

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Litigation Review Committee
February 11, 2021**

A meeting of the Litigation Review Committee of the Board of Regents was held on Thursday, February 11, 2021 at 8:00 a.m. by videoconference.

Regents present: Richard Beeson, presiding; Thomas Anderson, Kao Ly Ilean Her, Janie Mayeron, David McMillan, and Randy Simonson.

Staff present: General Counsel Douglas Peterson; and Executive Director Brian Steeves.

Others present: Sarah Dirksen, William Haldeman, Rick Kubler, Timothy Pramas, and Brian Slovt.

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 TO CONDUCT NON-PUBLIC MEETING
OF THE LITIGATION REVIEW COMMITTEE**

The meeting convened in public session at 8:03 a.m. A motion was made and seconded that the following resolution be adopted:

WHEREAS, based on advice of the General Counsel, the Board of Regents Litigation Review Committee has balanced the purposes served by the Open Meeting Law and by the attorney-client privilege, and determined that there is a need for absolute confidentiality to discuss litigation strategy in particular matters involving the University of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Minn. Stat. § 13D.01, Subd. 3 and 13D.05 Subd. 3(b), a non-public meeting of Litigation Review Committee be held on Thursday, February 11, 2021 at 8:00 a.m. via videoconference, for the purpose of discussing attorney-client privileged matters including the following:

- I. *Regents of the University of Minnesota v. United States of America; and E.I. Du Pont De Nemours and Co.*
- II. *Steven Staubus, et al. v. Regents of the University of Minnesota*
- III. *Patrick Hyatte et al. v. University of Minnesota*

The vote was as follows:

Regent Anderson	Yes
Regent Her	Yes
Regent Mayeron	Yes
Regent McMillan	Yes
Regent Simonson	Yes
Regent Beeson	Yes

The committee voted unanimously to adopt the resolution and the public portion of the meeting ended at 8:05 a.m.

The meeting adjourned at 8:52 a.m.

A handwritten signature in black ink, appearing to read "Brian R. Steeves", is written over a light blue horizontal bar. The signature is somewhat stylized and includes a date "11/11/2021" written below the main name.

BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Audit & Compliance Committee
February 11, 2021**

A meeting of the Audit & Compliance Committee of the Board of Regents was held on Thursday, February 11, 2021 at 8:00 a.m. by videoconference.

Regents present: Darrin Rosha, presiding; Mary Davenport, Michael Hsu, Mike Kenyanya, Ken Powell, and Steve Sviggum.

Staff present: Executive Vice President and Provost Rachel Croson; Executive Director Brian Steeves; Chief Auditor Gail Klatt; and Associate Vice President Michael Volna.

Student Representatives present: Rielle Perttu Swanson and Emily Wittkop.

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

EXTERNAL AUDITOR'S REVIEW OF COMPLETED AUDIT WORK

Regent Rosha invited Sue Paulson, Controller along with Katie Knudtson and Judi Dockendorf from Deloitte & Touche, LLP, to present the external auditor's review of completed audit work, as detailed in the docket.

The docket materials for this item begin on page 3.

INTERNAL AUDIT UPDATE

Regent Rosha invited Chief Auditor Klatt to provide an internal audit update, as detailed in the docket.

The docket materials for this item begin on page 158. The closed captioned video of this item is [available here](#).

The meeting adjourned at 9:17 a.m.

A handwritten signature in black ink, reading "Brian R. Steeves", is positioned above a redacted area. The signature is written in a cursive style.

BRIAN R. STEEVES
Executive Director and
Corporate Secretary

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Finance & Operations Committee
February 11, 2021**

A meeting of the Finance & Operations Committee of the Board of Regents was held on Thursday, February 11, 2021 at 9:30 a.m. by videoconference.

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

Staff present: President Joan Gabel; Chancellor Lori Carrell; Senior Vice President Myron Frans; Vice President Michael Berthelsen; Interim Vice President Kenneth Horstman; General Counsel Douglas Peterson; Executive Director Brian Steeves; and Associate Vice Presidents Julie Tonneson and Michael Volna.

Student Representatives present: Pal Koak and Rodrigo Tojo Garcia.

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](#).

**SYSTEMWIDE STRATEGIC PLAN IMPLEMENTATION:
PRINCIPLES TO GUIDE CAMPUS MASTER PLANS**

Regent McMillan invited President Gabel, Vice President Berthelsen, and Monique MacKenzie, Director of Campus and Capital Planning, to present for action proposed principles to guide campus master plans, as detailed in the docket.

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

A motion was made and seconded to recommend approval of the resolution related to the Systemwide Campus Master Planning Principles.

The vote was as follows:

Regent Anderson

Regent Powell	Yes
Regent Rosha	Yes
Regent Simonson	Yes
Regent Sviggum	Yes
Regent McMillan	Yes

The committee voted unanimously to recommend approval of the resolution related to the Systemwide Campus Master Planning Principles.

DEVELOPMENT OF THE TWIN CITIES CAMPUS MASTER PLAN:

CONSENT REPORT

Senior Vice President Frans presented the revised Consent Report, as detailed in the docket.

The docket materials for this item begin on page 196. The closed captioned video of this item is [available here](#).

Regent McMillan announced that the committee would consider as a separate item the C

To Raytheon BBN Technologies for an estimated \$1,370,180 for the construction of a suitable video dataset that requires the use of multiple methodologies (classroom, on-site, on-site leave behind) for the Department of Mechanical Engineering, Twin Cities campus, for the period March 1, 2021 through December 20, 2025. This purchase is for a sponsored project, and the funds for this purchase are coming from the sponsored project's budget. See enclosed documentation for basis of supplier selection.

To Google LLC for \$2,356,000 for the design, development, and implementation of a cutting-edge digital platform to enhance student learning and provide analytics for educational research beginning May 1, 2021 with a completion of August 31, 2024 for the Rochester campus. The cost of the contract with Google will be paid using some combination of University level balances, external support, a portion of state funds designated for enhancing health education, and Central Reserves. See enclosed documentation for basis for supplier selection.

Employment Agreements

Calvin Phillips as Vice President for Student Affairs and Dean of Students

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

The committee voted unanimously to recommend approval of the revised Consent Report.

INFORMATION ITEMS

Regent McMillan referred the committee to the information items in the docket:

- Capital Finance and Debt Management Report
- Annual Insurance and Risk Management Report
- Central Reserves Fund Report
- Learfield IMG College Contract Execution Update
- State Capital Appropriation Expenditure Report
- Quarterly Purchasing Report
- Contamination Remediation of University Land in Rosemount, Minnesota

DIVERSITY AND INCLUSION IN GRADUATE EDUCATION

Regent Anderson invited Scott Lanyon, Vice Provost & Dean of Graduate Education, and Yoji Shimizu, Associate Dean of Graduate Education and Director of the Graduate School Diversity Office, to discuss diversity and inclusion in graduate education, as detailed in the docket.

The docket materials for this item begin on page 63. The closed captioned video of this item is [available here](#).

CONSENT REPORT

Executive Vice President and Provost Croson presented the Consent Report, 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](#).

Request for Approval of New Academic Programs

College of Education and Human Development (Twin Cities campus)—Create undergraduate minor in Educational Psychology Research
College of Continuing and Professional Studies (Twin Cities campus)—Create undergraduate credit Certificate in Environmental Health and Safety
College of Education and Human Service Professions on the Duluth campus—Create undergraduate minor in Health and Wellness Coaching
Swenson College of Science and Engineering on the Duluth campus—Create undergraduate minor in Quality Science

Request for Approval of Changed Academic Programs

College of Continuing and Professional Studies (Twin Cities campus)—Deliver the undergraduate minor in Construction Management partially online
College of Continuing and Professional Studies (Twin Cities campus)—Create an Environmental Health and Safety subplan in the undergraduate minor in Construction Management
College of Education

The docket materials for this item begin on page 180. The closed captioned video of this item is [available here](#).

The meeting adjourned at 4:22 p.m.

A handwritten signature in black ink, reading "Brian R. Steeves". The signature is written in a cursive style and is positioned above a horizontal line that is partially obscured by a redacted area.

BRIAN R. STEEVES
Executive Director and
Corporate Secretary

February 12, 2021

UNIVERSITY OF MINNESOTA
BOARD OF REGENTS

meeting of the Governance, presiding; Thomas Anderson, Richard Beeson
Mary Davenport, Douglas Peterson;

minutes meeting were taken by roll

**RESOLUTION RELATED TO AMENDMENTS TO
URGENT APPROVAL AUTHORITY**

Regent Mayeron invited Regent Rosha to present for action the revised resolution related to amendments to urgent approval authority, 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 recommend approval of the resolution related to amendments to the urgent approval authority.

The vote was as follows:

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

The committee voted unanimously to recommend approval of the resolution related to amendments to the urgent approval authority.

BOARD OF REGENTS POLICY: *ALCOHOLIC BEVERAGES ON CAMPUS*

Regent Mayeron invited Vice President Kramer and Senior Associate General Counsel Dan Piper to present for action the proposed amendments to Board of RegentsrG0. f0.20 Tc7Tc 0 vae thPou1.82.9 62 B(2.6 42 6)

Year 2020-21

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Board of Regents
February 12, 2021**

A meeting of the Board of Regents of the University of Minnesota was held on Friday, February 12, 2021 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; Senior Vice President Myron Frans; Vice President Michael Berthelsen; General Counsel Douglas Peterson; and Executive Director Brian Steeves.

In

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 3. The closed captioned video of this item is [available here](#).

REPORT OF THE PRESIDENT

President Gabel delivered the report of the President.

The docket materials for this item begin on page 29. The closed captioned video of this item is [available here](#).

REPORT OF THE CHAIR

Regent Powell delivered the report of the Chair.

The docket materials for this item begin on page 30. The closed captioned video of this item is [available here](#).

RECEIVE AND FILE REPORTS

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

Summary of Expenditures

The docket materials for this item begin on page 31. The closed captioned video of this item is [available here](#).

CONSENT REPORT

Regent Powell p4 TD7.685 -1.16()o

A motion was made and seconded to approve the resolution related to

REPORT OF THE AUDIT & COMPLIANCE COMMITTEE

Regent Rosha, chair of the committee, reported that the committee did not take action on any items this month.

The committee docket materials can be found [here](#). The closed captioned video of this item is [available here](#).

REPORT OF THE LITIGATION REVIEW COMMITTEE

Regent Beeson, chair of the committee, reported that pursuant to notice sent by the University, the Litigation Review Committee met on February 11, 2021. At this meeting, a resolution was considered and adopted that authorized the closing of the meeting. In the closed meeting, discussion was held on matters subject to the attorney-client privilege.

The committee docket materials can be found [here](#). The closed captioned video of this item is [available here](#).

REPORT OF THE FINANCE & OPERATIONS COMMITTEE

Regent McMillan, chair of the committee, reported that the committee voted to recommend the following three items. All unanimous recommendations of the committee were considered as one motion.

The committee docket materials can be found [here](#). The closed captioned video of this item is [available here](#).

- 1) Approval of the resolution related to the Systemwide Campus Master Planning Principles. The committee docket materials for this item can be found on page 4.

The resolution is as follows:

WHEREAS, in 1993, the Board of Regents (Board) adopted the following four campus master planning principles to direct the development of campus master plans on each of the University of Minnesota (University) campuses:

The principle of creating and maintaining a distinctive and aspiring vision for the physical development of each campus;

The principle of enriching the experience of all who come to the campus;

The principle of maximizing the value of existing physical assets while responding to emerging/changing physical needs;

The principle of an inclusive, accountable, and timely process for creating and implementing the master plan vision; and

WHEREAS, the 1993 Board resolution included a detailed articulation of how these principles should be used in campus master planning; and

Regent Her

- 1) Approval of the resolution related to Amendments to Urgent Approval Authority. The committee docket materials for this item can be found on page 3.

The resolution is as follows:

BE IT RESOLVED that that the Board of Regents adopts the following amendments to Board of Regents Policy: *Board Operations and Agenda Guidelines*, Section V, Subd. 7, Urgent Approvals:

Subd. 7. Urgent Approvals.

~~Upon recommendation of the president, the Board chair, Board vice chair, and the respective committee chair may act on behalf of the Board when delay for Board approval could have a significant impact on the University's mission or poses a considerable health, safety, or financial risk. Urgent approvals shall be used judiciously and any such approvals will be reported to the Board or respective committee upon approval and included as an information item at the next scheduled meeting, consistent with Subd. 3 of this section.~~

When waiting for the next scheduled meeting to obtain Board approval on a particular matter could have a significant impact on the University's mission or poses a considerable health, safety, or financial risk, the president may request an urgent approval. To request an urgent approval, the president shall submit orally or in writing to the Board chair a statement describing the matter and the basis for immediate action.

After reviewing the circumstances and timeline of the urgent approval request, the Board chair shall determine if there is time to attempt to contact all Regents in order to hold a special or emergency meeting. If the Board chair determines that there is not time to contact all Regents or if a quorum of the Board is not available, the Board chair may act on behalf of the Board. In the absence of the Board chair, the Board vice chair shall perform the duties of the chair consistent with this subdivision and in alignment with the Bylaws. Immediately following the granting of an urgent approval on behalf of the Board, the OBR shall distribute to all Regents notice of the approval and all materials provided to support the request.

At the next meeting of the Board following the approval, the urgent approval

Promotion, marketing, or advertising of alcoholic beverages displayed in or on University property primarily used for academic or research purposes or in University housing shall be approved by the president and reported to the Board before implementation.

A portion of the annual revenue generated from the promotion, marketing, advertising, or sponsorship of alcoholic beverages shall be allocated to University education and counseling programs established under Section III, Subd. 2 of this policy. The president shall include the allocation as a component of the annual operating budget.

SECTION V. ENFORCEMENT.

Violation of this policy may result in the following University sanctions, in addition to any other sanctions imposed by law:

Subd. 1. Employees.

Violation of this policy by an employee constitutes misconduct subject to University discipline that may include termination.

Subd. 2. Students.

Violation of this policy by a student is a violation of, and shall be adjudicated in accordance with, Board of Regents Policy: Student Conduct Code.

Subd. 3. Visitors.

Violation of this policy by a visitor shall result in a request to leave the University property, function, or event, and may result in a directive prohibiting access to University property.

NEW BUSINESS