



TO: President Kennedy
Chancellor DiStefano
Chancellor Elliman
Chancellor Horrell
Chancellor Reddy

FROM: Patrick O'Rourke, Vice President, University Counsel and Secretary of the Board of Regents

DATE: October 24, 2019

RE: Recommended Changes to Regent Policies 2.I, 13.D and 14.I

As part of the formal review of all Regent Laws and Policies, we have reviewed and recommend the following revisions to Regent Policies 2.I, 13.D and 14.I. The proposed revisions have been posted online, shared with the campuses and governance groups and have been discussed with the Regent Governance Committee.

Policy 2.I: Political and Social Expression by Regents (*formerly Institutional Neutrality*)

Although the current policy indicates the university will be neutral with regard to political positions, other policies (Freedom of Expression) now address the rights of employees and students with regard to political expression, so the remaining issue is Regent political activity. The proposed revisions to the title and content will reflect this. In addition, revisions will clarify that individual Regents do not speak for the full Board of Regents but they remain bound by fiduciary and other duties when they speak as individuals. Content regarding investments will be addressed elsewhere, as appropriate, in Treasury policies and *Article 15: Treasury of the University*.

Policy 13.D: Defense and Indemnification of University of Colorado Employees

Although the university has this policy, these issues are mostly controlled by the Governmental Immunity Act. In most cases, the president makes the decision regarding the defense and indemnification of employees. However, for those that report directly to the Board of Regents, which are defined as "Officers of the University", the decisions would be made by the Board.

Policy 14.I: Weapons Control

The language of this policy is being revised to that of a board policy, rather than that of the resolution language from which it was derived. Unnecessary language regarding examples of specific types of weapons is being removed. References to "concealed weapons" will be replaced with "concealed handguns" since this is the only weapon addressed by the Colorado concealed carry laws.