



TO: Regent Laws and Policies Stakeholders
FROM: Michael Lightner, Vice President for Academic Affairs
Maureen Durkin, Director of Academic Program and Policy Analysis
DATE: December 20, 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 | **Feedback due by March 3, 2024, close of business**

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 law and policies listed below will be under review by the regents in Spring of 2025. The first round of stakeholder feedback was accepted through December 10, 2024. All comments were reviewed, considered, and in some cases, additional edits were incorporated in the currently posted Version 1 drafts.

The Version 1 drafts will be on the Regents Governance Committee agenda on January 23, 2024. No formal action will occur at that time. Stakeholders may send additional feedback until the close of business on March 3, 2024. To send in your comments, open each policy document labeled “Version 1” 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 associated APS 1043 in which independent teaching and scholarly/creative work are defined.

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 article 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 update to the policy title
- 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.

- In section 5.D.1(B)(2), updated language specifies that the campus must have a process for a faculty member to appeal the decision of the dean of a college or school in the case of being denied a tenure clock stoppage as part of a 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.
- Section 5.D.1(C)(2) includes suggested rephrasing for clarity.
- 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.
- Current section 5.D.3(C) first addresses tenure decisions and then reappointment decisions – opposite the normal timeline. A new section 5.D.3(B) is proposed to address reappointment decisions prior to section 5.D.3(C) on tenure decisions. Further, the current language on reappointment was reworded for generality. This leaves section 5.D.3(C) to consider decisions at time of tenure.
- 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)).