



University of Colorado
Board of Regents

CU Board of Regents Agenda Item

Agenda Item Details

Meeting	Sep 09, 2021 - Regular Board Meeting (September 9-10, 2021)
Category	N. 2:30 p.m. REGENT DISCUSSION AND ACTION ITEMS
Subject	3. Action Item: University Funding from Foreign Nationals and Foreign Government
Access	Public
Type	ACTION
Recommended Action	<p>RESOLVED The University of Colorado will ensure that relationships with foreign national or governments are conducted appropriately and in accordance with the requirements of federal law, including the International Traffic in Arms Regulations, and the regulations implementing Section 117 of the Higher Education Act of 1965, and the 2021 National Defense Authorization Act.</p> <p>RESOLVED In recognition of the Board of Regents fiduciary role and oversight of the University, each university campus shall annually provide to the Audit Committee of the Board of Regents a report summarizing all gifts, contracts, or grants with a foreign government or non-governmental foreign source with a value of at least \$100,000, and a specific disclosure of any transaction with a foreign country subject to restrictions through the Office of Foreign Assets Control.</p> <p>RESOLVED No University of Colorado campus will permit an affiliation with any entity related to the Confucius Institute unless such affiliation has been expressly permitted under the 2021 National Defense Authorization Act and appropriate safeguards instituted to ensure that the affiliation does not compromise the university's ability to safeguard academic freedom for students, faculty, and staff as guaranteed by Article 5 of the Laws of the Regents, prohibits the application of any foreign law on the campus, and grants full managerial authority of the Confucius Institute to the university.</p>

Public Content

RECOMMENDATION FROM:

Regent Ganahl.

STATEMENT OF INFORMATION:

Article 5 of the Laws of the Regents recognizes that the aims of the university can be achieved only in an atmosphere of free inquiry and discourse, which the Board of Regents recognizes as the principle of academic freedom.

Article 5 of the Laws of the Regents defines academic freedom is the freedom to inquire, discover, access, publish, disseminate, and teach truth as the individual understands it, subject to no control or authority save the control and authority of the rational methods by which knowledge is established in the field.

The American Association of University Professors and the National Association of Scholars have cautioned that the practices of the Confucius Institutes represent a threat to norms of academic freedom. Federal law enforcement agencies have also cautioned that the Confucius Institutes may be a vehicle for state sponsored espionage and represent a potential threat to national security.

The University of Colorado's campuses are responsible for compliance with state and federal laws governing research activities, including International Traffic in Arms Regulations, and the regulations implementing Section 117 of the Higher Education Act of 1965, and the 2021 National Defense Authorization Act. Compliance with these laws, ensuring that research is not inappropriately shared with foreign states whose interests are not aligned with the United States of America's interests, is does not infringe upon the principles of academic freedom.

PREVIOUS ACTION(S):

None.

Administrative Content**Executive Content****Motion & Voting**

RESOLVED The University of Colorado will ensure that relationships with foreign national or governments are conducted appropriately and in accordance with the requirements of federal law, including the International Traffic in Arms Regulations, and the regulations implementing Section 117 of the Higher Education Act of 1965, and the 2021 National Defense Authorization Act.

RESOLVED In recognition of the Board of Regents fiduciary role and oversight of the University, each university campus shall annually provide to the Audit Committee of the Board of Regents a report summarizing all gifts, contracts, or grants with a foreign government or non-governmental foreign source with a value of at least \$100,000, and a specific disclosure of any transaction with a foreign country subject to restrictions through the Office of Foreign Assets Control.

RESOLVED No University of Colorado campus will permit an affiliation with any entity related to the Confucius Institute unless such affiliation has been expressly permitted under the 2021 National Defense Authorization Act and appropriate safeguards instituted to ensure that the affiliation does not compromise the university's ability to safeguard academic freedom for students, faculty, and staff as guaranteed by Article 5 of the Laws of the Regents, prohibits the application of any foreign law on the campus, and grants full managerial authority of the Confucius Institute to the university.

Motion by Heidi Ganahl, second by Glen Gallegos.

Final Resolution: Motion adopted

Yes: Nolbert Chavez, Glen Gallegos, Heidi Ganahl, Jack Kroll, Callie Rennison, Sue Sharkey, Ilana Spiegel

No: Lesley Smith

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