

**UNIVERSITY OF MINNESOTA  
BOARD OF REGENTS**

**Board of Regents  
July 8, 2020**

A meeting of the Board of Regents of the University of Minnesota was held on Wednesday, July 8, 2020 at 9:00 a.m. by videoconference.

Regents present: Kendall Powell, presiding; Thomas Anderson, Richard Beeson, Mary Davenport, Kao Ly Ilean Her, Michael Hsu, Mike Kenyanya, Janie Mayeron, David McMillan, Darrin Rosha, Randy Simonson, and Steven Sviggum.

Staff present: President Joan Gabel; Executive Vice President and Provost Rachel Croson; Senior Vice President Brian Burnett; Interim Vice President Kenneth Horstman; General Counsel Douglas Peterson; and Acting Executive Director Sarah Dirksen.

In accordance with Minnesota Open Meeting Law, all votes during this meeting were taken by roll call.

The docket materials for this meeting are [available here](#).

**APPROVAL OF MINUTES**

A motion was made and seconded to approve the following minutes as presented in the docket materials:

Presidential Performance Review Committee – May 15, 2020  
Presidential Performance Review Committee – May 19, 2020  
Presidential Performance Review Committee – May 27, 2020  
Presidential Performance Review Committee – June 5, 2020  
Presidential Performance Review Committee – June 10, 2020  
Litigation Review Committee – June 11, 2020  
Audit & Compliance Committee – June 11, 2020  
Mission Fulfillment Committee – June 11, 2020  
Finance & Operations Committee – June 11, 2020  
Board of Regents – June 12, 2020  
Presidential Performance Review Committee – June 15, 2020  
Presidential Performance Review Committee – June 26, 2020

The vote was as follows:

Regent Anderson	Yes
Regent Beeson	Yes
Regent Davenport	Yes
Regent Her	Absent
Regent Hsu	Yes

Regent Kenyanya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	Yes
Regent Powell	Yes

The Board voted unanimously to approve the minutes as presented in the docket materials.

The docket materials for this item begin on page 4. The closed captioned video of this item is [available here](#).

### **REPORT OF THE PRESIDENT**

President Gabel delivered the report of the President. A copy of the Report of the President is on file in the Board Office.

The docket materials for this item begin on page 44. The closed captioned video of this item is [available here](#).

### **REPORT OF THE CHAIR**

Regent Powell delivered the report of the Chair. A copy of the Report of the Chair is on file in the Board Office.

The docket materials for this item begin on page 45. The closed captioned video of this item is [available here](#).

Regent Her joined the meeting.

### **RECEIVE AND FILE REPORTS**

Regent Powell noted the receipt and filing of reports, as described in the docket materials, including:

- 2020 Board Policy Report

The docket materials for this item begin on page 46. The closed captioned video of this item is [available here](#).

### **CONSENT REPORT**

Regent Powell presented for review and action the Consent Report as described in the docket materials, including:

- Gifts

- Mission Fulfillment Committee Consent Report
- Finance & Operations Committee Consent Report

The docket materials for this item begin on page 51. The closed captioned video of this item is [available here](#).

A motion was made and seconded to approve the Consent Report. The vote was as follows:

Regent Anderson	Absent
Regent Beeson	Yes
Regent Davenport	Yes
Regent Her	Yes
Regent Hsu	Yes
Regent Kenya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	Yes
Regent Powell	Yes

The Board voted unanimously to approve the Consent Report.

**RESOLUTION RELATED TO FISCAL YEAR 2021  
RETIREMENT INCENTIVE OFFER**

Regent Powell invited Interim Vice President Horstman to present for action a resolution related to the Fiscal Year 2021 Retirement Incentive Offer, as detailed in the docket.

The docket materials for this item begin on page 70. The closed captioned video of this item is [available here](#).

A motion was made and seconded to approve the resolution related to the Fiscal Year 2021 Retirement Incentive Offer, as follows:

WHEREAS, the Board of Regents (Board) approved the FY 2021 COVID-19 Adjusted Annual Operating Budget (CAB) at the June 2020 meeting; and

WHEREAS, the CAB discussion included a necessary framework for contingency planning that, due to the uncertainty in the current environment, will take multiple forms involving multiple tactics to address any emerging financial challenge; and

WHEREAS, a risk of further financial disruption continues to exist in the coming months related to enrollment, state support, the ability to generate other miscellaneous revenues, and required expenditure growth in the face of changing operations due to the pandemic; and

WHEREAS, broad actions to adjust compensation spending levels across all employee groups and all units of the University of Minnesota, as effective tactics in the contingency plans, are most beneficial when implemented as early in the fiscal year as possible; and

WHEREAS, the Finance & Operations Planning Work Group recommended to the President a retirement incentive offer program.

NOW, THEREFORE, BE IT RESOLVED that for Fiscal Year 2021, the Board of Regents hereby approves the Retirement Incentive Offer program as outlined in Attachment A.

The vote was as follows:

Regent Anderson	Yes
Regent Beeson	Yes
Regent Davenport	Yes
Regent Her	Yes
Regent Hsu	Yes
Regent Kenyanya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	Yes
Regent Powell	Yes

The Board voted unanimously to approve the resolution related to the Fiscal Year 2021 Retirement Incentive Offer.

### **REAL ESTATE TRANSACTIONS**

Regent Powell invited Leslie Krueger, Assistant Vice President, Planning, Space, and Real Estate, to present for action the following real estate transactions, as detailed in the docket.

The docket materials for this item begin on page 80. The closed captioned video of this item is [available here](#).

A. Purchase of 501 Oak Street SE, Minneapolis, Minnesota (Twin Cities campus)

A motion was made and seconded, and the vote was as follows:

Regent Anderson	Absent
Regent Beeson	Yes
Regent Davenport	Yes
Regent Her	Yes
Regent Hsu	Yes
Regent Kenyanya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	Yes
Regent Powell	Yes

The Board voted unanimously to approve the real estate transaction.

B. Sale of 1.66 Acres, Rosemount, Minnesota (UMore Park)

A motion was made and seconded, and the vote was as follows:

Regent Anderson	Absent
Regent Beeson	Yes
Regent Davenport	Yes
Regent Her	Yes
Regent Hsu	Yes
Regent Kenya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	Yes
Regent Powell	Yes

The Board voted unanimously to approve the real estate transaction.

**RESOLUTION RELATED TO AMENDMENTS TO  
UNIVERSITY SEXUAL MISCONDUCT POLICIES**

Regent Powell invited Tina Marisam, Director of the Office of Equal Opportunity and Affirmative Action; Brian Slovut, Deputy General Counsel; and Ned Patterson, Professor at the College of Veterinary Medicine, to present for review a resolution related to amendments to University sexual misconduct policies, as detailed in the docket.

The docket materials for this item begin on page 99. The closed captioned video of this item is [available here](#).

Powell recessed the meeting at 11:25 a.m.

**UNIVERSITY OF MINNESOTA ALUMNI ASSOCIATION  
ANNUAL REPORT**

Regent Powell reconvened the meeting at 11:30 a.m. and invited Lisa Lewis, UMAA President and CEO; Laura Moret, FY 2020 UMAA Board Chair; and Mark Jessen, FY 2021 UMAA Board Chair, to provide an update on the status of alumni relations at the Twin Cities campus, as detailed in the docket.

The docket materials for this item begin on page 247. The closed captioned video of this item is [available here](#).

The meeting adjourned at 11:59 a.m.

A handwritten signature in black ink, appearing to read "S. Dirksen", with a long horizontal flourish extending to the right.

**SARAH F. DIRKSEN**  
**Acting Executive Director and**  
**Corporate Secretary**

**UNIVERSITY OF MINNESOTA  
BOARD OF REGENTS**

**Board of Regents  
July 30, 2020**

A special meeting of the Board of Regents of the University of Minnesota was held on Thursday, July 30, 2020 at 9:30 a.m. by videoconference.

Regents present: Kendall Powell, presiding; Thomas Anderson, Richard Beeson, Mary Davenport, Kao Ly Ilean Her, Michael Hsu, Mike Kenyanya, Janie Mayeron, David McMillan, Darrin Rosha, Randy Simonson, and Steven Sviggum.

Staff present: President Joan Gabel; Executive Vice President and Provost Rachel Croson; General Counsel Douglas Peterson; and Executive Director Brian Steeves.

In accordance with Minnesota Open Meeting Law, all votes during this meeting were taken by roll call.

The docket materials for this meeting are [available here](#).

**RESOLUTION RELATED TO AMENDMENTS TO  
UNIVERSITY SEXUAL MISCONDUCT POLICIES**

Regent Powell invited Tina Marisam, Director of the Office of Equal Opportunity and Affirmative Action; Brian Slovt, Deputy General Counsel; and Ned Patterson, Professor at the College of Veterinary Medicine, to present for action a resolution related to Amendments to University Sexual Misconduct Policies, as detailed in the docket.

The docket materials for this item begin on page 3. The closed captioned video of this item is [available here](#).

A motion was made and seconded to approve the resolution related to Amendments to University Sexual Misconduct Policies, as follows:

BE IT RESOLVED that the Board of Regents hereby approves the following actions as presented:

- A. Amend Board of Regents Policy: *Faculty Tenure*.
- B. Amend Board of Regents Policy: *Sexual Harassment, Sexual Assault, Stalking, and Relationship Violence*.
- C. Amend the *Civil Service Employment Rules*.
- D. Ratification of Administrative Policy: *Conflict Resolution for Faculty, P&A, Civil Service, and Student Workers*.
- E. Ratification of Administrative Policy: *Sexual Harassment, Sexual Assault, Stalking, and Relationship Violence*.

BE IT FURTHER RESOLVED that the amended policies and rules are effective on August 14, 2020, and only apply to reports of prohibited conduct that are received by the campus Title IX office on or after August 14, 2020.

Regent Rosha moved the following:

1. To delete the proposed definition for sexual exploitation included in the proposed amendments to Board of Regents Policy: *Sexual Harassment, Sexual Assault, Stalking and Relationship Violence*, Section II, Subd. 2, c, and within the definitions section of Administrative Policy: *Sexual Harassment, Sexual Assault, Stalking and Relationship Violence* as follows:
  - (c) *Sexual exploitation*: When an individual intentionally engages in the following conduct and should reasonably have known that the conduct would be unwelcome to any individual involved:
    - exposure of one’s own or another individual’s breasts, buttocks, or genitals to one or more other individuals;
    - distribution of sexual or nude images or recordings of another individual;
    - observation or recording of sexual activity or nudity;
    - demanding financial compensation, sexual contact, or some other benefit under threat of disseminating or posting images, video, or other recording of the nudity or sexual activity of one or more individuals; and/or
    - engaging in sexual conduct that carries a significant risk of transmitting known sexual infections or diseases without another individual’s knowledge.
2. To reinstate the current definition of sexual exploitation within Administrative Policy: *Sexual Harassment, Sexual Assault, Stalking and Relationship Violence*.

The vote on the Rosha amendment was as follows:

Regent Anderson	Yes
Regent Beeson	Yes
Regent Davenport	Yes
Regent Her	Yes
Regent Hsu	Yes
Regent Kenyanya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	Yes
Regent Powell	Yes

The Board voted unanimously to approve the Rosha amendment to the resolution related to Amendments to University Sexual Misconduct Policies.

Regent Beeson moved to amend the amended resolution by reducing the required hearing panel size within the proposed Board and Administrative policies from five to three. The motion was seconded. After discussion, Beeson withdrew the motion.



The vote on the amended resolution related to Amendments to University Sexual Misconduct Policies was as follows:

Regent Anderson	Yes
Regent Beeson	Yes
Regent Davenport	Yes
Regent Her	Yes
Regent Hsu	Yes
Regent Kenya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	Yes
Regent Powell	Yes

The Board voted unanimously to approve the resolution related to Amendments to University Sexual Misconduct Policies, as amended.

**RESOLUTION RELATED TO FY 2021 TEMPORARY CLARIFICATION  
OF BOARD OF REGENTS POLICY: *STUDENT SERVICES FEE***

Regent Powell invited Executive Vice President and Provost Croson to present for review and action a resolution related to FY 2021 Temporary Clarification of Board of Regents Policy: *Student Services Fee*, as detailed in the docket.

The docket materials for this item begin on page 105. The closed captioned video of this item is [available here](#).

A motion was made and seconded to approve the resolution related to FY 2021 Temporary Clarification of Board of Regents Policy: *Student Services Fee*, as follows:

WHEREAS, due to safety measures necessitated by the COVID-19 pandemic, the University of Minnesota (University), like many universities and colleges across the country, will offer some courses via multiple modalities, including traditionally in-person classes offered in a distanced format so that students may advance their educations while following public health guidance to, among other things, maintain physical distance; and

WHEREAS, the student services fee funds a wide range of non-instructional services that supplement the academic curriculum, play an integral role in the University's educational experience for students, and continue to be available and beneficial to fee-paying students regardless of the modality in which courses are provided; and

WHEREAS, Board of Regents Policy: *Student Services Fee* did not anticipate a pandemic that would necessitate that the University pivot to offering traditionally in-person courses in a distanced format mid-way through the Spring 2020 semester while services funded by the student services fee remained available to students; and

WHEREAS, this unprecedented pandemic continues to necessitate the offering of some traditionally in-person courses in a distanced format, consistent with public health guidance, while services and activities funded by the student services fee will continue to be provided to fee-paying students.

NOW, THEREFORE, BE IT RESOLVED that to assess student services fees for FY 2021, the Board of Regents hereby authorizes the president to clarify the definition for designated student as defined by Board of Regents Policy: *Student Services Fee*, Section II, Subd. 3 to mean all students registered for:

- six or more credits per semester of in-person courses or traditionally in-person courses offered in a distanced format; or
- three or more credits per summer session of in-person courses or traditionally in-person courses offered in a distanced format.

Credits for courses that are traditionally offered in a distanced format will be excluded from the total credit count.

Regent Hsu moved to amend the resolution by reducing the student services fee by 10 percent for all campuses in the coming year. The motion was seconded.

The vote on the Hsu amendment was as follows:

Regent Anderson	No
Regent Beeson	No
Regent Davenport	No
Regent Her	No
Regent Hsu	Yes
Regent Kenya	Yes
Regent Mayeron	No
Regent McMillan	No
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	No
Regent Powell	No

Four votes were cast in favor of the motion and eight votes were cast against the motion. The Hsu amendment failed.

The vote on the original resolution related to FY 2021 Temporary Clarification of Board of Regents Policy: *Student Services Fee* was as follows:

Regent Anderson	Yes
Regent Beeson	Yes
Regent Davenport	Yes
Regent Her	Yes
Regent Hsu	No
Regent Kenya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	No

Regent Simonson	No
Regent Sviggum	Yes
Regent Powell	Yes

Nine votes were cast in favor of the motion and three votes were cast against the motion. The resolution related to FY 2021 Temporary Clarification of Board of Regents Policy: *Student Services Fee* was approved.

#### **UPDATE ON THE UNIVERSITY'S COVID-19 TESTING PLAN**

Regent Powell invited President Gabel and Jill DeBoer, Director of the Health Emergency Response Office, to provide an update on the University's COVID-19 testing plan, as detailed in the docket.

The docket materials for this item begin on page 121. The closed captioned video of this item is [available here](#).

The meeting adjourned at 12:25 p.m.



**BRIAN R. STEEVES**  
Executive Director and  
Corporate Secretary

**UNIVERSITY OF MINNESOTA  
BOARD OF REGENTS**

**Board of Regents  
August 24, 2020**

A special meeting of the Board of Regents of the University of Minnesota was held on Monday, August 24, 2020 at 10:30 a.m. by videoconference.

Regents present: Kendall Powell, presiding; Thomas Anderson, Richard Beeson, Mary Davenport, Kao Ly Ilean Her, Michael Hsu, Mike Kenyanya, Janie Mayeron, David McMillan, Darrin Rosha, Randy Simonson, and Steven Sviggum.

Staff present: President Joan Gabel; Executive Vice President and Provost Rachel Croson; Chancellors Michelle Behr, Lendley Black, Lori Carrell, and Mary Holz-Clause; Vice Presidents Michael Berthelsen and Jakub Tolar; General Counsel Douglas Peterson; Executive Director Brian Steeves; and Associate Vice President Julie Tonneson.

In accordance with Minnesota Open Meeting Law, all votes during this meeting were taken by roll call.

The docket materials for this meeting are [available here](#).

**RESOLUTION RELATED TO FALL 2020 COURSE MODALITY AND MOVE-IN**

Regent Powell invited President Gabel; Executive Vice President and Provost Croson; and Michael Osterholm, Director, Center for Infectious Disease Research and Policy, to present for review and action a resolution related to Fall 2020 Course Modality and Move-In, as detailed in the docket.

The docket materials for this item begin on page 3. The closed captioned video of this item is [available here](#).

A motion was made and seconded to approve the resolution related to Fall 2020 Course Modality and Move-In, as follows:

WHEREAS, due to safety measures necessitated by the COVID-19 pandemic, the University of Minnesota (University), like universities and colleges across the country, has made extensive plans to offer Fall 2020 courses via multiple modalities, including traditionally in-person classes being offered in a distanced format; and

WHEREAS, the University has made these plans in full alignment with public health guidelines from the Minnesota Department of Health and the federal Centers for Disease Control and Prevention; and

WHEREAS, higher education institutions such as Michigan State University, the University of Maryland, the University of North Carolina at Chapel Hill, the University of Notre Dame, Illinois State University, and dozens of others have recently delayed resumption of in-person

instruction or shifted to online-only instruction for fall semester, with more institutions likely to follow; and

WHEREAS, federal guidance seems to be changing with respect to higher education.

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents hereby authorizes the president to change the modality of fall course instruction and delay residence hall move-in for the Duluth, Rochester, and Twin Cities campuses, as follows:

- Pivot undergraduate courses for Duluth, Rochester, and the Twin Cities campuses to be wholly online for at least the first two weeks of fall semester (at least September 14 for Duluth campus and September 22 for Rochester and Twin Cities campuses), with limited exceptions; and
- Postpone move-in dates for University housing on the Duluth, Rochester, and the Twin Cities campuses by at least two weeks (at least September 9 for Duluth campus and September 13 for Rochester and Twin Cities campuses) to provide additional time to evaluate new and emerging federal guidance on testing, as well as continued evaluation of techniques used at other institutions to mitigate the spread of COVID-19; and
- Provide prorated refunds or comparable financial accommodations for housing and dining services during the period of delay.

The vote was as follows:

Regent Anderson	Abstained due to technical difficulties
Regent Beeson	No
Regent Davenport	Yes
Regent Her	Yes
Regent Hsu	No
Regent Kenya	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Rosha	No
Regent Simonson	Yes
Regent Sviggum	Yes
Regent Powell	Yes

Due to technical difficulties, Regent Anderson was unable to vote. Had he been able to, he would have voted in favor of the resolution.

Eight votes were cast in favor of the motion and three votes were cast against the motion. The resolution related to Fall 2020 Course Modality and Move-In was approved.

The meeting adjourned at 1:06 p.m.



**BRIAN R. STEEVES**  
Executive Director and  
Corporate Secretary