

**BOARD OF REGENTS FOR HIGHER EDUCATION
CT STATE COLLEGES AND UNIVERSITIES (CSCU)
BOR HUMAN RESOURCES & ADMINISTRATION COMMITTEE
MINUTES OF A SPECIAL MEETING
Wednesday, July 17, 2024
CONDUCTED VIA WEBEX**

REGENTS – PARTICIPATING (Y = yes / N = no)	
Richard J. Balducci	Y(arrived 2:49 p.m.)
Juanita James	Y
Sophia Jappinen, Committee Chair	Y
Elease E. Wright	Y

OTHER REGENTS PRESENT:

Marty Guay, BOR Chair
Charlene Casamento, BOR Ex Officio

CSCU/BOR STAFF:

Dr. Lloyd Blanchard, CSCU Interim Vice President for Administration and Chief Financial Officer
Lori Lamb, Interim Assistant Vice Chancellor for Human Resources and Labor Relations
Vita Litvin, Interim General Counsel
Dr. Aynsley Diamond, AVP, Academic Affairs
Dr. Tamara O’Day Stevens, AVP, Enrollment Management and Student Success
Kim Pacelli, CSCU Interim Title IX Coordinator
Shannon Walsh, Associate General Counsel
Pam Heleen, Secretary of the Board of Regents (recorder)

1. **CALL TO ORDER**

Committee Chair Jappinen called the meeting to order at 2:32 p.m. and, following roll call, declared a quorum present.

2. **ADOPTION OF AGENDA**

Committee Chair Jappinen made a motion to adopt the meeting agenda. Her motion was seconded by Regent Wright. The agenda was unanimously adopted.

3. **ACTION ITEMS**

- New Interim Discriminatory Harassment, Nondiscrimination, and Title IX Policy and Update to the Affirmative Action and Equal Employment Opportunity Policy

Committee Chair Jappinen asked Lori Lamb to present the items.

Ms. Lamb noted that the first action item represented the collective work of many people, including Kim Pacelli, the interim Title IX Coordinator for the System Office, General Counsel, Counsel at CCSU, the Title IX Coordinators from the institutions, input from DEI and HR leaders across the system and the executive team at the System Office, and the thoughtful review by CSCU Presidents.

She introduced Kim Pacelli, Interim Title IX Coordinator for the System Office and a consultant from TNG – the preeminent national firm that specializes in risk management and Title IX. Ms. Lamb added that some of her early recommendations were to update the Title IX policies, create an overall non-discrimination policy, and update other related policies as they were out of date, nonexistent, and confusing – leading to implementation issues for everyone around the system. The new Title IX regulations from the Department of Education in April moved work in this area to a very high priority, since the regulations require a new policy by August 1.

Ms. Pacelli noted the following:

- Title IX now has a broader scope, meaning that more conduct will fit within the definition of sex discrimination and sex-based harassment, and the new definitions/scope align with other federal and state civil rights laws, which makes this an opportune time to consider aligning all civil rights policies into a single one.
- Title IX also now provides some flexibility regarding procedures, which is a change that will benefit the system and campuses, as well as moving away from the requirement for live hearings.
- Although there is significant litigation in other states regarding the new Title IX regulations, none currently impact Connecticut or CSCU, though we are continuing to monitor and will adapt as necessary.

Ms. Lamb also noted the importance of this policy as an “Interim” policy as consultation with faculty, students, and other stakeholders will occur when the faculty is back on contract and the fall semester begins. Ms. Lamb presented the following two policies to be approved for consideration by the full Board on July 31st:

- an updated Affirmative Action Policy Statement
- a new Discriminatory Harassment, Nondiscrimination and Title IX policy

Approval of these policies not only sets the policy framework for the important work that must be done, but also helps establish CSCU as firmly committed to providing an education and working environment that is free from discrimination and harassment based on protected characteristics, and retaliation.

Ms. Lamb indicated that one faculty member provided feedback about the interim policy. Regent Wright asked about the faculty member’s concerns and how they are being addressed. Ms. Lamb noted that the faculty member’s concern related to pregnancy discrimination and the lack of definition. She added that the definitions are included in the regulations and CSCU is bound by those definitions. Other issues related to family discrimination should be dealt with at the campus level. Terminology present in the interim policy aligns with the terminology in the new regulations. No changes are needed to the interim policy based on this feedback.

She added the following:

- We will be developing comprehensive system wide procedures for implementing this policy – that vest appropriate authority in the campuses and balances the need for consistency and clarity for everyone involved in these processes.
- We will focus on training all faculty and staff regarding these new policies.
- We will be keeping the Board updated and bringing you necessary revisions as we go through this process.

Regent James asked if part of the process going forward is a sign-off or acknowledgement from the institution presidents that they are in receipt of the policy, procedures, and established practices and acknowledge that they are responsible for adherence to it. Ms. Lamb indicated that we do not have that much rigor around documenting receipt of the new policy. Regent James suggested that this could improve communications among parties.

A motion was made by Regent James, which was seconded by Regent Wright to approve the resolution for consideration by the full Board. The motion was unanimously approved for consideration by the full Board of Regents on July 31st.

- Policy – Evaluation of the CSCU Chancellor

Committee Chair Jappinen asked Lori Lamb to present the item.

Ms. Lamb stated that the new policy related to the Chancellor's Evaluation comes before the Committee based on their request that there is a need to ensure that the Board's oversight responsibilities include a consistent process for evaluating the Chief Executive Officer, the Chancellor. She added that the policy is the work of a great collaborative effort:

- there was significant review and input from the BOR Human Resources Committee
- there was input and advice from Dr. Terry MacTaggart from AGB who has endorsed the policy, and
- the Chancellor has reviewed and agrees with the principles involved.

She summarized the policy as follows:

- There will be an annual evaluation of the Chancellor largely under the supervision/direction of the Chair of the Board. The Chair will obtain necessary input and will use that to inform the evaluation.
- Every three years, there will be a comprehensive/360 evaluation. This will involve seeking input from a broader audience. Again, the Chair of the Board will implement the evaluation process and will develop procedures for doing so. This was a specific "best practice" recommendation from Dr. MacTaggart.

Ms. Lamb stated that feedback from BOR ex officio Charlene Casamento was received which was related to specific items in the staff report, as well as some editorial comments. There were no substantive comments that would necessitate a change to the policy. The staff report will be amended accordingly for the full Board on July 31, 2024.

Regent Balducci asked for confirmation that the Chancellor has two more years on his current contract. Ms. Lamb confirmed the duration of the contract and explained that the evaluation and contracts are two separate and distinct processes. The Chair of the BOR will be managing both individually. Approval of this policy will allow for two more evaluations within this contract period; the evaluations will serve to inform any new contract negotiations.

Regent James asked for elaboration on the constituent groups involved in the 360° evaluation (which happens every 3 years) and how they are different from the annual evaluations. Ms. Lamb indicated that more specificity is provided in the staff report for context, not in the policy. The policy is broad enough to allow the Chair to identify whom he wants to seek input from. The broad nature of the policy is intentional, creating a document that has longevity.

Regent Wright noted that 360° evaluations usually have a larger developmental component than annual performance reviews. In some cases, the 360° evaluation is not used as an evaluation. She suggested that as the 360° evaluation is rolled out, we should communicate whether it will be used as an evaluation tool.

Ms. Lamb also noted that historically some systems have used outside facilitators like AGB to work through the 360° evaluation process.

A motion was made by Regent Balducci, which was seconded by Regent Wright to approve the resolution for consideration by the full Board. The motion was unanimously approved for consideration by the full Board of Regents on July 31st.

ADJOURNMENT

Following a motion by Regent Balducci which was seconded by Regent Wright, Committee Chair Jappinen declared the meeting adjourned at 3:05 p.m.

Submitted,

Pamela Heleen
Secretary of the CT Board of Regents for Higher Education