

UNIVERSITY OF COLORADO BOARD OF REGENTS

MINUTES OF THE REGULAR BOARD MEETING
(Includes Committees of the Whole)THURSDAY-FRIDAY, APRIL 16-17, 2015
(Volume 87, No. 8)

UNIVERSITY OF COLORADO DENVER

A. THURSDAY, April 16, 2015, 9 a.m. CALL TO ORDER/PUBLIC MEETING, Chairman Kyle Hybl, presiding (CU Denver, Auraria Campus, Tivoli Turnhalle)**Members present:**

Regents Kyle Hybl, chair, Steve Bosley, Michael Carrigan, John Carson, Glen Gallegos, Irene Griego, vice chair, Stephen Ludwig, Sue Sharkey and Linda Shoemaker.

Also attending: President Bruce Benson; chancellors Phil DiStefano, Pam Shockley-Zalabak, Jerry Wartgow and Don Elliman; vice presidents Leonard Dinegar, Patrick O'Rourke, Kathleen Bollard, Todd Saliman, Ken McConnellogue, Tanya Kelly-Bowry, Kathy Nesbitt, Johnnie Ray

Procedural: 1. Pledge of Allegiance**B. 9:05 a.m. PUBLIC COMMENT (30 MINUTES)**

Chairman Hybl said that during each public board meeting, it is the chairman's prerogative to set aside a portion of the meeting as a public comment session. Hybl usually allows 15 minutes at each meeting for public comment with speakers limited to 2 minutes per speaker. For today's meeting, Hybl said he lengthened the public comment session to a maximum of 30 minutes. He would first take general public comments and the remainder of the time allocated for speakers regarding divestment. The CU Fossil Free students have requested to "bundle" their time and were given 14 minutes. He said several speakers representing an opposite view were present and also given 14 minutes either as a group or 2 minutes per speaker.

There were no general public comments.

Hybl asked for comments regarding divestment. Support for Fossil Free CU was voiced by Coby Wikselaar and Braeden Miguel, CU Denver students and Garavin Jabusch and Meredith Parfet of Green Alpha Advisors, a Boulder-based asset management firm that deals only in fossil fuel-free portfolios.

Other comments included input from several students and community members who expressed support for Colorado's oil and gas industry and urged the board not to divest. Speakers included Michael Sandoval, Independence Institute; Bob Moody, Denver Energy Network; Stacey Alexander, Flatirons Responsible Energy Action; Anna Vallad, College Republicans at CU-Boulder; Kim Monson, Douglas County Energy Coalition; and Jeremy Graybill, CU Denver student.

Discussion and Possible Action: 1. Consideration of Fossil Fuel Divestment RequestACTION: 2. Resolution to Reaffirm Current Investment Policy with friendly amendments

Motion by Carson, second by Sharkey: "RESOLVED that the Board of Regents directs the Treasurer of the University to continue to invest the university's financial assets consistently with Regent Policy 13-A. (Carson); and the university to include an analysis of investment strategies consistent with Regent Policy 13-A and reflecting CU's commitment to sustainability and to provide an initial report to the Board of Regents at its November 2015 meeting (Carrigan).

'RESOLVED that the Board of Regents affirms the continuation of the Investment Advisory Committee originally established in 1993 (Bosley)."

Carson said that all board members want what's best for our children, best for the planet, and best for the university but he didn't think the way to approach this issue was from a scientific angle such as divestment. He said that by taking positions on issues of the day, the board could potentially have an impact on academic freedom.

Sharkey said she believes in responsible stewardship of the environment but didn't think that the university divesting from fossil fuels was going to make a difference toward climate change or global warming. She did support looking at investments in sustainable energy companies.

Carrigan offered a friendly amendment that requested the treasurer to report on what investment options are available to the university going forward. He said he did not envision a scenario where the board would support total divestment but didn't see this as a black-and-white issue.

Bosley also introduced a friendly amendment affirming the continuation of the board's Investment Advisory Committee, established in 1993.

Griego and Shoemaker said they felt the resolution didn't go far enough in examining the issue, and would vote against it.

Final Resolution: Motion adopted (7-2)

Yes: Bosley, Carrigan, Carson, Gallegos, Ludwig, Sharkey, Hybl

No: Griego, Shoemaker

ACTION: 3. Resolution to Form Sustainable Investment Advisory Committee

Motion by Shoemaker, second by Ludwig: "RESOLVED that the Board of Regents requests the Treasurer of the University of Colorado to empanel a 'Sustainable Investment Advisory Committee' to advise the treasurer on issues of sustainable investment and environmental practice. The committee shall review applicable law and policy, monitor current investments, consider various divestment strategies, study trends, conduct research and recommend changes.

"RESOLVED that the board requests the Treasurer of the University of Colorado, in consultation with the president of the University of Colorado and other appropriate university leadership, to formulate a detailed implementation plan for the Sustainable Investment Advisory Committee to be presented to the Board of Regents at its regularly scheduled June 2015 meeting. The implementation plan shall include a description of the proposed goals, duties, composition, budget, organization, operation and reporting of the committee.

"RESOLVED the University of Colorado Board of Regents requests the university administration research and report to the Board of Regents as to how the University of

Colorado could initiate a donor fund restricted to providing grants to University of Colorado faculty and students for research in technologies, design, policies, or procedures that would further renewable energy, energy management, or energy efficiency.”

Shoemaker said her resolution was a “moderate, middle-ground resolution” that doesn’t call for divestment, but one that would enable the pursuit of movement away from fossil fuel investments and toward more renewable energy sources.

Carrigan suggested that a vote on such a committee be delayed until the board hears the treasurer’s report in November, but Shoemaker declined. Carrigan said he wasn’t opposed to the formation of the committee in principle, but didn’t agree with the time table.

Final Resolution: Motion fails (3-6)
Yes: Griego, Ludwig, Shoemaker
No: Bosley, Carrigan, Carson, Gallegos, Sharkey, Hybl

D. 11 a.m. RECESS

E. THURSDAY, APRIL 16, 2015, 12:30 - 5 p.m. CALL TO ORDER, EXECUTIVE SESSION, Chairman Kyle Hybl, presiding

ACTION: 1. Executive Session

RESOLVED that the Board of Regents go into executive session. 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 | Anschutz Medical Campus personnel matters
- (b)(I) regarding system personnel matters
- (a)(II) legal advice on six specific matters
- (a)(I) regarding a CU Denver property item
- (a)(I) regarding a CU-Boulder property item
- (a)(VIII) regarding potential naming opportunities at UCCS and CU Anschutz Medical Campus

Motion by Bosley, second by Griego
Final Resolution: Motion adopted (9-0)
Yes: Bosley, Carson, Carrigan, Gallegos, Griego, Ludwig, Sharkey, Shoemaker, Hybl

F. FRIDAY, APRIL 17, 2015, 9 a.m. CALL TO ORDER/PUBLIC MEETING RESUMES, Chairman Hybl, presiding

Report: 1. Chairman of the Board Kyle Hybl

Chairman Hybl reported that last night the board honored Gail and Dave Liniger at the Liniger Building at the University of Colorado South Denver. The building was named in recognition of their generous real estate gift.

Hybl noted that in between board meetings regents work tirelessly to represent CU throughout the state. He highlighted a few activities that regents participated in outside of the usual events:

- Carrigan represented the regents and CU at the 21st annual Colorado Council for Community and Justice's Power Lunch.
- Shoemaker attended the Gates Biomanufacturing Facility Grand Opening on April 6.
- Bosley, Carson, Gallegos and Sharkey traveled to Las Vegas to cheer on the Buffs during the PAC 12 basketball championship.
- Griego attended the LAEF (Latin American Educational Foundation) Gala on March 14.
- Ludwig helped UCCS celebrate the campus’s 50th anniversary at the St. Patrick’s Day parade in downtown Colorado Springs on March 14.

Report: 2. President Bruce Benson

President Benson said he was delighted to be on the CU Denver campus for this meeting. The campus is moving forward in recent years starting with the renovation of the Auraria Science Building and continuing with the Business School building, the Student Commons Building, the Auraria Library, the Dravo Building and the 1250 14th Street facility renovations. He also supported the CU Denver students' advocacy for a new wellness facility.

Benson reported that he and Marcy Benson attended Regent Emerita Susan Kirk’s funeral. Carrigan represented the board and several regents emeriti and other prominent community members were in attendance. Kirk was well regarded for her exemplary service to the university and state.

Benson reported that finalists for the CU Denver chancellor search would be in Denver next week. He is also interviewing candidates the Children’s Hospital Colorado CEO position.

Benson and Marcy Benson attended the Charles C. Gates Society where it was announced that Children’s Hospital Colorado is embarking on a \$400 million campaign. They also attended the grand opening of the Gates Biomanufacturing Center at CU Anschutz attended by 270 guests. It is the only facility within 500 miles doing stem-cell work of this kind, and one of its important objectives is to get innovations from the research lab to patients as quickly as possible. The center’s primary benefactor is Diane Gates Wallach (on behalf of her family’s foundation), who has provided some \$20 million in honor of her dad, Charlie Gates.

Benson reported that he attended the Hoover Institution board meeting in Washington, D.C. Chancellor Elliman joined Benson and they met with each member of Colorado’s Congressional delegation, as well as Veterans Affairs (VA) Secretary Bob McDonald and his deputy, Sloan Gibson.

Benson said the CU Advocacy Day at the Capitol had some 100 advocates in attendance including Regents Carrigan, Gallegos and Griego. Former Sen. Norma Anderson (who talked about TABOR) was one of many speakers.

Benson discussed the upcoming EdPays report (formerly called College Measures) that the Colorado Department of Higher Education will release soon. While it contains accurate data it is very incomplete. It attempts to quantify what recent graduates will earn, but it has the same limitations as last year, which lead to an inaccurate picture, particularly for CU campuses: it doesn’t count people working for the federal government (Colorado’s largest employer), those who get jobs out of state (a substantial

number of our graduates), those pursuing graduate education, or those who start their own business.

Benson updated the regents on Fitzsimons Redevelopment Authority’s negotiations with the U.S. Army, the ongoing discussion with the VA hospital construction, and RTD transportation issues.

G. BOARD OF REGENTS COMMITTEES AND LIAISON ACTIVITIES REPORTS

Report: 1. Regent Audit Committee – Carrigan

The written report is included in agenda item.

Report: 2. Capital Construction Subcommittee – Sharkey

The written report is included in agenda item.

Report: 3. Intercollegiate Athletic Committee – Gallegos

The written report is included in agenda item.

Report: 4. Regent Awards Committee – Gallegos

The written report is included in agenda item.

Report: 5. Laws and Policies Committee Report - Griego

The written report is included in agenda item.

Report: 6. Strategic Planning and Online Development Committee - Ludwig

The written report is included in agenda item.

H. GOVERNANCE LEADERS’ REPORTS

Report: 1. Faculty Council Chair Laura Borgelt; Staff Council Chair Tricia Strating; Intercampus Student Forum Vice Chair Chris Roth in for Scott Cao. Governance reports are included in the agenda item.

I. CONSENT AGENDA

ACTION: 1. Approval of Consent Agenda

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

Motion by Ludwig, second by Carrigan
Final Resolution: Motion adopted (9-0)
Yes: Bosley, Carson, Carrigan, Gallegos, Griego, Ludwig, Sharkey, Shoemaker, Hybl

The details of each item are included in the agenda.

- ACTION (Consent): 2. Sabbaticals (65) - University of Colorado Boulder
- ACTION (Consent): 3. Sabbatical (44) - University of Colorado Denver | Anschutz Medical Campus
- ACTION (Consent): 4. Degree Name Change from Ph.D. in Physiology to Ph.D. in Integrated Physiology - CU Anschutz Medical Campus
- ACTION (Consent): 5. Degree Name Changes to B.A., BFA, and MFA in Art Practices - CU-Boulder
- ACTION (Consent): 6. Master Plan Amendment - UCCS
- ACTION (Consent): 7. Supplemental Credit Facility in the amount of \$4 million to the University of Colorado Colorado Springs (UCCS)
- ACTION (Consent): 8. Authorization to Change Terms in Regent Laws and Policies - "Officer and Exempt Professional" and "OEP" to "University Staff"
- ACTION (Consent): 9. Appointment with Tenure (1) - University of Colorado Boulder
- ACTION (Consent): 10. Appointment with Tenure (1) - University of Colorado Denver | Anschutz Medical Campus
- ACTION (Consent): 11. New Master of Science in Accounting - University of Colorado Colorado Springs
- ACTION (Consent): 12. New Master of Science and a Doctor of Philosophy in Environmental Engineering - CU-Boulder
- ACTION (Consent): 13. Term Contract for Head Basketball Coach (Thomas Boyle) – CU-Boulder
- ACTION (Consent): 14. Establishment of the "Helen and Arthur E. Johnson Beth-El College of Nursing and Health Sciences Endowment" and naming of the College of Nursing and Health Sciences at UCCS the "Helen and Arthur E. Johnson Beth-El College of Nursing and Health Sciences"
- ACTION (Consent): 15. Establishment of the "Helen and Arthur E. Johnson Depression Center Endowment" and naming the Depression Center at CU Anschutz Medical Campus the "Helen and Arthur E. Johnson Depression Center"

J. 10:15 a.m. BUDGET AND FINANCE COMMITTEE, Regent Bosley, presiding

Information: 1. Revenue Bonds and Certificates of Participation

Presentation was given by David Solin, associate treasurer, director of liability management and information included in the agenda item

Information: 2. Update from CU Denver and Students on Wellness Center

Chancellor Wartgow requested the board re-evaluate a proposed student fee to fund a Wellness Center at the CU Denver campus. At the February board meeting, the regents expressed skepticism when the CU Denver Student Government Association (SGA) first presented the proposal. In the two months between board meetings, SGA representatives met with regents, administration, President Benson and others to determine ways to minimize the cost to students through partnerships and donors, and by compromising on some features.

Allie Kriese and Scott Cao, SGA leaders, presented information to the board. The center’s estimated cost was reduced to \$42.4 million from \$53.8 million; the per-hour fee went to \$12 from \$16; and the size of the building was trimmed to 85,000 square feet from 105,000 square feet. The approved student fee increase takes effect this fall at \$6 per credit and continues until fall 2017, when it rises to \$12 per credit hour. The campus student body earlier this month voted in favor of the fee by 61.1 percent. More than quadruple the typical number of students – 20.4 percent – voted.

Cao, president and chair of the CU Denver SGA, said students heard the board’s concerns about the student fees and made some modifications to find a balance between the student fees with a building that CU Denver students so desperately need.

Kriese, chair of the center’s initiative and project team, said the facility will provide more than 100 student-employment opportunities, increased long-term health, a fitness garden, group fitness rooms and nutritional consultants. Center programs will include student loan and financial responsibility seminars and counseling sessions.

ACTION: 3. CU Denver Wellness Center Student Fee

Though expected to only be an informational update for the board, Wartgow and the students’ presentation was enough to convince regents that a vote for approval was in order.

Regents who supported proposal commended the students’ vision and the breadth of their investment in the project. Hybl said a new partnership with University of Colorado Health was instrumental in gaining his support. Ludwig and Sharkey changed their mind from “no” to supporting the proposal. They said the students’ work to reduce the cost and make external partnerships were impressive.

Regents Gallegos and Carson said they recognized the need for a wellness center, but were concerned about the burden on students via additional student fees.

Motion by Carrigan, second by Sharkey
Final Resolution: Motion adopted (7-2)
Yes: Bosley, Carrigan, Griego, Ludwig, Sharkey, Shoemaker, Hybl
No: Carson, Gallegos

K. 10:55 a.m. HOST CAMPUS REPORT

The host campus report included a performance by CU Denver’s award winning women’s a Capella group *Lark*. Madhavan Parthasarathy, director, Jake Jabs Center for Entrepreneurship, updated the board on Rosenberg’s Bagels and Delicatessen. Bagels were served at lunch.

L. 11:20 a.m. BREAK/LUNCH

M. 11:45 a.m. PRESENTATIONS

Report: 1. Constituent Relationship Management

Presentation was given by Vice President for Communications Ken McConnellogue and information included in the agenda item

Report: 2. Internal Audit Update

Presentation was given by Kevin Sisemore, associate vice president for internal audit, and information included in the agenda item

F. 10:15 a.m. ACADEMIC AFFAIRS COMMITTEE, Regent Sharkey presiding

Discussion: 1. Online Education Initiative Update - Chancellors DiStefano, Elliman, Shockley-Zalabak and Wartgow

The board heard from chancellors on the status of the online initiative, scheduled to launch in August. Wartgow told the regents the campuses had completed the inventory of online offerings and the technology committee is now working on website. All committees associated with developing the online initiative will be meeting together in May and Wartgow said he expects to report more specific data at the July retreat.

Discussion: 2. Change from Program to Department Status for Women and Gender Studies – CU-Boulder

A lengthy discussion by the board focused on a CU-Boulder proposal to change Women and Gender Studies from a program to a department. Provost Russell Moore explained that the program is in its 40th year, has conferred bachelor’s degrees for 18 years and the change would not entail any additional costs.

Hybl said he was encouraged to hear of the cost neutrality, but that the appearance that the institution is growing could be damaging in an environment calling for reducing costs and increasing efficiencies.

Shoemaker praised the “academically rigorous” program and would be upset, as a woman, if the board did not confer departmental status on this program.

ACTION: 3. New Bachelor of Science in Engineering Education - University of Colorado Colorado Springs

Motion by Sharkey, second by Bosley
Final Resolution: Motion adopted (9-0)
Yes: Bosley, Carson, Carrigan, Gallegos, Griego, Ludwig, Sharkey, Shoemaker, Hybl

O. 2 p.m. BOARD DISCUSSION AND ACTION ITEMS, Chairman Hybl, presiding

Discussion: 1. Guidelines for Legal and Risk Reporting

Vice President O’Rourke said in November 2013 the Laws and Policy Committee began review of the proposed Guidelines and Criteria for Legal and Risk Reporting the CU Board of Regents. These guidelines and criteria serve to identify a non-exhaustive list of criteria that the university administration can use in determining whether a particular matter should be reported to the Board of Regents.

The basis for making these guidelines and criteria, rather than a regent policy, is because the guidelines and criteria are stated at a level of generality that would not be easily reducible to policy. Rather than create an exhaustive list of hard-and-fast circumstances where the Board of Regents would require reporting, the guidelines and criteria are intended to inform the university administration’s exercise of judgment.

There was consensus among the board members that the guidelines were appropriate. Hybl asked the board members to let O’Rourke know if they had any changes or concerns.

ACTION: 2. Revisions to Regent Policy 3.E Presidential Search Policy - Addition of Regent Chair and Vice Chair

O’Rourke presented information regarding proposed changes in the presidential search policy. The changes were reviewed by the Laws and Policies Committee. The agenda item contains the Laws and Policies discussions over the past several months. The major changes include:

- Chair and Vice Chair – normally from opposite political parties
- Chair of Presidential Search Committee would not be the chair of the board
- Faculty members would be members of the Faculty Senate. The Faculty Senate consists of all members of the general faculty of the University of Colorado whose appointments are 50 percent or more.
- Board may appoint additional members if appropriate

Motion by Carrigan, second by Griego: “RESOLVED that the Board of Regents approves revisions to Regent Policy 3.E Presidential Search Policy - Addition of Regent Chair and Vice Chair and other revisions as presented in the agenda item.”

Motion by Bosley, second by Sharkey: Motion to amend the main motion by striking the words as noted: “The Board of Regents shall elect from among its members a chair, who shall conduct the meetings of the committee, and a vice chair, who shall assume the duties of the chair in the chair’s absence. Unless seven or more regents are members of the same political party, the chair and vice chair shall not be members of the same political party. ~~Additionally, the presidential search committee chair cannot serve as board chair simultaneously.~~”

Motion fails (3-6)
Yes: Bosley, Gallegos, Sharkey
No: Carrigan, Carson, Griego, Ludwig, Shoemaker, Hybl

Motion by Shoemaker, second by Griego. Motion to amend the main motion as underlined: “The board may also appoint additional members if deemed appropriate, but the board shall appoint at least one member of the Faculty Senate for each two additional non-Faculty Senate members it appoints.”

Motion fails (2-7)
Yes: Irene Griego, Linda Shoemaker
No: Bosley, Carrigan, Carson, Gallegos, Ludwig, Sharkey, Hybl

Final Resolution: “RESOLVED that the Board of Regents approves revisions to Regent Policy 3.E Presidential Search Policy - Addition of Regent Chair and Vice Chair and other revisions as presented in the agenda item.”
Motion adopted (7-2)
Yes: Carrigan, Carson, Gallegos, Griego, Ludwig, Shoemaker, Hybl
No: Bosley, Sharkey

ACTION: 3. Revision to Regent Policy 3.J Regarding a Formal Search Process for the Vice President, University Counsel and Secretary of the Board of Regents and University Treasurer

Motion by Ludwig, second by Carrigan.
Final Resolution: Motion adopted (9-0)
Yes: Bosley, Carson, Carrigan, Gallegos, Griego, Ludwig, Sharkey, Shoemaker, Hybl

P. ADJOURNMENT

Procedural: 1. The meeting adjourned at 1:45 p.m.

Procedural: 2. Next regular board meeting is scheduled for June 22-23, 2015, at CU Anschutz Medical Campus

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/>