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To: Regent Laws & Policies Stakeholders

From: Jeremy Hueth, Vice President, University Counsel and Secretary to the Board of Regents

Date: August 24, 2021 (REVISED September 10, 2021)

Re: Redlines to Regent Policy 3.C for consideration at Regent Governance Committee Meeting on September 1, 2021

Background

The following provides explanations of the current changes proposed to *Regent Policy 3.C: Searches for Administrators and Guidelines for the Appointment of Chief Officers of the University* as it relates to the presidential search process. These changes are provided in a redline format at <https://www.cu.edu/doc/policy-3c-draftpdf>.

Explanation of Changes

- (1) Policy 3.C.3(H) is amended to clarify that in selecting and recommending candidates, the search committee will strive to select and recommend a diverse pool of candidates with a variety of backgrounds, expertise and perspectives to represent the interests of the university – similar to the direction provided in selecting the Presidential Search Committee.
- (2) Policy 3.C.3(J)(1) is amended to clarify that the Board of Regents may appoint as many regents to the search committee as the board determines prudent; including, the Board of Regents may decide to appoint the entire board as the search committee. The Board of Regents already retains discretion to appoint as many individuals to the search committee as it chooses, but this clarification eliminates any doubt that there may be more than two regents appointed to the search committee.
- (3) Policy 3.C.3(J)(1) is amended to add one additional student to the search committee and that one shall be an undergraduate student and one shall be a graduate student.
- (4) Policy 3.C.3(J)(1) is amended to add one additional staff member to the search committee.
- (5) Policy 3.C.3(J)(1) is amended and subsection (g) is added to add one member of the University of Colorado Foundation Board of Directors to the search committee. The Board of Regents retains authority to appoint additional members to the search

committee beyond the requirements of Policy 3.C if deemed appropriate, but this change emphasizes the importance of CU Foundation representation on the search committee.

- (6) Policy 3.C.3(J)(1) is amended to clarify that nominations for a presidential search committee must be made no later than 30 days after the date on which the board solicits nominations. Section (J)(1) is further amended to provide that the board nominations for a presidential search committee must include the professional qualifications of the nominee, a statement of interest and certification that no conflict of interest exists made by the nominee, and acknowledgement by the nominee of the responsibilities of members of the search committee.
- (7) Policy 3.C.3(J)(1) is also amended to provide that the custodian of records of a presidential search committee must provide de-identified demographic data for candidates interviewed by the search committee in response to a request under the Colorado Open Records Act. The purpose of this change is to align Policy 3.C with recent changes to section 24-72-202(1.3) and section 24-6-402(3.5), C.R.S., in the Colorado Open Records Act and the Colorado Open Meetings Act, respectively.