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## Minutes, May 20, 1977

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MINUTES OF THE MEETING  
OF THE  
BOARD OF TRUSTEES  
THE UNIVERSITY OF CONNECTICUT

Held at the Bartlett Arboretum, Stamford

May 20, 1977

In the absence of Mr. Tasker, the meeting was called to order at 11:30 a.m. by Vice Chairman Frank D. Rich, Jr. Trustees present were: Mesdames Briscoe and Kronholm, and Messrs Brown, Cunningham, Kleban, Kozloski, Nielsen, Rich, Shedd, Stewart, Stroh, and Wiggins. Trustees Collins and Tasker joined the meeting during the open session in the afternoon. Mrs. Margaret Weinberg, Director of Governor Grasso's Southern Office, was also present during the open portion of the meeting.

Trustees absent were: Governor Grasso, and Messrs. Canzonetti, Carlson, Jacobs, and Wilber.

University staff present included: President Ferguson and Vice Presidents Adams, Hartley, and Wilson, and Attorney McKenna, General Counsel for the University. Vice President DiBiaggio joined the meeting during the afternoon session.

All actions taken were by unanimous vote except as otherwise noted.

1. On a motion by Mr. Nielsen, seconded by Mr. Stroh, THE BOARD VOTED to go into executive session for the purpose of considering matters concerning personnel and collective bargaining. The Vice Chairman stated that since the matters to be considered will require staff information, the minutes should reflect that President Ferguson, Vice Presidents Adams, Hartley, and Wilson, Assistant Vice President Glasgow, and Messrs. Bailey, Capra, Kimball, McGowan, and McKenna were in attendance. Members of the Board present at this time were: Mesdames Briscoe and Kronholm, and Messrs. Brown, Cunningham, Kleban, Kozloski, Nielsen, Rich, Shedd, Stewart, Stroh, and Wiggins. While in executive session, the Board took the following actions:

- (A) On a motion by Mrs. Kronholm, seconded by Mrs. Briscoe, THE BOARD VOTED to approve for purposes of the State Auditors a formal list of actions already taken on reassignments, appointments, salary increases, and leaves of absence without pay. The lists were authorized to be signed by the Secretary of the Board of Trustees. A copy of the lists is attached to the file copy of the Board minutes.
- (B) On a motion by Mr. Nielsen, seconded by Mrs. Kronholm, THE BOARD VOTED to accept the following resignations:
- (1) Susan Mary Clarke, University Educational Assistant I in the Office of Dental Student Affairs, effective April 28, 1977. 4 yrs., 7 mos.
  - (2) Susan B. Fischer, University Educational Assistant I in the Financial Aid Office, Office of Student Affairs and Services, effective May 13, 1977. 6 mos.
  - (3) Dr. Michael P. Hyman, Assistant Professor (New Britain General Hospital) in the Department of Pathology, effective December 12, 1976. 3 mos.
  - (4) Randall B. James, Assistant Professor in the Department of Oral Surgery, effective July 31, 1977. 3 yrs., 1 mo.
  - (5) Alan Liss, Assistant Professor in the Department of Biological Sciences in the College of Liberal Arts and Sciences, effective June 30, 1977. 1 yr., 10 mos.
  - (6) Terence Sullivan, Assistant Professor in the Department of Business Administration in the School of Business Administration, effective March 11, 1977. 1 yr., 6 mos.
  - (7) Joyce R. Wallace, University Educational Assistant I in the Graduate School, effective June 16, 1977. 2 yrs., 10 mos.
- (C) On a motion by Mr. Nielsen, seconded by Mrs. Kronholm, THE BOARD VOTED to accept the following terminations:
- (1) Helen Howard, Resident Educational Counselor in the Department of Resident Student Affairs, Office of Student Affairs and Services, effective June 3, 1977, with special leave at full pay from June 3, 1977 through July 1, 1977, at which time eligible for retirement. 5 yrs., 11 mos.

- (2) Myrtle Spencer, Resident Educational Counselor in the Department of Resident Student Affairs, Office of Student Affairs and Services, effective June 3, 1977, with special leave at full pay from June 3, 1977 through July 1, 1977, at which time eligible for retirement. 9 yrs., 11 mos.
- (D) On a motion by Mr. Nielsen, seconded by Mrs. Kronholm, THE BOARD VOTED to approve the following appointments:
- (1) Edward E. Balkovich, PhD, Assistant Professor in Electrical Engineering and Computer Science, \$16,600, effective September 1, 1977.
  - (2) Lloyd Baum, DMD, Professor in the Department of Restorative Dentistry, \$44,500, effective July 1, 1977.
  - (3) Marion F. Cohen, PhD, Assistant Professor in the Department of Speech, \$15,000, effective September 1, 1977.
  - (4) Sharon Fagan, BA, University Director (Operational Studies) in the Vice President for Health Affairs Office, \$23,000, effective May 23, 1977.
  - (5) Allan Hoffman, University Assistant Director (Electronic Specialist for Diagnostic Radiology) in the Health Center Physical Plant, \$18,500, effective May 23, 1977.
  - (6) Thomas R. Kelley, University Hospital Medical Technologist II in the Microchemistry Laboratory, CANR, \$13,650, effective May 1, 1977.
  - (7) Jean Krulic, MA, University Educational Assistant I in Dental Student Affairs, \$11,492, effective May 23, 1977.
  - (8) Michael Phillips, MB.BS, Assistant Professor in the Department of Medicine, \$33,500, effective May 21, 1977.
  - (9) Susan K. Ratzan, MD, Assistant Professor (Mt. Sinai Hospital) in the Department of Pediatrics, Non-pay, effective July 15, 1977.
  - (10) Herbert H. Scherzer, MD, Assistant Professor in the Department of Medicine, \$32,000, effective July 1, 1977.

- (11) Robert K. Shapter, MD, Assistant Professor (Middlesex Memorial) in the Department of Family Medicine, Non-pay, effective April 1, 1977.
  - (12) Richard S. Thornton, MFA, Professor and Head of the Art Department, \$25,000, effective September 1, 1977.
  - (13) Stanton H. Wolfe, DDS, Assistant Professor in the Department of Oral and Maxillofacial Surgery, \$27,500, effective June 1, 1977.
- (E) On a motion by Mr. Nielsen, seconded by Mrs. Kronholm, THE BOARD VOTED to approve the following leaves of absence:
- (1) Jean Aigner, Associate Professor in the Department of Anthropology, leave without pay for the 1977-78 academic year.
  - (2) Janet S. Aronson, Assistant Director of the Honors Program, leave without pay for the period August 1, 1977 through August 12, 1977.
  - (3) Eric Carlson, Professor of English, sabbatic leave at full pay for the first semester of the academic year 1978-79.
  - (4) Susan R. Davis, Clinical Instructor in Allied Health Professions, leave without pay from March 21, 1977 through April 25, 1977. Correction.
  - (5) Robert S. Dombroski, Associate Professor in the Department of Romance and Classical Languages, sabbatic leave at full pay for the second semester of the academic year 1977-78.
  - (6) Gary Jordan, Assistant Professor of Business Administration, leave without pay for the 1977-78 academic year.
  - (7) David C. Kelly, Assistant Professor in the Department of Art, sabbatic leave at half pay for the 1977-78 academic year.
  - (8) Herbert E. Klei, Associate Professor in the Department of Chemical Engineering, sabbatic leave at full pay for the second semester of the academic year 1977-78.
  - (9) Richard E. Lindstrom, Associate Professor of Pharmaceutics, special leave with pay from May 5, 1977 through May 20, 1977 for military obligation.

- (10) Anita Malone, Extension Home Economist, Cooperative Extension Service, sabbatic leave at half pay for the period September 1, 1977 until August 31, 1978.
  - (11) Julius Newman, Associate Professor in the School of Social Work, a change in sabbatic leave from a leave at half pay for the 1977-78 academic year to a sabbatic leave at full pay for the first semester of the 1977-78 academic year.
  - (12) Robert A. Peters, Professor in the Department of Plant Science, sabbatic leave at full pay for the period January 1, 1978 to July 1, 1978.
  - (13) Howard Rosencranz, Professor in the School of Home Economics and Family Studies, sabbatic leave at full pay for the second semester of the academic year 1977-78.
  - (14) Ana Rother, Research Associate I in the School of Pharmacy, leave without pay for the period September 1, 1977 through August 31, 1978.
  - (15) Sandra Scantling, Instructor in the School of Nursing and Nurse IV, leave with pay for the period March 28, 1977 to May 27, 1977, and leave without pay for the period May 30, 1977 to September 1, 1977. (Change in dates)
  - (16) Michael Simon, Associate Professor in the Department of Philosophy, leave without pay for the 1977-78 academic year.
  - (17) Richard Swibold, Associate Professor in the Department of Art, sabbatic leave at full pay for the second semester of the academic year 1977-78.
  - (18) Max B. Thatcher, Professor in the Department of Political Science, sabbatic leave at full pay for the second semester of the academic year 1977-78.
- (F) On a motion by Mr. Nielsen, seconded by Mrs. Kronholm, THE BOARD VOTED to approve the following change in title:
- (1) S. Y. Feng, from Acting Director of the Marine Sciences Institute and Professor of Biology to Director of the Marine Sciences Institute and Professor of Biology, effective May 5, 1977 for a term ending August 31, 1979.

- (G) On a motion by Mr. Nielsen, seconded by Mrs. Kronholm, THE BOARD VOTED to accept the following retirements:
- (1) Marion Jucius, University Hospital Nurse III in Health Services, effective March 31, 1977. 19 years of service.
  - (2) George E. Whitham, Professor and Associate Director of the Cooperative Extension, effective March 1, 1978. 31 years of service.
- (H) On a motion by Mr. Nielsen, seconded by Mrs. Kronholm, THE BOARD VOTED to approve the following Hospital appointments:
- (1) Antoinette Ruth Appel, PhD, University Hospital Professional Class IV (Psychologist) (University Hospital Department Manager), in the Department of Psychiatry, \$22,000, effective August 1, 1977.
  - (2) Lloyd Shields, RN, University Hospital Professional Class VII (University Hospital Professional Assistant II) in Materials Management, Central Sterile Supply, \$15,770, effective May 6, 1977.
- (I) Vice President Wilson commented briefly on the status of collective bargaining.
- (J) Attorney McKenna reviewed current litigation developments of concern to the University. At the conclusion of his review, he called attention to the possibility of a settlement with Associate Professor Jack Roach. After considerable discussion of this case, on a motion by Mr. Cunningham, seconded by Mrs. Briscoe, THE BOARD VOTED to remove the probation of Dr. Jack Roach, Associate Professor of Sociology, promote him to the rank of Professor of Sociology, effective October 1, 1974, and pay him the difference in salary (represented by the difference in merit salary step size for Associate Professor and Professor), which he would have received had he been promoted to Professor at the April, 1974 meeting, and the amount he has received as Associate Professor during that period; this amount is approximately \$650. All of the above is conditioned on Dr. Roach's agreeing in writing, as part of the settlement of the case Roach vs. Tasker et al, to comply with the official regulations of the University, as set forth in the University of Connecticut Laws and By-Laws, Tenth Edition, Revised (Storrs, Connecticut), 1974.

2. The executive session was concluded at 12:15 p.m. During the brief interval before lunch, Dean Kersting acquainted the Trustees with an overall and historical review of the Bartlett Arboretum and many of the University's and Bartlett Arboretum Association's present and future program plans.

Vice Chairman Rich also acquainted the Trustees with the recent death of the daughter of John Ives, former Director of Dempsey Hospital. It was suggested that memorial fund contributions should be forwarded to the Pediatrics Department at the Health Center.

3. The meeting reconvened at 2:05 p.m. Dr. Edward Duda, Director of the Bartlett Arboretum, and Mr. Herbert Bijur, President of the Bartlett Arboretum Board of Directors, jointly welcomed the Trustees to the Arboretum. Mr. Bijur urged the Trustees to tour the grounds at the conclusion of the Board meeting. In response, Vice Chairman Rich expressed the appreciation of the Board for the cordial reception to the Arboretum.
4. On a motion by Mr. Kleban, seconded by Mr. Cunningham, THE BOARD VOTED to approve the minutes of the meeting of April 15, 1977.
5. Mr. Rich, reporting as Chairman of the Health Affairs Committee, stated that during its morning meeting the Committee had considered the following items:
  - (1) The Health Center's 1978-79 budget and some of the funding problems were discussed. Specific recommendations will be presented at the June meeting.
  - (2) The impact of collective bargaining with respect to faculty and professional non-faculty at the Health Center will mean a cost of approximately 8.4 million dollars over the 2 plus years of the contract. Only 3.2 million of this amount will come from general funds. The remainder must come from the Research Foundation Fund, auxiliary services and clinical programs. The Health Center administration is critically reevaluating all priorities and reassessing all expenditures in its operations.
  - (3) The restoration of full accreditation to the Dental School was noted with pleasure. The American Dental Association's Commission on Accreditation awarded full accreditation to the School of Dental Medicine after receiving a progress report from Dr. Harald Løe. The full restoration of accreditation comes just in time for the school's May 22 graduation.



- (4) The dedication ceremony at the Health Center was well attended Wednesday afternoon. A plaque dedicating the John Dempsey Hospital was unveiled. The scientific symposia associated with the dedication will be completed as of today.
  - (5) The Education Committee has decided to accept the Blue Ribbon Commission Report but will take no action to make it a directive to the Health Center. Instead, the committee will study the report and present a recommendation to the Legislature at the next session in February, 1978.
  - (6) The Health Center Advisory Council continues to meet and has been discussing public relations. Three subcommittees have been formed in order to concentrate on these important areas: legislative public relations, community relations and media relations.
6. Mr. Kozloski stated that while he had nothing new to report with respect to the Capitol Area Health Consortium, he did want to remind the Board that the salary levels for staff at Dempsey Hospital remained below the levels of the other member hospitals. Mr. Kozloski stressed that this salary matter should be included along with any other salary considerations that may develop.
7. Mr. Rich, reporting on the recent meeting of the Health Affairs-Hospital Committee, reminded the Trustees that they also act as Trustees of the John Dempsey Hospital and that the Board meeting is also considered as a Board meeting of the Hospital Trustees.

At the May meeting the Health Affairs-Hospital Committee reviewed the following items:

- (1) The financial statements for the month of March were reviewed and determined to be in good order. Dempsey Hospital showed, after subsidy, a slight loss amounting to approximately \$8,700. This compares with \$87,000 in the month of February. This reduction can be attributed to additional patient's days available in March versus February and a concerted effort by Dr. Hamilton and the hospital administration to maintain a constant expense level. The Burgdorf Clinic also showed a substantial reduction in loss to a level of only \$2,200 for March, which is within the amount authorized by the Board. A comprehensive report was given on the Medical Group activities indicating a substantial increase in income.

- (2) The Hospital Census remained at 113 for the month of March and will probably be at the level of 118 for the month of April. A single day high of 137 was reached during April. This continuing increase in patient census was very encouraging to the Hospital Committee.
  - (3) A committee has been appointed to begin a search for a permanent Hospital Director for the Dempsey Hospital. The committee consists of the following: Dr. Davidoff, Dr. Blechner, Dr. Greenstein, Dr. Gossling, Dr. Topazian, Ms. O'Neil, Mr. Bruner, Mr. Springer, Dr. Henken, and Dr. Thompson.
  - (4) Mrs. Susan Rathgeber, Director of Volunteers, gave a comprehensive report on the activities of this group. The committee was impressed by the efforts of Mrs. Rathgeber, particularly in the areas of definition of objectives for the program and in organizing an effective management and reward system. Mrs. Rathgeber has been invited to attend meetings on a regular basis and will keep the committee informed of volunteer activities.
  - (5) Dr. Jack Blechner, Chairman of Obstetrics and Gynecology, reported on the activities of this department. He described in considerable detail the department's contributions in the areas of education, service and research. The committee was impressed by the outreach activities of the department and by the obvious dedication of Dr. Blechner and his staff. Dr. Blechner, who also serves as President of the Medical Staff, did identify some problems faced by all clinical faculty including diminishing competitiveness of salary levels, inadequate fringe benefits, and certain rigidities existing in the state system.
8. Mr. Rich reported that the proposed contracts and agreements had been reviewed by the Health Affairs-Hospital Committee and recommended for approval by the Board. On Mr. Rich's motion, seconded by Mrs. Briscoe, THE BOARD VOTED to approve the list of contracts and agreements and authorized the President, Vice Presidents and Assistant Vice Presidents to sign the necessary documents on behalf of the University. A copy of the approved list of contracts and agreements is attached to the file copy of the Board minutes.

9. Mr. Rich informed the Trustees that the proposed staff appointments had been reviewed and approved by the Medical Board in accordance with the existing Bylaws. On Mr. Rich's motion, seconded by Mr. Nielsen, THE BOARD VOTED to approve the current list of staff appointments. A copy of the approved list is attached to the file copy of the Board minutes.
10. Mr. Nielsen, reporting as Chairman of the Budget and Finance Committee, indicated that the Committee had reviewed the proposed contracts and recommended approval to the Board.

On a motion by Mr. Nielsen, seconded by Mr. Cunningham, THE BOARD VOTED to approve the thirteen University contracts; and acting on Mr. Nielsen's motion, seconded by Mr. Shedd, THE BOARD VOTED to approve the two Health Center contracts and further authorized the President, Vice Presidents and Assistant Vice Presidents to sign the necessary documents on behalf of the University. A copy of the approved list of contracts and agreements is attached to the file copy of the Board minutes. Mr. Rich indicated that the Health Affairs Committee endorsed the recommended approval with respect to the Health Center contracts.

11. Mr. Nielsen, on behalf of the Budget and Finance Committee, presented the following recommendation:

The Vice Presidents and Assistant Vice Presidents are authorized on behalf of the University to execute and process all agreements other than leases and use and occupancy agreements in which the consideration is \$5,000 or less. It was understood that all such agreements would be presented to the Board every four months for subsequent review and approval; and that after one year the administration would present a report on this procedure. Further, it was understood that this authority would be extended to the Health Center operation under the same guidelines.

Acting on Mr. Nielsen's motion, seconded by Mrs. Kronholm, THE BOARD VOTED to approve the above recommendation.

12. Mr. Nielsen, after informing the Trustees that the Budget and Finance Committee had considered the past actions and all reasons relating to the Board approved increase in the Student Activity Fee at the time of the Board meeting on March 11, 1977, reported that the Committee voted unanimously to recommend that the Board ratify the increase in the Student Activity Fee from \$4 to \$8 per student per semester, effective for the academic year 1977-78. Mr. Nielsen's motion to ratify the increase was seconded by Mrs. Kronholm.

During the discussion, Mr. Brown indicated that this matter had also been discussed at the Institutional Policy Committee meeting and the Committee was agreed that the Board had acted responsibly in responding to the emergency request for the fee increase.

Mr. Rich expressed his concern that the Board seemed unwilling to address the matter on the basis of the principle involved. He pointed out that the constituency had expressed themselves in opposition to the fee increase and that he found it difficult to understand why the Trustees had substituted their judgment for that of the constituency and allowed the fee increase to be imposed. Mr. Rich, urging the Trustees to address themselves to the basic principle involved, pointed out that whereas the fee was small -- the principle was great.

Mr. Wiggins briefly summarized the need to support the Student Government request for the activity fee increase. He also explained that the administration's survey of the student body was not to be regarded as a true referendum. Mr. Kleban suggested that the Board continue the implementation of the fee increase but in light of the survey which was taken that a referendum be held at the time of the next student election of a Trustee.

As a follow-up to Mr. Kleban's suggestion, Mr. Stroh presented the following amendment:

That the fee be ratified until the next student election of a Trustee at which time the ballot will also have the question as to whether or not the fee should be continued at the increased rate.

Mr. Stroh's amendment was seconded by Mr. Kleban. After calling for the vote on the amendment, Chairman Tasker declared the amendment was lost. Trustees Kleban, Rich, and Stroh registered in favor of the amendment; Trustees Briscoe, Brown, Collins, Cunningham, Kozloski, Kronholm, Nielsen, Shedd, Stewart, and Wiggins registered in opposition.

Voting on Mr. Nielsen's original motion, THE BOARD VOTED to ratify the increase in the Student Activity Fee from \$4 to \$8 per student per semester, effective in the academic year 1977-78. Trustees Kozloski, Rich, and Stroh registered in opposition to this action.

Mr. Kleban and Mr. Rich left the meeting at this time.

13. Mr. Brown, reporting as Chairman of the Institutional Policy Committee, informed the Board that the Committee had voted to recommend the approval of the University's entering into agreements with the Board of Trustees of the Roper Public Opinion Research Center, Yale University, and Williams College to permit the move of the Roper Center to the University and Yale, the reorganization of the Center, and the appointment of the President of the University and certain of its faculty members to the Roper Center's Board of Trustees and to its Executive and Operating Committee.

Acting on Mr. Brown's motion, seconded by Mr. Cunningham, THE BOARD VOTED to approve the above recommendation.

14. Mr. Brown also reported that the Institutional Policy Committee had joined the Budget and Finance Committee for some discussion of the University's policy and practice with respect to the buying of stock of certain companies and doing business with other countries which are considered socially irresponsible. Mr. Brown stated that the Institutional Policy Committee is very clear in terms of its stand with respect to this question, however, the precise policy language has yet to be determined. He reported that at the morning session, the following statements were considered:

- (1) The University of Connecticut is committed to socially responsible action. It will manage its corporate holdings to promote this commitment.
- (2) That the University is committed to a policy of severing business relationships and not doing business with corporations, countries, principalities, or any other entity which is deemed not socially responsible.
- (3) That the University is committed to a policy of social responsibility in choosing its investments.
- (4) That the University seek to divest itself of any holding of companies deemed socially irresponsible. Recognizing the importance of financial stability, we should immediately get rid of those for which similar alternatives can be found and in each other case, if there be any, we proceed to actively convey our dismay to the companies involved.

It was agreed that the above statements would be forwarded to the attention of all Trustees in case they wish to react individually. It was agreed that the Trustees would get in touch with Mr. Brown should there be any individual suggestions. It was also understood that this policy matter would be listed as an agenda item for the next Board meeting.

15. Mrs. Kronholm, reporting on the Commission for Higher Education meeting of May 3rd, spoke of the following:
- (1) Dr. Gould reported on developments in several areas. The bill before the General Assembly on the restructuring of higher education calls for a new "Board of Higher Education" to meet and organize itself on August 1, 1977, and for a Commissioner of Higher Education to be appointed by December 1, 1977. The two special committees, previously established by the CHE, are at work reviewing their assigned topics: (a) the mission statements submitted to CHE, and (b) the procedures followed in reviewing and submitting annual budget requests.
  - (2) The chairman of the Fiscal Policy and Planning Committee recommended approval of the \$4 increase in the University's Student Government Fee, commenting that his committee supported the action of the Board of Trustees but noted that it was contrary to the opinion of students as expressed in a survey conducted on campus. Following some discussion of the latter point, the motion to approve was lost by a vote of 4:5. (Members of the Commission have since expressed a willingness to reconsider the matter at their next meeting.)
  - (3) In the executive session, approval was given to various leases and contracts, including one under which the University provides space at Avery Point to the U. S. Coast Guard. Interest was expressed in the policies which guide the rental of state-owned property, and an invitation has been accepted by Vice President Hartley to review for the Commission the University's practices in this area.

Mr. Shedd left the meeting at this time.

16. The President called the Trustees' attention to the agenda attachment material with respect to the degrees to be awarded on May 22nd. He also commented on certain changes in numbers at the undergraduate level that in essence reflect the marketplace for the current year.

In keeping with precedent and acting on President Ferguson's recommendation, on a motion by Mr. Nielsen, seconded by Mrs. Briscoe, THE BOARD VOTED to approve the awarding of degrees to persons who are certified by the Registrar and the appropriate Deans as having fulfilled the requirements on Commencement Day, May 22, 1977. A list of those qualifying will appear in the Commencement Program, copies of which will be distributed at that time.

17. President Ferguson, referring to the recent publicity concerning the teaching of a course involving Marijuana Growing that is to be offered this summer by the Experimental College, stated that Vice President Adams had prepared an extensive background statement for distribution to the Board per the request of the Governor. The President explained that the statement incorporates the background of the Experimental College and attempts to give the Trustees some of the facts about that particular course.

The President reminded the Trustees that the University's LAWS and BY-LAWS state that "The University recognizes the right of any group of students to form a voluntary organization for any purpose not forbidden by law. If an organization composed chiefly or exclusively of students desires to hold meetings in University buildings, it is required to have an advisor, etc."

"So far as its facilities permit, the University will provide each registered organization with suitable meeting places without charge, and will endeavor to encourage and protect freedom of expression within the law in meetings of such organizations. The responsibility for any views expressed in such meetings is solely that of the individuals concerned; and the University is not to be held to approve or disapprove such views."

President Ferguson pointed out that the Experimental College is a certified student organization which is accountable to Dr. Adams in his capacity as Vice President for Student Affairs. For a number of years the Experimental College has brought together citizens of the community and students in various categories to determine what courses will be offered in the summer. The courses do not carry credit and they are not taught by faculty. No University fees or tuition are charged and no state dollars or general fund dollars are involved. Students enrolled in each of the courses pay for those courses through fees for the course per se and the charge to the participants determines the level of expenditure for the course involved. One of the 68 courses scheduled for this summer deals with the growing of marijuana. General Counsel for the University and the attorney for the student organization have determined that there is nothing illegal in the presentation of the data being considered. The intent of the course was to expose the people expressing interest in the field to some of the historical and contemporary issues related to marijuana.

During his remarks, President Ferguson called upon Vice President Adams for a report on the results of his discussions with Experimental College leadership in the last several days. Vice President Adams distributed the attached set of findings related to the Experimental College and its relationship to the University. He also highlighted and spoke in some detail on the history of the Experimental College.

Attorney McKenna, University Counsel, reported that upon talking with staff members of Experimental College, he was advised that the marijuana program was not a substantive course and that the name of the course was to be changed to Marijuana Awareness. He explained that it is the intent of the staff to invite professional people to discuss the legal aspects of many of the laws regarding marijuana, the physical effects and the social aspects. However, as it stands now the members of the staff look at the issue as one of freedom of speech and the right to peaceably assemble under the First Amendment.

Mr. Tasker asked Secretary Nielsen to assume the chair and subsequently expressed his personal concern about the utilization of State facilities for the teaching of the marijuana course. He then presented as a motion that the University not be permitted to make available its facilities and resources for the teaching of the course with respect to marijuana irrespective of what the course may tend to do. Mr. Stroh seconded Mr. Tasker's motion.

During the discussion that followed, President Ferguson stated that as a subjective evaluation that he felt that this is the most important issue that has come before the Board in many years. He urged the Trustees to look at the results of the action that would be implemented by this motion. If the Trustees begin to make judgments in the area of legality, on the basis of something that may be acceptable or unacceptable to the external world, Trustees are then in a position of being forced, as an island of freedom of expression, to look at everything that is taught and everything that is said. If there is anything conducted in the course that compromises legality or compromises the policy of the Board of Trustees, it is the administration's responsibility to make certain that it doesn't continue. Academic freedom is also involved when students are teaching. In this case no faculty is involved. University students are presenting something legal which they have decided they want to hear more about and for which they, as individuals, are paying totally with the exception of the use of the space of the public university. In the President's opinion, the Experimental College Board made a serious mistake in naming and describing the course. The administration has been



May 18, 1977

Information for release for Experimental College course offerings for the summer of 1977.

The following are a set of findings related to the Experimental College and its relationship to the University of Connecticut:

- A. The Experimental College is a registered student organization, one of approximately 320 student organizations registered by the Office of Student Activities directed by Mr. Donald McCullough. These student organizations range from the Outing Club, Ski Club, Hiking Club, etc., etc., etc.
- B. As a registered student organization, it has full responsibility for its own program. This is sanctioned by the provision of the Laws and By-Laws in Article X.L. 12, page 56.
- C. The Experimental College, for the past 7 or 8 years, has been offering non-credit, informal, after-hours courses on a wide range of topics. Such topics come under the heading of bread making, leather working, cabinet making, automobile repair, etc.
- D. The Experimental College uses University facilities pursuant to the Laws and By-Laws prescribed in Article X.L. 12, page 56, sub-section b. assuring a suitable meeting place without charge to registered student organizations.
- E. The published brochure or flier announcing course offerings for the Experimental College was paid for by themselves. There was no formal University of Connecticut office involved in the preparation or publication of said material.
- F. The Experimental College, as a registered student organization, is subject to the prescribed audits for fiscal accountability by the Office of Student Activities.
- G. The Experimental College is incorporated, as are several other registered student organizations, under Connecticut law.
- H. No funds from the Federation of Students and Service Organizations (FSSO) student activity fees are utilized by the Experimental College.
- I. No funds from the student general University fee are extended to or utilized by the Experimental College.
- J. No funds from the General Fund appropriations to the University of Connecticut are extended to or utilized by the Experimental College.

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The relevant Constitutional provisions and State Statutes are as follows:

- a) U. S. Constitution -- First Amendment (freedom of speech and peaceable assembly)
- b) Connecticut Constitution -- Article 1, Secs. 4, 5, 14 (free speech) (assembly)
- c) Connecticut General Statutes --

Sec. 19-450 a(a)(c)(10)

defines controlled substances and includes within these definitions marihuana. This chapter deals with control of dependency-producing drugs.

Sec. 19-453

prohibits the manufacture, growth, etc. of defined controlled substances (i.e., marihuana) without first obtaining a license from the Commissioner of Consumer Protection.

Sec. 53a 48 -- Conspiracy -- two or more agree to engage in conduct constituting a crime and any one commits an overt act in pursuance of such conspiracy.

The relevant provision of the Laws and By-Laws is Article X.L. 12, p. 56

- "a. The University recognizes the right of any group of students to form a voluntary organization for any purpose not forbidden by law."
- "b. . . . University will provide each registered organization with suitable meeting places without charge . . . and will . . . protect complete freedom of expression within the law . . . . The responsibility for any views expressed in such meetings is solely that of the individuals.
- sections c and d are also relevant as to use of the University name and funds.

Presuming that no drugs are present during the meeting it would appear that free speech and assembly provisions of the State and Federal Constitutions would prevail, thereby rendering legally permissible the conduct of such meetings.

If the drug were actually present during the meeting, Sec. 19-453 would apply. This section prohibits the activity in question without obtaining a license from the Commissioner of Consumer Protection. The University General Counsel is conferring with the Commissioner's office in order to determine what regulations apply in order to receive a license. One regulation undoubtedly is that the licensee comply with Federal regulations and statutes.

The criminal conspiracy statute would not be violated by holding a class unless they agreed to grow the substance without licensing approval.

Experimental College release

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May 18, 1977

The Office of Student Activities will be responsible for ongoing professional services of coordination with the Experimental College to assure that all legal requirements for the conduct of any and all registered student organization activities are adhered to.

working with the students and they have changed the name from "Marijuana Growing" to "Marijuana Awareness." They have changed the approach from the growth and the specifics to an understanding of the political and legal results and manifestations. Hopefully, the Experimental College will recognize that the Trustees have accountability to the students and to the outside world and will make the content reflect reality and as academic and sound educationally as possible. The President noted that he was not suggesting that the decision would be popular. The staff, faculty, and students are going to be hit by the external world's adverse reaction, but he added, there are principles more important than this act and being hit occasionally by adverse comments of the external world.

At this time Mr. Nielsen, Chairman pro tem, called the Trustees' attention to Article XL 12 a and b of the provisions of the Board's BY-LAWS which state that if the group has an advisor and they file with "the Dean of Students such information as he may require about its purposes, officers, membership, dues, and the like, such information to be uniform for all organizations . . . . so far as its facilities permit, the University will provide each registered organization with suitable meeting places without charge, and will endeavor to encourage and protect complete freedom of expression within the law in meetings of such organizations. The responsibility for any views expressed in such meetings is solely that of the individuals concerned; and the University is not to be held to approve or disapprove such views, whatever their nature, but to be concerned exclusively with the discharge of its educational obligation to facilitate free discussion of all points of view, to the extent guaranteed by the Constitution of the United States and of the State of Connecticut. The University does not pass upon the qualifications of speakers whom registered organizations invite to address them, nor, except as to availability of space, on the number or size of meetings which may be held."

Since Experimental College as a student organization meets all of these conditions, and has complied with the Board's prescribed rules, Mr. Nielsen stated that he was ruling Mr. Tasker's motion out of order.

Upon returning to the Chair, Mr. Tasker asked the administration to furnish each member of the Board and other interested parties with a better description of the marijuana course and all other information that was presented during the discussion.

18. President Ferguson, reporting on the status of the budget, stated that after discussions with the representatives of the Joint Appropriations Committee, the administration was able to restore \$500,000 to the personal services account (excluding the Health Center), a separate item of \$100,000 for the minority student programmatic plan, and the restoration of 33 positions which were approved but not funded for the previous year. The President added that the administration was confident that it would be able to proceed in the next fiscal year without major actions which would impair the quality of the institution.
19. The President, calling attention to the agenda attachment on the status of bills of concern to the University, noted that H.B. 7658, An Act Reorganizing Higher Education, had been approved by both Education Committees, the Baker Committee, and it will be deliberated by the House in the near future. The President briefly reviewed the intent of the proposed bill.

At this point, Mr. Nielsen presented the following motion:

Resolved that the Board of Trustees of The University of Connecticut are opposed in principle to substitute House Bill No. 7658 now before the General Assembly for the reason that the composition of the therein proposed Board of Higher Education does not reflect a majority of members who are chosen from the membership of constituent Boards as has been previously voted in January, 1977 as a resolution of this Board of Trustees and for the further reason that the University Board of Trustees does not retain the ability to make an autonomous budget submission.

Mr. Nielsen's motion was seconded by Mr. Brown. Mr. Nielsen spoke of the need for the Board to go on record so that the University's friends, both in the General Assembly and throughout the State, would know how the Trustees feel about this particular bill which, if enacted, will vitally affect the University's Board and the Boards of other constituent units of higher education.

After further discussion, THE BOARD VOTED to approve the above resolution.

20. President Ferguson informed the Board that the University has received institutional accreditation from the New England Association of Schools and Colleges and has been elected to continued membership in the Association for a period of ten years.

21. The President reminded the Trustees that the final draft of the long-term planning efforts would be presented at the June meeting. He also referred to the Trustees' suggestion that a special meeting be called at which time there would be an opportunity to talk about planning. On a motion by Mr. Nielsen, seconded by Mrs. Briscoe, THE BOARD VOTED to schedule a special meeting of the Board on Monday, June 6, 1977 at 3:00 p.m. in the Medical Dean's Conference Room at the Health Center.

22. Mr. Tasker, calling attention to the forthcoming election of an Alumni Trustee, noted that it was necessary for the Board to appoint one of the three members of a canvassing board. On a motion by Mrs. Briscoe, seconded by Mr. Cunningham, THE BOARD VOTED to appoint Mr. Clark Bailey as a member of the canvassing board.

Mr. Nielsen abstained from voting on this action.

23. On a motion by Mr. Nielsen, seconded by Mr. Cunningham, THE BOARD VOTED to accept and/or approve the list of awards and donations. A copy of the list is attached to the file copy of the Board minutes.

24. Mr. Tasker remarked that he had received several communications with reference to the Brand Report and to the retention of the University Branches. He informed the Trustees that he would continue to acknowledge the communications as they reached his office.

25. Chairman Tasker permitted a representative of the student group, "Student Voice in Teacher Choice," to speak briefly on the issue of student evaluation of teaching and student involvement in the process of selection and retention of faculty.

Chairman Tasker stated that this matter would be referred to the administration and the Institutional Policy Committee for a report back to the Board for discussion, most likely at the time of the July meeting.

Mr. Stewart left the meeting at this time.

26. For the information of the newer members of the Board, Vice President Wilson briefly described the present policies of the Board on sabbatical leave as stated in the University's LAWS and BY-LAWS. He explained that it is a privilege to be applied for in each case and is not a right. It is available on application to members of the faculty who have served at least six years and hold the rank of assistant professor or higher. They may apply for a leave of one year at half-pay or a leave of one semester at full-pay for a specified project that must be considered appropriate by the

administrators who review the request. Appropriateness falls under two headings: The advancement of knowledge, or personal and institutional improvement.

The leave program is a self-supporting program. Departments are obliged to absorb the work of the faculty member who goes on leave for a semester at full pay. The Department has the half salary to work with in the case of a leave for a full year.

Sabbatic leave gives the faculty a chance to renew itself and makes certain that the faculty are able to keep themselves in front of their profession. This also affords the opportunity for an uninterrupted kind of study that one requires from time to time to refresh himself.

All applications for leave are not approved. They are reviewed very carefully, by the Department Head, the Dean, and then by Vice President Wilson's office under the headings of appropriateness and the question -- Is it good for the faculty member and the institution?

When the faculty member returns from his leave, he submits a written report which is reviewed along the same lines as the initial review of his application for leave. A faculty member who is on leave, either for one semester or one year, is fully employed by the University and may not be gainfully employed elsewhere.

During the discussion, Vice President Wilson indicated that sabbatic leave policies at constituencies comparable to this institution are almost universal except for some few variations.

No further business appearing, the meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Carl W. Nielsen  
Secretary