affairs; Medical School
I. A. O'Shaughnessy Foundation	Gift	Office of the Vice President for Research
Jeff Prouty	Pledge	Intercollegiate Athletics
Jennifer and Kevin Weist	Gift	Medical School
Lynn Osborne	Gift	College of Veterinary Medicine
Margaret Walden and Craig Walden, M.D.	Gift	Medical School
Marri Oskam	Gift	Office of Undergraduate Education
Mr David A Thue Estate	Gift	Carlson School of Management; College of Continuing and Professional Studies
Muriel Whiteside Charitable Trust	Gift	Medical School
Nancy Johnson and John Brown	Pledge	College of Liberal Arts
Navjot Singh, Ph.D. and Nithya Singh	Pledge	College of Science and Engineering
Neal and Kiera Pionk	Gift	University of Minnesota Duluth
Patricia Phibbs and Clifford Phibbs Jr.	Gift	Intercollegiate Athletics
Phynque Phamily Phoundation	Pledge	College of Liberal Arts
Rick and Carol Dunn	Pledge	Undesignated
Roger Dreher	Gift	Medical School
Samuel Myers Jr. and Sheila Ards	Pledge	Humphrey School of Public Affairs
Seremet Family Foundation	Gift	Academic Clinical Affairs
Susan Wick and Glenn Shifflet	Pledge	College of Biological Sciences
Wisconsin Pork Association Cooperative Restricted	Gift	College of Veterinary Medicine
Wolf Creek Charitable Fdn	Gift	College of Veterinary Medicine
World Childhood Foundation USA	Pledge	Office of the Vice President for Research
Zinpro Corp	Gift	College of Food, Agricultural and Natural Resource Sciences

\$25,000 - \$50,000

ALS Association	Gift	Medical School
Anonymous Donor Fund-Schwab Charitable	Gift	University of Minnesota Extension
Barbara Thode	Gift	Medical School
Barr Engineering Co	Gift/ Pledge	College of Science and Engineering; University of Minnesota Duluth; College of Food, Agricultural and Natural Resource Sciences
Carlson Family Foundation	Pledge	Northrop

\$25,000 - \$50,000

Daisy and Scott Thorshov	Gift	Medical School
Debra Hall	Gift	Academic Clinical Affairs
Denise Wedel, M.D.	Gift	Medical School
Diabetes Research & Wellness Foundation Inc	Gift	Medical School
Elaine Sime	Gift	School of Nursing
Elizabeth Welsh, Ph.D. and Timothy Welsh	Pledge	Carlson School of Management
Esri	Gift	College of Design
Fairview Health Services	Gift	Academic Clinical Affairs
Glaser Family Foundation	Gift	University of Minnesota Foundation
Great River Energy	Gift	Humphrey School of Public Affairs
Jane N Mooty Fdn Trust	Gift	Medical School
Janet Bohan	Gift	Carlson School of Management
Jeffrey and Sue Haen	Gift	Intercollegiate Athletics
Joanne and Paul Worlein	Gift	Office of the Vice President for Research
John McWilliams Estate	Gift	Medical School
John Mulrooney, M.D. and Marlene Mulrooney	Gift	Medical School
Judith Lies and Edward Lube	Pledge	University of Minnesota Morris
Kai and Sarah Worrell	Gift	Medical School
Knox Foundation	Gift	College of Liberal Arts
Margaret Rivers Fund	Gift	Minnesota Landscape Arboretum; Academic Clinical Affairs
Mary Klinnert and Allen Adinoff	Pledge	College of Education and Human Development
Melanie and Sean Natarajan	Gift	College of Veterinary Medicine
Mendon F Schutt Family Fund-Mpls Fdn	Gift	College of Education and Human Development
Morrow Renewables LLC	Gift	Medical School
National Philanthropic Trust	Gift	Weisman Art Museum
Peter and Tamara Erickson	Pledge	Carlson School of Management
Phyllis Wisen, Ph.D.	Gift	College of Veterinary Medicine
Priscilla Hawkinson	Gift	School of Nursing
PureField Ingredients	Gift	College of Food, Agricultural and Natural Resource Sciences
Rene Gesell	Gift	College of Liberal Arts
Richard and Roberta Henderson	Gift	College of Food, Agricultural and Natural Resource Sciences
Roger A Wahldick Estate	Gift	Medical School
Rudolf Dankwort	Gift	Medical School
Ruth and Roger Bothe	Gift	College of Food, Agricultural and Natural Resource Sciences
Selwyn Vickers, M.D., Ph.D. and Janice Vickers	Gift	Medical School
State Farm Co Fdn	Gift	Carlson School of Management; University of Minnesota Duluth
Summer Fund	Gift	College of Food, Agricultural and Natural Resource Sciences
Susan Tesmer Estate	Gift	Academic Clinical Affairs
Theodore and Theresa Capistrant	Gift	Academic Clinical Affairs
Van and Elizabeth Hawn	Gift	College of Liberal Arts
William and Carol Tempest	Gift	Law School

\$10,000 - \$25,000

Abhay Sanan, M.D. and Priya Sanan	Gift	Medical School
Absolute Energy LLC	Gift	Office of the Vice President for Research
Alfred and Ingrid Harrison	Gift	Medical School
American Cancer Society Inc	Gift	Undesignated
Annamarie Daley and Galen Bruer	Pledge	Law School

\$10,000 - \$25,000

Anonymous Donor	Gift	College of Design
Anonymous Donor	Gift	College of Veterinary Medicine
Anonymous Donor	Gift	College of Education and Human Development
Apple inc	Gift	College of Science and Engineering
Bell Bank	Gift	Carlson School of Management
Ben's Buddies	Gift	Medical School
Bradley Draper and Catherine Cox Draper	Gift	College of Veterinary Medicine
Brent and Diane Slay	Gift	College of Liberal Arts
Brian and Susan Erickson	Gift	Academic Clinical Affairs; Medical School
Carol Roe	Gift	College of Food, Agricultural and Natural Resource Sciences
Caroline Vernon	Gift	College of Food, Agricultural and Natural Resource Sciences
Center for Computer-Assisted Legal Instruction	Gift	Law School
Clarence and Mary Horsager	Gift	University of Minnesota Extension
Crystal Axe Charities, Inc	Gift	Academic Clinical Affairs
David Doth and Lori Wirtzfeld	Gift	College of Veterinary Medicine
David and Terry Gilberstadt	Gift	Intercollegiate Athletics; College of Continuing and Professional Studies; Carlson School of Management
Dennis Maki	Gift	University of Minnesota Duluth
Donaldson Co Inc	Gift	Carlson School of Management
Donna Kunkel	Gift	College of Veterinary Medicine
Dr Daniel C Hartnett Family Fdn	Gift	College of Veterinary Medicine; Academic Clinical Affairs; University of Minnesota Alumni Association
Elizabeth Draxten and Stacy Rubsam	Gift	Carlson School of Management
Elwood and Dolly Ginkel	Gift	Academic Clinical Affairs
Ernst & Young Fdn	Gift	Carlson School of Management
Federated Mutual Insurance Companies	Pledge	University of Minnesota Duluth
Fred C and Katherine B Andersen Foundation	Gift	University of Minnesota Extension
Gail Mathisen	Gift	Law School
Gary Finley Education Trust	Gift	University of Minnesota Duluth
George and Elizabeth Goldfarb	Gift	University of Minnesota Duluth
Gerhard Johnson, M.D. and Janet Johnson	Gift	Medical School
Gerrit Van Dyk	Gift	Medical School
Gillette Children's Specialty Healthcare	Gift	Academic Clinical Affairs
Glyndon Farms Co	Gift	University of Minnesota Extension
Greenberg Traurig	Gift	Carlson School of Management
Harris and Connie Duininck	Gift	Medical School
James Odden and Ann Carrott	Gift	University of Minnesota Morris
James Truax	Gift	College of Food, Agricultural and Natural Resource Sciences
Jane Cowles	Gift	Intercollegiate Athletics
Jantze Haley and Dennis Haley, D.D.S.	Gift	Medical School
Jean Hedberg	Gift	Academic Clinical Affairs
Jeff and Deborah Eckland	Gift	College of Liberal Arts
Jennifer Chou-Green and Bradley Green	Gift	College of Science and Engineering
Jennifer Kordell and Timothy Moran	Gift	School of Public Health
Jennifer Martin	Gift	College of Food, Agricultural and Natural Resource Sciences
Jim Winter, Ph.D.	Gift	College of Biological Sciences
John and Kristin Bruellman	Gift	Intercollegiate Athletics
Joseph and Kari Cotter	Gift	Intercollegiate Athletics

\$10,000 - \$25,000

Kathleen and David Carlsen	Gift	Unrestricted; Intercollegiate Athletics
Kathryn McMorro	Gift	Humphrey School of Public Affairs
Kiwanis Club of Alexandria MN - Triathlon Acct	Gift	University of Minnesota Extension
Kodi and Timothy Verhalen	Gift	Medical School
Krzysztof Burhardt, Ph.D. and April Spas	Gift	College of Science and Engineering
Laurie Brand	Gift	College of Science and Engineering
Lee Schubert and Homer Hepworth	Gift	College of Veterinary Medicine
LeeAnn and Jeffrey Ettinger	Gift	Carlson School of Management; College of Education and Human Development; College of Liberal Arts; Law School
Lila Stevens	Pledge	University of Minnesota Duluth
Louise Barber	Gift	Carlson School of Management
LuAnn Brenno and Douglas Doty	Gift	College of Veterinary Medicine; Minnesota Landscape Arboretum
Manning Family Fund-Schwab Charitable	Gift	Intercollegiate Athletics
Margaret Carlson Citron, Ph.D. and Paul Citron	Gift	College of Education and Human Development
Medtronic Inc	Gift	College of Science and Engineering
Minnesota Sports & Entertainment: Minnesota Wild	Gift	Carlson School of Management
Morris Faiman, Ph.D. and Lynne Faiman	Gift	College of Pharmacy
Mr Tor K Hansen Estate	Gift	Graduate School
Nancy Knowlton	Gift	University of Minnesota Rochester
Neil and Linda Schmidgall	Gift	College of Food, Agricultural and Natural Resource Sciences
Nels Ojard	Gift	University of Minnesota Duluth
Nutrien Inc	Gift	College of Food, Agricultural and Natural Resource Sciences
Ottawa Vly Turfgrass Rsch Fdn-Ottawa Vly Turfgrass Assn	Gift	College of Food, Agricultural and Natural Resource Sciences
Pamela Olson and Grant Aldonas	Gift	Law School
Parachute Fdn	Gift	Academic Clinical Affairs
Paul Von Kuster III and Betsy Von Kuster	Gift	College of Veterinary Medicine; School of Public Health
Peter and Iris Kiedrowski	Gift	Humphrey School of Public Affairs
PriceWaterhouseCoopers LLP (PwC)	Gift	Various Colleges
RBC Capital Markets LLC	Gift	Carlson School of Management
RBC Wealth Management	Gift	Undesignated
Rahr Foundation	Gift	University of Minnesota Extension
Ray & Nylene Newkirk Family Foundation	Gift	Academic Clinical Affairs
Regina Hospital	Gift	Medical School
Richard M Schulze Family Fdn	Gift	College of Food, Agricultural and Natural Resource Sciences; Humphrey School of Public Affairs; Northrop
Robert and Karen Andrews	Gift	College of Pharmacy
Rosemary Dahl	Gift	College of Food, Agricultural and Natural Resource Sciences
Ross and Bridget Levin	Gift	Institute on the Environment
S. Scott and Lisa Crump	Gift	Carlson School of Management
Scott Hamilton CARES Foundation	Gift	Medical School
Shirley Nelson, Ph.D.	Gift	Intercollegiate Athletics
Sipcam Agro	Gift	College of Food, Agricultural and Natural Resource Sciences
Slaggie Family Foundation	Gift	Medical School
Stand Up 2 Ataxia	Gift	Medical School
Stanley and Marvel Chong Foundation	Gift	Global Programs and Strategy Alliance
Steve Tsai, M.D. and Margaret Simpson	Gift	College of Liberal Arts; Medical School

\$10,000 - \$25,000

Steve and Julie Vanderboom	Gift	College of Science and Engineering; School of Nursing
Subir Banerjee and Manju Parikh	Gift	College of Science and Engineering
Sue and William Linder	Gift	Academic Clinical Affairs
Susan O'Conner-Von Taylor Corp	Gift	College of Veterinary Medicine
Timothy and Shelly Manning	Gift	Carlson School of Management
US Bank National Association	Gift	Intercollegiate Athletics
UnitedHealthcare	Gift	Carlson School of Management
Van Rooyen Family Foundation - Fidelity Charitable	Gift	Carlson School of Management
Viren Gori	Gift	Intercollegiate Athletics
Walser Foundation	Gift	College of Design
Willard and Mary Pitzner	Gift	Minnesota Landscape Arboretum
Willis C Helm Family Fund-Mpls Fdn	Gift	Academic Clinical Affairs
Winnebago Industries	Gift	College of Education and Human Development
Ying Chen, Ph.D. and Ying Chen	Gift	Carlson School of Management

\$5,000 - \$10,000

Anonymous Donor	Gift	College of Science and Engineering
3M Co	Gift	Minnesota Landscape Arboretum
AEESP Foundation	Gift	School of Dentistry
AMVAC Chemical Corp	Gift	College of Science and Engineering
Alan and Janice Silver	Gift	University of Minnesota Extension
Allan Baumgarten and Marilyn Levi-Baumgarten	Gift	Law School
Ameeta Kelekar and Gopalan Nadathur	Gift	Law School; College of Liberal Arts; School of Public Health
Anderson Heating Inc	Gift	Medical School
Anonymous Donor	Gift	Academic Clinical Affairs
Ashish and Deepali Karandikar	Gift	College of Education and Human Development
BME Consulting	Gift	College of Science and Engineering
Barbara Dowell	Gift	College of Science and Engineering
Barbara Franklin	Gift	Academic Clinical Affairs
Barbara Naramore and Steven Cox	Gift	College of Food, Agricultural and Natural Resource Sciences
Beth Erickson	Gift	Law School; Humphrey School of Public Affairs
Betty Lyle	Gift	Medical School
Blooming Prairie Cancer Group	Gift	Office of the Vice President for Research
Bradley and Arlene Forrest	Gift	Office of the Vice President for Research
Brie and Ben Wiltsie	Gift	Medical School
Cargill Inc - Risk Management	Gift	College of Science and Engineering
Carroll and Dennyce Korb	Gift	Office of the Vice President for Research
Charles H Clay Family Charitable Lead Annuity Trust	Gift	College of Food, Agricultural and Natural Resource Sciences
Charles Jorgensen	Gift	University of Minnesota Extension
Charles Marschke, Ph.D. and Helen Marschke	Gift	College of Biological Sciences
Chase Bliss Audio LLC	Gift	College of Biological Sciences
Cochineal Charitable Trust	Gift	College of Liberal Arts
Connie and Arthur Starkey	Gift	College of Veterinary Medicine
Corteva Agriscience	Gift	College of Education and Human Development; College of Liberal Arts
Crosswols Fdn	Gift	College of Food, Agricultural and Natural Resource Sciences

\$5,000 - \$10,000

Daisy Brand	Gift	College of Food, Agricultural and Natural Resource Sciences
David Christensen and Judith Sheridan-Christensen	Gift	Law School
David Hardten, M.D. and Christine Hardten	Gift	Academic Clinical Affairs
David Wildung, Ph.D.	Gift	College of Food, Agricultural and Natural Resource Sciences; Medical School
David and Barbara Moser	Gift	Intercollegiate Athletics
Dennis and Catherine Martenson	Gift	College of Science and Engineering; Intercollegiate Athletics
Do Good Events	Gift	Medical School
Douglas Kelley	Gift	Law School
Douglas and Ruth Crane	Gift	College of Design
Dr Donald S Masler	Gift	Medical School
Elizabeth Russell	Gift	College of Food, Agricultural and Natural Resource Sciences
Ellen and Floyd Erkel	Gift	University of Minnesota Extension
Elmer & Ethel Engebretson Family Charitable Trust	Gift	College of Pharmacy
Elmer L and Eleanor J Andersen Book Trust	Gift	Libraries
Engineering Education Foundation of America	Pledge	College of Science and Engineering
Eugene and Sharon Retka	Gift	Institute on the Environment; College of Food, Agricultural and Natural Resource Sciences; College of Science and Engineering
Fiona Anderson, Ph.D. and LeRoi Anderson	Gift	College of Education and Human Development; Law School; Carlson School of Management
Frances Antonovitz, Ph.D. and Daniel Otto	Gift	College of Food, Agricultural and Natural Resource Sciences
GDM Seeds Inc	Gift	College of Food, Agricultural and Natural Resource Sciences
Geoffrey Tennican and Jennifer Durning	Gift	College of Food, Agricultural and Natural Resource Sciences
George Family Foundation	Gift	Humphrey School of Public Affairs
HART - William C and Jeanne M Hartranft Fund	Gift	College of Veterinary Medicine
Hawley Family Foundation Inc	Gift	College of Food, Agricultural and Natural Resource Sciences
Hello Nature USA, Inc	Gift	College of Food, Agricultural and Natural Resource Sciences
Hugh J Andersen Foundation	Gift	College of Veterinary Medicine
Hugo's	Gift	University of Minnesota Crookston
Intek Plastics Inc	Gift	College of Food, Agricultural and Natural Resource Sciences
Ivy and Mark Bernhardson	Gift	Law School
Jaime Reeves	Gift	College of Food, Agricultural and Natural Resource Sciences
Jean Nickman and James Nickman, D.D.S.	Gift	School of Dentistry
Jeannie Buckner	Gift	Minnesota Landscape Arboretum
Jeffrey Mandel, M.D.	Gift	Medical School
JoAnne Pastel	Gift	Academic Clinical Affairs
Jocelyn and Justin Miller	Gift	Carlson School of Management
John and Tamara Stern	Gift	Intercollegiate Athletics
Kurt and Annette Mueller	Gift	Office of the Vice President for Research
Lael Gatewood, Ph.D.	Gift	Academic Clinical Affairs
Lamarche Creek Fdn	Gift	University of Minnesota Duluth

\$5,000 - \$10,000

Mary Ann and K. Scott Portnoy	Gift	Earl E. Bakken Center for Spirituality and Healing
Michael and Shanda Groppetti	Gift	Medical School
Mimi and Todd Menenberg	Gift	Law School
Mrs Maxine H Wallin	Gift	University of Minnesota Duluth
Nancy and Richard Perrine	Gift	Intercollegiate Athletics
Otto Transfer Inc	Gift	University of Minnesota Extension
Patrice and Gerald Halbach	Gift	College of Liberal Arts
Patricia Miller, Ph.D.	Gift	College of Education and Human Development
Patrick and Mary Regan	Gift	University of Minnesota Duluth
PepsiCo Inc	Gift	Office of the Vice President for Research
Philip and Margaret Soran	Gift	College of Education and Human Development
Proliant Dairy Ingredients	Gift	College of Food, Agricultural and Natural Resource Sciences
Randall and Elisabeth Kahnke	Gift	Law School
Richard and Catherine Tate	Gift	University of Minnesota Morris
Robert and Barbara Peterson	Gift	College of Science and Engineering
Russell Nelson	Gift	Office of Undergraduate Education
Seagate Technology	Gift	College of Science and Engineering
Sharon Stewart Reeves and Paul Reeves	Gift	University of Minnesota Morris
Steven Peckham and Kathleen Boylan	Gift	Medical School
Steven and Beverly Aanenson	Gift	College of Science and Engineering
The Yue Foundation	Gift	College of Science and Engineering
Theodore Mohr, D.V.M. and Elizabeth Mohr	Gift	University of Minnesota Extension
Thomas Goetz and Whitney Wright	Gift	School of Public Health
Thomas Romens, Ph.D. and Moira Keane	Gift	College of Liberal Arts
Thomas and Angela Anderson	Gift	Medical School
Thomas and Marsha Mann	Gift	Medical School
Travis Novak and Christopher Churchward	Gift	College of Design
Warren Weck III and Paula Weck	Gift	College of Science and Engineering
Wells Enterprises Inc	Gift	College of Food, Agricultural and Natural Resource Sciences
William Kutzke	Gift	Law School
Xiong Wang	Gift	University of Minnesota Duluth

**BOARD OF REGENTS CONSENT REPORT
EXTENSION/AMENDMENT TO EMPLOYMENT AGREEMENT – PJ Fleck
March 8th, 2024**

Pending approval by the Board of Regents, PJ Fleck’s employment agreement as Head Football Coach, University of Minnesota, Twin Cities, will be amended.

Position Overview

Head football coach is a leadership position reporting directly to the deputy athletics director and athletics director. The head football coach must be adept at building and maintaining a football program of 115 students and an approximately 40 full-time staff that achieve at high levels academically, athletically and socially.

Summary of Employment Amendments

- First year of the contract will run from the day the Amendment is approved through December 31, 2024. All subsequent years will run from January 1 to December 31.
- The University shall pay Coach annualized Base Salary of Four Hundred Thousand Dollars (\$400,000) and annualized Supplemental Compensation of Five Million Six Hundred Thousand Dollars (\$5,600,000). His total salary remains at \$6M.
- Coach will earn retention bonuses according to the following schedule:
 - \$700,000 for Contract Year One, \$350,000 vesting on March 8, 2024, and \$350,000 vesting on December 31, 2024;
 - \$800,000 for Contract Year Two, vesting on December 31, 2025;
 - \$900,000 for Contract Year Three, vesting on December 31, 2026;
 - \$1,000,000 for Contract Year Four, vesting on December 31, 2027;
 - \$1,100,000 for Contract Year Five, vesting on December 31, 2028;
 - \$1,200,000 for Contract Year Six, vesting on December 31, 2029.
- This ranks his salary, including retention, 9th in the 18-member Big Ten Conference.
- The salary pool for assistant coaches and/or other staff for the team will increase by \$500,000. Based on available data, Minnesota would rank 15th with the increase in the 18-team Big Ten.
- The University may terminate this Agreement at any time without Cause upon thirty (30) days’ written notice to Coach. In such event, the University shall pay Coach a Termination Fee equal to sixty-five percent (65%) of the Base Salary, Supplemental Compensation, and Retention Bonus that, absent termination, would have been paid to Coach through the remainder of the Term of Employment.
- In the event Coach terminates this Agreement to accept a broadcasting or coaching position at any level, Coach shall pay the University a Termination Fee as follows:
 - \$7,000,000 if termination occurs during Contract Year One.
 - \$5,000,000 if termination occurs during Contract Year Two.
 - \$4,000,000 if termination occurs during Contract Year Three.
 - \$3,000,000 if termination occurs during Contract Year Four.
 - \$2,000,000 if termination occurs during Contract Year Five.
 - \$0 if termination occurs during Contract Year Six.

- Exhibit A Schedule of Incentives, will be adjusted;
 - Section II
 - A) College Football Playoff National Championship Game - \$500,000
 - B) College Football Playoff Semifinal Game - \$350,000
 - C) College Football Playoff Quarterfinal Game - \$300,000 (Added due to new CFP structure)
 - D) College Football Playoff First Round Game - \$250,000
 - E) Citrus or Tampa Bay Bowl Game - \$150,000
 - F) Bowl game not identified in sections a, b, c, d or e above - \$100,000
 - The amounts provided within this paragraph shall not be cumulative
- All other provisions would remain the same as the current employment agreement.

Additional Information/Background

- The 2023 campaign was the seventh for head coach P.J. Fleck at Minnesota, where he holds a record of 50-34. He is already fifth in program history for overall wins (50), Big Ten wins (29) and games coached (83). Fleck's .595 win percentage is third best among Minnesota coaches with at least 45 games under their helm behind only Henry L. Williams (.786, 1900-21) and Bernie Bierman (.716, 1932-41, '45-50). Through 10 seasons as a college head coach, Fleck is 80-56 (.588).
- Fleck and Williams, who coached in the early 1900s against high school teams, are the only two Gopher coaches to record nine or more wins in a season twice, as Minnesota posted 11 wins in 2019 and nine in 2021 under Fleck. The 11 wins in 2019 were the most for a Minnesota team since 1904 when that year's team went 13-0 under Williams. Fleck is a perfect 5-0 in bowl games, giving him the most bowl wins in school history (no one else has more than three).
- At Minnesota, Fleck has coached six All-Americans, nine Academic All-Americans, 89 All-Big Ten honorees (11 First-Teamers) and 379 Academic All-Big Ten performers.
- Fleck guided the Gophers to a 6-3 Big Ten record in 2021 and a 7-2 mark in 2019, making him the first Minnesota coach since Murray Warmath (1960, 1961 and 1967; six wins each) to win at least six conference games more than once.
- Fleck has brought unprecedented attention to the University and to the state since his arrival. Minnesota has twice hosted ESPN College GameDay during Fleck's tenure and hosted FOX's pregame show to start the season in 2021. Prior to Fleck, Minnesota had never hosted either one of these marquee college football shows, which serve as a multi-hour infomercial for the University.
- In addition to hosting ESPN College GameDay twice, Minnesota has had three additional feature stories told on the show when GameDay was on another campus. These features included the unique way that Fleck awards scholarships to walk-ons, an in-depth piece about former Minnesota holder and cancer survivor Casey O'Brien and an emotional story about quarterback Tanner Morgan dealing with the loss of his father. These stories were broadcast to millions of college football fans watching the show.
- Fleck has crossed over into mainstream media as well. The story of him awarding a scholarship to Justin Juenemann was featured on the NBC Today Show and ABC World News Tonight in addition to numerous other national and international outlets.
- Fleck is a culture driver and continuously brings positive attention to the program, Athletics, the University and state. He is a Wall Street Journal best-selling author of the

inspirational Row the Boat book and clips of his speaking engagements are often featured on inspirational and coaching social media channels.

- Fleck is the driver of the team's serving and giving way-of-life. The team hosts an annual diaper drive and has collected more than 100,000 diapers for the Diaper Bank of Minnesota since his arrival at Minnesota. The team has also hosted a school supply drive and every year hosts a turkey drive around Thanksgiving to help give back to the community and a trick-or-treat night for Hope Kids around Halloween.
- No detail is too small for Fleck and his team often sends handwritten thank you notes to sponsors and donors or words of encouragement or an oar to those who need it. The team does not publicize these special moments, but others often share these good deeds on social media.
- Fleck's teams thrive in the classroom as well and have set program record GPAs during his time at Minnesota. Under Fleck, Minnesota has had nine Academic All-America team members. For context, Minnesota last had eight players recognized from 1994-2015.
- Fleck has turned Minnesota into an NFL pipeline, as the Gophers have had 14 players taken from the four-year span of 2020-23. That is the most selections in school history in a four-year span since the draft was reduced to seven rounds in 1994. It matches the four-year span from 1988-91 when Minnesota had 14 players taken in drafts that were then 12 rounds.
- Co-instructed a seven-week, leadership class in the Carlson School of Management with Professor Theresa Glomb.
- Fleck has served as a commencement speaker at U of M graduations and also supports the M Health Fairview Masonic Children's Hospital through philanthropic funds and the Row The Boat wall at the hospital.

THIRD AMENDMENT TO EMPLOYMENT AGREEMENT

This is a contractual amendment to the Employment Agreement between the University of Minnesota (“University”), on behalf of its Department of Intercollegiate Athletics on the Twin Cities campus (“Department”), and Philip John Fleck (“Coach”), dated November 5, 2019 (“Employment Agreement”), as amended effective November 8, 2021 (“First Amendment”), and amended again effective December 16, 2022 (“Second Amendment”). The University and Coach do now mutually desire to again amend certain terms of the Employment Agreement by entering into this amendment (“Third Amendment”), effective March 8, 2024.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained in this Third Amendment, and such other good and valuable consideration the receipt and sufficiency of which the parties hereby acknowledge, the parties agree to amend their Employment Agreement as follows:

1. **Paragraph 1.1 is deleted and replaced with the following:**

1.1. Employment Term. Subject to the terms and conditions of this Agreement, the University hereby employs Coach as head coach of the Team, and Coach agrees to be so employed by the University, for a term commencing on March 8, 2024, and ending on December 31, 2029 (“Term of Employment”). For purposes of this Agreement, Contract Year One runs from March 8, 2024 through December 31, 2024. All subsequent Contract Years run from January 1 through December 31.

2. **Paragraph 2.1 is deleted and replaced with the following:**

2.1. Base Salary. Subject to the terms of this Agreement, for all services rendered by Coach on behalf of the University, the University shall pay Coach annualized Base Salary of Four Hundred Thousand Dollars (\$400,000). Coach’s Base Salary is subject to furloughs, pay freezes, salary reductions or other similar or related adjustments to the same extent they may be required from time to time of other employees in the Department.

3. **Paragraph 2.2 is deleted and replaced with the following:**

2.2. Supplemental Compensation. Subject to the terms of this Agreement, the University shall pay Coach annualized Supplemental Compensation of Five Million Six Hundred Thousand Dollars (\$5,600,000) in recognition of Coach’s efforts on behalf of the University for media, fundraising, community involvement, and endorsements of apparel and shoes. The University will receive and control all outside compensation owed to Coach relating to apparel, shoes, and media appearances. Coach’s Supplemental Compensation

is subject to furloughs, pay freezes, salary reductions, or other similar or related adjustments to the same extent they may be required from time to time of other employees in the Department.

4. **Paragraph 2.5 is added as following:**

2.5. Retention Bonus. Coach shall receive Retention Bonuses as follows provided that he has remained continuously employed as Coach under this Agreement through the vesting date:

- a. \$700,000 for Contract Year One, \$350,000 vesting on March 8, 2024, and \$350,000 vesting on December 31, 2024;
- b. \$800,000 for Contract Year Two, vesting on December 31, 2025;
- c. \$900,000 for Contract Year Three, vesting on December 31, 2026;
- d. \$1,000,000 for Contract Year Four, vesting on December 31, 2027;
- e. \$1,100,000 for Contract Year Five, vesting on December 31, 2028;
- f. \$1,200,000 for Contract Year Six, vesting on December 31, 2029.

The payment will be made no later than the regular payday for the first full payroll period following the vesting date.

5. **Paragraph 2.14 is deleted and replaced with the following:**

2.14. Supplemental Salary Pool. On March 8, 2024, the University agrees to make available an additional Five Hundred Thousand dollars (\$500,000) for salaries for assistant coaches and/or other staff for the Team.

6. **Paragraph 3.2.1 is deleted and replaced with the following:**

3.2.1. The University may terminate this Agreement at any time without Cause upon thirty (30) days' written notice to Coach. In such event, the University shall pay Coach a Termination Fee equal to sixty-five percent (65%) of the Base Salary, Supplemental Compensation, and Retention Bonus that, absent termination, would have been paid to Coach through the remainder of the Term of Employment. The Termination Fee shall be paid in installments as follows:

- a. The total Termination Fee shall be divided by the number of months remaining on the Term of Employment, not including any partial months, to determine the "Monthly Payment Amount."

b. The first installment shall be made no later than the last day of the second full month following the month in which the termination occurs and shall include the Monthly Payment Amount for those first two months.

c. Monthly payments shall continue thereafter at the Monthly Payment Amount through the end of the second calendar year following the year in which the termination occurred, or the end of the remaining Term of Employment, whichever is earlier.

d. If the Term of Employment extends beyond the end of the second calendar year following the year in which the termination occurred, then the final monthly payment at the end of the second calendar year following the year in which the termination occurred shall include the full amount remaining on the total Termination Fee.

The Termination Fee shall be subject to withholding for all applicable taxes and deductions. The parties acknowledge that the Termination Fee has been structured so as not to constitute a deferred payment plan under Section 457(f) of the Internal Revenue Code. However, the parties also acknowledge that the ultimate amount and timing of Termination Fee will depend on when a termination under this Section 3.2 occurs. If the Termination Fee ultimately does trigger the requirements of Section 457(f), then the parties acknowledge their obligation to comply with the requirements of Section 457(f). Specifically, the parties acknowledge that the tax withholding and payment obligations, including any obligation under Section 457(f) to collect and make payment for the taxes due on the entire Termination Fee, could result in an overpayment of taxes. If that occurs, the University is entitled to recover from Coach, and Coach is obligated to reimburse the University, for any tax overpayment.

7. Paragraph 3.6 is deleted and replaced with the following:

3.6. Coach's Right to Terminate. In the event Coach terminates this Agreement to accept a broadcasting or coaching position at any level, Coach shall pay the University a Termination Fee as follows:

- a. \$7,000,000 if termination occurs during Contract Year One.
- b. \$5,000,000 if termination occurs during Contract Year Two.
- c. \$4,000,000 if termination occurs during Contract Year Three.
- d. \$3,000,000 if termination occurs during Contract Year Four.

- e. \$2,000,000 if termination occurs during Contract Year Five.
- f. \$0 if termination occurs during Contract Year Six.

Payment shall be made no later than sixty (60) days from the date of notice of termination. In connection with this payment, the University agrees to execute a comprehensive release that releases Coach from any liability Coach may have to the University related to Coach's employment.

8. **Schedule A, Section II, is deleted and replaced with the following:**

II. Incentive compensation for receiving an invitation to and participating and coaching in any one of the following post-season playoff or bowl games:

a)	College Football National Championship	\$500,000
b)	College Football Playoff Semifinal Game	\$350,000
c)	College Football Playoff Quarterfinal Game	\$300,000
d)	College Football Playoff First Round Game	\$250,000
e)	Citrus or Tampa Bay Bowl	\$150,000
f)	College Football Bowl Game not identified above	\$100,000

The amounts provided within this paragraph are not cumulative.


- 9. Except as expressly provided in this Third Amendment, each and every term and condition of the Employment Agreement, as previously amended by the First Amendment and the Second Amendment, shall remain unchanged.
- 10. The parties acknowledge and agree that this Amendment is subject to formal approval by the University's Board of Regents ("Board") and shall not be final or binding until formally approved by the Board.

[signature page follows]

IN WITNESS WHEREOF, the undersigned have caused this Amendment to be effective as of the date first shown above.

COACH

Date: 02/28/24


Philip John Fleck

REGENTS OF THE UNIVERSITY OF MINNESOTA

Date: 2-28-24

By: 
Jeffrey Ettinger
Interim President


Recommended for Approval:

Date: 02/28/24

By: 
Mark Coyle
Athletics Director

Approved as to Form and Execution:

Date: February 28, 2024

By: 
Douglas Peterson
General Counsel



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Report of the Student Representatives to the Board of Regents

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Flora Yang, Chair, Student Representatives to the Board of Regents
Hal Johnson, Vice Chair, Student Representatives to the Board of Regents

PURPOSE & KEY POINTS

The report of the Student Representatives to the Board of Regents provides a student perspective on issues and concerns facing University students.

The video report and student body president updates can be found at <https://z.umn.edu/2023-2024StudentRepresentativeReport>.

BACKGROUND INFORMATION

Current student representatives:

- Flora Yang, Chair – Twin Cities
- Hall Johnson, Vice Chair – Morris
- Taiwo Aremu – Twin Cities
- Lee El Cohen – Rochester
- Cole Groshong – Duluth
- Alex Middendorf – Crookston
- Niko Vasilopoulos – Twin Cities
- Ebba Wako – Twin Cities

2023-24 ANNUAL REPORT

Student Representatives to the Board of Regents

Purpose

Our video report, the first of its kind, empowers and elevates student voices - giving any student, across the system, the platform to share their story.

Recommendations

Basic Needs

- Assess the state of student basic needs system-wide, replicating the Twin Cities Basic Needs Strategic Plan Committee
- Incorporate the basic needs of students into long-term strategic planning
- Keep basic needs at the forefront of decision-making when re-evaluating space and other budgetary allocations

Mental Health

- Provide continued support for PRIMSH beyond MPACT25
- Commit further resources to bridge gaps in mental health resources as identified by mental health services on each campus
- Consider making an institutional commitment to become a health-promoting University by adopting the Okanogan Charter

Community & Belonging

- Establish system-wide goals and metrics for belonging and community in long-term strategic planning
- Support the development of accessible student-centered spaces, especially while making decision related to real estate

Crookston Duluth Morris Rochester Twin Cities



APPENDIX

Student Body President Updates

- **Council of Graduate Students (COGS):** Drew Swartz
- **Crookston:** Madison Elijah
- **Duluth:** Uyen Nguyen
- **Morris:** Gabrielle Holboy
- **Professional Student Government (PSG) :** Gabriel Richardson
- **Rochester:** Heidi Nguyen
- **Twin Cities:** Shashank Murali

Council of Graduate Students; Twin Cities

The Council of Graduate Students has three main functions: running Programming/Social Events, coordinating a robust Grants Program, and advocating for changes to benefit the graduate student experience at the University of Minnesota. We have had two successful grant cycles thus far, and we continue to have high attendance at our Welcome Week events and social events throughout the year. We are now preparing for our Graduate Student Appreciation Week, which is always a hit. We have a great team of directors who directly oversee those efforts, Critically, now that issues of pay and labor - which remain central to the main challenges that graduate students face - are under the purview of the new Graduate Labor Union, COGS has opened new conversations and started to move the needle on the following issues.

Alongside mental health, one of our top priorities this year relates to accessibility and DEI initiatives. In addition to engaging with the DRC and requesting more institutional support for various initiatives, we've recently initiated a partnership with the Senate Committee on Disability Issues on a campaign called "Faces of Disability." This campaign will highlight the abilities, talents, and humanity of disabled faculty, staff, and students across all our system campuses - with the goal of showcasing the diversity of disability experiences, breaking down barriers, and sharing perspectives and stories related to inclusion and overcoming challenges in the University.

Another barrier for graduate students relates to finances: it can cost over a thousand dollars to travel to a conference, but we're expected to go in order to network and present research. This financial hurdle isn't new, but this fall we ran a comprehensive survey about conference reimbursement. As we analyzed the data and presented the results to various offices, it became clear that the current popular practice of students utilizing personal credit cards for conference expenses contradicts existing policies. COGS has been partnering since the Fall with the Graduate School to disseminate information to help fix these incorrect practices that burden graduate students. Despite a recent delay, we are hopeful that the university will uphold its commitment to prompt clarification around existing policy.

What does it mean to be a graduate student? You know, sometimes, it's difficult for us to know - and that's a problem! So, we compiled data related to Graduate Advising Statements. Basically, these are statements where a professor has a list of expectations that they expect of their graduate students...and what their graduate students can expect from them. It sounds simple, but our qualitative and quantitative data demonstrates that graduate students are better prepared for their work and have better, healthier outcomes when there is clarity around advisor expectations. The official line: well-defined advising framework significantly contributes to the academic success and overall well-being of graduate students. To build momentum around this, we'll get this information to Directors of Graduate Studies to help faculty integrate these statements into their practices. Improved working relationships and conditions benefit everyone, especially graduate students.

Did you know that the average graduate salary at the University of Minnesota is approx. \$20,000 against a cost of living that is just over \$37,000 in the Twin Cities? Among other things, that makes finding safe housing a challenge. Currently, the COGS Advocacy team is actively engaged in administering the Student Housing Assessment Survey to gain insights into the housing needs and preferences of graduate students. This survey aims to provide a comprehensive understanding of how housing impacts the graduate student community. We will use this data to continue brainstorming creative yet realistic solutions with University offices to help graduate students with this critical issue.

COGS has been working with the Office of Student Affairs and experts in Career Services to help centralize resources for graduate students related to networking, resume/CV help, and locating internships - and jobs! For example, we conducted a comprehensive review of the five career centers across the U with the Office of Student Affairs. It turns out that we don't have to create as many opportunities and support structures as we expected - there's already some great resources to help graduate students, but it's hard to find them. We want to empower graduate students with the necessary tools, guidance, and support to navigate their professional journeys effectively and achieve their career objectives.

The root cause of many of the big challenges we work on are above our pay grade, literally. However, we're constantly trying to advance solutions to support graduate students. There's a gap in eligibility for state and federal assistance resources, including SNAP/EBT, childcare programs, and health care programs. We've been working with relevant stakeholders to highlight the importance of expanding eligibility criteria for graduate students to access state and federal assistance programs. At long last, and thanks to a culmination of efforts that COGS has played a steady part in, the university's lobbyists are going to tackle policy changes that would expand graduate student eligibility for these essential programs. We as COGS can't solve the pay crisis, but we are committed to getting graduate students the resources that we need. When graduate students have enough food on the table for themselves and their families, as well as safe shelter and reliable childcare, our personal and professional success grows.

One thing that we're really proud of builds on last year's work, when COGS created the Graduate Student Resource Guide in collaboration with the Graduate School and Office of Student Affairs. There was a disconnect between resources for grad students and grad student knowledge of/access to those resources. Now, COGS maintains this document and it's a convenient way to centralize information and keep an updated list of resources at the University of Minnesota to foster student success in academic, professional, and personal areas.

Over the last few paragraphs, you've probably noticed a theme of centralization around information and resources. A lot of people are working to help graduate students, and COGS is committed to ensuring that graduate students can access those resources - and build more! We also strive to collaborate with university offices and our student peer groups. For example, COGS is partnering with the Council of International Graduate Students (CIGS) to develop a survey focused on international graduate experience and services for international students. COGS also continues to navigate tricky issues around labor and pay, pushing issues as far as we can and demanding clear answers from HR on whether an issue can be challenged by COGS or if it relates to the ongoing union negotiations. Any clarity is a step forward for graduate students.

We're proud of what we've done thus far this year, and we've got plenty of work ahead of us. If you take away one thing from this segment, we hope it's this: graduate students deserve to be treated humanely and with dignity. We have intensive training, provide skilled instruction and other tasks, study incredibly important things, and are also human beings. It's a time of big change at the U, and we hope that the Board of Regents will take graduate concerns seriously and see us as an integral part of the University's existence and success.

Crookston

This 2023-2024 school year we have 34 clubs, four of which are new this year. The new clubs include Cru, Chinese Calligraphy Club, Study Abroad Club and IT Club. Some of the goals that our CSA group came up with for the 2023-2024 school year were to bring energy to meetings and events, take initiative both in and outside of meetings, increase visibility on campus and in the community and increase our preparedness and collaboration.

To start the school year off, we hosted the Involvement Expo. The expo was a big success and was a great way to showcase our clubs and organizations, along with a way of showing new freshmen and even existing students all the clubs and organizations that they can get involved in on campus. On November 12, 2023 we hosted a Temple Grandin Movie night. This was a way to inform students about Temple Grandin before she came to speak to our campus. On November 20th we hosted Winter Driving Day. At this event we passed out 100 winter car kits to students along with info cards students would keep in their glove compartments with emergency phone numbers and step by step directions on how to help in certain situations. On December 2nd we hosted Santaland at the Nest on Broadway. This event had ten clubs participating. These clubs came up with crafts and activities for children in the community. We also had Santa Claus photos, hot chocolate, cookies, and a free movie showing for children at the theater downtown.

Still upcoming this semester, we have our Faculty/Staff vs. Student Donation Drive, where we will be collecting canned items, toiletries, warm clothes and soap and hygiene products from February 26th -March 1st. These items will be donated to the Eagle's essentials pantry located on campus and available to all our students.

Looking ahead to the rest of this semester, CSA is looking for more event ideas and trying to be strategic to not overlap with other events. We are currently preparing for our next round of elections to elect our executive board for the 2024-2025 academic year. We are also starting to assist our clubs to end the year on a good note and be more than ready to hit the ground running when they come back in August.

Duluth

In the past year, the University of Minnesota Student Government Association (UMDSGA) has completed a few initiatives that have helped students physically and brought the student community closer together while also making pertinent changes to our organization.

Name Change

We changed our name to the University of Minnesota Student Government Association to facilitate easier access and brand recognition for our organization while also giving ourselves a name that more accurately represents our responsibilities to the student body.

Bulldog Lyft

We have achieved a full year of a program called Bulldog Lyft, which gives \$8 off rides twice a month. The program has been a significant success and has been an avenue for students to get affordable transportation as soon as possible at any time needed.

Bulldog Lobby Day

Last year and this year soon, UMDSGA will go to St. Paul and meet with state representatives to discuss important topics such as the University of Minnesota Capital Request and Minnesota's undying dedication to supporting its nationally recognized education system.

Legal Services

This is another program set up by UMDSGA that is meant for students who need legal advice. At the designated time the local Duluth lawyer is on campus, students can schedule a free meeting to discuss any wide range of legal issues they need to address.

Student Organization Grants

UMDSGA is responsible for dispersing funding to all student clubs on campus through an efficient system of interviews. This is one of our most essential responsibilities to the student body and our way of ensuring student organizations here on campus get the money they need to facilitate their activities.

While these are some of our more official programs and changes that continue to be our proud responsibilities, we also have done many fun, informational, and valuable events to bring the student body together. We are pleased to contribute to the whole of the effort on campus to get the student body together in all sorts of positive ways.

Sustainability Fair

This year, we had a very successful week-long event that invited a plethora of departments and groups of people to campus to bring awareness to sustainable avenues of any activity most students usually do. This also organizes many fun events throughout the week to unite the students.

Donuts With The Deans

This event was a simple, casual way to meet with the deans of all our esteemed colleges at UMD. This event and ones like it that have involved individual colleges have been excellent ways for students to connect with upper faculty at their specific college in a fun way.

Late Night Library

Another event we have done in the past where we partner with our library to keep it open later so students can study together, socialize, and do any manner of fun activities we offer. This is another way UMDSGA strives to bring students together and foster a community where positivity is encouraged.

UMDSGA strives, with determination, to come up with many new ways alongside the ones listed above to help make a university community we can be proud of. Fostering a community is crucial because it creates a sense of belonging and support among its members, which is fundamental to human well-being. In a strong university community, individuals can share experiences, resources, and skills, leading to mutual growth and resilience.

Despite the unfortunate circumstance of not being able to describe everything we do for the student body, we hope that this summary of our initiatives communicates to you that we are resolute in our goal of supporting and representing our student body with diligence and faith in

their best interests. We do this while keeping great interest in the Board of Regents' vital work in the Twin Cities.

Morris

This year at the University of Minnesota-Morris the Morris Student Campus Association (MCSA) has been focusing on meeting the goals that were laid out in Spring 23. These goals include having our annual Sustainability Forum continue to focus on sustainability through tribal practices. It has also been important to publicize campus resources for financial support, mental and physical health, and cultural support. We've also been working to ensure academic courses offered at the other University of Minnesota campuses are available for students on the Morris campus to meet the current graduation requirements that can be harder to attain due to faculty vacancies. We have also been working to make campus accessible for all students and faculty. MCSA has seen the expansion of the *Food Odyssey* which would simply provide free transit to nearby towns that have more affordable groceries, to now be a *Food and Cultural Odyssey* in collaboration with the Morris International Student Program and International Student Association. MCSA was very involved in the discussion over the past few years in the creation of the *Degree in Three* program that recently launched, and we're excited to hear the enthusiasm that this program has received. In the early weeks of the Spring-24 semester the free emergency contraceptive vending machine. Throughout the remainder of this year, MCSA will be conducting our annual election, having our largest fundraiser for student grants, and our Technology-Fee hearings. MCSA has had enthusiastic members over this past year, and I'm confident in the ability of the next administration to serve Morris and the University with great energy and professionalism.

Professional Student Government; Twin Cities

As the Professional Student Government (PSG) at the University of Minnesota, we continue to proudly represent over 6,000 professional students across the University's graduate and professional schools. Our ongoing mission is to advocate for and represent the unique needs and interests of professional students within the university.

Summarized, here are a few initiatives that we would like to highlight—

Rebuilding PSG and Establishing an Administrative Foundation

This year, we've focused on rebuilding and strengthening PSG's foundations. We conducted an internal audit this summer, which led to significant updates in our financial management and operational procedures. Efforts to reconcile past discrepancies have been successful, and we are revising PSG's code to align more closely with the University's policies and procedures. These steps ensure a more robust and transparent governance structure going forward.

Advocacy for Increased Funding

In our advocacy efforts, we are exploring new strategies to collaborate with the University in lobbying state stakeholders for increased funding. By showcasing the tangible impacts of such funding on student experiences and opportunities, we aim to strengthen our case for enhanced financial support. PSG is committed to being an active participant in these advocacy efforts, understanding the crucial role of funding in enriching the professional student experience.

Student Involvement in Financial Improvement

We believe in the power of student involvement in the financial sustainability of the university. Initiatives such as fundraising campaigns, alumni engagement, and student-led financial literacy programs are on our agenda. We encourage a proactive dialogue among students about how they can contribute to these efforts, reinforcing a sense of community and shared responsibility.

Alignment on Handling Certain Issues

The alignment between the University and student organizations is crucial for a cohesive community. We are actively engaging in discussions about how the University can consolidate and centralize important resources for better student accessibility.

Creating a Common Nexus Through ESG Events

PSG has been involved in inter-school events, such as the recent supply chain event, offering support to professional schools in their Environmental, Social, and Governance (ESG) initiatives. Our plans include continued collaboration in this area, assisting schools in centralizing resources and planning effective ESG events.

In conclusion, while professional students face unique challenges, from balancing higher tuition and additional expenses to managing work and family responsibilities, PSG remains steadfast in its commitment to enhancing their overall experience. We are dedicated to advocating for their needs and interests and are excited about the positive changes our new initiatives will bring in the 2023-2024 academic year.

Rochester

"In this academic school year, the Rochester Student Association (RSA) has focused more on serving its community. There have been various actions taken to promote diversity and inclusion through the University of Minnesota-Rochester's range of student groups. For example, RSA led and funded the Raptor Market which encouraged student groups to develop more club funds and bring more attention to their clubs. Due to this market, clubs were successful in making money,

which they can now use to pay for future club events. Another example of how RSA has been involved in the community is by continuously promoting a safer environment by placing safety posters and direct phone numbers for students to utilize if they feel like there is any type of danger. Furthermore, food security is a topic that RSA has addressed this year. The introduction of the dining halls and dorms (in this academic year) has drastically altered the landscape of UMR's food supply. Unfortunately, these new additions came with a couple of problems such as the closure of the dining hall during winter break. RSA decided to push for the provision of food for students who must remain on campus over the break. Although our efforts were not successful, we were able to spark future action. Currently, RSA is working on creating a safer environment for the current and future students of the University of Minnesota-Rochester by working towards hiring security personnel. Even though many of the facilities UMR has are accessible to the public in one way or another, our ultimate objective is to ensure that every student feels a sense of security no matter where they are on campus."

Twin Cities

Presidential Search Committee

One of our major efforts early this semester came with the announcement of the Presidential Search Committee. With students being significantly underrepresented, we co-wrote several letters and attended numerous listening sessions to advocate for greater transparency and consideration of student perspectives. We will continue similar efforts throughout the year to ensure that the University's search for a new permanent President focuses on the needs of students.

We are especially excited about the extensive partnerships built with our fellow RSGAs during this process, including those here in the Twin Cities as well as our system campuses. We were proud to join them in advocating for the voices of all 68,366 students and to sit beside them in listening sessions. Cheers to everyone's hard work and continued efforts to see student voices at all levels of the University!

Mental Health

As a result of student feedback and other efforts led by USG, this semester, we saw changes to expand students' access to mental health services. Including lifting the limit on the number of therapy sessions per student, expanding telehealth options, and increasing hours, we are proud to see these changes that students have been asking for!

Access to Plan B and Emergency Contraception

We are continuing to work on implementing legislation passed in last year's forum that focused on expanding access to affordable Plan B and emergency contraceptives at the University of Minnesota. Currently, we are evaluating locations to ensure these resources are available to students on every campus including nights, weekends, and holidays. Our conversations here have expanded awareness of the many ways in which access to reproductive health resources affects students, and we are excited to see where this project continues to go.

Core Curriculum Committee

USG has been heavily involved in the University's processes of updating its liberal education requirements. Our goal is to fully represent the student experience to ensure that new changes can better serve the needs of future students. We have provided extensive feedback on the process and conducted outreach efforts to ensure that student feedback and concerns are highly integrated into the work of the committee, and we look forward to seeing the new updates!

MLK

Continuing efforts from years past, this year's Presidential Team is also concentrating on how CLA's Martin Luther King Jr. Advising Program can be expanded to ensure that all students have access to helpful peer mentoring and culturally competent advising resources. We are continuing our efforts to gather data and information from students as well as University staff and administrators to see how this program and its unique ideas and focus can be best implemented to serve all students!

SSF Distribution

USG has started a formal process to collect information from individuals and student organizations on the issues they have faced while going through the SSF Distribution Process. Our goal is to work collaboratively with the Student Service Fee Committee and Administrators to ensure transparency and that necessary changes are made to improve the process. We look forward to working with student organizations across the university to document experiences and act as a liaison to ensure issues are addressed appropriately.

Executive Board Working Groups

The USG executive board has developed four working groups focused on external outreach, internal outreach, outreach systems, and physical presence. Through these working groups, we have made significant progress in improving our physical presence on campus through purchasing merchandise and tabling materials. We have worked to develop a USG Canvas course so that we can effectively communicate and provide access to resources to all

undergraduate students. We are also making efforts to improve how we engage with our Forum-elected voting members to ensure we support their advocacy priorities.

Ad Hoc Committees

This year, we have started two important ad-hoc (temporary) committees focusing on tackling food insecurity and increasing our student government budget in order to improve our advocacy efforts. We will be submitting a poll question for each ad-hoc committee during this year's all-campus elections. One will be focused on asking the next university president to make tackling food insecurity a priority, and the other will ask you to vote for a budget increase for the student government. We look forward to deeply engaging with all students about these ad-hoc committees.

Student Report to the Board of Regents

Flora Yang (TC, Chair)

Hal Johnson (Morris, Vice Chair)

2023-24



Report Overview

1. Purpose of the Video
2. Support Services
 - a. Basic Needs
 - b. Mental Health
 - c. Community & Belonging
3. Questions and Discussion

Purpose of the Video

1. Showcase and empower student voices by creating a platform in which any students, especially those without a designated student leader role, can provide direct feedback to the Board of Regents
2. Visualize and acknowledge the wins of student/admin collaboration
3. Identify recommendations and put faces to the changes needed

Basic Needs Recommendations

1. Assess the state of student basic needs system-wide, replicating the Twin Cities Basic Needs Strategic Plan Committee
2. Incorporate the basic needs of students into long-term strategic planning;
3. Keep basic needs at the forefront of decision-making when re-evaluating space and other budgetary allocations.

Mental Health Recommendations

1. Provide continued support for PRIMSH beyond MPACT₂₅.
2. Commit further resources to bridge gaps in mental health resources as identified by mental health services on each campus
3. Consider making an institutional commitment to become a health-promoting University by adopting the Okanogan Charter.

Community & Belonging Recommendations

1. Establish system-wide goals and metrics for community and belonging in long-term strategic planning
2. Support the development of accessible student-centered spaces, especially while making decision related to real estate

Questions to Consider

- What are some barriers to achieving these recommendations?
- Do you have any suggestions for additional recommendations?
- Do you have suggestions for how R2Rs can better fulfill our role in bridging the gap between the student body and the Board?



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Public Safety Update: Spring Semester

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Interim President Jeffrey Ettinger
Matt Clark, Chief of Police, Department of Public Safety
Katharine Bonneson, Associate Vice President, Health, Safety, & Risk Management

PURPOSE & KEY POINTS

The purpose of this item is to discuss ongoing safety efforts at the University of Minnesota. The discussion will underscore the University’s continuing commitment to ensuring a safe environment for its students, faculty, staff, and visitors. The presentation will include a recap of 2023 public safety activities and outcomes, with a focus on the Twin Cities campus and surrounding neighborhoods. The Board will also learn about spring 2024 safety initiatives currently underway, and provide feedback on proposals for new programs, including a pilot program to expand the University of Minnesota Police Department coverage area and a proposal for a “safety center” in Dinkytown. In addition, the Board will receive an update on the University’s systemwide safety plan, which will highlight accomplishments and high-level safety updates for each of the five campuses.

BACKGROUND INFORMATION

The Board previously discussed this topic at the following meetings:

- December 2023: *Public Safety Update: 2023-24 Fall Semester Review*, Board of Regents
- September 2023: *Public Safety Update: 2023-24 Academic Overview*, Board of Regents
- July 2023: *Public Safety Planning for 2023-24 Academic Year*, Board of Regents
- June 2023: *UMTC Public Safety Update*, Board of Regents
- May 2023: *UMTC Public Safety Update*, Board of Regents
- February 2023: *UMTC Public Safety Update*, Board of Regents
- December 2022: *UMTC Public Safety Update*, Board of Regents
- September 2022: *UMTC Public Safety Update*, Board of Regents
- July 2022: *Public Safety Planning for 2022-23 Academic Year*, Board of Regents
- June 2022: *Twin Cities Campus Public Safety Update*, Finance & Operations Committee
- February 2022: *Update on Public Safety & M Safe Implementation*, Board of Regents

- September 2021: *Update on Public Safety – Twin Cities Campus*, Board of Regents
- February 2021: *Comprehensive Public Safety Review Findings and Recommendations*, Board of Regents



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: President-Designate Cunningham Employment Agreement

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Regent Janie S. Mayeron

PURPOSE & KEY POINTS

The purpose of this item is to review and act on an employment agreement with President-Designate Rebecca Cunningham. Key provisions are as follows:

- 5-year term, through June 30, 2029.
- Base salary of \$975,000, plus annual increases.
- Annual supplemental retirement:
 - \$120,000 vesting on June 30, 2025
 - \$120,000 vesting on June 30, 2026
 - \$140,000 vesting on June 30, 2027
 - \$145,000 vesting on June 30, 2028
 - \$150,000 vesting on June 30, 2029
- Full standard benefits (e.g., medical, dental, life, retirement), plus moving expenses and interim housing while Eastcliff is occupied by the Governor.
- Tenure at an academic unit to be determined, subject to the *Faculty Tenure* policy, and the option to return to faculty at the end of the term of employment.

A copy of the employment agreement is included in the docket.

BACKGROUND

Market data from the CUPA-HR Administrators in Higher Education Salary Survey and the CUPA-HR Executive Compensation and Benefits in Higher Education survey follows.

University of Minnesota President

Salary Market Data Summary

CUPA-HR 2022–2023 Administrators and Executive Compensation Surveys

Survey Benchmark Title: Chief Executive Officer, System

Data Aged To: 7/1/2024

	Base Salary					
	10th%	25th%	50th%	75th%	90th%	Average
Carnegie Class R1	\$535,082	\$618,207	\$849,041	\$991,995	\$1,240,857	\$847,078
Big 10	\$704,281	\$809,403	\$955,797	\$991,995	\$1,050,673	\$896,238
AAU Institutions	\$610,904	\$696,016	\$933,356	\$997,137	\$1,244,364	\$905,952

	Total Cash Compensation*					
	10th%	25th%	50th%	75th%	90th%	Average
Carnegie Class R1	\$665,910	\$792,749	\$931,756	\$1,069,684	\$1,607,147	\$1,042,013
Big 10	\$887,990	\$931,756	\$1,030,575	\$1,069,684	\$1,188,915	\$1,031,846
AAU Institutions	\$733,364	\$813,985	\$934,958	\$1,059,907	\$1,505,523	\$1,022,001

**Total cash compensation summary data only reflects data from the CUPA-HR Executive Survey; CUPA-HR Administrators Survey does not collect this data.*

EMPLOYMENT AGREEMENT

This Agreement is entered into this ___ day of March, 2024, between Regents of the University of Minnesota (“University”) and Rebecca Cunningham (“President”). The parties hereby agree as follows:

1. Appointment

The University appoints and employs President to serve as President of the University, under the policies, supervision, and direction of the Board of Regents (“Board”), commencing on July 1, 2024, and continuing through June 30, 2029 (the “Term of Employment”), subject to the terms and provisions of this Agreement. President accepts and agrees to such employment.

Prior to July 1, 2024, the parties expect the President will serve in a consulting role with specific duties and terms to be determined separately between the parties.

2. Duties and Responsibilities.

A. President agrees to faithfully, industriously, and with maximum application of experience, ability, and talent devote full-time attention and energies to the duties of President of the University. President shall perform all duties as required by law, by this Agreement, and by custom and practice to be performed by a university president, including but not limited to:

1. Administration of the affairs of the University of Minnesota consistent with Board policy and direction.
2. Long-range planning, budget formulation, and chief executive supervision of the University.
3. Institutional, faculty, and educational leadership and management.
4. Fostering positive external relationships with the federal government, executive branch, the legislature, and local government.
5. Fundraising, development, public and alumni relations.

B. President shall not render services of any professional nature to or for any person or firm for remuneration other than to the University and the Board, and shall not engage in any activity that may be competitive with or adverse to the interests of the University. This includes serving as a member of the Board of Directors for any other organization, for profit or not for profit, absent Board approval.

C. President shall abide by all Board and University policies applicable to President’s conduct throughout President’s University employment.

3. Appointment as Faculty Member.

President shall be eligible for appointment as a tenured full professor in an academic unit to be determined through consultation between the President, the Board, and other appropriate University administrators with such appointment to occur on or prior to July 1, 2024. Any such appointment is subject to the Board Policy *Faculty Tenure*, including requirements for faculty approval. President will not receive any compensation for the faculty appointment while serving as President.

4. Salary.

As compensation for the President's services as President under this Agreement, the University will pay President an annual salary of nine hundred seventy-five thousand dollars (\$975,000.00). The President shall receive annual increases to annual salary equal to the greater of (i) the increase provided to other employees in the Professional and Administrative (P&A) classification and (ii) three and one-half percent (3.5%). References to the President's salary hereunder shall be as increased as set forth in this Section 4. The salary will be paid in accordance with regular University payroll practices. The salary is subject to furloughs, pay freezes, salary reductions or other adjustments in the same manner as applied to other senior leadership employees at the University.

5. Supplemental Retirement Contributions.

The following amounts shall be contributed to the University of Minnesota Optional Retirement Plan or, to the extent such contribution exceeds contribution limits for that plan, to the University of Minnesota 415(m) Retirement Plan, when such amounts vest:

- A. \$120,000 vesting on June 30, 2025;
- B. \$120,000 vesting on June 30, 2026;
- C. \$140,000 vesting on June 30, 2027;
- D. \$145,000 vesting on June 30, 2028;
- E. \$150,000 vesting on June 30, 2029.

The University will deposit these funds each year on the vesting date, or the next business day immediately following the vesting date. Except as otherwise stated in this Agreement, President must have remained continuously employed as President of the University under this Agreement through the vesting date in order to qualify for any payment under this Section. In the event of President's death, permanent disability, termination without Cause or resignation with Good Reason, the University shall contribute a pro rata share of the unvested funds for the year of the event consistent with the date of death, permanent disability, termination without Cause or resignation with Good Reason.

6. Employee Benefits.

President shall be eligible for the regular employee benefits provided to University academic professional and administrative employees, whether such benefits are now in effect or hereafter adopted or amended, including but not limited to:

- A. Faculty retirement plans, including optional retirement plans (contributions are subject to plan requirements, including employee matching obligations; the maximum allowed contribution under the faculty retirement plan is subject to change based upon IRS regulation.;
- B. Medical and dental insurance; and
- C. Life and disability insurance.

All benefits shall be available and provided in accordance with University policy. President shall also be eligible for any other benefit available to senior administrators of the University, and any other prerequisites approved by the Board.

7. Housing.

The University will provide President with housing in connection with President's employment.

A. As a condition of employment and for the sole benefit and convenience of the University in having the Office of President efficiently discharged, President is required to occupy Eastcliff, the University's presidential residence, as President's personal residence and to use Eastcliff for University related business and entertainment on a regular and continuing basis. The University will provide and pay for all maintenance, repairs, utilities, cleaning services, insurance (other than for President's and President's family's personal property), grounds keeping and landscaping ("Housing Matters") for Eastcliff. With regard to furnishings, the University will provide, pay for, and maintain furnishings for the public areas of Eastcliff. For the private residence areas, the University will make available furnishings from its existing inventory of Eastcliff furnishings which President may elect to use. (The University makes no representations regarding the nature or extent of that inventory.) Otherwise, President is responsible for furnishings for the private residence areas.

B. The parties recognize and acknowledge that Eastcliff will be unavailable as a residence for the President on July 1, 2024, and for an undetermined period thereafter. During the time Eastcliff is unavailable, housing will be provided at another furnished residence arranged by the University, or in the form of a housing allowance (with the University being responsible for providing and paying for all Housing Matters for such other residence), holding the President harmless for any resulting income taxes.

C. If at any time during the term of this Agreement the University no longer requires President to occupy Eastcliff, or if Eastcliff is otherwise no longer available as the Presidential Residence, then housing will be provided at another residence arranged by the

University or in the form of a housing allowance (with the University being responsible for providing and paying for all Housing Matters for such other residence), holding the President harmless for any resulting income taxes. Any such decision will be made at the University's discretion, after consultation with President, and with no less than ninety (90) days notice to President.

D. During any period when housing is provided at Eastcliff, or at another residence arranged by the University, President and President's family will vacate the residence not later than thirty (30) days following the effective date of any termination of President's employment under this Agreement. If housing is being provided through a housing allowance, the housing allowance will continue for thirty (30) days following any termination of President's employment under this Agreement, holding the President harmless for any resulting income taxes. The University shall pay for all reasonable moving expenses between residences as set forth in this Section 7 during the Term of Employment and in connection with the termination of President's employment under this Agreement by the University without Cause or resignation by the President with Good Reason, holding the President harmless for any resulting income taxes.

8. Expenses.

A. Beginning July 1, 2024, the University will pay or reimburse President's reasonable and necessary expenses in accordance with University and/or Board policy, procedures, and practice. The following provisions also apply to expense reimbursement:

1. The University will reimburse President for hospitality and travel expenses incurred by President and President's spouse in connection with recruiting, donor relations, University outreach, non-institutional professional memberships, and other official duties conducted on behalf of the University.
2. The University will provide President with a mileage and parking allocation of \$100 each month, to be included in President's bi-weekly salary, to cover all mileage and parking expenses for President's personal vehicle(s) incurred in the course of official duties. This payment is provided in lieu of reimbursement under the University policy regarding mileage and parking reimbursement (i.e., President does not qualify for reimbursement for mileage or parking under that policy).

B. In order to receive reimbursement for any expense, President must honor and abide by all rules, policies, procedures, and practices regarding record-keeping, documentation, timely submission, and proper approval of expenses, as established by the University and/or the Board.

9. Evaluation.

Throughout the Term of Employment, the Board will evaluate President's performance on an annual basis through its presidential performance review process and will have ongoing discussions with President concerning President's goals, objectives, and accomplishments. To aid the Board in its evaluation, the President agrees to furnish to the Board the information, reports, and other materials required as part of the review process, and other material requested by the Board. The review will be conducted in accordance with the requirements of the Minnesota Open Meeting Law.

10. Termination by the University for Cause.

A. Notwithstanding anything to the contrary herein contained, the University may terminate President's employment under this Agreement for "Cause." For purposes of this Agreement, "Cause" shall mean:

1. The conviction of a felony (or a plea of nolo contendere) under the laws of the United States or any state thereof or conviction of a crime outside of the United States that would be classified as a felony in the United States or the state of Minnesota;
2. The conviction of any other crime involving fraud, intentional dishonesty and the personal enrichment of the President at the expense of the University;
3. Willful failure or refusal to perform the lawful and ethical directives or instructions of the Board which continues more than thirty (30) days after written notice thereof has been given by the Board to the President;
4. A material breach of this Agreement by the President, including gross neglect of duties or willful violation of the covenants contained in this Agreement, that substantially harms the University and that is not cured to the Board's reasonable satisfaction within thirty (30) days after the Board delivers written notice of such breach to the President, setting forth the details of the breach in reasonable detail;
5. Engagement in fraud or willful misconduct against the University that is materially injurious to the University and breaches the President's fiduciary duties to the University.

In the event of termination under this provision, the Chair of the Board shall discuss the matter with President and provide a letter indicating the action taken. No other requirement of University policy or procedure shall apply. Any action under this provision is subject to the University

grievance procedure, provided that the only potential remedy shall be monetary in an amount not to exceed one year of salary at the rate in effect as of the date of the notice of termination.

11. Termination by the University without Cause, Resignation by the President with Good Reason and Expiration of the Employment Term.

A. The University may terminate the President's employment under this Agreement without Cause by giving written notice to President, at which time on the date specified in the notice President's appointment as President shall end and the President may resign with Good Reason as set forth in the definition of Good Reason. In addition, the President's employment under this Agreement shall terminate upon the expiration of the Term of Employment.

B. If the President's employment under this Agreement terminates under this Section 11, President may elect to receive severance pay, or to return to the faculty in the unit where President has tenure. If President does not have tenure at the time of the termination, then President will only be eligible for severance pay.

1. If President returns to the faculty, President's faculty salary will be set at the average salary rate for same rank faculty in the academic unit where President has tenure (the "Return to Faculty Salary"). President shall be entitled to a twelve (12) month leave for the purpose of preparing to return to the faculty. During the leave, President will be paid at the Return to Faculty Salary. President's faculty appointment will be a nine (9) month, "B Term" appointment. President will be eligible for future salary increases in accordance with the regular salary policies and procedures for faculty in the academic unit. President will receive the standard faculty employee benefits package. President will also receive other academic supports (e.g., research support, office space, administrative support, etc.) as are typically provided to new faculty of President's experience and rank in the academic unit. Once President returns to the faculty, President's appointment will be governed by the Board policy *Faculty Tenure*, and by the other regular University policies and procedures applicable to faculty.
2. If President chooses not to return to the faculty, the University shall provide President with severance in an amount equal to one-year of President's salary as of the effective date of the termination, paid in a lump sum amount within thirty (30) days after termination of the President's employment as President, and President shall relinquish all of President's University appointments, as well as President's tenure. In addition, following the termination of the President's employment under this Section 11.B.2., the University shall provide President with a lump sum payment equal to twelve (12) months of COBRA continuation coverage premiums based upon President's

coverage level as of the employment end date that President may apply to COBRA continuation premiums, holding the President harmless for any resulting income taxes.

- C. Any termination decision by the University under this section is final, and is not subject to grievance.
- D. “Good Reason” shall mean that, without the President's prior written consent, there is a material breach by the University of this Agreement. Prior to a resignation with Good Reason, the President must (i) provide the University with written notice of the reason or reasons for Good Reason not more than ninety (90) days after the initial existence of the condition or conditions giving rise to Good Reason, (ii) the grounds for Good Reason are not corrected by the University within thirty (30) days after its receipt of the written notice from the President and (iii) the President resigns as President with Good Reason within thirty (30) days after the end of the University's correction period.

12. Termination by President Without Good Reason, Death and Disability.

A. President may terminate President’s appointment without Good Reason (i.e., resign without Good Reason) by providing ninety (90) days written notice to the University. President shall be responsible for aiding and cooperating in any transition to a new President to the extent requested by the Board. Except as otherwise specifically addressed herein, all University duties and obligations towards President under this Agreement shall cease as of the effective date of any termination under this paragraph; provided, that the President shall be entitled to join the faculty with payment at the Return to Faculty Salary.

B. If President dies, or if President becomes unable to perform one or more essential functions of President’s position, with or without reasonable accommodation, for ninety (90) continuous days, President’s employment shall terminate immediately, but President’s salary shall continue to be paid to President or President’s estate for six (6) months following such termination; provided, however, that the foregoing shall not limit President’s rights under any applicable disability insurance coverage, nor shall this provision in any way limit the authority of the Board to designate an acting President in the event of the disability of President as determined by the Board pursuant to its bylaws.

13. Moving Expenses.

The University shall reimburse President for reasonable moving and travel expenses associated with President’s and President’s family’s relocation to Minnesota. The parties recognize and acknowledge that the move might occur in stages. All reimbursement under this Section will be subject to approval by the Chair of the Board, as well as the requirements of University policy applicable to moving expenses.

14. Notices.

All notices and other communications described in or regarding this Agreement shall be in writing, and shall be personally delivered or sent via certified mail, return receipt requested, to the parties at the following addresses:

- A. For the University: to the Secretary of the Board of Regents, 600 McNamara Alumni Center, 200 Oak Street S.E., Minneapolis, MN 55455;
- B. For President: to President, 202 Morrill Hall, 100 Church Street S.E., Minneapolis, MN 55455 and to her home address as set forth in the records of the University.

15. Contract Review

The parties agree that within sixty (60) days of the end of contract year four they will engage in a good faith review of the contract terms and provisions, including but not limited to the Term of Employment. Neither party is obligated to make or accept any changes to the Agreement in connection with this review.

16. Entire Agreement.

This Agreement constitutes the entire understanding of the parties hereto, and supersedes any and all prior or contemporaneous representations or agreements, whether written or oral, between the parties and cannot be changed or modified unless in writing signed by the parties.

17. Governing Law.

This Agreement shall be interpreted and construed in accordance with the laws of the State of Minnesota, which shall be the forum for any lawsuit arising from or incident to this Agreement.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the day and year first written above.

PRESIDENT

Rebecca Cunningham

Dated: _____

REGENTS OF THE UNIVERSITY OF MINNESOTA

By: _____

Janie Mayeron
Chair of the Board of Regents

Dated: _____

By: _____

Brian R. Steeves
Corporate Secretary of the
Board of Regents

Dated: _____



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Presidential Conflicts of Interest

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Brian Steeves, Executive Director & Corporate Secretary

PURPOSE & KEY POINTS

The purpose of this item is to act on proposed amendments to Board of Regents Policy: *Institutional Conflict of Interest* related to presidential conflicts of interest. The proposed off-cycle amendments are the result of committee feedback from the December 2023 Governance & Policy Committee. The amendments were subsequently presented for review at the February 2024 meeting of the Governance & Policy Committee.

As stated in Board of Regents Policy: *Institutional Conflict of Interest*, the Board reserves to itself the authority to “review and approve plans for managing, reducing, or eliminating institutional conflicts of interest” involving the president. Currently, the same process that is used for other University officials is used for the president. The proposed amendments establish an independent process for reviewing institutional conflicts of interest involving the president by creating a Presidential Conflict Review Panel. The panel would be convened by the Board chair as needed and the Board chair would appoint individuals as voting members in the following categories:

- One Regent serving as the chair
- One additional Regent
- The chief auditor
- The chair of the University Senate Consultative Committee
- A community member

The panel would be advised by the Office of the General Counsel, in consultation with outside counsel as deemed appropriate, and the Office of Institutional Compliance. The panel would receive staff support from the University Conflict of Interest Program in coordination with the Office of the Board of Regents.

Additional amendments are also included to align with current practice. They include revising the process for financial disclosure statements for the president, general counsel, executive director and corporate secretary, and the chief auditor. The president’s chief of staff has also been added back to the list of University officials.

The proposed amendments were developed in collaboration with the Office of Institutional Compliance, the Office of Internal Audit, the Office of the General Counsel, and the Office of the Board of Regents.

BACKGROUND INFORMATION

Board of Regents Policy: *Institutional Conflict of Interest* was last comprehensively reviewed and amended in 2017.

As defined by the policy an *institutional conflict of interest* is “a situation in which the University’s research, teaching, or outreach mission activities, or its institutional reputation may be compromised or appear to be compromised because of an external financial or business relationship held at the institutional level that may bring financial gain to the institution, any of its units, or the individuals covered by this policy.”



BOARD OF REGENTS POLICY: *Institutional Conflict of Interest*

SECTION I. SCOPE.

This policy governs institutional conflict of interest at the University of Minnesota (University) and applies to members of the Board of Regents (Board), University officials, department/unit heads, and other individuals as required by administrative policies and procedures.

SECTION II. DEFINITIONS.

Subd. 1. Institutional Conflict of Interest.

Institutional conflict of interest shall mean a situation in which the University's research, teaching, or outreach mission activities, or its institutional reputation may be compromised or appear to be compromised because of an external financial or business relationship held at the institutional level that may bring financial gain to the institution, any of its units, or the individuals covered by this policy.

Subd. 2. University Official.

University official shall mean persons holding the following positions, including those holding these positions in a temporary capacity:

- (a) Associate Vice President
- (b) Chancellor
- (c) Chief Auditor
- (d) Chief Compliance Officer
- (e) Dean
- (f) Director of Intercollegiate Athletics, Twin Cities campus
- (g) Executive Director and Corporate Secretary
- (h) Executive Vice President and Provost
- (i) General Counsel
- (j) President
- ~~(j)~~(k) President's Chief of Staff
- ~~(k)~~(l) Senior Vice President for Finance and Operations
- ~~(l)~~(m) University Librarian and Dean of Libraries
- ~~(m)~~(n) Vice President

SECTION III. GUIDING PRINCIPLES.

The following principles shall guide the University in addressing institutional conflict of interest:

- (a) Because it is critical to the mission and reputation of the University to maintain the public's trust, University research, teaching, outreach, and other activities must not be compromised or perceived as biased by financial and business considerations.
- (b) Because of its numerous and complex relationships with public and private entities, the University must be aware of any relationships involving financial gain that may compromise or appear to compromise its integrity.
- (c) The University shall establish and maintain an oversight process to manage, reduce, or eliminate institutional conflict of interest.

SECTION IV. RESERVATION OF AUTHORITY.

The Board reserves to itself the authority to review and approve plans for managing, reducing, or eliminating institutional conflict of interest involving:

- (a) external relationships with an unusually significant financial impact that present a potential conflict;
- (b) potential conflicts involving the president;
- (c) potential conflicts that raise serious policy issues or have a significant public impact on the mission and reputation of the University; or
- (d) potential conflicts arising in matters that otherwise require Board review and action under Board of Regents Policy: *Reservation and Delegation of Authority*.

~~In these instances of conflict of interest, the president shall consult with the Board.~~

SECTION V. PRESIDENTIAL CONFLICT REVIEW PANEL.

Subd. 1. Role of the Presidential Conflict Review Panel.

~~If there is an institutional conflict of interest involving the president, the Presidential Conflict Review Panel shall review the institutional conflict of interest and develop an appropriate conflict management plan for approval by the Board. The panel shall be appointed by the Board chair and meet as needed.~~

Subd. 2. Membership.

~~When there is need for the Presidential Conflict Review Panel to review an institutional conflict of interest involving the president, the Board chair shall convene the panel and appoint voting members comprised of one Regent serving as the chair, an additional Regent, the chief auditor, the chair of the Senate Consultative Committee, and a community member. The panel shall be advised by the Office of the General Counsel, in consultation with outside counsel as deemed appropriate, and the Office of Institutional Compliance. The panel shall be staffed by the University Conflict of Interest Program in coordination with the Office of the Board of Regents (OBR).~~

Subd. 3. Procedure.

~~When reviewing the institutional conflict of interest, the Presidential Conflict Review Panel shall be guided by Section III of this policy. The Presidential Conflict Review Panel shall consider if the institutional conflict of interest can be managed, and if so, shall recommend a conflict management plan to the Board, taking into account fiduciary duties of loyalty and commitment, actual and perceived conflicts of interest, the mission and reputation of the University, and other public responsibilities of the Board and president.~~

~~Presidential Conflict Review Panel procedures shall be on file in the OBR.~~

SECTION VI. ASSURANCE, DELEGATION OF AUTHORITY, AND REPORTING.

The president or delegate shall:

- (a) implement an oversight process and administrative policies and procedures to address institutional conflict of interest and to identify situations in which institutional conflict of interest may arise;
- (b) recommend and implement plans to manage, reduce, or eliminate institutional conflict of interest;
- (c) develop and present conflict of interest plans to the Board for review and action as required under Section IV, (a), (c), and (d);
- (d) ensure that individuals covered by this policy who act on behalf of the institution adhere to these policies and procedures, follow applicable conflict management plans, and do not engage in activities in which there is an actual conflict of interest; and
- (e) report to the Board annually all institutional conflict of interest matters that do not meet the thresholds identified in Section IV.

SECTION VII. DISCLOSURES.

Subd. 1. Regents.

Regents shall file a financial disclosure statement annually and report conflicts of interest as required by Board of Regents Policy: *Code of Conduct for Members of the Board of Regents*.

Subd. 2. University Officials.

University officials shall, upon appointment and annually, file a financial disclosure statement with the president or delegate, disclosing significant economic interests and how those interests may relate to their institutional responsibilities. Such disclosure shall be made in addition to any reporting requirement for individual conflicts of interest and shall be approved by the president or delegate. The following University officials shall file their financial disclosure statement with the Office of the Board of Regents for approval by the Board chair: president, general counsel, executive director and corporate secretary, and chief auditor.

Subd. 3. Department/Unit Heads.

Annually and under circumstances described in administrative policy, department/unit heads shall disclose relevant financial and business interests by filing a *Report of External Professional Activities*.

Subd. 4. Other Individuals.

The president or delegate may designate other individuals who shall file a financial disclosure statement.

REVISION HISTORY

Adopted: June 10, 2005

Amended: July 11, 2012; October 13, 2017

Technical Correction: March 31, 2016; October 13, 2017; January 28, 2020; February 14, 2020; February 10, 2023

Last Comprehensive Review: 2017

Supersedes: Financial Disclosure for Senior University Officials, Dated November 10, 1995



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Board of Regents Policy: *Reservation and Delegation of Authority*

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

This is a report required by Board policy.

PRESENTERS: Brian Steeves, Executive Director & Corporate Secretary

PURPOSE & KEY POINTS

The purpose of this item is to review proposed amendments to Board of Regents Policy: *Reservation and Delegation of Authority*. The proposed amendments are the result of a comprehensive review of the policy using principles developed by the Office of the Board of Regents (included below) along with multiple discussions with the Governance & Policy Committee. The amendments focus primarily on the Board’s approval thresholds and are outlined in the docket. Based on the committee’s feedback, the Office of the Board of Regents worked with the administration to draft the proposed amendments.

Since the Governance & Policy Committee’s initial review of proposed changes at the February 2024 meeting, the following adjustments have been made (they are highlighted in gold in the summary document included in the docket):

- Article I, Section IV, Subd. 1: Modify new letter (e) from “Division I Head Coaches” to “Division I Head Coaches of the following sports: Football, Men’s and Women’s Basketball, Men’s and Women’s Hockey, Volleyball” and keep current letter (k)/new letter (l).
- Article I, Section VII, Subd. 6: Added the following to the end of the subdivision – For purposes of this subdivision, value shall include both the base term and any optional contract extensions.
- Article I, Section VII, Subd. 7: Added new subdivision as follows – The Board reserves to itself, or to one of its committees, authority to (a) approve amendments to individual purchases of goods and services previously approved by the Board when the amendment will increase the value of the agreement by 30% or more, or (b) existing individual purchases of goods and services that were not previously approved by the Board when the value increases to \$5,000,000 or more. For purposes of this subdivision, value shall include both the base term and any optional contract extensions.
- Article I, Section VIII, Subd. 2: Modified this section to clarify that the \$1 million annual threshold is for rent in any year, if a lease term exceeds 10 years, or if the total value is \$5 million or more.
- Article I, Section XI, current Subd. 5/new Subd. 4: Clarified that items under this provision would come to the Board for approval. Also added the following language – ...when they

raise unusual questions of public interest or public policy or have a significant impact on the University's mission.

No other changes were made to the proposed amendments.

BACKGROUND INFORMATION

Board of Regents Policy: *Reservation and Delegation of Authority* is a cornerstone policy within the Board's policy portfolio. It defines on a fundamental level the authorities that are reserved to the Board and the authorities that are delegated to other individuals (e.g. Board officers, president, general counsel). *Reservation and Delegation of Authority* acts as a catalog—indexing the areas where the Board has reserved authority but not how those authorities are implemented. Other Board policies provide those implementation details in alignment with the reserved authority defined in *Reservation and Delegation of Authority*.

The policy was last comprehensively reviewed in 2018.

Principles to Guide Review

- Strengthen public confidence in University decision-making.
- Ensure the Board's ability to carry out its fiduciary and oversight duties while focusing on consequential items.
- Continue alignment, clarity, and accountability, while avoiding surprises that have the potential to create public relations risks.
- Use a risk-based approach to consider threshold levels.

SUMMARY OF POTENTIAL CHANGES TO BOARD APPROVAL THRESHOLDS

Threshold	Policy Reference	Current Threshold	Proposed Change	Notes
Fundamental Planning Documents	Art. I, Sec. I, Subd. 2.	The Board reserves to itself authority to ensure constitutional and institutional autonomy, to approve the University's mission and vision, to set the overall direction of the institution, including the adoption of fundamental plans for the educational, financial, and physical development of the University, and to declare a fiscal emergency.	Modify “fundamental plans” to “fundamental planning documents” and add after “of the University” the following: ...for the educational, financial, and physical development of the University <u>as defined by Board of Regents Policy: Board Operations and Agenda Guidelines.</u>	The “fundamental plans” described in this subdivision are also articulated in Board of Regents Policy: <i>Board Operations and Agenda Guidelines</i> . This change aligns the two policies and provides a direct reference to them.
Reports to the State of Minnesota	Art. I, Sec. I, Subd. 7	The Board reserves to itself authority to approve and submit any report to the State of Minnesota that impacts the University's autonomy or addresses the performance of the University and/or its major initiatives. All other reports to the State of Minnesota that fall outside these criteria shall be provided to the Board upon submission to the state.	After “fall outside these criteria” add the following: All other reports to the State of Minnesota that fall outside these criteria <u>and report on the University</u> shall be provided to the Board upon submission to the state.	This change would seek to refine the types of reports that are provided to the Board to only those reports about the University. It would exclude reports where members of the University community are using their expertise to create reports about research topics of public interest to the state.
Appointments	Art. I, Sec. IV, Subd. 1	(a) Chancellor (b) Chief Auditor (c) Dean (d) Division I Director of Intercollegiate Athletics (e) Executive Vice President and Provost (f) General Counsel (g) Senior Vice President for Finance and Operations (h) University Librarian and Dean of Libraries (i) Vice Chancellor for Academic Affairs (j) Vice President (k) Such other administrative positions as the Board may specify from time to time.	Add “Division I Head Coaches of the following sports: Football, Men’s and Women’s Basketball, Men’s and Women’s Hockey, Volleyball”, eliminate Art. I, Sec. XI, Subd. 4.	Art. I, Sec. XI, Subd. 4. was added during the last comprehensive review of the policy in 2018 to ensure that employment agreements for highly salaried employees were presented for Board review and approval. Since that provision has been implemented, the only positions that have triggered that threshold are either Division I head coaches or the offensive and defense coordinators for the Twin Cities campus Football team. The threshold has also created implementation questions based on the current drafting of the threshold. To simplify this process, the recommendation is to name the positions that the Board wishes to approve, as it does with senior leaders, instead of creating a threshold based on a dollar amount or buyout amount. Based on the committee’s feedback, the current proposal includes those Division I head coaching positions that have triggered Board approval since 2018 with the addition of Women’s Hockey.

Rows shaded in gold were modified based on feedback from the Governance & Policy Committee

Threshold	Policy Reference	Current Threshold	Proposed Change	Notes
Systemwide Enrollment Plan	New	New	Add the following to Art. I, Sec. V, Subd. 6: The Board reserves to itself, or to one of its committees, authority to approve a systemwide enrollment plan and amendments thereto.	Currently, campus enrollment plans have come to the Board for approval but are not included in <i>Reservation and Delegation of Authority</i> . The proposed change would align with current practice while anticipating the use of a systemwide enrollment plan instead of individual campus plans going forward.
Purchase of goods and services	Art. I, Sec. VII, Subd. 6	\$1 million	Increase the threshold to \$5 million and add the following language: For purposes of this subdivision, value shall include both the base term and any optional contract extensions.	Would increase the threshold for purchases and place the University roughly in the middle of the Big Ten.
Purchase of goods and services	Art. I, Sec. VII, Subd. 7	New	Add the following: The Board reserves to itself, or to one of its committees, authority to (a) approve amendments to individual purchases of goods and services previously approved by the Board when the amendment will increase the value of the agreement by 30% or more, or (b) existing individual purchases of goods and services that were not previously approved by the Board when the value increases to \$5,000,000 or more. For purposes of this subdivision, value shall include both the base term and any optional contract extensions.	The new language codifies current practice and address a gap in policy by requiring Board approval for purchases of goods and services previously approved by the Board that increase in value by 30% and when existing purchases that were not approved by the Board exceed \$ 5 million.
Purchase or sale of real property	Art. I, Sec. VIII, Subd. 1	\$1 million; located on or within 2 miles of a campus; larger than 10 acres	Increase the threshold to \$3 million	Would increase the threshold while maintaining the other provisions currently in policy.
Lease, easements, or other interests in real property	Art. I, Sec. VIII, Subd. 2	\$1 million	(a) \$1 million or more in rent in any year; (b) if a lease term exceeds ten years; or (c) if the total value is \$5 million or more	Increases the threshold while creating a tiered approach to leases, easements, or other interests in real property. Ensures that the \$1 million threshold only applies to rent payments and not leaseholder improvements, adds “lease” before “term”, and aligns the total value to other capital project thresholds.
Campus Master Plans	Art I, Sec. VIII, Subd. 5	The Board reserves to itself, or to one of its committees, authority to approve campus master plans and amendments thereto.	Update title to “campus plans”	This aligns the policy with current practice.
Multi-year capital plans	Art. I, Sec. VIII, Subd. 6	\$1 million	\$5 million	Would increase the threshold for capital projects and place the University roughly in the middle of the Big Ten.
Annual capital budgets	Art. I, Sec. VIII, Subd. 7	\$1 million	\$5 million	Would increase the threshold for capital projects and place the University roughly in the middle of the Big Ten.

Rows shaded in gold were modified based on feedback from the Governance & Policy Committee

Threshold	Policy Reference	Current Threshold	Proposed Change	Notes
Capital budget amendments	Art. I, Sec. VIII, Subd. 8	\$1 million	(a) new projects with a value of \$5,000,000 or more; (b) existing projects that were not previously approved by the Board when the total value increases to \$5,000,000 or more; (c) to Board approved projects when the total cost of the project increases by 30% or more.	Would increase the threshold to align with the other capital plans but also addresses two gaps currently in policy – when existing projects that were not approved by the Board require Board approval and when increases to Board approved projects require additional approval.
Schematic plans	Art. I, Sec. VIII, Subd. 9	\$1 million	Eliminate	The approval of schematic plans by the Board did not align with the principles to guide review of <i>Reservation and Delegation of Authority</i> .
Retirement Plan Amendments	Art. I, Sec. XI, Subd. 3.	The Board reserves to itself, or to one of its committees, authority to establish or discontinue retirement plans for University faculty and staff. For those plans sponsored by the University and governed by formal plan documents, the Board reserves to itself authority to approve amendments to those plans.	Add the following sentence to the end of the subdivision: Amendments required by federal regulations do not require Board approval but shall be reported to the Board upon implementation by the president or delegate.	Creates an exemption for federally mandated changes to the University's retirement plans but ensures that those changes are reported to the Board.
Individually negotiated employment agreements and significant amendments	Art. I, Sec. XI, Subd. 4.	The Board reserves to itself, or to one of its committees, authority to approve individually negotiated employment agreements, and significant amendments thereto, when such agreements have a total value of more than \$1,000,000. For purposes of this subdivision, total value shall mean the potential amount due to the employee if the University terminated the employment agreement without cause. For faculty positions as defined by Board of Regents Policy: <i>Faculty Tenure</i> , this subdivision only applies when the faculty member's first year compensation is set at more than \$1,000,000, or when individually negotiated terms of employment create a potential amount due to the faculty member of more than \$1,000,000 if the faculty member's appointment were terminated.	Eliminate	See Appointments above.

Rows shaded in gold were modified based on feedback from the Governance & Policy Committee

Threshold	Policy Reference	Current Threshold	Proposed Change	Notes
Employee Agreements and Severance Agreements	Art. I, Sec. XI, Subd. 5.	The Board reserves to itself, or to one of its committees, authority to review individually negotiated employee severance agreements of unusual importance or significance.	Clarify that items under this provision require Board approval. After “individually negotiated employee” add the following: The Board reserves to itself, or to one of its committees, authority to review individually negotiated employee agreements or severance agreements of unusual importance or significance <u>when they raise unusual questions of public interest or public policy or have a significant impact on the University’s mission.</u>	See Appointments above. Like severance agreements, this change would create a directive that the president seek Board approval for any employment agreements that raise unusual questions or have a significant impact on the University’s mission. It creates a proactive approach that could be used by Regents or the president to identify employment or severance agreements that would not otherwise come to the Board without the Board having taken previous action as required by Article I, Section IV. Subd. 1 current letter (k)/new letter (l). This language aligns with the “catch-all” approval language included in Art. I, Sec. I, Subd. 6.
Chief Auditor Adjustment	Art. II, Sec. V.	The chief auditor reports to the Board and may perform audits at the request of the president. By invitation, the chief auditor may serve on the president’s cabinet.	Revise to: The chief auditor reports to the Board and may perform audits at the request of the president. By invitation, the chief auditor may serve <u>participate</u> on the president’s cabinet.	This aligns with amendments to the Office of Internal Audit Charter that were made in response to feedback from the Audit & Compliance Committee and approved by the Board at the October 2023 meeting.

Rows shaded in gold were modified based on feedback from the Governance & Policy Committee



BOARD OF REGENTS POLICY: *Reservation and Delegation of Authority*

ARTICLE I **RESERVATION OF AUTHORITY**

SECTION I. GENERAL RESERVATIONS OF AUTHORITY.

Subd. 1.

The Board of Regents (Board) reserves to itself all authority necessary to carry out its legal and fiduciary responsibilities under the University Charter, the Constitution of the State of Minnesota, and the Bylaws of the Board of Regents (Board Bylaws)~~Board of Regents (Board) Bylaws~~. This reservation specifically includes all authority to enact laws and policies for the governance of the University of Minnesota (University) and to issue Board directives to executive officers and employees. The Board's reserved authority shall be exercised consistent with the University Charter, the Constitution of the State of Minnesota, Board Bylaws, and relevant Board policies.

Subd. 2.

The Board reserves to itself authority to ensure constitutional and institutional autonomy, to approve the University's mission and vision, to set the overall direction of the institution, including the adoption of fundamental plans-planning documents for the educational, financial, and physical development of the University as defined by Board of Regents Policy: Board Operations and Agenda Guidelines, and to declare a fiscal emergency.

Subd. 3.

No authority that the Board reserves to itself in this policy shall be exercised by any other person or body unless expressly authorized by Board policy or directive.

Subd. 4.

The authority of the Board resides only with the Board as a whole and not in its individual members, except as the Board itself may have delegated specific authority to one of its members or one of its committees.

Subd. 5.

The Board reserves to itself authority to approve the use, and revocation of the use, of its corporate name or any abbreviated name, including *University of Minnesota*, by any non-University person or entity, consistent with Board policies. The Board also reserves authority over the removal of the corporate name

or any abbreviated name from the name of any University campus, college, school, division, or unit, consistent with Board policies.

Subd. 6.

The Board reserves to itself authority to approve any matter delegated to the president in Article II, Section I of this policy if it raises unusual questions of public interest or public policy, has significant impact on the University's mission, or poses a significant financial risk to the University.

Subd. 7.

The Board reserves to itself authority to approve and submit any report to the State of Minnesota that impacts the University's autonomy or addresses the performance of the University and/or its major initiatives. All other reports to the State of Minnesota that fall outside these criteria and report on the University shall be provided to the Board upon submission to the state.

SECTION II. CONDUCT OF BOARD BUSINESS.

The Board reserves to itself authority to establish procedures for the conduct of its business, create committees, set its agenda, require reports from executive officers and employees, hear appeals, and enforce its code of conduct.

SECTION III. ELECTION OF BOARD OFFICERS.

The Board reserves to itself authority to elect and remove Board officers, including the president, chair, vice chair, secretary, and treasurer.

SECTION IV. APPOINTMENT AUTHORITY.

Subd. 1.

The Board reserves to itself, or to one of its committees, authority to appoint all individuals and approve any individually negotiated terms of employment, and significant amendments thereto, for those who serve in each of the following positions:

- (a) Chancellor
- (b) Chief Auditor
- (c) Dean
- (d) Division I Director of Intercollegiate Athletics
- (d)(e) Division I Head Coaches of the following sports: Football, Men's and Women's Basketball, Men's and Women's Hockey, Volleyball
- (e)(f) Executive Vice President and Provost
- (f)(g) General Counsel
- (g)(h) Senior Vice President for Finance and Operations
- (h)(i) University Librarian and Dean of Libraries
- (i)(j) Vice Chancellor for Academic Affairs
- (j)(k) Vice President
- (k)(l) Such other administrative positions as the Board may specify from time to time.

The president shall recommend individuals for appointment to these positions, consistent with Board policies and directives, except the chief auditor.

Subd. 2.

The Board reserves to itself authority to remove University officers as provided in the University Charter. The president (a) may remove the general counsel with Board approval and (b) may remove any other individuals appointed under subd. 1 of this section, except the chief auditor.

Subd. 3.

The Board reserves to itself, or to one of its committees, authority to appoint members of the boards of University-associated foundations, institutes, committees, and other bodies, consistent with Board policies.

SECTION V. ACADEMIC MATTERS.

Subd. 1.

The Board reserves to itself, or to one of its committees, authority to grant academic degrees, grant faculty indefinite tenure, grant continuous appointments to academic professionals, and award the title faculty emeritus, consistent with Board policies.

Subd. 2.

The Board reserves to itself, or to one of its committees, authority to establish, name, and abolish colleges, academic institutes, programs, and courses of study, consistent with Board policies.

Subd. 3.

The Board reserves to itself, or to one of its committees, authority to establish tuition and student fees and approve policies and reciprocity agreements related to such matters, consistent with Board policies.

Subd. 4.

The Board reserves to itself, or to one of its committees, authority to: (a) establish and review policies relating to the conduct of research and the receipt and accounting of sponsored research funds; (b) require timely reporting to the Board of sponsored research activity; and (c) establish limits for financial support to non-University entities for the commercialization of technology, as defined by Board of Regents Policy: *Commercialization of Intellectual Property Rights*.

Subd. 5.

The Board reserves to itself, or to one of its committees, authority to approve educational policies and procedures, in consultation with the president and the faculty governance process, consistent with Board policies. This policy is not intended to alter the relationship between the Board, the University Senate, and the faculties regarding educational policies.

Subd. 6.

The Board reserves to itself, or to one of its committees, authority to approve a systemwide enrollment plan and amendments thereto.

SECTION VI. AWARDS, HONORS, AND NAMINGS.

Subd. 1.

The Board reserves to itself authority to establish and bestow awards, honors, and recognition, consistent with Board policies.

Subd. 2.

The Board reserves to itself authority to name and revoke names of University buildings and other assets, consistent with Board policies.

SECTION VII. BUDGETARY, FINANCIAL, AND INVESTMENT MATTERS.

Subd. 1.

The Board reserves to itself, or to one of its committees, authority to approve the following: annual operating budgets; the central reserves budget and minimum reserve level; and adjustments and amendments, consistent with Board policies. The Board also reserves to itself authority to approve any modifications to the central reserves budget and any expenditures from the central reserves general contingency account, consistent with Board policies.

Subd. 2.

The Board reserves to itself, or to one of its committees, authority to approve all requests for operating and capital budget appropriations from the State of Minnesota and positive or negative adjustments to the budget caused by a 1% or more change in total appropriations within a fiscal year.

Subd. 3.

The Board reserves to itself, or to one of its committees, authority to establish investment objectives, approve asset allocation guidelines, and approve the payout rate for endowment distributions.

Subd. 4.

The Board reserves to itself, or to one of its committees, authority to authorize issuance and retirement of debt and to engage debt advisers and/or underwriters, consistent with Board policies.

Subd. 5.

The Board reserves to itself, or to one of its committees, authority to accept gifts for the benefit of the University, consistent with Board policies.

Subd. 6.

The Board reserves to itself, or to one of its committees, authority to approve individual purchases of goods and services with a value ~~greater than \$1,000,000, of \$5,000,000 or more or a value anticipated to be \$5,000,000 or more~~, consistent with Board policies. For purposes of this subdivision, value shall include both the base term and any optional contract extensions.

Subd. 7.

The Board reserves to itself, or to one of its committees, authority to (a) approve amendments to individual purchases of goods and services previously approved by the Board when the amendment will increase the value of the agreement by 30% or more; or (b) existing individual purchases of goods and services that were not previously approved by the Board when the value increases to \$5,000,000 or more. For purposes of this subdivision, value shall include both the base term and any optional contract extensions.

SECTION VIII. PROPERTY, FACILITIES, AND CAPITAL BUDGETS.

Subd. 1.

The Board reserves to itself, or to one of its committees, authority to approve the purchase or sale of real property (a) with a value ~~greater than \$1,000,000, of \$3,000,000 or more~~; (b) located on or within 2 miles of a University campus; or (c) larger than 10 acres.

Subd. 2.

The Board reserves to itself, or to one of its committees, authority to approve leases of real property, easements, and other interests in real property if the initial term amount to be paid by or to the University ~~exceeds~~ is (a) \$1,000,000 or more in rent in any year; (b) if the lease term exceeds 10 years; or (c) if the value is \$5,000,000 or more.

Subd. 3.

The Board reserves to itself, or to one of its committees, authority to exercise the power of eminent domain to acquire land for University purposes.

Subd. 4.

The Board reserves to itself, or to one of its committees, authority to (a) exercise property owner rights regarding the designation, decommissioning, or demolition of historic resources; and (b) take final action on all environmental reviews of historic resources initiated by the administration for which the University is the responsible governmental unit, consistent with Board policies and applicable state and federal laws.

Subd. 5.

The Board reserves to itself, or to one of its committees, authority to approve campus ~~master~~ plans and amendments thereto.

Subd. 6.

The Board reserves to itself, or to one of its committees, authority to approve multi-year capital plans consisting of projects with a value ~~greater than \$1,000,000~~ of \$5,000,000 or more or a value anticipated to be ~~greater than \$1,000,000~~ \$5,000,000 or more if a cost estimate has not yet been established.

Subd. 7.

The Board reserves to itself, or to one of its committees, authority to approve annual capital budgets consisting of projects with a value ~~greater than \$1,000,000~~ of \$5,000,000 or more.

Subd. 8.

The Board reserves to itself, or to one of its committees, authority to approve capital budget amendments for (a) new projects with a value of \$5,000,000 or more; (b) existing projects that were not previously approved by the Board when the value increases to \$5,000,000 or more; (c) to Board approved projects and new projects when the total cost of the project increases by 30% or more ~~amendment has a value greater than \$1,000,000.~~

Subd. 9.

~~The Board reserves to itself, or to one of its committees, authority to approve project schematic plans, or significant amendments thereto, for any project or amendment with a value greater than \$1,000,000.~~

SECTION IX. LEGAL MATTERS.

The Board reserves to itself, or to one of its committees, authority to direct the president or the general counsel to settle any legal claim or initiate or appeal a lawsuit or administrative proceeding, consistent with Board policies.

SECTION X. AUDIT FUNCTION.

The Board reserves to itself authority to adopt policies regulating the audit function; approve selection of independent auditors and the chief auditor; and evaluate the performance of the independent auditor and the chief auditor. Performance review process procedures shall be on file in the Office of the Board of Regents.

SECTION XI. EMPLOYMENT AND LABOR RELATIONS.

Subd. 1.

The Board reserves to itself, or to one of its committees, authority to approve all contracts and other agreements with the exclusive collective bargaining representatives of its employees.

Subd. 2.

The Board reserves to itself, or to one of its committees, authority to approve civil service rules and annual pay and benefit plans for University employees.

Subd. 3.

The Board reserves to itself, or to one of its committees, authority to establish or discontinue retirement plans for University faculty and staff. For those plans sponsored by the University and governed by formal plan documents, the Board reserves to itself authority to approve amendments to those plans.

Amendments required by federal regulations do not require Board approval but shall be reported to the Board upon implementation by the president or delegate.

Subd. 4.

~~The Board reserves to itself, or to one of its committees, authority to approve individually negotiated employment agreements, and significant amendments thereto, when such agreements have a total value of more than \$1,000,000. For purposes of this subdivision, total value shall mean the potential amount due to the employee if the University terminated the employment agreement without cause. For faculty positions as defined by Board of Regents Policy: Faculty Tenure, this subdivision only applies when the faculty member's first year compensation is set at more than \$1,000,000, or when individually negotiated terms of employment create a potential amount due to the faculty member of more than \$1,000,000 if the faculty member's appointment were terminated.~~

Subd. 54.

The Board reserves to itself, or to one of its committees, authority to ~~review~~approve individually negotiated employee agreements or severance agreements of unusual importance or significance when they raise unusual questions of public interest or public policy or have a significant impact on the University's mission.

SECTION XII. ASSOCIATED ORGANIZATIONS.

The Board reserves to itself authority to approve the legal structure and scope of any relationship between the University and any associated organization, non-profit corporation, foundation, institute, or similar entity that substantially relies upon University resources or personnel to carry out its mission.

**ARTICLE II
DELEGATION OF AUTHORITY**

SECTION I. DELEGATION OF AUTHORITY TO THE PRESIDENT.

The Board delegates to the president authority to act as chief executive officer of the University, with such general executive management and administrative authority over the University as is reasonable and necessary to carry out the policies and directives of the Board, subject to the limitations noted in Article II, Section II below.

SECTION II. LIMITATIONS UPON PRESIDENTIAL AUTHORITY.

The authority delegated to the president is limited by the following:

- (a) the provisions of the University Charter and the Constitution of the State of Minnesota;
- (b) the provisions of *Board Bylaws*;
- (c) the provisions of Board policies and directives, including specifically Article I of this policy; and
- (d) the directive that the president shall notify the Board of any matter not otherwise addressed in this section that significantly involves the authority and role of the Board, including its fiduciary, oversight, and public accountability responsibilities.

SECTION III. DELEGATION OF AUTHORITY BY THE PRESIDENT.

Subd. 1.

Unless otherwise restricted by specific Board policies or directives, the president shall be responsible for delegating general executive management and administrative authority to other executive officers and employees as necessary and prudent, including authority to execute contracts and other legal documents. The president may condition, limit, or revoke any presidential authority so delegated.

Subd. 2.

All delegations and revocations under this section shall be in writing, name the position to whom such authority is delegated, describe the scope and limitations of such authority, and prescribe the extent to which such authority may be further sub-delegated.

Subd. 3.

All delegations and revocations under this section shall be reviewed as to form, legality, and consistency by the general counsel.

Subd. 4.

Annually, the president shall report to the Board significant changes to the delegations.

SECTION IV. DELEGATION OF AUTHORITY TO THE CHAIR AND VICE CHAIR.

The chair and vice chair of the Board shall have such authority as is authorized by *Board Bylaws* and policies and is customarily exercised by such officers of a corporation. The chair shall have authority to execute any and all instruments and documents on behalf of the Board.

SECTION V. DELEGATION OF AUTHORITY TO THE BOARD SECRETARY, TREASURER, GENERAL COUNSEL, AND CHIEF AUDITOR.

The secretary, treasurer, general counsel, and chief auditor shall have authority to perform such duties for the Board as provided by *Board Bylaws*, policies, and directives.

DRAFT for Review

The secretary shall have authority to execute such instruments and documents that would customarily devolve upon a corporate officer and are usual to that office.

The secretary and the general counsel shall have authority to accept legal service on behalf of the University.

The chief auditor reports to the Board and may perform audits at the request of the president. By invitation, the chief auditor may ~~serve~~ participate on the president's cabinet.

The chief auditor and the general counsel shall notify the Board of any matter that significantly involves the authority and role of the Board, including its fiduciary, oversight, and public accountability responsibilities, or if it raises unusual questions of public interest or public policy, has significant impact on the University's mission, or poses a significant risk to the University.

SECTION VI. CONFORMANCE WITH THIS POLICY.

Subd. 1.

Any request or demand by a Board member for action must be consistent with the written policies, rules, and regulations of the Board and the University.

Subd. 2.

No executive officer or employee of the University shall have any authority to take any action or make any representation on behalf of the University beyond the scope of, or materially inconsistent with, the authority delegated to such executive officer or employee as provided in this policy.

Subd. 3.

The secretary and the general counsel each shall have the duty to inform the Board of any existing or proposed Board policy or directive that is inconsistent with or alters the delegations of authority as provided in this policy.

REVISION HISTORY

Adopted: April 5, 2001

Amended: July 9, 2004; December 10, 2004; July 9, 2008; February 12, 2010; February 10, 2012; May 12, 2017; February 9, 2018; October 8, 2021; September 8, 2023

Technical Correction: March 1, 2012; December 11, 2013; March 31, 2016; February 10, 2017; October 13, 2017; February 14, 2020

Last Comprehensive Review: 2018

Supersedes: General Delegations Adopted October 17, 1980, Last Amended October 10, 1997.

PURCHASE OF GOODS AND SERVICES APPROVAL THRESHOLDS

Note—All data excludes construction purchases which are approved as capital projects.

Benchmarking: Purchasing Thresholds at Various Institutions

Institution	Dollar Threshold for Board Approval
Big Ten Schools	
Indiana University	No Board approvals required
Michigan State University	No Board approvals required
Northwestern University	No Board approvals required
Ohio State University	No Board approvals required
University of Iowa	No Board approvals required
University of Michigan	No Board approvals required
Rutgers University New Brunswick	\$10,000,000 or more
University of Maryland	\$5,000,000 or more
University of Wisconsin–Madison	\$5,000,000 or more
Pennsylvania State University	\$3,000,000 or more
Purdue University	\$2,000,000 or more
University of Illinois	\$1,000,000 or more
University of Nebraska–Lincoln	\$1,000,000 or more
University of Minnesota	\$1,000,000 or more
Other Comparable Institutions	
University of California–System	No Board approvals required; delegated to campus chancellors.
University of Florida	Board officer notification only for purchases > \$10,000,000
Texas A&M University	No Board approvals if purchases use a method that complies with state statute or University policy; otherwise \$500,000 threshold.
University of Texas at Austin	\$5,000,000 or more
Minnesota State Colleges and Universities	Greater than \$1,000,000

Purchases Approved by the Board of Regents, 2018–2023

Fiscal Year	Number of Purchases Annually	Dollar Amount of Purchases Annually
FY 2018	20	\$124,808,000
FY 2019	31	\$136,130,000
FY 2020	33	\$280,785,000
FY 2021	42	\$205,277,000
FY 2022	34	\$967,437,000 ⁽¹⁾
FY 2023	32	\$124,237,000
6-Year Average	32	\$306,446,000

⁽¹⁾ FY 2022 included several unusually large purchases, including:

- Aramark: TC Gopher Athletics dining (\$129,000,000)
- Chartwells: TC campus dining (\$505,000,000); Arboretum dining (\$24,000,000)
- Prime Therapeutics: Pharmacy Benefit Manager contract (\$142,677,000)

If these large purchases were excluded, the FY 2022 total would be \$166,760,000.

**Purchases Approved by the Board of Regents
Stratification of Number and Size of Purchases
6-Year Averages**

Individual Contract Values for Approved Purchases	Average Annual Number of Purchases 2018–2023	% of Total Number	Average Cumulative Value of Purchases 2018–2023	% of Total Value
\$1,000,000–\$2,000,000	13	40.6%	\$17,601,000	5.7%
\$2,000,001–\$3,000,000	5	15.6%	\$12,468,000	4.1%
\$3,000,001–\$4,000,000	3	9.4%	\$8,856,000	2.9%
\$4,000,001–\$5,000,000	1	3.1%	\$6,402,000	2.1%
\$1,000,000–\$5,000,000	22	68.7%	\$45,327,000	14.8%
\$5,000,001–\$10,000,000	4	12.4%	\$26,190,000	8.5%
\$10,000,001–\$15,000,000	2	6.3%	\$22,557,000	7.4%
\$15,000,001–\$20,000,000	2	6.3%	\$35,521,000	11.6%
\$20,000,001 and above	2	6.3%	\$176,851,000	57.7%
\$5,000,000 and above	10	31.3%	\$261,119,000	\$85.2%
TOTAL	32		\$306,446,000	

PURCHASE OR SALE OF REAL PROPERTY

Benchmarking: Purchase and Sale Thresholds at Various Institutions

Institution	Dollar Threshold for Board Approval
University of Wisconsin–Madison	Outside of/alters approved campus boundaries; agricultural land
Northwestern University	\$5 million or more for purchases; all sales
Purdue University	\$2 million or more
Indiana University	\$2 million or more
Rutgers University New Brunswick	\$2 million or more for purchases; \$1 million or more for sales
Pennsylvania State University	\$1 million or more; \$3 million if gifted property
University of Minnesota	\$1 million or more; within 2 miles of a campus; over 10 acres
University of Nebraska–Lincoln	\$250,000 or more
University of Illinois	Purchases outside campus plan boundaries; all sales or exchanges
Michigan State University	All purchases and sales
Ohio State University	All purchases and sales
University of Iowa	All purchases and sales
University of Maryland	All purchases and sales
University of Michigan	All purchases and sales

Purchase or Sale Approved by the Board of Regents, FY2018–FY2023

Fiscal Year	Number of Transactions Annually	Dollar Amount of Transactions Annually
FY 2018	7	\$33,517,833
FY 2019	5	\$56,410,430
FY 2020	10	\$112,313,000
FY 2021	4	\$28,842,500
FY 2022	1	\$1,605,000
FY 2023	14	\$31,382,502
6-Year Average	7	\$44,011,878

**Purchase or Sale Approved by the Board of Regents
Stratification of Number and Size of Transactions: 6-Year Averages**

Individual Contract Values for Approved Transactions	Number of Transactions FY2018-FY2023	% of Total Number	Cumulative Value of Transactions FY2018-FY2023	% of Total Value
below \$1,000,000	11	26.8%	\$4,466,613	1.7%
\$1,000,000-\$2,000,000	9	22.0%	\$13,215,627	5.0%
\$2,000,001-\$3,000,000	5	12.2%	\$11,840,000	4.5%
\$3,000,001-\$4,000,000	3	7.3%	\$10,888,695	4.1%
\$4,000,001-\$5,000,000	0	0.0%	\$0	0.0%
\$1,000,000-\$5,000,000	28	68.3%	\$40,410,935	15.3%
\$5,000,001-\$10,000,000	3	7.3%	\$19,280,000	7.3%
\$10,000,001-\$15,000,000	4	9.8%	\$49,970,330	18.8%
\$15,000,001-\$20,000,000	0	0.0%	\$0	0.0%
\$20,000,001 and above	6	14.6%	\$154,410,000	58.5%
\$5,000,000 and above	13	31.7%	\$223,660,330	84.7%
TOTAL	41		\$264,071,265	

**Purchase or Sale Approved by the Board of Regents
Stratification of Location and Size of Property: 6-Year Averages**

Individual Contract Values for Approved Transactions	Number of Transactions FY2018-FY2023	Within 2 miles of a campus	% of Total Transactions	Over 10 acres	% of Total Transactions
below \$1,000,000	11	5	12.2%	5	12.2%
\$1,000,000-\$2,000,000	9	4	9.8%	5	12.2%
\$2,000,001-\$3,000,000	5	4	9.8%	1	2.4%
\$3,000,001-\$4,000,000	3	3	7.4%	0	0.0%
\$4,000,001-\$5,000,000	0	0	0.0%	0	0.0%
\$1,000,000-\$5,000,000	28	16	39.0%	11	26.8%
\$5,000,001-\$10,000,000	3	2	4.9%	1	2.4%
\$10,000,001-\$15,000,000	4	2	4.9%	1	2.4%
\$15,000,001-\$20,000,000	0	0	0.0%	0	0.0%
\$20,000,001 and above	6	6	14.6%	0	0.0%
\$5,000,000 and above	13	10	24.4%	2	4.9%
TOTAL	41	26	63.4%	13	31.7%

LEASE, EASEMENTS, OR OTHER INTERESTS IN REAL PROPERTY

Benchmarking: Lease Thresholds at Various Institutions

Institution	Dollar Threshold for Board Approval
Michigan State University	Exceeds 10 years in length
Ohio State University	\$10 million or more; easements exceeding 25 years
University of Nebraska–Lincoln	\$5 million or more in total rent; term of lease exceeds 20 years
Rutgers University New Brunswick	\$2 million or more
Indiana University	\$2 million or more
University of Maryland	\$1 million or more in any year; exceeds ten years; total value \$10 million or more
University of Wisconsin–Madison	\$1 million or more in total cost or five years; allows privately owned/operated facility on state land; agricultural lands
University of Minnesota	\$1 million or more
Purdue University	\$500,000 or more in annual rent
University of Illinois	\$200,000 or more in annual rent
University of Iowa	\$150,000 or more in annual base rent (excludes taxes, CAM, utilities, etc.); over 10,000 GSF
University of Michigan	When a conflict of interest has been identified
Northwestern University	No data available
Pennsylvania State University	No data available

Leases Approved by the Board of Regents, FY2018-FY2023

Fiscal Year	Number of Transactions Annually	Dollar Amount of Transactions Annually
FY 2018	2	\$40,600,000
FY 2019	1	\$2,800,000
FY 2020	4	\$10,309,708
FY 2021	5	\$11,778,056
FY 2022	4	\$61,170,000
FY 2023	4	\$15,350,000
6-Year Average	3	\$23,667,961

Leases Approved by the Board of Regents
Stratification of Number and Size of Transactions: 6-Year Averages

Individual Contract Values for Approved Transactions	Number of Transactions FY2018–FY2023	% of Total Number	Cumulative Value of Transactions FY2018–FY2023	% of Total Value
under \$1,000,000*	1	5.0%	\$981,708	0.7%
\$1,000,000–\$2,000,000	5	25.0%	\$6,322,056	4.5%
\$2,000,001–\$3,000,000	5	25.0%	\$12,920,000	9.1%
\$3,000,001–\$4,000,000	2	10.0%	\$6,624,000	4.7%
\$4,000,001–\$5,000,000	2	10.0%	\$9,260,000	6.5%
\$1,000,000–\$5,000,000	15	75.0%	\$36,107,764	25.4%
\$5,000,001–\$10,000,000	2	10.0%	\$11,400,000	8.0%
\$10,000,001–\$15,000,000	0	0.0%	\$0	0.0%
\$15,000,001–\$20,000,000	1	5.0%	\$17,000,000	12.0%
\$20,000,001 and above	2	10.0%	\$77,500,000	54.6%
\$5,000,000 and above	5	25.0%	\$105,900,000	74.6%
TOTAL	20		\$142,007,764	

**under \$1 million reflects an amendment to an approved lease over \$1 million*

CAPITAL PROJECTS

Benchmarking: Capital Project Thresholds at Various Institutions

Institution	Dollar Threshold for Board Approval
Pennsylvania State University	\$10 million or more
University of Nebraska–Lincoln	\$5 million or more, except renewal and infrastructure
University of Iowa	\$5 million or more; equipment, furniture, and/or artwork costs excluded if they exceed 50% of the construction cost
Northwestern University	\$5 million or more
Purdue University	\$5 million or more
Rutgers University New Brunswick	\$5 million or more
University of Illinois	\$5 million or more
University of Maryland	\$5 million or more
University of Wisconsin–Madison	\$5 million or more
Michigan State University	\$3 million or more
Indiana University	\$2 million or more
University of Michigan	\$1 million or more
University of Minnesota	\$1 million or more
Ohio State University	No data available

Capital Projects Approved by the Board of Regents, FY2018–FY2023

Fiscal Year	Number of Projects Annually	Dollar Amount of Projects Annually
FY 2018	17	\$184,476,000
FY 2019	23	\$128,945,000
FY 2020	6	\$130,778,000
FY 2021	13	\$98,144,000
FY 2022	14	\$203,657,000
FY 2023	12	\$155,055,000
6-Year Average	14	\$150,175,833

**Capital Projects Approved by the Board of Regents
Stratification of Number and Size of Purchases: 6-Year Averages**

Individual Contract Values for Approved Projects	Number of Projects FY2018-FY2023	% of Total Number	Cumulative Value of Projects FY2018-FY2023	% of Total Value
under \$1,000,000	7	8%	\$5,690,000	1%
\$1,000,000-\$2,000,000	18	21%	\$26,967,000	3%
\$2,000,001-\$3,000,000	15	18%	\$35,860,000	4%
\$3,000,001-\$4,000,000	7	8%	\$23,672,000	3%
\$4,000,001-\$5,000,000	9	11%	\$38,433,000	4%
\$1,000,000-\$5,000,000	56	67%	\$130,622,000	14%
\$5,000,001-\$10,000,000	9	11%	\$64,375,000	7%
\$10,000,001-\$15,000,000	6	7%	\$68,475,000	8%
\$15,000,001-\$20,000,000	0	0%	\$0	0%
\$20,000,001 and above	13	15%	\$637,583,000	71%
\$5,000,000 and above	28	33%	\$770,433,000	86%
TOTAL	84	100%	\$901,055,000	100%

SCHEMATIC PLANS

Benchmarking: Schematic Plans Thresholds at Various Institutions

Institution	Dollar Threshold for Board Approval
Rutgers University New Brunswick	No Board approval required
Northwestern University	\$5 million
University of Wisconsin–Madison	\$5 million
University of Michigan	\$3 million
Indiana University	\$2 million, exterior only
University of Iowa	\$2 million or more; excludes utilities, grounds, razings, mechanical, electrical, restrooms, roofs, exterior envelope; excludes equipment when 50% or more of total construction budget
University of Minnesota	\$1 million or more
Michigan State University	No threshold reported
Ohio State University	No threshold reported
Pennsylvania State University	No threshold reported
Purdue University	No threshold reported
University of Illinois	No threshold reported
University of Nebraska–Lincoln	No threshold reported
University of Maryland	No threshold reported

Schematic Design Approved by the Board of Regents, FY2018–FY2023

Fiscal Year	Number of Projects Annually	Dollar Amount of Projects Annually
FY 2018	9	\$50,947,000
FY 2019	11	\$45,419,000
FY 2020	7	\$195,272,000
FY 2021	8	\$254,973,410
FY 2022	7	\$94,638,834
FY 2023	4	\$94,620,000
6-Year Average	8	\$122,345,874

**Schematic Design Approved by Board of Regents
Stratification of Number and Size of Purchases: 6-Year Averages**

Individual Contract Values for Approved Projects	Number of Projects FY2018-FY2023	% of Total Number	Cumulative Value of Projects FY2018-FY2023	% of Total Value
\$1,000,000-\$2,000,000	7	15.2%	\$11,432,000	1.6%
\$2,000,001-\$3,000,000	10	21.7%	\$23,934,660	3.3%
\$3,000,001-\$4,000,000	5	10.9%	\$18,757,000	2.6%
\$4,000,001-\$5,000,000	3	6.5%	\$13,846,000	1.9%
\$1,000,000-\$5,000,000	25	54.3%	\$67,969,660	9.3%
\$5,000,001-\$10,000,000	6	13.0%	\$50,227,034	6.8%
\$10,000,001-\$15,000,000	5	10.9%	\$60,325,000	8.2%
\$15,000,001-\$20,000,000	1	2.2%	\$16,200,000	2.2%
\$20,000,001 and above	9	19.6%	\$539,353,550	73.5%
\$5,000,000 and above	10	45.7%	\$666,105,584	90.7%
TOTAL	46		\$734,075,244	



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Reports of Committees

Review

Review + Action

Action

Discussion

This is a report required by Board policy.

PRESENTERS: Regent Janie S. Mayeron

PURPOSE & KEY POINTS

Pursuant to Board of Regents Policy: *Board Operations and Agenda Guidelines*, “The Board conducts business through meetings of the Board and its committees.... [and] Committees provide recommendations for action by the Board. Typically, standing committees have the following responsibilities:

- Recommend action on matters where the Board has reserved authority to itself as outlined in Board of Regents Policy: *Reservation and Delegation of Authority* and other Board policies;
- Provide governance oversight on topics within the committee’s purview;
- Review and make recommendations on relevant new and existing Board policies;
- Receive reports on policy-related issues affecting University departments and units;
- Receive information items (e.g., status reports on current issues of concern and administrative searches); and
- Review other items placed on the agenda by the Board chair in consultation with the president and Board vice chair.”

BACKGROUND INFORMATION

Current standing committee chairs:

- Audit & Compliance Committee – J. Farnsworth
- Finance & Operations Committee – D. Huebsch
- Governance & Policy Committee – K. Verhalen
- Litigation Review Committee – T. Johnson
- Mission Fulfillment Committee – R. Johnson

Current special committee chairs:

- Academic Health – P. Wheeler
- University Relations – B. Thao-Urabe



BOARD OF REGENTS DOCKET ITEM SUMMARY

Board of Regents

March 8, 2024

AGENDA ITEM: Resolution to Conduct Non-Public Meeting of the Board of Regents to Discuss Attorney-Client Privileged Matters

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

This is a report required by Board policy.

PRESENTERS: Douglas Peterson, General Counsel

PURPOSE & KEY POINTS

To consider a resolution to conduct a non-public meeting of the Board of Regents to discuss attorney-client privileged matters.

BACKGROUND INFORMATION

The Board reviews litigation matters and obtains legal advice regarding specific University actions and their legal consequences.



REGENTS OF THE UNIVERSITY OF MINNESOTA

RESOLUTION TO

Conduct Non-Public Meeting of the Board of Regents to Discuss Attorney-Client Privileged Matters

WHEREAS, based on advice of the General Counsel, the Board of Regents have balanced the purposes served by the Open Meeting Law and by the attorney-client privilege, and determined that there is a need for absolute confidentiality to discuss litigation strategy in particular matters involving the University of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Minn. Stat. § 13D.01, Subd. 3 and 13D.05 Subd. 3(b), a non-public meeting of the Board of Regents be held on Friday, March 8, 2024, in the Boardroom, 600 McNamara Alumni Center, for the purpose of an attorney-client privileged discussion of litigation, including the following:

- I. *In re College Athlete NIL Litigation*, No. 4:20-cv-03919 (N.D. Cal.)
- II. *Carter v. NCAA*, No. 3:23-cv-06325 (N.D. Cal.)
- III. *Hubbard v. NCAA*, No. 4:23-cv-01593 (N.D. Cal.)