



TO: Regents Governance Committee

FROM: Jeremy Hueth, Vice President, University Counsel and Secretary of the Board of Regents
Leonard Dinegar, Senior Vice President for Internal Operations and Chief of Staff
Dan Montez, Director, Office of Policy and Efficiency

DATE: August 14, 2023

RE: Recommended changes to Policy 2.N: Approval, Revisions or Repeal of Regent Policy and Article 2.E: Amendments to the Laws of the Regents

Staff is requesting that the Governance Committee revisit recently approved revisions to *Policy 2.N: Approval, Revisions or Repeal of Regent Policy* (approved on June 22, 2023) which were intended to allow the Secretary of the Board of Regents, with the concurrence and direction of the Laws and Policies Coordinating Committee (LPCC), to make nonsubstantive cleanups to the regent laws and policies in a timely manner when needed to correct obvious inconsistencies or errors in the laws and policies.

At issue is the addition of *“The committee (the LPCC) will share the proposed list of nonsubstantive changes with the Governance Committee, and then the Board of Regents, on an annual basis before any such changes are made to regent policy.”*

We believe that waiting to fix obvious inconsistencies and errors identified in laws and policies on an annual basis is not ideal to keep the laws and policies accurate and current. Examples of nonsubstantive cleanups include:

- Incorrect references to state statute, regent laws, regent policies or administrative policy statements (APSs).
- Inconsistent references to items the regents have previously acted on – for example, the board previously approved changing all policy references to “exempt professional employees” to “university staff”.
- Incorrect titles – for example, the reference to “Regent Budget and Finance Committee” should be “Regent Finance Committee”.

The proposed redline revisions to the current *Policy 2.N: Approval, Revisions or Repeal of Regent Policy* and *Article 2.E: Amendments to the Laws of the Regents* would allow the Secretary of the Board of Regents, with the concurrence and direction of the Laws and Policies Coordinating Committee to make the types of nonsubstantive changes outlined in Policy 2.N BUT would also require the LPCC to keep a record of all changes and report those changes on an ongoing basis to the Regent Governance Committee and to the full Board of Regents as part of the Governance Committee Report.

In addition, the proposed changes would include a footnote to clarify that the Laws and Policies Coordinating Committee (LPCC) is not a regent committee, but an administrative committee established to support the formal review of regent laws and policies as outlined in Board of Regent resolutions approved on November 6, 2015, and April 28, 2023.

We believe these amendments will keep the regents informed but allow staff to make the needed cleanups in real time and not wait until they go through the lengthy approval process.



Also attached are examples of some items that would be considered substantive that would still go through the normal Governance Committee review and board approval process. The movement of sections between regent laws and policies is considered a substantive change.