



**TO:** Regent Laws and Policies Stakeholders

**FROM:** Michael Lightner, Vice President for Academic Affairs  
Maureen Durkin, Director of Academic Program and Policy Analysis

**DATE:** October 15, 2024

**RE:** Formal Review of Regent Article 5, Part B: Academic Freedom; Regent Policy 5.B: Academic Freedom; Regent Policy 5.D: Reappointment (to a tenure-track position), Tenure, and Promotion; Regent Article 7: Students (Part A: Admissions; Part B: Standards of Conduct; Part C: Academic Freedom; Part D: Student Government); Regent Policy 7.A: Admissions; Regent Policy 7.B: Standards of Conduct; Regent Policy 7.C: Academic Freedom; and Regent Policy 7.D: Student Government | **Feedback due by December 10, 2024**

### Regent Law and Policy Revision Process

In May 2024, the Regent Governance Committee approved a five-year schedule for the continuing formal review of all regent laws and policies. The regent laws and policies listed below will be under review by the regents in Spring of 2025 and are posted now for review by stakeholders, who have the opportunity to provide initial feedback by December 10, 2024. After that date, all feedback on these laws and policies will be reviewed and any changes will be incorporated into updated versions, which will be posted for additional feedback.

To send in your comments, open each “draft” policy document on the [regent law and policy website](#). Click on the feedback link in the top right corner, then complete the feedback form. We welcome and appreciate all suggestions.

#### Regent Article 5, Part B: Academic Freedom

This law was last reviewed in September 2018 and was affirmed by the Regents in July 2020.

- No proposed changes except in section 5.B.2(B) to include specific reference to APS 1043 in which independent teaching and scholarly/creative work are defined, thereby bringing clarity to who has the right to academic freedom.

#### Regent Policy 5.B: Academic Freedom

This policy was last reviewed in September 2018 and was affirmed by the Regents in July 2020.

- Proposed updates to language in section 5.B.1(C) are to make clear that faculty personnel actions shall not consider factors related to a faculty member exercising their freedom of expression under regent law 1, part E and regent policy 1.D.
- Other proposed changes are for technical clarity (see introductory statement, line 3 and section 5.B.2(A)) and corrected references to regent law and policy 8 (section 5.B.2(E)).

#### Policy 5.D: Reappointment (to a tenure-track position), Tenure, and Promotion

This policy was last reviewed and affirmed by the Regents in September 2018 and became effective in July 2020.

- Proposed changes to section 5.D.1(B)(1) and (2) ensure that updates to leave policy language are incorporated (e.g., State of Colorado Family and Medical Leave Insurance Act, a.k.a., FAMLI), and that the processes are clarified related to clock stoppage during the tenure probationary period for parental leave and negotiated alternative leave.
- Proposed updates to section 5.D.1(B)(3) specify that a one-year stoppage of the tenure clock also results in a one-year delay to the start of all personnel actions that follow the leave period including comprehensive review and tenure review.
- Suggested updates to section 5.D.2(A)(5) include language encouraging primary units to consider impactful faculty innovation and entrepreneurial activities in primary unit tenure and promotion criteria. This recommendation resulted from a system-wide faculty working group on faculty innovation and entrepreneurship.
- A proposed new section 5.D.3(B) specifies that institutional factors may be considered in a reappointment decision at the time of comprehensive review. And updates to section 5.D.3(C) clarify that at the time of the tenure decision, the merit of the candidate is the only factor to be considered, and that merit is judged according to the primary unit criteria.
- Suggested edits to section 5.D.3(D)(1) are to provide clarity for the phrase “taken as a whole” -- that an individual’s complete record of accomplishment as a scholar or artist is judged to be excellent.
- Other proposed updates include recommended clean-ups to ensure consistency between regent policy and APS 1022 (see section 5.D.1(A)), and that other related policies or sections of policy are referenced for clarity (see sections 5.D.1(A); 5.D.1(B); 5.D.3(A); and 5.D.5(A)).

## **Article 7: Students**

This law was last reviewed and affirmed by the Regents in September 2018.

### **Part A: Admissions**

- Minor edits are proposed to remove several unnecessary words in sections 7.A.1 and 7.A.2.

### **Part B: Standards of Conduct**

- No proposed updates.

### **Part C: Academic Freedom**

- Reference to another regent policy is added in section 7.C.1, along with minor wording updates for clarity in sections 7.C.2 and 7.C.3.

### **Part D: Student Government**

- No proposed updates.

## **Policy 7.A: Admissions**

This policy was last reviewed and affirmed by the Regents in September 2018.

- Minor edits are proposed to correct references to regent law in section 7.A.1(A) and regent policy in section 7.A.1(B).

## **Policy 7.B: Standards of Conduct**

This policy was last reviewed and affirmed by the Regents in September 2018.

- Minor edits are proposed in section 7.B.1(A) to ensure consistent language with regent policy 7.D.2 (i.e., reference should be to student government “organization” instead of “group”).
- Proposed updates in section 7.B.1(A)(i) are to include reference to other parts of regent law and policy that are focused on standards of conduct.

### **Policy 7.C: Academic Freedom**

This policy was last reviewed and affirmed by the Regents in September 2018.

- Minor edits are proposed for clarity of wording (sections 7.C.1(A); 7.C.1(D); and 7.C.2(B)).

### **Policy 7.D: Student Government**

This policy was last reviewed and affirmed by the Regents in September 2018.

- Suggested rephrasing in sections 7.D.1(A) and (B) is to enhance clarity of the approval processes for student government constitutions and amendments.
- Minor edit in section 7.D.2(A) is included to clarify that “campus” administration works with campus student government organizations to develop appropriate operating agreements.