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Minutes, February 18, 2010

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**MEETING OF THE UNIVERSITY OF CONNECTICUT
BOARD OF TRUSTEES**

MINUTES

University of Connecticut
Rome Commons Ballroom
South Campus Complex
Storrs, Connecticut

February 18, 2010

OPEN SESSION

The meeting was called to order at 12:05 p.m. by Chairman Lawrence McHugh. Trustees present were: Francis Archambault, Jr., Michael Bozzuto, Gerard Burrow, Richard Colon, Jr., Andrea Dennis-LaVigne, Peter Drotch, Lenworth Jacobs, Jr., Rebecca Lobo, Michael Martinez, F. Philip Prelli, Thomas Ritter, Corey Schmitt, Wayne Shepperd, and Kevin J. Kelleher, who represents the Governor's Office.

Trustees Louise Bailey, Denis Nayden, and Richard Treibick participated by telephone.

Trustees Mark McQuillan and Robert Ward were absent from the meeting.

University staff present were: President Hogan, Provost and Executive Vice President for Academic Affairs Nicholls, Vice President for Health Affairs Laurencin, Vice President and Chief Financial Officer Gray, Vice President and Chief Operations Officer Feldman, Vice President for Human Resources and Payroll Services Munroe, Vice President for Student Affairs Saddlemyre, Interim Vice President for Enrollment Planning, Management and Institutional Research Melvin, Senior Vice Provost and Vice President for Research Singha, Vice Provost for Academic Administration Bull, Interim Vice Provost Cooper, Senior Associate to the President and Chief of Staff Troyer, Vice President for Enrollment Planning, Management and Institutional Research Melvin, Interim Associate Vice President of Administration and Operations Reynolds, Associate Vice President of Architectural and Engineering Services Bradley, Associate Vice President for Communications Walter, Executive Secretary to the Board Rubin, Chief Financial Officer McDowell, Chief Audit and Compliance Officer Walker, Director of Planning, Architectural and Engineering Services A. Roe, Health Center Chief Financial Officer Biancamano, Acting Health Center Chief of Staff Callahan, John Dempsey Hospital Director Summerer, Health Center Director of Governmental Relations Lombardo, Senate Representatives Rajeev Bansal, Gary English, Karla Fox, Andrew Moiseff, William Stwalley, and Ms. Locke.

Assistant Attorneys General Ralph Urban and Michael Sullivan were also present.

Consultants Gregory Hart and Shannon Lorbiecki from the firm of LarsenAllen LLP were also present.

EXECUTIVE SESSION

On a motion by Mr. Martinez, seconded by Ms. Bailey, the Board voted unanimously to go into Executive Session at 12:10 p.m. to discuss:

1. Commercial or financial information given in confidence
2. Preliminary drafts and notes that the University has determined that the public interest in withholding such documents clearly outweighs the public interest in disclosure

Chairman McHugh noted that on the advice of counsel only staff members whose presence was necessary to provide their opinion would be permitted to attend Executive Session.

Trustees present were: Archambault, Bozzuto, Burrow, Colon, Dennis-LaVigne, Drotch, Jacobs, Lobo, Martinez, McHugh, Prelli, Ritter, Schmitt, Shepperd, and Kevin J. Kelleher, who represents the Governor's Office.

Trustees Louise Bailey, Denis Nayden, and Richard Treibick participated by telephone.

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The following University staff were present for the meeting: President Hogan, Provost and Executive Vice President for Academic Affairs Nicholls, Vice President for Health Affairs Laurencin, Vice President and Chief Financial Officer Gray, Vice President and Chief Operations Officer Feldman, Senior Associate to the President and Chief of Staff Troyer, Executive Secretary to the Board Rubin, Associate Vice President for Communications Walter (part of the meeting), Associate Vice President of Architectural and Engineering Services Bradley (part of the meeting), Interim Associate Vice President of Administration and Operations Reynolds (part of the meeting), Architectural and Engineering Services A. Roe (part of the meeting), Dean Gregory Weidemann (part of the meeting), Health Center Chief Financial Officer Biancamano (part of the meeting), Acting Health Center Chief of Staff Callahan (part of the meeting), John Dempsey Hospital Director Summerer (part of the meeting), and Health Center Director of Governmental Relations Lombardo (part of the meeting).

Assistant Attorneys General Ralph Urban and Michael Sullivan were also present.

Consultants Gregory Hart and Shannon Lorbiecki from the firm of LarsenAllen LLP were also present for part of the meeting.

OPEN SESSION

Executive Session ended at 12:25 p.m. The Board returned to Open Session at 1:05 p.m. Trustee Robert Ward joined the meeting by telephone. Associate Vice President for Diversity and Equity McGee, Health Center Interim Chief Administrative Officer Andrews, and Senate Representative Donna Korbel joined the meeting at this time.

1. Public Participation

The following members of the public addressed the Board on tuition:

- Nina Hunter, President, Idealists United
- Steven Waslo, Student
- Thomas Haggerty, President, Undergraduate Student Government
- Klajd Kovaci, Student
- Samuel Tracy, Student
- Edward C. Marth, Executive Director
UConn Chapter of the American Association of University Professors
- Charlie Feigin, Vice President, Idealists United
- Andrew Grubb, President, Graduate Student Senate
- Professor John Clausen, Chair, Senate Executive Committee
- Jason Ortiz, Student
- Kathleen Sanner, President
University of Connecticut Professional Employees Association

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2. Chairman's Report

(a) Matters outstanding

Chairman McHugh informed the Board that the Executive Committee of the Board held a meeting on December 23, 2009 to approve a five-year procurement contract with SciQuest. According to the By-Laws, the Executive Committee may meet to exercise all of the authority of the Board as long as any such action is reported to the Board at its next regular meeting. A matter shall be deemed an emergency when delaying action could result in significant expense. Chairman McHugh noted that Board approval after January 1 would have resulted in an increase of \$56,000 to the cost. Information on this contract is located in Tab B behind the Financial Affairs Tab.

(b) Minutes of the meetings of November 5, 2009 and December 10, 2009

On a motion by Mr. Drotch, seconded by Mr. Martinez, the Board voted unanimously to approve the minutes of the meetings of November 5, 2009 and December 10, 2009.

(c) Consent Agenda Items:

On a motion by Mr. Martinez, seconded by Mr. Drotch, the Board voted unanimously to approve the Consent Agenda, which includes the revised Contracts and Agreement List for approval.

- (1) Contracts and Agreements for the Storrs-based programs and the Health Center (Attachment 1)
- (2) Signature Authority for and Board of Trustees Review of Contracts (Attachment 2)
- (3) Appointment of Professor Michael Neumann as the Stuart and Joan Sidney Professorship of Mathematics in the College of Liberal Arts (Attachment 3)
- (4) Appointment of Professor Patricia McCoy to the Connecticut Mutual Chair in Insurance Law in the School of Law (Attachment 4)
- (5) Appointment of Professor Angel Oquendo to the Position of George J. and Helen M. England Professor of Law (Attachment 5)
- (6) Appointment of Professor Michael Willenborg to the Richard F. Kochanek Professorship in Accounting in the School of Business (Attachment 6)
- (7) Appointment of Professor Eric H. Jordan to the United Technologies Corporation Professor of Advanced Materials and Processing in the School of Engineering (Attachment 7)
- (8) Appointment of Professor Emmanouil (Manos) Anagnostou to the Northeast Utilities Foundation Chair of Environmental Engineering in the School of Engineering (Attachment 8)
- (9) Graduate Certificate Program in School-Wide Positive Behavior Support in the Neag School of Education (Attachment 9)
- (10) Graduate Certificate Program in Program Evaluation in the Neag School of Education (Attachment 10)

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- (11) Graduate Certificate Program in Postsecondary Disability Services in the Neag School of Education (Attachment 11)
- (12) Bachelor of Professional Studies, an Undergraduate Degree Completion Program in the Center for Continuing Studies (Attachment 12)
- (13) Bachelor of Science Degree in Business Administration (Hartford, Stamford, and Waterbury Regional Campuses) (Attachment 13)
- (14) Approval to add a Cell Analysis and Modeling Concentration to the Ph.D. Field of Study in Biomedical Sciences at the University of Connecticut Health Center (Attachment 14)
- (15) Rename the Master of Arts Degree Program now called Field of Study in Professional Higher Education Administration to Higher Education and Student Affairs, in the Neag School of Education (Attachment 15)
- (16) Sabbatical Leaves (Attachment 16)
- (17) Designation of Emeritus Status (Attachment 17)

3. President's Report

4. Academic Affairs Committee Report

(a) Report on Committee activities

Trustee Andrea Dennis-LaVigne gave the report of the Academic Affairs Committee on behalf of Vice-Chair Jacobs. Dr. Dennis-LaVigne commented on the report issued by the Faculty Consulting Oversight Committee in compliance with Public Act 07-166 (Section 12) and recognized the exemplary work of the Committee led by its chair, former State Senator Judith Freedman.

Trustee Archambault honored Dr. Joseph Renzulli as this year's honoree of The Harold W. McGraw, Jr. Prize in Education. This award is given annually to recognize outstanding individuals who have dedicated themselves to improving education and whose accomplishments are making a difference today. The prize was established in 1988 to honor Mr. McGraw's lifelong commitment to education, and to mark the McGraw-Hill Corporation's 100th anniversary.

5. Financial Affairs Committee Report

(a) Report on Committee activities

(b) Items requiring Board discussion and approval:

Vice Chair Drotch reiterated Trustee concern about further reducing institutional costs as sources of revenue increases are becoming more remote compared to institutional needs. In the past, the Trustees supported initiatives proposed by the administration, such as CORE and other objectives to reduce costs, but the Board also supports the engagement of an external consultant to assess further inefficiencies. Chairman McHugh formed a small committee consisting of Trustees and members of the administration who will work to identify an external consultant.

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Vice Chair Drotch said that going forward it will be imperative to align tuition and/or fees discussions or proposals with the budget deliberations, so that the Board can consider the full context of our financial status forecasted for the following year. The Board has been asked to review the proposal to increase tuition for FY 2011 at this meeting, but the detailed budget of costs and revenue predictions will not occur until the budget discussion in June. Therefore, going forward these two facets must be aligned in order to fully apprise the Board on the current financial standing.

- (1) Fiscal Year 2011 Institutional Fees (Tuition, Room & Board)
for the University of Connecticut, Storrs and Regional
Campuses (Separate cover)

After extensive discussion and debate, the Financial Affairs Committee recommended to the Board a 5.66% increase in tuition, along with increases in Room, Board, and other University fees. The Committee also recommended approval of the other fee items dealing with Student Activity and Service Fees, Academic Materials Fees, and a Winter Term Fee for the School of Law.

Vice-Chair Drotch asked for a motion on the tuition increase proposal of 5.66%.

A motion was made by Mr. Ritter, seconded by Dr. Burrow, to approve the proposed resolution recommending adjustments to the Institutional Fees for Fiscal Year 2011 for the University of Connecticut, Storrs and Regional Campuses as follows: Tuition (5.66%), Room (7.0%), Board (6.0%), Infrastructure Maintenance Fee, Program Specific Fees (Off-Campus MBA, LLM-Insurance, LLM-U.S. Legal, MS Accounting Online, Master of Science in Financial Fisk Management), and Room Reservation Fee.

Prior to discussion on the motion, Trustee Martinez disclosed a potential conflict of interest pursuant to Connecticut General Statute §1-86(a). He asked the Board's permission to participate in the discussion based on the statement of his potential conflict of the various tuition and fees proposals and the voting process (see Attachment 1 for full text of his statement). There was no objection to his participation and vote.

Trustee Archambault also disclosed that his daughter-in-law is a graduate student in the Department of Psychology.

Prior to a vote on the original motion, Trustee Colon motioned, seconded by Trustee Schmitt, to amend the original motion to change the proposed tuition increase from 5.66% to 7.5% and thereby to approve the proposed resolution recommending adjustments to the Institutional Fees for Fiscal Year 2011 for the University of Connecticut, Storrs and Regional Campuses from 5.66% to 7.5% as follows: Tuition (7.5%), Room (8.0%), Board (7.5%), Infrastructure Maintenance Fee, Program Specific Fees (Off-Campus MBA, LLM-Insurance, LLM-U.S. Legal, MS Accounting Online, Master of Science in Financial Fisk Management), and Room Reservation Fee.

Trustees Colon and Schmitt expressed their concerns about reductions in student services, academic quality, our Research I status, and an increasing deficit in future years.

After discussion, the motion was defeated by a Board vote of 15-3.

Trustees Colon, Schmitt, and Treibick voted in favor.

Trustees Archambault, Bailey, Bozzuto, Burrow, Dennis-LaVigne, Drotch, Lobo, Martinez, McDonald, McHugh, Nayden, Prelli, Ritter, Shepperd, and Ward voted in opposition.

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Trustee Prelli stressed concerns about the University's compounding deficit going forward. He said that he would vote against a 7.5% increase in tuition.

Trustee Colon then motioned, seconded by Trustee Schmitt, to amend the original motion to change the proposed tuition increase from 5.66% to 6.3% and thereby to approve the proposed resolution recommending adjustments to the Institutional Fees for Fiscal Year 2011 for the University of Connecticut, Storrs and Regional Campuses as follows: Tuition (6.3%), Room (7.0%), Board (6.0%), Infrastructure Maintenance Fee, Program Specific Fees (Off-Campus MBA, LLM-Insurance, LLM-U.S. Legal, MS Accounting Online, Master of Science in Financial Risk Management), and Room Reservation Fee.

After discussion, the motion was defeated by a Board vote of 13-5.

Trustees Colon, Dennis-LaVigne, Lobo, Schmitt, and Treibick voted in favor.

Trustees Archambault, Bailey, Bozzuto, Burrow, Drotch, Martinez, McDonald, McHugh, Nayden, Prelli, Ritter, Shepperd, and Ward voted in opposition.

Chairman McHugh put back on the table a motion for a proposed tuition increase of 5.66% made by Mr. Ritter, and seconded by Dr. Burrow, to approve the proposed resolution recommending adjustments to the Institutional Fees for Fiscal Year 2011 for the University of Connecticut, Storrs and Regional Campuses as follows: Tuition (5.66%), Room (7.0%), Board (6.0%), Infrastructure Maintenance Fee, Program Specific Fees (Off-Campus MBA, LLM-Insurance, LLM-U.S. Legal, MS Accounting Online, Master of Science in Financial Risk Management), Room Reservation Fee, and for Items 2-3.

Before the vote, Trustee Prelli noted that he considered all the arguments, but decided that he would only vote in favor of the 5.66% tuition proposal because of the commitment to hire an outside consulting firm that will address the University's financial issues.

- (2) Fiscal Year 2011 Student Activity and Service Fees for the University of Connecticut, Storrs and Regional Campuses (Attachment 18)
- (3) Fiscal Year 2011 Academic Materials Fees for the University of Connecticut, Storrs and Regional Campuses (Attachment 19)

After discussion, the motion for Items 1 – 3 was approved by a Board vote of 14-4.

Trustees Archambault, Bailey, Bozzuto, Burrow, Drotch, Lobo, Martinez, McDonald, McHugh, Nayden, Prelli, Ritter, Shepperd, and Ward voted in favor.

Trustees Colon, Dennis-LaVigne, Schmitt, and Treibick voted in opposition.

Chairman McHugh asked separate motions for Items 4 and 5.

- (4) Fiscal Year 2012 University of Connecticut School of Law Winter Term Fee (Institutional Fee) (Attachment 20)

On a motion by Ms. McDonald, seconded by Dr. Burrow, **THE BOARD VOTED** to approve a Winter Term for Fiscal Year 2012 for the School of Law. The rate structure proposed for this Winter Term will follow the current methodology used to calculate the per credit charge for the School of Law's June term. Therefore, this per credit fee will be based on the tuition rate per credit in the Fall preceding the Winter Term.

Trustee Treibick voted in opposition.

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- (5) Revised Allocation of Bond Authorizations as set forth in the Fifteenth Supplemental Indenture (University of Connecticut General Obligation Bonds) (Attachment 21)

On a motion by Ms. Bailey, seconded by Mr. Prelli, **THE BOARD VOTED** unanimously to approve the revised allocation of bond authorizations among capital projects by amending Appendix A of the Fifteenth Supplemental Indenture.

Chairman McHugh asked for a collective vote on the project budgets. On a motion by Mr. Drotch, seconded by Ms. McDonald, the Board voted unanimously to approve the project budgets (Items 6 – 20).

- (6) Project Budget (Planning) for the Fine Arts Phase II – Core Building (Attachment 22)
- (7) Project Budget (Planning) for Jorgensen Renovation – Auditorium Seating Replacement (Attachment 23)
- (8) Project Budget (Planning) for Mirror Lake Dredging and Related Improvements (Attachment 24)
- (9) Project Budget (Planning) for the West Hartford Campus Renovations/Improvements – Chemistry Lab (Attachment 25)
- (10) Project Budget (Planning) for the West Hartford Campus Renovations/Improvements – Student Lounge and Office Relocation (Attachment 26)
- (11) Project Budget (Planning) for the University of Connecticut Health Center Dental School Renovation (Orthodontics Renovation) (Attachment 27)
- (12) Project Budget (Revised Planning) for Engineering Building – Planning and Design (Attachment 28)
- (13) Project Budget (Revised Planning) for Gant Building Renovations – Phase I (Existing Conditions and Design Assessment) (Attachment 29)
- (14) Project Budget (Design) for the Residential Life Facilities – Hale and Ellsworth Elevator Replacement (Attachment 30)
- (15) Project Budget (Design) for a Water Reclamation Facility (*formerly Gray Water Facility*) (Attachment 31)
- (16) Project Budget (Design) for the University of Connecticut Health Center Datacenter Infrastructure Improvements, Phase I (Attachment 32)
- (17) Project Budget (Final) for the Residential Life Facilities – Window Replacement Graduate Residence Halls (Attachment 33)
- (18) Project Budget (Final) for the University of Connecticut Health Center Dowling South Chiller Replacement (Attachment 34)
- (19) Project Budget (Revised Final) for the School of Engineering Renovations (Attachment 35)

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- (20) Project Budget (Revised Final) for the University of Connecticut Health Center Dental School Renovation (Preclinical Teaching and Prosthetics Labs) (Attachment 36)

(c) Informational item:

- (1) UCONN 2000 Book 29:
<http://www.uc2000.uconn.edu/reports/report29/report29.pdf>

6. Joint Audit and Compliance Committee Report

- (a) Report on Committee activities

7. Buildings, Grounds and Environment Committee Report

- (a) Report on Committee activities

8. Construction Management Oversight Committee Report

- (a) Report on Committee activities

9. Health Center Report

- (a) Report on Health Center activities

- (b) Item requiring Board discussion and approval:

- (1) Proposed Tuition and Fees Rates for Fiscal Year 2011 for the University of Connecticut School of Medicine and School of Dental Medicine

(Attachment 37)

On a motion by Dr. Burrow, seconded by Mr. Ritter, **THE BOARD VOTED** unanimously to approve the proposed tuition and fee increases for the School of Medicine and the School of Dental Medicine for the 2010-2011 academic year.

10. Student Life Committee Report

- (a) Report on Committee activities

- (a) Item requiring Board discussion and approval:

- (1) Revision Student Trustee Election Committee By-Laws

(Attachment 38)

On a motion by Mr. Colon, seconded by Mr. Schmitt, **THE BOARD VOTED** unanimously to approve the proposed revisions to the Student Trustee Election Committee (STEC) By-Laws.

11. Institutional Advancement Committee Report

- (a) Report on Committee activities

- (b) Development Progress Executive Summary

(Attachment 39)

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12. Adjournment

Chairman McHugh announced that the next meeting of the Board of Trustees is scheduled for Tuesday, March 23, 2010 at 1:00 p.m. at the Rome Commons Ballroom (South Campus Complex), Storrs, Connecticut.

There being no further business appearing, the Board meeting adjourned at 2:45 p.m.

Respectfully submitted,

Louise M. Bailey
Secretary

Attachment 1

Trustee Michael Martinez' disclosure statement pursuant to Connecticut General Statute §1-86(a):

I would like to disclose a possible conflict of interest under the Code of Ethics rule of the State of Connecticut. The matter in question relates to the tuition/fee increases proposed by the University of Connecticut's administration, and due to be voted on 18 February, 2010.

The potential conflict may have to do with the fact that my daughter is a second semester sophomore at UConn. My family and I may be negatively impacted if such tuition/fee increase is approved by the Board.

Regardless of the possible potential of a conflict, I must state that during my ten years as a UConn Trustee, I have always resisted raising tuition. It is my strong belief that tuition increases should always be the last option, and they should only be approved after all else has failed. In my humble opinion, I do not believe that the administration has done all it can to reduce expenses, and streamline operations.

My 35 plus years involvement in business, and the small business community as a whole, gives me a good insight of the economy, and the incredible struggle amongst Connecticut families. I am concerned over the poor students and their families, struggling to keep the kids in college.

As the vote on tuition increases is about to be taken, I frankly never even thought of my own daughter, or of the possibility that I may be impacted by the decision.

I take my fiduciary responsibilities very seriously at UConn. I am absolutely certain that the potential conflict has never influenced any of my actions. I am looking for more realistic and long term alternatives in dealing with our financial issues at UConn. A tuition increase, in my opinion, is only a band-aid to a bigger issue. I sign this under the penalty of false statement.