



University of Colorado

Boulder | Colorado Springs | Denver | Anschutz Medical Campus

TO: Regent Governance Committee

FROM: Erica Weston, Deputy Counsel

DATE: October 9, 2025

RE: Recommended Changes to Regent Policy 13.D: Defense and Indemnification of University of Colorado Employees

Background

When public employees are sued for actions taken as part of their job, state law requires the public employer to pay for their legal defense and any ultimate judgment against them ("defend and indemnify"), for certain types of claims. The university has customarily also defended and indemnified as to other types of claims asserted against its employees, officers, and regents for actions taken as part of their job. Current policy doesn't preclude the university from doing this, but it doesn't provide a framework for doing so.

Recommendations

These amendments provide a framework for the university to defend and indemnify as to types of claims beyond those required by law. These amendments also clarify that the policy applies to current and former employees, officers, and regents, but that it does not constitute an employment benefit or contract. Finally, primarily for greater readability and flexibility, these amendments restructure the policy into subsections and reword certain aspects.

Fiscal Review

A. Do you think a fiscal review is needed for these proposed changes? **No**

1. If no, please explain. **This can be accomplished within existing resources.**
2. If yes, please share with the Office of the Vice President for Budget & Finance for review.
 - a. Date fiscal review completed:
 - b. Person completing fiscal review:
 - c. Would these changes create a fiscal or resource impact?

☐ NO
☐ YES

If yes, what resources will be required to implement and sustain these policy changes?