

September 2003

## Minutes September 23, 2003

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### Recommended Citation

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

**AGENDA**

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

September 23, 2003

**OPEN SESSION**

The meeting was called to order at 11:40 a.m. by Chairman John Rowe. Trustees present were: James Abromaitis, Andrea Dennis-LaVigne, Linda Gatling, Lenworth Jacobs, Michael Martinez, Denis Nayden, Michael Nichols, David O'Leary, Thomas Ritter, Richard Twilley, and Brenda Sisco, who represents the Governor's Office.

Trustees Louise Bailey, Philip Barry, William Berkley, Michael Cicchetti, Bruce Gresczyk, Mark Stapleton, and Richard Treibick were absent from the meeting.

University staff present were: President Austin, Provost and Executive Vice President for Academic Affairs Petersen, Executive Vice President for Health Affairs Deckers, Vice President and Chief Financial Officer Aronson, Vice President and Chief Operating Officer Flaherty-Goldsmith, Vice Chancellor for Business and Administration Dreyfuss, Vice Chancellor for Academic Administration Maryanski, Health Center Chief Financial Officer Upton, Health Center Chief Administrative Officer Whetstone, Associate Provost for Enrollment Management Evanovich, Vice Provost for Multicultural Affairs Taylor, Athletic Director Hathaway, Dr. Schurin, Special Assistant to the President Callahan, Mr. John Saddlemire, Interim Vice President for Student Affairs, Assistant Attorney General McCarthy, Faculty Senate Representatives Gerald Gianutsos and Kent Holsinger, and Ms. Locke were also present.

**EXECUTIVE SESSION**

1. On a motion by Dr. Jacobs, seconded by Mrs. Gatling, **THE BOARD VOTED** to go into Executive Session at 11:45 a.m. to discuss matters pertaining to pending litigation. The Chairman 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: Abromaitis, Dennis-LaVigne, Gatling, Jacobs, Martinez, Nayden, Nichols, O'Leary, Ritter, Rowe, Sisco, and Twilley.

University staff present were: President Austin, Provost and Executive Vice President for Academic Affairs Petersen, Vice President and Chief Financial Officer Aronson, Vice President and Chief Operating Officer Flaherty-Goldsmith, Vice Chancellor for Business and Administration Dreyfuss, Dr. Schurin, Special Assistant to the President Callahan, Assistant Attorney General McCarthy, and former Board of Trustees Vice-Chair Claire Leonardi were also present.

Executive Session ended at 12:45 p.m. and the Board returned to Open Session at 1:07 p.m. Trustee Gresczyk and Faculty Senate Representative Robert Tilton joined the meeting at this time. Trustee Cicchetti participated by telephone.

All actions taken were by unanimous vote of the Trustees present.

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## OPEN SESSION

### 1. Public Participation

The following members of the public addressed the Board on the topic noted:

- Ms. Addie May Nesbitt and her mother, Mrs. Addie Nesbitt

Ms. Addie May Nesbitt discussed her attempts to correct errors in her transcript and in processing her financial aid application. She also raised concerns about a lack of a clear grievance process.

Chairman Rowe thanked Ms. Nesbitt for sharing her concerns and assured her that the staff would provide her with a full response with respect to both of her concerns. Ms. Nesbitt provided Chairman Rowe with supporting documentation.

### 2. Chairman's Report

Chairman Rowe announced that Vice-Chair Bailey's brother John Bailey had passed away. He conveyed the Board's condolences and sympathy to her and her family.

He also announced the appointment of Mark A. Stapleton as the new Acting Commissioner of Education and member of the Board. He also welcomed new alumni-elected Trustee Dr. Andrea Dennis-LaVigne.

Dr. Rowe informed the Board that Trustee Barry is recuperating from his recent illness. He participated by telephone this morning and may join the Board meeting this afternoon.

Dr. Rowe provided follow-up information to items raised at the last Board of Trustees meeting. He recounted statements that were made during the Academic Affairs meeting about the collective work at Storrs and the Health Center on areas of mutual and joint opportunity. In addition, Provost Petersen is establishing a plan to provide the Board with details about the linkages between the capital plan and the academic plan, which will be available to the Board shortly.

There was some discussion about transportation at the last meeting and the uncertainty as to whether the University has more campus bus riders or more students or both. Dr. Rowe confirmed that we have both - a 50% increase in ridership and a 13% increase in students overall, which is encouraging. In addition, the staff has reevaluated the issue of sprinklers in the West dormitories and it is estimated that sprinklers will be installed next summer at a modest expense.

Dr. Rowe noted that he has visited every regional campus and he recently accompanied Governor Rowland on a visit to the Avery Point Campus. He acknowledged that he has a much better understanding of the role of the regional campuses in the overall activities of the University. He suggested that the next meeting of the Board be held at the new Waterbury Campus.

He directed Trustee attention to the proposed schedule for the upcoming year and stated that the next regularly scheduled meeting would be held on December 2, 2003, with October and November dates held in reserve. At this juncture, he is not aware of any events that would require the Board to hold a meeting in October nor in November. He asked that Board members provide feedback if there are concerns about the remaining dates.

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Since the last meeting, the Attorney General has released his report on the Environmental Research Institute (ERI) incident. In his summary, Attorney General Blumenthal specifically cited a section in the report that stated, "The University took timely and appropriate action to correct the mismanagement and improper practices at ERI." In that section, he identified approximately 15 separate actions that the University took under President Austin's leadership in response to the information as it unfolded. The section ended with the statement that "UConn has cooperated fully with the Attorney General's investigation." Dr. Rowe expressed the Board's appreciation to President Austin and his staff, and to the UConn Police Department, which took a lead role in the investigation. He expressed the Board's deep appreciation to Attorney General Blumenthal.

(a) Board Members' Survey

Dr. Rowe indicated that a survey of the Board has been completed and the results are being compiled. He is confident that the results will provide valuable information regarding Board governance in terms of membership and leadership of the committees, role of the committees, the number of committees, etc. Dr. Rowe anticipated that by the next meeting all the committees will be established and membership appointed.

(b) Minutes of the meeting of August 21, 2003

On a motion by Mr. Martinez, seconded by Mr. Abromaitis, **THE BOARD VOTED** to approve the minutes of the meeting of August 21, 2003.

(c) Consent Agenda Items:

Chairman Rowe removed the following item to discuss separately:

- (2) Contract Signing Authority – Revised (Attachment 2)

Dr. Rowe asked for a motion to remove the Contract Signing Authority from the Consent Agenda for further revisions that reflect audit-related issues.

The Board **REMOVED** the following item from the Consent Agenda for further discussion.

- (2) Contract Signing Authority – Revised (Attachment 2)

On a motion by Mr. Nayden, seconded by Mr. Martinez, **THE BOARD VOTED** to approve the following items listed on the Consent Agenda.

- (1) Contracts and Agreements for the Storrs-based programs (Attachment 1)

- (3) Annual Report of the Endowed Chair Program Entitled "Aetna English Chair in Writing" (Attachment 3)

- (4) Reports of Health Center Endowed Chairs for the Period July 1, 2002 to June 30, 2003 (Attachment 4)

- (5) Modification of Library Deacquisition Policy (Attachment 5)

- (6) Naming Recommendations for Endowed Chairs in the School of Engineering:

United Technologies Chair in Fuel Cell Technology

United Technologies Chair in Thermal-Fluids

Pratt & Whitney Chair in Design and Reliability (Attachment 6)

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- (7) Appointment of Dr. Nigel Sammes to the United Technologies Corporation Chair in Fuel Cell Technology Within the University Connecticut School of Engineering (Attachment 7)
- (8) Appointment of Dr. Kenneth Reifsnider to the Pratt and Whitney Chair in Design and Reliability Within the University of Connecticut School of Engineering (Attachment 8)
- (9) Policies Regarding Financial Transactions with The University of Connecticut Foundation, Inc. (Attachment 9)
- (d) Personnel matters (Storrs-based programs) (Attachment 10)
  - (1) Award of Tenure
 

On a motion by Dr. Jacobs, seconded by Mr. Abromaitis, **THE BOARD VOTED** to approve the award of tenure to Robert L. McCarthy, Professor, Department of Pharmacy Practice in the School of Pharmacy, effective August 23, 2003.
  - (2) Emeritus Faculty Retirements
 

On a motion by Dr. Jacobs, seconded by Mr. Martinez, **THE BOARD VOTED** to approve the emeritus status for Professor Cynthia Adams, Professor Alexinia Baldwin, Professor Richard Cooper, and Professor Thomas Gutteridge.
  - (3) Sabbatics
 

On a motion by Dr. Jacobs, seconded by Mr. Nichols, **THE BOARD VOTED** to approve a sabbatic leave request for Associate Professor Gim-Seong Seow for Spring 2004 and a change in sabbatic leave request for Assistant Professor Osvaldo Pardo from academic year 2003-04 to the Fall 2003.
  - (4) Informational matters
- (e) Discussion
  - (1) 2003-2004 Board meeting schedule (To be distributed)
 

Chairman Rowe noted that he discussed the Board meeting schedule at the outset of the meeting.
- (f) Election of Board Secretary
 

Chairman Rowe called for nominations for the Office of Secretary of the Board of Trustees. Trustee Twilley offered a motion, seconded by Mr. Martinez to nominate Ms. Bailey as Secretary.

### 3. President's Report

President Austin reminded the Board that the Thomas J. Dodd Prize in International Justice and Human Rights will be awarded tomorrow to Prime Minister Bertie Ahern of Ireland and representing Tony Blair will be Deputy Prime Minister John Prescott of the United Kingdom. The event will be held at the Dodd Center. He also announced that the Waterbury Campus dedication is scheduled for October 9, 2003 and that Governor Rowland will be present. He encouraged Trustees to attend both events.

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President Austin directed Trustee attention to the Football Program from the first home game of the season. He commended the police, the athletic administration, Coach Edsall, and the student-athletes for a memorable day. President Austin noted that he hosted Governor Rowland, Senator Dodd, Congressman Larson, and other dignitaries. Many legislators also attended the game. He attributed the collective interest as an indication of support not only for football and athletics, but for the University, which is fundamental to the future of the State of Connecticut.

As he indicated in earlier statements, alcohol and substance abuse is taken very seriously by the administration and several steps have been taken to encourage responsible and appropriate behavior on the part of those who are of legal age. President Austin stated that the first game set the standard for acceptable behavior. The most recent game was marred by the actions of members of the public. In an effort to control this type of behavior, the administration has directed the UConn Police to work with the State police to evict those that are unruly or when behavior is considered to be inappropriate or illegal. The police reported that the overwhelming majority of people who exhibited inappropriate behavior were not UConn students. Because it is our venue and our event, those who participate will be required to adhere to the University's standards.

President Austin reported that the Capital Campaign remains on track and donors continue to pledge as was predicted in the business plan publicized five years ago.

Chairman Rowe asked the President to comment on the arrival of the new students and the Convocation ceremony.

President Austin responded that the Convocation ceremony was successful. He said that the University reinstated the ceremony about five years ago and it has grown with each passing year. As we have reported in different venues, Associate Vice Provost Evanovich and his staff have worked hard to produce a freshmen class that is approximately a 20-point increase in SAT scores. Enrollment has been capped at 3,200, because we cannot physically or fiscally accommodate more students. He has made speeches based on numbers provided during the summer that there would be about 80 valedictorians and salutatorians in the freshmen class, but the actual figure is approximately 75. Since the passage of UCONN 2000, we have matriculated nearly 500 valedictorians and salutatorians, which is noteworthy. President Austin stated that one of the several arguments for the passage of UCONN 2000 was to stop what Governor Rowland has referred to as the "brain drain." Many of the State's strongest students were looking upon UConn as a reserve option only if they were not successful at other schools. He is proud to report that the very best and brightest are choosing UConn as a first choice and he hopes that the trend will continue.

#### **4. Health Center Report**

##### **(a) Report on Health Center activities**

Executive Vice President Deckers directed Trustee attention to the University of Connecticut Health Center Board of Directors Report at their places. He noted that three of the eight items require Board approval. He noted that item #1 deals with 138 postdoctoral research fellows on the Health Center's payroll who have elected to join the University Health Professionals collective bargaining unit. The vote was close and in favor of postdoctoral unionization. Dr. Deckers noted that negotiations will begin shortly.

He also reported that Dr. Gerard Burrow was named to replace Dr. Rowe on the Health Center Board of Directors. Dr. Burrow is the former dean of the University of California San Diego School of Medicine, former dean of the Yale School of Medicine, Dean Emeritus at Yale, and

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currently is the President and CEO at the Sea Research Foundation, Inc. at the Mystic Aquarium and Institute for Exploration. He is one of the most respected and revered professionals in American medicine.

(b) Items requiring Board discussion and approval:

- (1) Approval of the Spending Plan for the University of Connecticut Health Center for Fiscal Year 2004 (Attachment 11)

On a motion by Mr. Martinez, seconded by Mr. Twilley, **THE BOARD VOTED** to approve the Spending Plan for the University of Connecticut Health Center for Fiscal Year 2004.

- (2) Notification of Proposed Changes to the *University of Connecticut Laws and By-Laws* (Health Center Faculty Grievance Process) (Attachment 12)

Dr. Deckers noted that the Health Center faculty grievance process was redundant and he believed that the Health Center administration has made the process more user-friendly for both the faculty and the administration.

On a motion by Mr. Martinez, seconded by Mr. Twilley, **THE BOARD VOTED** to approve the notification of proposed changes to the *University of Connecticut Laws and By-Laws* to change the Health Center Faculty Grievance Process.

- (3) Creation of the Department of Molecular, Microbial and Structural Biology in the School of Medicine; Closing of the Department of Biochemistry; Closing of the Department of Microbiology (Attachment 13)

On a motion by Mrs. Gatling, seconded by Mr. Abromaitis, **THE BOARD VOTED** to approve the Spending Plan for the University of Connecticut Health Center for Fiscal Year 2004.

## 5. Financial Affairs Committee Report

- (a) Committee Chairman's report on Committee activities

Vice-Chair Nayden reported that there was a lengthy discussion on the budget during the budget workshop this morning. Vice President Aronson, Provost Petersen and Executive Vice President Deckers led an in depth discussion on the current state of the budget, which included an estimate of where the University is headed to the end the fiscal year, and its projected 2004 revenue and cost profile estimates. He noted that the Board received extensive information and asked that members direct follow-up questions to Vice President Aronson.

(b) Items requiring Board discussion and approval:

- (1) Approval of the Spending Plan for the University of Connecticut Storrs-based Program for Fiscal Year 2004 (Attachment 14)

Vice-Chair Nayden directed Trustees to the spending plan for the Storrs-based program in Attachment 14. The administration requests approval for a spending plan of \$693 million, with expenditure and mandatory transfers of \$688 million and non-mandatory transfers of \$4.5 million, including state support of almost \$261 million.

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On a motion by Dr. Rowe, seconded by Dr. Jacobs, **THE BOARD VOTED** to approve the Spending Plan for the University of Connecticut Storrs-based Program for Fiscal Year 2004.

- (2) Supplemental Indenture Amending the University of Connecticut General Obligation Master Indenture (Attachment 15)

Vice-Chair Nayden directed Trustee attention to Attachment 15, which is a Supplemental Indenture giving the Board authority and the requisite signatories authority to issue bonds supporting \$1.3 billion of Phase III projects. This gives the University permission to ask for the issuances of these bonds.

On a motion by Dr. Rowe, seconded by Dr. Jacobs, **THE BOARD VOTED** to (a) approve the 2004 Supplemental Indenture by and between the University of Connecticut and U.S. Bank National Association (the "Supplemental Indenture"); (b) authorizes and directs the Vice President and Chief Financial Officer of the University to file the Supplemental Indenture and the form of the General Obligation Master Indenture of Trust dated November 1, 1995, as amended with the State Bond Commission for its approval in accordance with Section 10a-109g(c) of the Connecticut General Statutes; and (c) authorizes the President, the Vice President and Chief Financial Officer or such other officers as they may determine in accordance with the Act and the Master Indenture to execute and deliver the Supplemental Indenture after it has been approved by the State Bond Commission.

- (3) Resolution Approving the UCONN 2000 Phase III Project List (Attachment 16)

Attachment 16 deals with the UCONN 2000 Phase III Project list, which is a lengthy list of projects totaling \$1.3 billion to continue the vast investment and improvement of the University.

On a motion by Dr. Rowe, seconded by Mrs. Gatling, **THE BOARD VOTED** to approve the list of UCONN 2000 Phase III Projects, which may be financed with the proceeds of general obligation bonds secured by the State of Connecticut debt service commitment and that the Vice President and Chief Financial Officer of the University is hereby authorized and directed to file such list with the State Bond Commission in accordance with Section 10a-109g(c) of the Connecticut General Statutes.

- (4) Revised Preliminary Phasing Outline, 21<sup>st</sup> Century UConn (Attachment 17)

Vice-Chair Nayden introduced the preliminary Phasing Outline for 21<sup>st</sup> Century UConn. This is the ongoing work and is just meant to be the preliminary list of projects that the University would undertake. We have had extensive discussions with Provost Petersen and Vice President Aronson about the importance of linking the academic plan together with the physical plan of 21<sup>st</sup> Century UConn. This is a very important part of the overall planning effort of the University that will come to the Board shortly.

On a motion by Mrs. Gatling, seconded by Dr. Jacobs, **THE BOARD VOTED** to approve the revised preliminary Phasing Outline, 21<sup>st</sup> Century UConn.

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## 6. Institutional Advancement Committee Report

### (a) Committee Chairman's report on Committee activities

Trustee Martinez gave the report of Institutional Advancement Committee on behalf of Vice-Chair Treibick. He reported that the final year of *Campaign UConn* has begun and they are on track for its completion. Fundraising goals for FY 04 have been established by the Development Committee of the UConn Foundation Board of Directors as follows: 1) successful completion of *Campaign UConn*, 2) \$50 million in new gifts and commitments, 3) \$43.4 million in cash-basis gift receipts, including \$1.1 million unrestricted, and 4) 40,000 donors (cash basis, households, and organizations).

Trustee Martinez also noted that results through August – two months into the fiscal year – include: 1) campaign attainment of \$254.9 million, which represents approximately \$45 million left toward the goal of \$300 million, 2) new gifts and commitments of \$2.9 million, 3) cash-basis gift receipts of \$2.7 million, including almost \$1 million in unrestricted gift receipts, and 4) 4,420 donors.

Trustee Martinez highlighted that \$7.6 million of the \$15 million state matching grant for calendar year 2003 has been subscribed via gifts and pledges receivable this calendar year.

He noted that included on the Consent Agenda were resolutions for naming opportunities and updated policies related to the Foundation.

### (b) Development Progress Executive Summary (Attachment 18)

## 7. Academic Affairs Committee Report

### (a) Committee Chairman's report on Committee activities

Vice-Chair Jacobs reported that the Academic Affairs Committee met this morning. The following resolutions were approved.

### (b) Items requiring Board discussion and approval:

- (1) Bachelor of Science Degree in Human Development and Family Studies at the Waterbury Tri-Campus and the Stamford Campus (Attachment 19)

On a motion by Mr. Martinez, seconded by Mr. Twilley, **THE BOARD VOTED** to approve the establishment of a Bachelor of Science degree in Human Development and Family Studies, to be offered at the Waterbury Tri-Campus and the Stamford campus.

- (2) RN/MS Degree in Nursing at the Waterbury Tri-Campus (Attachment 20)

On a motion by Mrs. Gatling, seconded by Mr. Twilley, **THE BOARD VOTED** to approve the establishment of a Registered Nurse (RN) to Master's degree in Nursing, to be offered at the Waterbury Tri-Campus.

- (3) Doctor of Audiology Degree (Attachment 21)

On a motion by Mr. Martinez, seconded by Mr. Nichols, **THE BOARD VOTED** to approve the establishment of a Doctor's degree in Audiology.

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**8. Student Life Committee Report**

(a) Committee Chairwoman's report on Committee activities

There was no report of the Student Life Committee.

9. Other

10. Adjournment

There being no further business, the Board meeting adjourned at 1:50 p.m.

Respectfully submitted,

Louise M. Bailey  
Secretary