

**UNIVERSITY OF COLORADO BOARD OF REGENTS**

**MINUTES OF THE REGULAR BOARD MEETING  
(Includes Committees of the Whole)**

**THURSDAY-FRIDAY, APRIL 6-7, 2017**

(Volume 89, No. 9)

**UNIVERSITY OF COLORADO DENVER**

Auraria Higher Education Center, Tivoli Student Union

**A. 9:00 a.m. - 2:00 p.m. THURSDAY, APRIL 6, 2017 CALL TO ORDER EXECUTIVE SESSION, Chair Irene Griego, presiding - Tivoli 740**

**Members present:**

Regents Irene Griego, chair, John Carson, Glen Gallegos, vice chair, Heidi Ganahl, Kyle Hybl, Jack Kroll, Steve Ludwig, Sue Sharkey, Linda Shoemaker

Also attending: President Bruce Benson; chancellors Phil DiStefano, Dorothy Horrell and Don Elliman; interim chancellor Venkat Reddy; vice presidents Leonard Dinegar, Patrick O'Rourke, Michael Lightner, Todd Saliman, Ken McConnellogue, Tanya Kelly-Bowry, Kathy Nesbitt, Johnnie Ray

**ACTION: 1. Executive Session**

Chair Griego called the meeting to order at 9 a.m.

As permitted by Colorado Revised Statute Subsection 24-6-402(3), the board discussed the following matters as announced and pursuant to the subsection as listed below:

- (b)(I) regarding CU-Boulder personnel matters.
- (b)(I) regarding CU Denver/CU Anschutz Medical Campus personnel matters.
- (b)(I) regarding UCCS personnel matters.
- (b)(I) regarding CU System personnel matters.
- (a)(II) legal advice regarding seven specific matters.
- (a)(VII) regarding naming opportunity at CU Boulder.
- (a)(I) regarding a property item at CU Boulder.

Motion by Gallegos, second by Kroll

Final Resolution: Motion adopted (9-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Shoemaker, Griego

**B. 2:30 - 5:00 p.m. THURSDAY, APRIL 6, 2017 CALL TO ORDER/PUBLIC MEETING, Chair Irene Griego, presiding - Tivoli 320ABC**

**Members present:**

Regents Irene Griego, chair, John Carson, Glen Gallegos, vice chair, Heidi Ganahl, Kyle Hybl, Jack Kroll, Steve Ludwig, Sue Sharkey, Linda Shoemaker

**Procedural: 1. Pledge of Allegiance**

### Procedural: 2. Public Comment

Lior Gorss spoke in favor of divestiture of fossil fuel companies from university investments.

### Report: 3. Chairman

Chair Griego stated that the volunteer board spends many hours at events and one-on-one meetings discussing issues with Colorado citizens, faculty, staff, students and leadership. The board represents CU at many events outside of the normal invitations received. She thanked the regents for their time and commitment to CU. A list of invitations regents received since the last regular board meeting are on BoardDocs.

She thanked students, faculty and staff for making the University of Colorado the best that it can be.

### Report: 4. President Benson

President Benson stated that the search for the UCCS chancellor successor is underway. The search committee will interview eight candidates this week. He thanked Regents Hybl and Ludwig for serving and VP Dinegar for chairing the search committee.

Benson updated the board on the legislative actions including the Free Speech bill, Long Bill, CU's capital constructions priorities, and the hospital provider fee.

Benson said that Chancellor Horrell and he a good, productive trip to Saudi Arabia and Qatar. He connected with alumni, donors, parents and some potential students.

Benson reported in the international Coursera conference hosted by CU Boulder. He is pleased with where CU is in the maturing of MOOCs. CU has 28 MOOCs with 1.6 million enrollments.

Benson and Marcy Benson attended the Masterworks Reception at the CU Anschutz Medical Campus. As you probably know, it is an exhibit of paintings from the collection of Toby and Mort Mower, who are CU donors.

Regent Sharkey read the following statement regarding SB 62 – Free Speech bill:

“This week, Governor Hickenlooper signed Senate Bill 62 into law. As you know, the University of Colorado and the Board of Regents are committed to the principles of free speech and academic freedom, both in the classroom and on the campus. Senate Bill 62 advances those concepts for universities across the state of Colorado by prohibiting universities from confining student free speech activities to "free speech zones" on campuses. It's important that student speech be allowed to occur across the university. While the University of Colorado has long recognized the ability of students to reserve spaces across campus for free speech activities and will continue to do so, this legislation codifies that principle and extends it across the state. At the same time, it allows the universities to ensure that events are scheduled and organized in a way that maintains safety and ensures that different viewpoints are heard.

When Senate Bill 62 was first introduced, the University of Colorado could not support it because it created standards that were inconsistent with existing First Amendment concepts, but Vice President Tanya Kelly-Bowry and her team worked extraordinarily with the General

Assembly to understand the issues and arrive at creative solutions that both protect free speech and maintain the integrity of the educational environment. With Tanya's great work, the bill passed with bi-partisan support.

I'd also like to thank Vice President Patrick O'Rourke, who was instrumental in both testimony on the legislation as well as working with legislators in both the House and Senate on key strategic amendments, which helped protect the University of Colorado. He did an exceptional job of navigating through the entire process at the legislature to help craft the final legislation that was passed.

I'd like to thank the sponsors of the bill, Senator Tim Neville, Representative Jeff Bridges, and Representative Stephen Humphrey; as well as Rep. Dan Pabon, for their work on the bill and their collaboration with the CU team. I'd also like to thank Senator Owen Hill, who chaired the Senate Education Committee, and Representative Mike Foote, who chaired the House Committee on State, Veteran, and Military Affairs, where these bills were heard and thoughtfully considered.

Finally, I would like to recognize Marcus Fotenos and Lindsey Nichols, both of whom supported the bill and our efforts at the Capitol. Having students who are not only involved in student government, but who are interested in good public policy is great for Colorado and a wonderful reflection upon CU."

#### **D. BOARD OF REGENTS COMMITTEES AND LIAISON ACTIVITIES REPORTS**

##### Report: 1. Regent Audit Committee - Hybl

The written report is included in agenda item.

##### Report: 2. Regents Awards Committee - Shoemaker

The written report is included in agenda item.

##### Report: 3. Capital Construction Subcommittee – Gallegos

The written report is included in agenda item.

##### Report: 4. CU Foundation Board of Directors - Hybl

The written report is included in agenda item.

##### Report: 5. Intercollegiate Athletic Committee - Carson

The written report is included in agenda item.

##### Report: 6. Strategic Planning Committee – Shoemaker

The Strategic Planning Committee completed all the campus Strategic Vision Framework Workshops and one at CU System office. In total, the committee had over 100 participants provide insight and guidance on creating a unified vision for the CU System. Next steps with the vision framework will be to draft the first iteration in April and May and receive feedback and

revisions from key stakeholders in late May. The committee anticipates bringing the board a draft copy to the June board meeting and will vote on whether to adopt the framework and discuss how to utilize the document at the July retreat.

The written report and the campuses' workshop executive summaries are included in agenda item.

#### **D. GOVERNANCE LEADERS' REPORTS**

Report: 1-3. Faculty Council Chair Ravinder Singh; Staff Council Chair Denise Thomas; Intercampus Student Forum Chair Marcus Fotenos

Submitted written reports are included in agenda item.

#### **E. CONSENT AGENDA – PERSONNEL ITEMS**

ACTION: 1. Approval of Consent Agenda

RESOLVED that the items listed on the consent agenda be approved.

Motion by Ludwig, second by Sharkey

Final Resolution: Motion adopted (9-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Shoemaker, Griego

The details of each item are included in the agenda.

- ACTION (Consent): 2. Approval of Minutes: Feb 16-17, 2017; March 27, 2017
- ACTION (Consent): 3. Sabbaticals (30) - University of Colorado Boulder
- ACTION (Consent): 4. Sabbaticals (27) - University of Colorado Denver | Anschutz Medical Campus
- ACTION (Consent): 5. 4010 Regents Circle Property Acquisition - University of Colorado Colorado Springs
- ACTION (Consent): 6. Policy 2.F Posting of Meetings - Revisions
- ACTION (Consent): 7. Policy 13.B Intercollegiate Athletics - Revisions
- ACTION (Consent): 8. Policy 14.B Use of University's Name in Advertising - Revisions
- ACTION (Consent): 9. Policy 13.E Fiscal Misconduct - Reaffirm
- ACTION (Consent): 10. Policy 13 F. Gifts Benefiting the University of Colorado - Reaffirm
- ACTION (Consent): 11. Authorization of a Seventeenth Supplemental Resolution and Documents Relating to the Issuance of the University Enterprise Refunding Revenue Bonds, Series 2017A, and the University Enterprise Revenue Bonds, Series 2017B
- ACTION (Consent): 12. Supplemental Credit Facility in the amount of \$8.7 million to the University of Colorado Colorado Springs (UCCS)
- ACTION (Consent): 13. Renaming of the Discovery Learning Center as the "Gallogly Discovery Learning Center"- CU Boulder
- ACTION (Consent): 14. Term Contract Extension for Head Women's Basketball Coach (Ali-Marie Payne) – CU Boulder
- ACTION (Consent): 15. Contract Extension-Amendment of Head Volleyball Coach (Jesse Mahoney) - CU Boulder

- ACTION (Consent): 16. Term Contract Extension for Head Men's Basketball Coach (Thomas "Tad" Boyle) - CU Boulder

**F. ACADEMIC AFFAIRS COMMITTEE, Regent Sue Sharkey, committee chair, presiding**

Report: 1. Regent Academic Affairs Ad hoc Committee - Sharkey

The written report is included in agenda item.

ACTION: 2. Name change for the Department of Applied Dentistry to the Department of Community Dentistry and Population Health, School of Dental Medicine - CU Anschutz Medical Campus

Motion by Gallegos, second by Kroll

Final Resolution: Motion adopted (9-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Shoemaker, Griego

ACTION: 3. Proposal to split the Doctor of Physical Therapy degree into two degrees, CU Anschutz Medical Campus

Motion by Kroll, second by Gallegos

Final Resolution: Motion adopted (9-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Shoemaker, Griego

**G. 4:00 p.m. REGENT DISCUSSION/UPDATES**

Information: 1. Marketing Update - VP Ken McConnellogue

**H. NOTICE OF MOTIONS**

Report: 1. Update on Laws and Policies Review Process and Timeline

- Notice of Motion: 2. Elimination of Article 8: Calendar and Commencements
- Notice of Motion: 3. Revision to Article 9: Degrees, Designations and Regent Awards
- Notice of Motion: 4. Revision to Article and Policy 4

Information is included in agenda item.

**I. 5:00 p.m. RECESS UNTIL APRIL 7, 2017**

**J. 8:30 - 10:00 a.m. FRIDAY, APRIL 7, 2017**

Host Campus Report: The Comcast Media and Technology Center

**K. 10:30 a.m. FRIDAY, APRIL 7, 2017 CALL TO ORDER/PUBLIC MEETING CONTINUES, Chair Irene Griego, presiding - Tivoli 320ABC**

**L. 10:30 a.m. REGENT DISCUSSION AND POSSIBLE ACTION ITEMS**

ACTION: 1. Acquisition of 2360 Arapahoe Avenue, Boulder, Colorado – CU Boulder

Motion by Ganahl, second by Hybl

Final Resolution: Motion adopted (9-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Shoemaker, Griego

ACTION: 2. Resolution of Support for Students Enrolled in DACA and ASSET Programs

RESOLVED that the Board of Regents affirms the following statements:

- Regent Policy 1.B states that, consistent with the legal obligations and responsibilities of the University of Colorado community, the university will “encourage and provide access to all qualified students within the university’s capacity.” The Regents of the University of Colorado affirm this guiding principle and support the continued ability of students who have earned entry into the University of Colorado to continue their education under the Deferred Action for Childhood Arrivals (DACA) and Advancing Students for a Strong Economic Tomorrow (ASSET) programs. These students have made valuable contributions to the University of Colorado, are working to achieve their goals, and will be productive members of society.
- The Regents of the University of Colorado embrace the spirit of free inquiry known as academic freedom, and, particularly, the principle codified in Article 5 of the Laws of the Regents that “fullest exposure to conflicting opinions is the best insurance against error.” We affirm that “all members of the academic community have a responsibility to protect the university as a forum for the free expression of ideas.”
- The Regents of the University of Colorado reaffirm the Guiding Principle to “promote faculty, student and staff diversity to ensure the rich interchange of ideas in the pursuit of truth and learning, including diversity of political, geographic, cultural, intellectual, and philosophical perspectives.” DACA and ASSET students uniquely contribute to the interchange of ideas that is the essence of academic freedom.
- The Regents of the University of Colorado reaffirm the Guiding Principle to “provide an outstanding, respectful, and responsive living, learning, teaching, and working environment.” All University of Colorado students, of all races, colors, genders, gender identities, gender expressions, sexual orientations, national origins, religions, political affiliations and political philosophies, ability status, veteran status, and ages are entitled to respect, in the classroom, on campus, and in the community. No student should be subjected to discrimination or a hostile learning, living, or working environment, and the Regents of the University of Colorado encourage any student, faculty member, or staff member who experiences discrimination or harassment to report it to an appropriate University of Colorado official.
- The Regents of the University of Colorado affirm Regent Policy 1.C, which requires all University of Colorado employees to conduct themselves in compliance with all applicable laws, regulations, and university policies within the lawful boundaries of those obligations, the Regents of the University of Colorado charge the President of the University of Colorado and the chancellors of each of their campuses to support safe and supportive campus environments for all our students, including dedicating appropriate campus resources to students who have been and will continue to be affected by potential changes to state and federal policies, including; educational, financial, and supportive counseling services.

Motion by Shoemaker, second by Ludwig

Final Resolution: Motion adopted (9-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Shoemaker, Griego

Following approval of the motion, Regent Shoemaker announced the establishment of The Student Relief Fund. The fund was created to extend the opportunity of a college education to students who have barriers to financial support and who suffer a legal impediment to access federal or state financial aid, including DACA students.

ACTION: 3. Refers to and charges the Board of Regents Strategic Planning Committee to oversee the development of a white paper that identifies the best practices of organizational structures in systems of higher education with multiple campuses.

RESOLVED that the Board of Regents refers to and charges the Board of Regents Strategic Planning Committee to oversee the development of a white paper that identifies the best practices of organizational structures in systems of higher education with multiple campuses. RESOLVED that the Board of Regents Strategic Planning Committee will work with the Secretary of the Board of Regents to develop a request for proposals, review the proposals, develop an appropriate scope of work, and CONSIDER RETAINING a consultant with appropriate and demonstrable experience in public systems of higher education to research and assist in the development and timely presentation of the white paper to the Regents of the University of Colorado. The request for proposals should be issued by no later than April 30, 2017 with the goal of retention of an appropriate consultant by no later than May 31, 2017. The Strategic Planning Committee shall update the Board of Regents of the status of the development of the white paper as part of its committee report at regularly scheduled Board of Regents' meetings.

Motion by Ludwig, second by Kroll

Final Resolution: Motion adopted (6-3)

Yes: Gallegos, Hybl, Kroll, Ludwig, Shoemaker, Griego

No: Carson, Ganahl, Sharkey

ACTION: 4. Resolution to Amend a Previously Approved Item - Defer Search for Vice President for Diversity, Inclusion and Retention

RESOLVED that the Board of Regents amend its September 2016 Resolution on the Vice President for Diversity, Inclusion and Retention to defer the search for this position pending additional analysis and recommendations of university's ongoing and potential programs related to diversity, inclusion and retention and what combination of efforts will have the most positive and sustainable impacts;

RESOLVED that the Board of Regents charge President Benson, through Vice President for Employee and Information Services Kathy Nesbitt and Vice President and Academic Affairs Officer Michael Lightner, in consultation with the Board of Regents, to coordinate with appropriate officials at system administration and the campuses to identify and implement initiatives to improve diversity, inclusion and retention. Vice Presidents Nesbitt and Lightner shall provide reports to the Board of Regents no less than quarterly on the status of these efforts.

Motion by Kroll, second by Hybl

Final Resolution: Motion adopted (8-1)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Griego

No: Shoemaker

**M. 11 a.m. BUDGET AND FINANCE COMMITTEE, Regent Steve Ludwig, presiding**

Information: 1. FY 2017-2018 Budget Proposal

Information is included in agenda item.

Information: 2. FY 2017-2018 Student Fee Proposal

Information is included in agenda item.

ACTION: 3. FY 2017-2018 Tuition Rates

Motion by Ludwig, second by Kroll

Final Resolution: Motion adopted (9-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Shoemaker, Griego

Information is included in agenda item.

ACTION: 4. FY 2017-2018 Compensation

Motion by Shoemaker, second by Hybl

Final Resolution: Motion adopted (8-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Ludwig, Sharkey, Shoemaker, Griego

Abstain: Kroll

Information is included in agenda item.

ACTION: 5. FY 2016-2017 University of Colorado Boulder Budget Authority

Motion by Shoemaker, second by Hybl

Final Resolution: Motion adopted (5-3)

Yes: Gallegos, Hybl, Ludwig, Sharkey, Shoemaker

No: Carson, Ganahl, Griego

Abstain: Kroll

Information is included in agenda item.

ACTION: 6. FY 2016-2017 University of Colorado Colorado Springs Budget Authority

Motion by Hybl, second by Shoemaker

Final Resolution: Motion adopted (6-3)

Yes: Gallegos, Hybl, Kroll, Ludwig, Sharkey, Shoemaker

No: Carson, Ganahl, Griego

Information is included in agenda item.

ACTION: 7. FY 2017-2018 Student Fees

Motion by Kroll, second by Gallegos

Final Resolution: Motion adopted (7-2)

Yes: Gallegos, Ganahl, Hybl, Kroll, Ludwig, Shoemaker, Griego

No: Carson, Sharkey

Information is included in agenda item.

ACTION: 8. Resolution to Issue Variable Rate Bonds and enter into an Interest Rate Swap Agreement to produce a Synthetic Fixed Rate in connection with the Refunding of the Series 2008 Bonds

Motion by Hybl, second by Carson

Final Resolution: Motion adopted (9-0)

Yes: Carson, Gallegos, Ganahl, Hybl, Kroll, Ludwig, Sharkey, Shoemaker, Griego

Information is included in agenda item.

## **N. ADJOURNMENT**

Procedural: 1. Without objection, the board adjourned at 12:45 p.m.

Procedural: 2. Next regular board meeting is scheduled for June 15-16, 2017 at UCCS

Procedural: 3. The regent retreat is scheduled for July 12-14, 2017 at the Stanley Hotel in Estes Park, CO

NOTE: Complete agenda items and materials for CU Board of Regents meetings can be located on BoardDocs: <http://www.boarddocs.com/co/cu/Board.nsf/>