



University of Colorado

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Michael Carrigan, Regent

555 Seventeenth Street, Suite 3200
Denver, Colorado 80202
Phone (303) 295-8314

TO: Steve Bosley
Chair, Board of Regents



Approved

FROM: Michael Carrigan
Regent



DATE: June 22, 2010

SUBJECT: Restatement of the University of Colorado’s Nondiscrimination Statement Regarding Sexual Orientation

I. REQUEST FOR ACTION BY THE BOARD OF REGENTS

I recommend that the following resolution be submitted for approval by the Board of Regents on June 24, 2010.

WHEREAS the University of Colorado has a proud tradition of non-discrimination, and

WHEREAS members of the University of Colorado community have expressed concern regarding possible unfair treatment or discrimination based on gender identity and gender expression, and

WHEREAS in 2001, the Board of Regents amended the *Laws of the Regents* to prohibit discrimination on the basis of sexual orientation, and

WHEREAS in 2007, the Colorado General Assembly made similar amendments to the State’s anti-discrimination statutes, and

WHEREAS in November 2009, the Colorado Civil Rights Division adopted rules to define the term “sexual orientation” to include an individual’s “gender identity,” and “gender expression,” and those rules have the force of law in Colorado, and

WHEREAS it is the intent of the Board of Regents that its *Laws* be interpreted and enforced in accordance with applicable federal and state law so that all members of the University are protected from unlawful discrimination, and

WHEREAS on May 4, 2010, President Benson issued a memorandum to the chancellors and human resources representatives directing them to work with the human resources offices, student support offices and sexual harassment offices to ensure that the university community is aware that “sexual orientation” as used in Article 10 of the *Laws of the Regents* is fully inclusive of the definitions of the Colorado Civil Rights Division;

RESOLVED that the Board of Regents endorses President Benson’s May 4, 2010, directive and restates our intent to protect the rights of all individuals in accordance with applicable federal and state laws, rules, regulations and precedential court opinions.

II. PREVIOUS ACTIONS

On March 24, 2005, the Board of Regents approved a resolution reaffirming its previously adopted statements in support of diversity and tolerance on all of the University of Colorado's campuses and supports the development of programs and activities to reinforce these values.

On May 30, 2001, the Board of Regents approved a resolution to add sexual orientation to the nondiscrimination statement and to update relevant policies.