



TO: Regent Governance Committee

FROM: Valerie Simons, Chief Compliance Officer and System Title IX Coordinator
Judi Diaz Bonacquisti, Senior Diversity Officer

DATE: August 14, 2023

RE: Recommended Changes Relating to Diversity and Nondiscrimination

This item includes the following proposed actions for the regent laws and policies relating to diversity and nondiscrimination.

These have been shared with the Regent Governance Committee for “Notice of Review” on March 15, 2023; have been sent to the full Board of Regents for “Notice of Motion” on April 28, 2023; further discussed by the Regent Governance Committee on May 18, 2023; and have been moved to the full Board of Regents for discussion and action on June 23, 2023 – but no action was taken. This is set for further discussion by the Regent Governance Committee at their August 24, 2023, meeting.

Diversity and Nondiscrimination (New, Move, Rescind)

Judi Díaz Bonacquisti and Valerie Simons convened a cross-system group of representatives from DEI offices, HR offices, and equity offices to review and revise Regent Policy 10. The group has focused on the crafting of a new Diversity, Equity, and Inclusion (DEI) statement, as the Nondiscrimination statement is already codified in Regent Law 8A.

In January, the group began having philosophical discussions about aspects of the current policy that were strong and the content from other universities that would be valuable as CU embarked on this journey. After each individual wrote their own DEI statement, the group discussed aspects of each statement and took the strongest ideas to create a new draft statement. This draft was then socialized at the system office and on each campus by the work group. In addition, Judi shared this draft statement with faculty council, staff council, and Axel Brown, chair of the Intercampus Student Forum, and received initial verbal feedback. On March 2 the group reconvened and discussed the initial feedback received from shared governance groups, the campuses, and system staff to incorporate into a new draft version. This version was reviewed by system communications and then presented at the March Governance committee.

On April 6, the policy was featured in [CU Connections](#) to solicit feedback to strengthen the draft statement. Many individuals and groups provided insight, and the draft was again revised.

A version was presented at the May 18 Governance Committee for Regent review and feedback.

The iterative process was intentionally inclusive, and below is a simplified timeline of what has occurred, and what is yet to occur.

- December—Work group meets and has preliminary discussions.
- January—Work group reviews readings and statements of other universities. Has philosophical discussion on what to recommend for CU. Develops initial draft.

- February—Drafts socialized with campus stakeholders. Feedback collected.
- March 2—Committee discusses feedback at standing meeting time. Incorporates into new draft policy. Legal department joins work group. Policy review by system communications.
- March 15—Draft policy presented to the Regents Governance Committee.
- April 6—Draft policy profiled in CU Connections and posted to OPE website for feedback from the greater community. Feedback was incorporated, policy again revised, and presented in May to governance committee.
- May 18—Draft presented to Regents Governance Committee.
- Summer—Receive Regent feedback on draft
- August—Present new draft to Governance Committee
- September—Assuming support, to full board for consideration

The proposed new Diversity, Equity, and Inclusion (DEI) statement includes some repurposed, though not necessarily verbatim language from the existing Regent policy 10 including:

- Reaffirming of its absolute commitment to the promotion of diversity in the university community
- No individual or group shall be marginalized or systematically excluded
- Engagement in self-appraisal
- Identify and correct inequities
- Continually assess its progress toward goals
- Goals will remain in effect until inequities no longer exist
- Calls for the incorporation of its principles of academic freedom
- Accountability resting at all levels of the university, including administrative units and academic departments, as well as individual faculty, staff, and students

Staff proposes the following actions relating to the new Diversity, Equity, and Inclusion (DEI) statement:

1. Policy 10.A: Diversity, Equity, and Inclusion Statement (New)
2. Policy 10.A: Discrimination/Affirmative Action General Policy Statement and Long Range Goals (Rescind)
3. Policy 10.H: Portion of Letter to Representative Gonzalez Adopted by Regents (Rescind)
4. Policy 10.M: Commitment to Needs of Persons with Disabilities (Keep as is for now; initiating systemwide review in next work plan)
5. Policy 10.P: Diversity (Rescind)
6. Policy 10.E: Compensation Principles (Keep as is; Renumber to Policy 11.A)

One Regent has advocated to keep Policy 10.H. Staff is committed to finding a suitable location to preserve the principles embedded within this letter.