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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

January 31, 2006

OPEN SESSION

The meeting was called to order at 11:19 a.m. by Chairman John Rowe. Trustees present were: James Abromaitis, Louise Bailey, Philip Barry, Michael Bozzuto, Gerard Burrow, Andrea Dennis-LaVigne, Peter Drotch, Linda Gatling, Lenworth Jacobs, Salmun Kazerounian, Stephen Kuchta, Rebecca Lobo, Denis Nayden, F. Philip Prelli, Thomas Ritter, and Brenda Sisco, who represents the Governor's Office.

Trustee Richard Treibick participated by telephone.

Trustees Michael Martinez, Wayne Shepperd, and Betty Sternberg were absent from the meeting.

University staff present were: President Austin, Provost and Executive Vice President for Academic Affairs Nicholls, Executive Vice President for Health Affairs Deckers, Vice President and Chief Financial Officer Aronson, Vice President and Chief Operating Officer Flaherty-Goldsmith, Vice President for Student Affairs Saddlemire, Vice Provost for Academic Administration Singha, Vice Provost for Academic Affairs Makowsky, Vice Provost for Multicultural Affairs Taylor, Vice Provost for Enrollment Management Evanovich, Interim Vice Provost for Research and Graduate Education Anderson, Dr. Schurin, Special Assistant to the President Callahan, University Communications Director Brohinsky, Chief Audit and Compliance Officer Walker, Interim Director of Architectural and Engineering Services Bradley, Associate Vice President for Human Resources and Payroll Services Munroe, Health Center Chief Financial Officer Upton, Health Center Director of Clinical Operations Strongwater, Health Center Chief of Staff Carlson, and Ms. Locke.

University Senate representatives Gary English, Gerald Gianutsos, and Kent Holsinger were also present, as was Senate Executive Committee Chair Debra Kendall.

Assistant Attorney General McCarthy was also present.

Also in attendance were Aetna Chief of Staff Patricia Hassett, and Attorney John Reid and Attorney Laurann Asklof, who represent the law firm of Gordon Muir and Foley, LLP.

EXECUTIVE SESSION

On a motion by Mr. Barry, seconded by Ms. Bailey, **THE BOARD VOTED** to go into Executive Session at 11:31 a.m. to discuss matters pertaining to personnel, litigation, and collective bargaining. 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, Bailey, Barry, Bozzuto, Burrow, Dennis-LaVigne, Drotch, Gatling, Jacobs, Kazerounian, Kuchta, Lobo, Nayden, Prelli, Ritter, Rowe, and Brenda Sisco, who represents the Governor's Office.

Trustee Treibick participated by telephone.

University staff present were: President Austin, Provost and Executive Vice President for Academic Affairs Nicholls, Executive Vice President for Health Affairs Deckers, Vice President and Chief Financial

Officer Aronson, Vice President and Chief Operating Officer Flaherty-Goldsmith, Dr. Schurin, Special Assistant to the President Callahan, Chief Audit and Compliance Officer Walker, Associate Vice President for Human Resources and Payroll Services Munroe, Health Center Chief Financial Officer Upton, Health Center Director of Clinical Operations Stephen Strongwater, and Health Center Chief of Staff Bruce Carlson. Assistant Attorney General McCarthy was also present.

Also in attendance were Aetna Chief of Staff Patricia Hassett, and Attorneys John Reid and Laurann Asklof, who represent the law firm of Gordon Muir and Foley, LLP.

All members of the University administration left Executive Session at 11:35 a.m. and returned at 12:30 p.m.

Mr. Upton and Dr. Strongwater left Executive Session at 12:40 p.m.

Executive Session ended at 12:46 p.m. The Board returned to Open Session at 1:12 p.m. Trustee Treibick rejoined the Board meeting by telephone. University Senate representatives Michael Kurland and Michael Turvey joined the meeting at this time.

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

1. Public Participation

To provide coherence with respect to the presentations and comments from the public, Chairman Rowe delayed comments relative to the proposed restructuring until that issue is dealt with under the Academic Affairs Committee report. At the outset of that portion, he said he would call on individuals who have indicated that they would like to speak with respect to restructuring.

Chairman Rowe acknowledged that Board members have at their places a commemorative 125th Anniversary T-shirt.

2. Chairman's Report

(a) Committee on Building, Grounds and Environment

Chairman Rowe said he met with State Senate President Pro Tem Donald E. Williams, Jr., Speaker of the House James Amman, and State Representative Denise Merrill regarding the Legislature's approach to responses to the Governor's Panel recommendations and the University's response to the Governor's Panel recommendations. They were very pleased that the Board has moved promptly to act on all recommendations that do not require legislative action. Our expectations, the Chairman said, are that in the upcoming, rather short, session that legislation will be developed. The Board as well as President Austin and his staff will continue to be available to legislators.

(b) Recommendations for Designation as Board of Trustees Distinguished Professor, Academic Year 2005-2006 (Attachment 1)

Provost Nicholls reported that there are three recommendations for the designation of Board of Trustees Distinguished Professor. The faculty chosen to receive this honor must have distinguished themselves in scholarship, teaching, and service. There can be no more than 5% of individuals holding the rank of tenured full professor designated for this award. There was a faculty, student and administrator committee this year chaired by the Vice Provost for Research and Dean of the Graduate School who reviewed 27 nominations.

Provost Nicholls introduced to the Board each of the Board of Trustees Distinguished Professors. Each made a brief presentation of their research activities. Copies of their presentations are attached to the file copy of the Board minutes.

University Senate Representative Michael Turvey joined the meeting during the Provost's introduction of Dr. Joel Kupperman.

On a motion by Mr. Abromaitis, seconded by Dr. Burrow, **THE BOARD VOTED** to accept the recommendation of the Distinguished Professor Selection Committee and designate the following faculty members as University of Connecticut Board of Trustees Distinguished Professors: Janine Caira (Department of Ecology and Evolutionary Biology), Joel Kupperman (Department of Philosophy), and Sally Reis (Neag School of Education).

Chairman Rowe congratulated the faculty members.

(c) Participation by the University Senate

Chairman Rowe indicated that the Board has been approached by the University Senate to have the opportunity for more participation, which is welcomed. Chairman Rowe introduced Dr. Debra Kendall, Chair, University Senate Executive Committee and thanked her and her colleagues for contacting him. They have scheduled a reception following this meeting where Board members will meet with members of the Senate leadership. He expects on-going interactions with them.

(d) Matters outstanding

There was discussion at the last Board meeting about a mini-retreat and a self-evaluation. The Board has received substantial assistance from the Association of Governing Boards (AGB). Board members will receive a questionnaire very shortly. It is expected that the Board will hold a retreat on the day of the March 1 Board meeting. The retreat will consist of instruction and a structured discussion about Board responsibilities. AGB has many decades of experience working with various boards.

University Senate representative Kent Holsinger acknowledged on behalf of his colleagues in the University Senate access to microphones at the Senate tables. He expressed his appreciation for the opportunity to participate in Board discussions.

Chairman Rowe briefly discussed the topic of the performance of the University's water supply system during the significant drought late last summer. The administration and an external technical advisory group has received a draft report of the study that was conducted. Several presentations on that matter will be made later in the meeting. The Chairman said we are making excellent progress with respect to answering some of the questions that had arisen during the public comment session at the November Board meeting.

(e) Minutes of the meeting of November 15, 2005

On a motion by Mr. Nayden, seconded by Mrs. Gatling, **THE BOARD VOTED** to approve the minutes of the meeting of November 15, 2005.

(f) Consent Agenda Items:

On a motion by Mr. Barry, seconded by Mrs. Gatling, **THE BOARD VOTED** to approve the contracts and agreements for the Storrs-based programs and the Health Center.

(1) Contracts and Agreements for the Storrs-based programs and the Health Center (Attachment 2)

Trustee Kazerounian recused himself on this item.

(g) Personnel matters (Storrs-based programs) (Attachment 3)

(1) Designation of Emeritus Faculty

On a motion by Ms. Bailey, seconded by Dr. Jacobs, **THE BOARD VOTED** to approved the designation of emeritus status to the following faculty members:

1. Davis, Christian F., Professor, Department of Civil and Environmental Engineering, School of Engineering, effective January 1, 2006.
2. Leadbetter, Edward R., Professor, Department of Molecular and Cell Biology, College of Liberal Arts and Sciences, effective January 1, 2006.
3. Monahan, Edward C., Professor, Department of Marine Sciences, College of Liberal Arts and Sciences, effective January 1, 2006.
4. Montgomery, Richard S., Assistant Professor, Department of Mathematics, College of Liberal Arts and Sciences, effective January 1, 2006.
5. Reese, Charles D., Professor, Department of Labor Education, College of Continuing Studies, effective January 1, 2006.

(2) Sabbatics

On a motion by Mr. Nayden, seconded Mr. Drotch, **THE BOARD VOTED** to approve the sabbatic leave list.

(3) Informational matters

3. President's Report

President Austin congratulated the three Board of Trustees Distinguished Professors, Drs. Caira, Kupperman, and Reis, on receiving the highest designation that the Board provides to faculty.

The University community has been greatly saddened by the untimely death of two members. Paula McManus, Associate Vice President for Strategic Planning at the Health Center, played a key role in the Health Center's progress over the past several years and she will be greatly missed. Also, Spyridon Boicos, a graduate student in environmental engineering from Corfu, Greece, died as a result of an automobile accident. He was respected by his colleagues in the program and by the faculty. Our sympathies go to his family and friends.

(a) Update on Water Issues

President Austin noted that it was appropriate to begin with a discussion of our water issues, which occupied us for much of the late summer and early fall. The University has come far in resolution of the basic problems. Special Assistant to the President Thomas Callahan has worked closely with Chairman Rowe and others, including the Commissioners of the Connecticut Departments of Environmental Protection and Public Health, Mayor Betsy Paterson and officials from the Town of Mansfield.

Mr. Callahan gave a brief powerpoint presentation titled "Water Supply System Progress Report." A copy of the handout is attached to the file copy of the Board minutes.

Mr. Callahan clarified an issue regarding Cogen raised by Chairman Rowe earlier in the Financial Affairs Committee. One of the unique attributes of UConn's water supply system, that is not shared by any other water supply system in the State, is that we consume 88-90% of the water that we produce. Most water suppliers distribute water out for residential and commercial use. Our greatest opportunity is smart conservation planning and using the water that we produce more efficiently. One of the sub-projects that came out of the Cogen was a sub-metering of approximately 40% of the University's buildings and facilities on campus. That will allow us for the first time to track consumption of domestic water, chilled water, steam, electricity, and water and sewer in these facilities to inform conservation efforts at the University.

Chairman Rowe thanked him for clarifying his concern.

Professor Glenn Warner, Department of Natural Resources Management and Engineering, gave a brief powerpoint presentation titled "Long-term Impact Analysis of the University of Connecticut's Fenton River Water Supply Wells on the Habitat of the Fenton River." He introduced his colleagues Amvrossios (Ross) Bagtzogou, Department of Civil and Environmental Engineering, Associate Professor Fred Ogden, Department of Civil and Environmental Engineering, and Piotr Parasiewicz, a faculty member from UMASS, who is an adjunct professor in the Department of Natural Resources Management and Engineering. A copy of the handout is attached to the file copy of the Board minutes.

Chairman Rowe asked if it was fair to say that the water that was taken from the wells aggravated, but did not cause, the riverbed to dry up. Professor Warner indicated that it was a combination of the drought and the wells. If we had not been pumping, the ground water levels would have been a very small amount of flow in the river. There would be isolated pools remaining and a trickle flow through the riverbed through that section. That is their best guess.

Chairman Rowe confirmed that that would have occurred if the University had shut down. Professor Warner agreed or if they had been able to switch everything to the Willimantic well field. That was investigated but not implemented because of some structural defects in the Willimantic transmission line. Chairman Rowe understood that the infrastructure was being repaired, but the infrastructure elements in utilization of the Willimantic River was not reliable.

Professor Warner stated that the following are conclusions from the 2005 field investigations:

- The Fenton River went dry over an approximately 600 meters long stretch in the vicinity of Wells A & B.
- The drying was a combined effect of drought and pumping of the Fenton River well field.
  Had there been no drought, or no pumping, the River would not have gone dry.

  Had there been no pumping, the flow in the Fenton River would have been less than 1.0 cubic feet per second (cfs) during that flow, which is an extremely small amount.

- They found that there was induced infiltration in which water was moving from the bed down into the groundwater system and drying up the river of .6 cfs during that period.

The following recommendations were made:

- Reduce pumping when river flow reaches 6 cfs and continue to reduce pumping until the flow reaches 3 cfs at which point pumping would cease and water would be tapped from another source, such as the Willimantic River.
- Cease pumping if flow continues below specific a threshold for a period of time, such as below 6 cfs for more than 15 consecutive days, or below 5 cfs for more than five days.
- Install stream gauging station on the Fenton River near Old Turpike Road
- Replace or repair some of the wells – Repair or replace Well D and Replace Well A with a new well in a different part of the aquifer.

Chairman Rowe noted that there is discussion about the Willimantic River as an alternative source and the Board previously approved resources to improve the infrastructure there, but it would seem to him that these two rivers are in the same area and whatever happens to one will happen to the other, unless their sources are from different area. He asked Professor Warner to address that issue. Is everything that we learn about the Fenton applicable to the Willimantic or is there something different about the Willimantic that we need to study separately.

Professor Warner responded that there are some differences although they have the same geography or geology, land use, etc. The Willimantic River is much larger and its watershed is much bigger; therefore, its summer flow is typically much higher. The critical period is from August through September for the University as students return and the water demand increases. He could not confirm that there would be no impact, but there is less potential for impact on the Willimantic than on the Fenton just because of the ratio of the amount we pump to what is normally in the River.

Chairman Rowe asked if the quality of the water is the same. Professor Warner said it was, because both provide groundwater, which is high quality water.

Trustee Barry asked that had we had an unimpaired Willimantic transmission line and the capability of utilizing the Willimantic wells entirely for eleven days, could the University have avoided the problem last year. Professor Warner responded yes.

Chairman Rowe asked if we have the potential to be in that situation this summer. He said that it will probably be the case.

Mr. Callahan added that the replacement of at least two and possibly three Willimantic well pumps and the repair of transmission line will allow us to move closer to our registered diversion over in the Willimantic River. This summer we were constrained in doing a roughly on average 1.3/1.4 million gallons per day. This will get us closer to 2 million.

(b) Construction-related Negotiations and Settlements

President Austin stated that an element of our seven-point plan to deal with construction problems was the pursuit of cost recoveries through negotiation, arbitration or litigation – whichever was appropriate to the particular case. There are several positive developments.

For several years we have been defending a very large claim, $45 million, made by a contractor against the University with regard to construction of the Biology/Physics Building. In February 2000 the University terminated HRH/Atlas for failure to perform in accordance with the contract – in particular for failure to demonstrate that they would complete the project in a reasonable period of time. The 3-person arbitration panel has now issued an interim opinion that we did not breach our contract through this termination, and that we correctly interpreted and enforced the contract with regard to payment, extra work time extension and changes. In this interim decision, the panel has rejected HRH/Atlas' $45 million wrongful termination claim.

Capstone Building Corporation, the design/builder of the Husky Village residence complex, agreed to perform the work required to remediate the deficiencies identified in the Pierz Associates report and to do so at their own expense. We estimate, the President said, that if we had had to contract with a third party to do this, the cost would have been greater than $6 million. We are now in mediation to reach agreement relative to the $700,000 in costs incurred by us for interim work prior to the summer code reviews and inspections, and other oversight costs.

Thirdly, President Austin informed the Board that JPI Apartment Development, LP, the design/builder for Charter Oak suites and apartments, performed substantial remediation work during the winter break to bring that facility into code compliance. The contractor also submitted proposals to the State Office of Building Inspector and Fire Marshal for review, for remaining remediation work in the suites and apartments.

Finally, while still preliminary in nature, discussions are underway with Capstone Development Corporation, the design/building at Hilltop Apartments, relative to their undertaking this summer the remaining corrective work required to bring those facilities into full compliance.

President Austin emphasized his appreciation to Vice President Flaherty-Goldsmith and her colleagues for having led the effort to bring us to this conclusion.

(c) Legislative Preview

Several Trustees have discussed with the administration over the last several years the question of our adequate representation of the Health Center in the State Legislature. He reminded the Board that Alvin Wilson, who worked with Director of University Relations Brohinksky to represent the Storrs-based programs and the Health Center, has accepted another position. The University has recruited two individuals. Ms. Gail Bysiewicz-Garber, who was previously employed at UConn, has returned as Director of Government Relations for the Storrs-based programs. She has been at Connecticut State University System for the last several years. Ms. Joann Lombardo will be Director of Government Relations for the Health Center. Her prior experience includes government relations work for the Office of Policy and Management, the State Chamber of Commerce, and the City of New Haven. Both individuals are highly regarded at the Capitol.

(d) Discussion of University Mission Statement

At the last Board meeting, President Austin briefly discussed the University's upcoming ten-year re-accreditation review, which will be conducted in association with representatives from the New England Association of Schools and Colleges (NEASC). After the Board meeting, President Austin will meet with Dr. Mark A. Nordenberg, Chancellor of the University of Pittsburgh, who will lead the external site visit team. One of the requirements related to the accreditation process is that the University have a mission statement approved by the Board of Trustees. The statement should not come exclusively from the Board or from the President's Office, but be developed and endorsed by the entire University community. The challenge is to prepare a brief statement that is broad enough to be inclusive, but not so broad that it cannot apply to every University in the country. The Trustees' have a draft of the University Mission Statement that was developed by a faculty committee and has been reviewed by faculty, deans, and others, and students are reviewing it now. Later this spring, it will be brought back to the Board for approval, possibly modified to reflect further input. He asked for Trustee suggestions and comments.

(e) Other matters

President Austin directed Trustees to the UCONN 2000 Five-year Progress Report at their places.

4. Academic Affairs Committee Report

Chairman Rowe noted as has been the practice in the past the presentations will be limited to three minutes. There are about six individuals or so who have asked to speak.

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

- Dr. Maureen Mulroy, Associate Professor and Interim Assistant Dean, School of Family Studies — Proposed Restructuring

Dr. Maureen Mulroy expressed opposition to the proposal for restructuring as it pertains to the School of Family Studies. She acknowledged the enormous amount of time and consideration that the Board has put into reviewing the serious issue of the Fenton River, the consequences both internally and externally, the public relations aspects for the University, and for giving colleagues at the University an opport5unity to conduct a study and bring forth recommendations to the Board. She is concerned that the removal of the School of Family Studies from its school status and enfolding it into the College of Liberal Arts and Sciences with 22 other departments has not been given that opportunity for a study and to bring recommendations to the Board in terms of the consequences for the School's 600+ undergraduate students. She indicated that there are a number of errors in terms of the proposal that was presented this morning regarding the benefits to the School of Family studies. In particular, it is incorrect that the applied interdisciplinary nature of the family studies field will benefit from synergies from basic social sciences in the College. Dr. Mulroy indicated that she and her colleagues know this and have been working in a collegial way to protect their existence. There is nothing to benefit them as they have already been working closely with their colleagues. Their research, teaching, and outreach will be augmented by the resources of the College of Liberal Arts and Sciences (CLAS). The reality is that CLAS will benefit from their

presence, but there is nothing to be gained for the School of Family Studies to be placed over there.

She stated that what many of her colleagues are looking for is a place in which their research and outreach will really have synergy. They do not feel that it will occur in CLAS. Their ranking in *U.S. News and World Report*, which she happened to go on-line to get, compares apples and oranges. UConn is a Land-Grant university. In reviewing other institutions on the list, there are many universities that have colleges of liberal arts and sciences – 5 that she found, but she also found equal numbers of colleges in which the school of family studies are separate from liberal arts and sciences.

In her final statement, Dr. Mulroy requested that the Board give them an opportunity to conduct a study to determine what is in their best interest and bring recommendations to the Board.

- Dr. Irene Q. Brown, Associate Professor Emerita
  School of Family Studies Proposed Restructuring

Dr. Irene Brown noted that she is a historian and a retired faculty member from the School of Family Studies. She also had a joint appointment with the College of Liberal Arts and Sciences in History. She has been very active in University politics, especially since the second effort to reorganize the School after 1993. It has been her privilege to be part of the rebirth of the University. Dr. Brown stated that she has been involved with the Senate Executive Committee (SEC) for several years. She looked forward to exchanges with President Austin about various issues over the years. Last evening she wrote a letter to him. She said that she had a difficult time writing this letter because she cared a lot about the issue. The most important thing she wanted to convey to the Trustees was that they realize that they are considering a proposal, as Dr. Mulroy pointed out, that was very hastily arrived at and did not involve the consultation of those most qualified. The process involved some new members of the administration who may have been well intended, but who are not familiar with the culture of UConn, especially a culture that was created in the last decade or so.

Dr. Brown said that she has been active not only on the SEC, but on the AAUP Executive Committee, student services, and has interacted with some former Trustees. The partnership that they have developed has been important. One reason that it has been possible is because she was part of a small school. She felt that smaller units can collaborate more effectively and be in involved with grass roots efforts in ways that larger units cannot. Before such a decision as the one being proposed is made, she would argue that a delay be made to review all the alternatives in a more systematic fashion allowing for a more inventive solution to emerge. She expressed concerns about the interdisciplinary programs that are out there. As one of the first directors of the Women's Studies Program, she knows the difficulties that interdisciplinary programs have faced over the years, which is another whole issue that needs to be dealt with.

In sum, Dr. Brown asked the Trustees to consider slowing down the process and develop a task force. As an example, the University of Minnesota, which has employed one of the School's Ph.D. graduates as a full professor, has 34 task forces currently involved in planning the new University of Minnesota, including the role of family studies.

- Mr. Paul Blackman, Chair, Advisory Board,
  College of Continuing Studies Proposed Restructuring

  Mr. Blackman focused his discussion on the mission of the College. The traditional student demographic is 18-25 years of age. Traditional students typically go to college for the sake of getting an education, not necessarily for enhancement of their lifestyle. It is a choice that is significantly different from the non-traditional student or median age of 45 years with a family, who wants to return to school for retooling, etc. The College was developed over a 25-year period with the inception of the BGS program, and has expanded its services to offer graduate courses, which provides an educational path from a certificate program, to an undergraduate degree, to a graduate degree all in the same College.

  Mr. Blackman raised concerns that it has only taken Provost Nicholls six months to dismantle a process that was approved through the academic rigors and has been in existence for 25+ years. There should have been research, studies, models for academic change, models for financial impact, and then options for the Board to review. None of that has taken place. It is only now that after major outcry that people are paying attention to cooperative communication and are actually getting feedback from the staff and from those that work in the areas affected.

  He also believed that there has been a major mistake made in changing the name of the College of Continuing Studies back to a Division. They were a division and went through the rigors five years ago to become a college. This Board approved that process. He asked how this could be undone in six months. Mr. Blackman concluded by asking the Board to reconsider voting in support of this proposal.

- Dr. Krista Rodin, former Dean,
  College of Continuing Studies Proposed Restructuring

  Dr. Rodin thanked Trustee Kazerounian for being an outstanding member of the University community throughout this process. She also thanked the members of the Board for five years ago having the wisdom to create the College of Continuing Studies, and the members of the College, both faculty and staff, who have dedicated their lives to making the College one of the premiere institutions in life-long learning in the country. Recently the *Chronicle of Higher Education* reported on the wonderful things that Northeastern University is doing. Dr. Rodin stressed that CCS was doing those things five years ago when it became a college.

  Vice Provost Rodin stressed that changing departmental names is significant, because names create a perception that can either be an illusion or a deeper depth of reality. The question that the Board has asked the Provost and the University community is what kind of a university do we want to become, which is at the heart of what the College was trying to achieve. They have an obligation to serve the adult working population as well as traditional students. The College took that mission seriously. When Continuing Studies was a division it had 740 BGS students, today they have over 1200. They also have 100 masters students and four master's degrees that the Board approved over the last five years.

  Dr. Rodin made two corrections to the Provost's presentation this morning. She said that the summer finish-in-four was started many years ago and was a continuation of things that were started as a College. And with respect to the academic nature of the College, a dean is an academic dean as well as a Vice Provost. She had the dean's title and is now a Vice Provost. Both report to the Provost. She teaches Buddhism and wanted to highlight one story. In

Buddhism there is a story in which the Buddha goes across the river and he is taken across the river on a raft and the person taking him in the raft says that he wants to follow the Buddha. He immediately takes his raft and carries it with him and the Buddha asked him why he was taking the raft with him. He says that he has to have it because that is how he got across the river. The Buddha says, "But now you are on land." Her question to the Board is are they across that river or are we half way across the river? Whatever is done with the Academic Plan, the administration still needs to pay attention to the adult students, because the majority of incoming students will be coming back. With the downsizing that is occurring, the institution must have some place where adult returning students can access this institution not only for their first degree, but for their second, third, and fourth degrees. We also have to make sure that we have a global component, individualized learning, and engaged scholarship – what do these students know that we can learn from. All of these things they were attempting to do within the College. These issues represent the heart and soul of what the College was about.

It has been her honor and sincere privilege to be the Dean of the College of Continuing Studies. She hopes that the University maintains the ideals and goals that were previously set forth.

- Joseph Smey, Dean,
  School of Allied Health — Proposed Restructuring

Dean Smey noted that the School of Allied Health has cooperated with the University administration regarding the proposal to eliminate their School as they recognize that it is the responsibility of Provost Nicholls to provide leadership in identifying priorities and developing an academic plan to guide the University in the years to come. Their lack of visible opposition to this proposal should not be construed as agreement or affirmation, but rather should be viewed as an honest attempt by their faculty and staff to cooperate with this imposed decision. The School's academic programs and research are central to the University's mission. Their programs provide graduates in areas where there are great human resource shortages. Last year's alumni survey results indicate that the satisfaction ratings of their graduates relative to what they do as a school are the highest of any other school or college on campus. They take great pride in the progress that they have made regarding benchmarks, which have been set for the School. Their research productivity was up 22% last year and 400% over the last ten years. For the first time they exceeded the $1 million mark in terms of external funding. Their enrollments this year for the first time exceeded 500 students and they were on the verge of implementing a new and innovative program that links to the community colleges and allied health hospital-based programs, which would give the School much greater visibility in the field of allied health across the State. The recommendation of the Provost is to move their academic programs to larger units with more resources at their disposal where they can be welcomed and have the potential to be nurtured. Dean Smey stated that the potential, which currently exits for a single school of allied health, to address very real and important health care needs in the community will be lost with this transition. This is particularly true with their interdisciplinary programs, which have been a priority since their inception. He understands how difficult change is in higher education and with flat budgets not everyone can be a priority. He is personally disappointed that the hopes that the General Assembly had in providing funding to create this School in 1972, and the many dreams that many have grown with and continue to believe in the School will likely never be realized. Regardless, he has pledged their support and cooperation with whatever decision the Board makes.

(a) Committee Chairman's report on Committee activities

Vice-Chair Jacobs reported that the Academic Affairs Committee met this morning. The Committee heard a presentation from Provost Nicholls on the proposed restructuring plan. It is important to know that the Board has charged the administration, specifically President Austin and Provost Nicholls, to respond to the second billion dollars given to the University by developing an academic plan to drive those funds. The Board was very specific in asking the President and Provost to reveal what the University would look like in ten years and how we would move forward. This morning the Provost discussed the restructuring proposal for multiple components of the University. This is in part creates a roadmap for excellence, which will be driven by clear goals and benchmarks. The Academic Plan will drive the Facility Development Plan. Provost Nicholls spoke of structural concerns and the need to reorganize, enhance, and increase efficiency to change from a decentralized to a centralized structure, which will inherently enhance research and education, and be nimble to respond to a changing environment. The Committee had an extensive discussion of what that meant.

President Austin noted that at the last Board meeting, when this issue was tabled, he indicated his strong support for this proposal. He affirmed that all items placed on the agenda have his full support, except for very rare instances.

He called Trustee attention to a couple of points that he made throughout this discussion. In retrospect, there is no question that more extensive prior consultation should have occurred and will occur going forward. He and the Provost have talked at length with respect to that issue. With respect why this is happening now, President Austin indicated that there is a unique dimension to this particular issue. Dr. Irene Brown mentioned part of it earlier, in citing how she became more fully involved and politically engaged in the University back in the early 1990s on a contemporary variation of this issue. The fact is that this issue, long before he arrived, had been studied exhaustively at different intervals. Changes were attempted, but failed. A few years ago, four of the smaller schools were combined under one school with one dean. Shortly after that the reorganization was reversed.

This proposal may not be the only remedy to a problem, but the structure was precariously balanced under the best of circumstances and that for many reasons it was probably flawed. The way this proposal has been presented and debated makes sense in light of the University's history. It also speaks to the Board's directive to organize the University with fewer high quality programs and to maintain a reputation that is consistent with the highest quality expectations. President Austin acknowledged those who have spoken in opposition and takes their opinions seriously, but he and the Provost strongly recommend the support of the Trustees for this proposal.

Provost Nicholls summarized his perspective. He echoed the support for the work that Dr. Rodin and Dean Smey have done toward this effort. All things connected with this proposal are aimed to support the achievements that have been made in Family Studies, Allied Health, and Continuing Studies. In reference to Mr. Blackman's remarks, Provost Nicholls really does appreciate the significant differences between traditional and non-traditional students, outreach teaching activities and on-campus activities, and that for the most part, BGS students are located at the regional campuses and not at Storrs. There are great differences and he is sensitive to them.

It is his feeling that this proposal anchors these programs even more firmly in the academic fabric of this institution. The University continues to have the highest level of commitment to the 600 students in Family Studies and the many hundreds referenced in Continuing Studies and Allied Health. He firmly believes that this proposal will enable them to serve those students and all of our constituencies better.

(b) Item requiring Board discussion and approval:

Vice-Chair Jacobs stated that the Academic Affairs Committee voted to support the structural reorganization proposed by Provost Nicholls.

(1) Structural Reorganization (Attachment 4)

Mr. Drotch motioned, seconded Ms. Bailey to approve the following changes in the academic structure:

- The College of Continuing Studies becomes the Division of Continuing Studies, headed by a director reporting to the Vice Provost for Undergraduate Education.
- The Department of Physical Therapy, in the School of Allied Health, becomes a free standing department in the Neag School of Education.
- The Department of Applied Health Sciences and Health Promotion, in the School of Allied Health, becomes a free standing department in the College of Agriculture and Natural Resources
- The School of Family Studies becomes a free standing department in the College of Liberal Arts and Sciences.

Chairman Rowe opened the floor for discussion. Trustee Kazerounian stated that President Austin just said that more extensive prior consultations should have occurred and will occur going forward. He asked why those flaws could not be corrected now, especially since the Board has not voted on the matter yet. All the Board needs is to affirm its commitment to participatory democratic principles. None of the members of the Board are experts in every single field of study in the affected schools. Trustee Kazerounian said that this is a university and there are many experts in this room who have an intimate familiarity with and can probably guess more accurately than the Board can what the consequences of this proposal will be. We have an opportunity to listen to them.

President Austin responded that this does represent a correction. At the last meeting, the Provost made the proposal and the Board indicated that between then and now extensive consultation ought to occur to remedy any prior deficiencies by a lack of prior consultation. The Provost reported this morning that he held approximately 75 meetings with various groups on this matter.

The Senate Executive Committee sent a very interesting letter that he thought captured what can frequently happen and that is that over-study can also be used to “kill” proposals. He believes that the Provost and his colleagues, prior to the first proposal, did study this in great detail. They had the advantage of three different studies over a ten-year period, which does not obviate the requirement for some consultation. He believes that the internal and external consultation has occurred since the last Board meeting and he is satisfied that Dr. Nicholls has preceded with an open mind. He indicated this morning that he was willing to

make minor modifications, but he has persuaded the President that this basic proposal is structurally and academically sound. It is time to make a decision.

Trustee Kazerounian stated that evidently the 75 consultations that have occurred since the November Board meeting have not sufficed to placate concerns from the University community, as is shown here today, and that Trustees have received mail and e-mail. He put that question to the Board as well – if the board acknowledges procedural flaws in this situation, what is stopping the Board from correction in this situation rather than simply presuming that we can only learn from it moving forward.

Chairman Rowe said that he was describing the process that we are in accurately. He said that if indeed Trustee Kazerounian is correct that the concerns with respect to the adequacy of the robust nature of the process have not been sufficiently addressed, when this Board votes in a couple of minutes they will vote down the restructuring proposal. If indeed Trustee Kazerounian is incorrect and the majority of Board believes that the concerns about the process have been adequately addressed, they will vote in favor of the process and that is how we will tell. But democracy is for the rule of the majority; not everyone has to agree. This is not the faculty senate; this is the Board of Trustees, and we don't have to have unanimity. We respect Trustee Kazerounian's views and if others on the Board feel that the process is inadequate, then they will so vote. That is really where we are.

Trustee Kazerounian thought that it would be interesting to take a democratic poll of the room as a whole. Chairman Rowe responded that Trustee Kazerounian complained about the inadequacy of the process. Chairman Rowe felt that that would not be a robust process. What is interesting to him is that with his experience with academe, we should think about who we have heard from and who we have not heard from in the University community. We have not heard protest against the proposal from the following groups: the alumni, the student senate, the faculty senate, or the University of Connecticut Chapter of the American Association for University Professors. The Chairman said he doesn't know what the representation in this room would be, one way or another on this issue, but we have these large representational groups that are highly structured and respected and they all have had the opportunity to address this issue and we have not heard from any of them. Chairman Rowe considered this to be significant.

Dr. Kendall, Chair of the Senate Executive Committee, clarified that of course the SEC, and she believes the Senate as a whole, in general greatly appreciates prior consultation in the decision-making process. They did note in their statement to the full senate, which was provided as a handout, that they recognize also the importance of balance in this issue and they look forward to moving together positively. This morning during the Academic Affairs Committee meeting, they heard from Vice-Chair Nayden. He commented on lessons learned and moving forward positively. Along those lines, she hopes there is the flexibility and opportunity as they move forward to continue to evaluate. Hopefully, if this proposal if this enhances our programs as we desire, that will become clear and evident. If, on the other hand, we discover that problems do exist with the reorganization as it has been articulated today, then she hopes the administration will have the wherewithal to discover, identify, and address those problems.

A copy of the Statement of the University Senate Executive Committee Presented to the University Senate on November 14, 2005 Regarding the Reorganization Announced by Provost Nicholls on November 2, 2005 is attached to the file copy of the Board minutes.

Trustee Dennis-LaVigne noted that there were great levels of discussion and not only amongst the Academic Affairs Committee, but the entire Board. There have been one-on-one discussions in which several Board members met with deans, faculty, and students. It is a difficult decision to make, but it was one that came with quite a bit of dialogue and research.

Chairman Rowe noted that a vote in favor would indicate support for the restructuring proposal and that a vote in opposition is against the restructuring proposal.

Those voting in favor were: Trustees Abromaitis, Bailey, Barry, Burrow, Dennis-LaVigne, Drotch, Gatling, Jacobs, Lobo, Nayden, Prelli, Ritter, Rowe, and Treibick. Those voting in opposition were: Trustees Bozzuto, Kazerounian, and Kuchta. The resolution passed.

Chairman Rowe stated that Trustee Shepperd contacted him this morning and gave his vote in support. He regretted that he was not able to attend the meeting. He also indicated that he had read all of the materials and has spoken to many of those involved.

Chairman Rowe thanked Provost Nicholls and his colleagues from Family Studies, Allied Health and Continuing Studies for these discussions. It is certainly been discussed at great length.

(c) Informational item:

(1) Creation of Latino Health Disparities Center (Attachment 5)

Vice-Chair Jacobs indicated that the Academic Affairs Committee received an information item dealing with the creation of a Latino Health Disparities Center to contribute to the elimination of health disparities among Latinos through the formation of human resources, research, and culturally appropriate outreach/extension.

5. Financial Affairs Committee Report

(a) Committee Chairman's report on Committee activities

Vice-Chair Drotch directed Trustee attention to budget matters that require approval in Attachments 8-10, and to wage contract matters in Attachments 6 and 7.

The Committee heard a Construction Status Report and an update on the Cogen facility, in particular where it stands physically and what it's impact is going forward regarding the variability in energy costs. Informational items include: 1) a list of smaller contracts Attachment B, and 2) a new schedule that details spending over the past several years for equipment, library collections, telecommunication expenses that come out of UCONN 2000, in Attachments C and D.

Vice-Chair Drotch also mentioned that Board members received a Financial Report for the six months ended December 31, 2005. There was a discussion this morning of the some of the variations that the University will address over the next six months, such as higher energy costs, which will be a particular issue for all of the University's facilities.

Trustees received at their places during the full Board meeting the UCONN 2000 Five-year Progress Report. A copy of the report is attached to the file copy of the Board minutes.

(b) Items requiring Board discussion and approval:

(1) Memoranda of Agreement between the University of Connecticut and the University of Connecticut Chapter of the American Association of University Professors (AAUP) (Attachment 6)

On a motion by Mr. Drotch, seconded by Dr. Jacobs, **THE BOARD VOTED** to approve to approve the Memorandum of Agreement (MOA) with the faculty bargaining unit, the American Association of University Professors (AAUP), addressing the compensation of Special Payroll Lecturers (adjunct faculty) on multi-year contracts who teach during the summer or intersession. This agreement was approved by the Executive Committee of the AAUP on December 23, 2005.

Trustee Kazerounian recused himself on this item.

(2) Memorandum of Agreement between the University of Connecticut and the University of Connecticut Professional Employees Association (UCPEA) (Attachment 7)

Commissioner Prelli requested Board discussion on this item. He expressed concern about an increase above 5% for the total package, which represents a wage increase across the board of 3.25% for the merit pool and then a lump sum. He thought it was on the high end and he was not completely in favor of the proposal because of the precedent it will set for the rest of the year.

Vice President for Human Resources and Payroll Services Donna Munroe stated that this settlement is consistent with most of the settlements in the constituent units of higher education for both faculty and professional staff. It is considered to be slightly lower. The data available indicates that for the 2006-07 year the University's AAUP (faculty) package is 5.19% and the Connecticut State University System's AAUP unit it is 5%. The community technical colleges are currently engaged in a wage re-opener. The administration staff at CSU System did settle at 4.5% and other collective bargaining agreements with other state employees for the 2006-07 year range from 7.02% to a 3.98% for the whole package. Vice President Munroe said that the 5% package is in the middle and is consistent with out competitors.

Chairman Rowe agreed with Commissioner Prelli with the general employment contracts he is familiar with, but this is a different sector. Mr. Ritter pointed out that in the past the AAUP has supported its membership. Mr. Ritter remembered that during a very difficult year, many unions were negotiating with the State and the AAUP agreed to a wage freeze in order to avoid layoffs. He said he would never forget that. President Austin confirmed that the AAUP took the lead and then the University's Professional Employees Union (UCPEA) followed shortly thereafter.

On a motion by Mr. Ritter, seconded Mr. Drotch, **THE BOARD VOTED** to approve the Memorandum of Agreement (MOA) with the professional employees' bargaining unit, the University of Connecticut Professional Employees Association (UCPEA),

establishing the general wage increased for the 2006-07 year. This agreement was ratified by the UCPEA membership on December 21, 2005.

Trustee Kazerounian recused himself on this item.

(3) Approval of Project Budget (Design) for Natural History Museum Completion (Attachment 8)

On a motion by Dr. Jacobs, seconded Ms. Bailey, **THE BOARD VOTED** to approve the Design Budget of $976,775 for the completion of the Natural History Museum.

(4) Approval of Project Budget (Final) for UConn Health Center (UCHC) Munson Road Reconfiguration – Phase 1 (Attachment 9)

On a motion by Mrs. Gatling, seconded Mr. Barry, **THE BOARD VOTED** to approve the Final Budget of $2,100,000 for the University of Connecticut Health Munson Road Reconfiguration – Phase 1.

(5) Approval of Project Budget (Final) for New School of Pharmacy Building (Attachment 10)

On a motion by Mr. Drotch, seconded Ms. Bailey, **THE BOARD VOTED** to approve the Final Budget for the New School of Pharmacy Building.

6. Joint Audit and Compliance Committee Report

(a) Committee Chairman's report on Committee activities

Vice-Chair Nayden reported that the Joint Audit and Compliance Committee met on December 7, 2005. The Committee reviewed a draft of a statement of ethics and a statement of code of conduct and asked for comments from all the Committee members. The drafts will be forthcoming shortly. These are very important documents for today's business and academic environment. Ms. Rachel Rubin is helping lead that effort.

The Committee reviewed nine audits concluded for the reporting period with no significant observations or weaknesses to report. The schedule of outstanding audits internal and external was reviewed. The JACC is charged with reviewing and approving all audits for the whole University together with the institutions performing that work. They reviewed the audit memo from Blum Shapiro for the 2002 period and also discussed the completion of outstanding work.

The Committee discussed the findings of the Governor's Commission and the University's response and our on-going review and accountability in terms of that action plan. Pending some additional guidance from both the Governor's Office and the Legislature, the whole host of action plans have been put in place and it is the responsibility of the JACC to track implementation and compliance. They will be doing so on a regular basis. They reviewed with KPMG the Health Center 2005 financial statement audit in terms of the quality and findings of the audit and found it was responsibly completed.

7. Health Center Report

(a) Committee Chairman's report on Committee activities

Dr. Burrows reported that the Health Center Board of Directors has been heavily involved in strategic planning for the clinical facilities. Support for this planning was provided by Associate Vice President Paula McManus, who died tragically last week.

The John Dempsey Hospital was founded 30 years ago as a place and a critical need for a place where medical and dental students could learn with clinical excellence and intellectual vigor and ethical standards. Up until the present time, the Hospital has served that need well. However, 30 years in the life of a hospital without major renovations is a very long time. The Hospital has reached the stage where there is absolute need for major renovations. The John Dempsey Hospital has a total of 224 licensed beds; however, only 108 beds are available that are flexible and can be used for different kinds of patients because of designated beds for psychiatry, Corrections, and newborns.

With their new Signature Programs in cancer, heart disease, and musculoskeletal disease, which are based on the ability to do basic clinical research and clinical practice, the pressure is increasing on those 108 beds. It is clear that the Health Center has reached the point where a major enhancement is needed and they are working very hard on this.

8. Student Life Committee Report

(a) Committee Chairwoman's report on Committee activities

There was no report of the Student Life Committee.

9. Institutional Advancement Committee Report

(a) Committee Chairman's report on Committee activities

Trustee Barry asked Mr. John Martin, President, The UConn Foundation, Inc., to update the Board up through the end of December. Mr. Martin reported that on December 31, 2005, new gifts and pledges to the Foundation reached a total of $16.1 million toward a goal of $60 million set for this year. This is compared to $26.8 million received in the same period last year with most of the difference attributable to the historic $10 million gift from Ray and Carole Neag in support of the Comprehensive Cancer Center at the Health Center. Absent this extraordinary one-time donation, the current year's results are in keeping with the progress of the previous year. However, the Foundation is hoping to significantly improve the fundraising results in the second half of the year.

On the positive side, cash receipts for the year stand at $28.4 million, which is 57% of the $50 million goal for 2006 and 15% higher than the funds received for the same period last year.

On the annual giving side, the first six months of the fiscal year show overall results running ahead of last year by 35% in dollars and 6% in donors. The staff has raised $2.1 million to date and we are at 64% of the overall goal of $3.3 million. Giving by alumni to their respective schools and colleges continues to grow at a rapid rate as Deans' Funds are currently running 72% ahead of last year with over $1.3 million received.

An interesting aspect of growth for giving is the support of the parents of University students. They are concentrating more on that in building the annual fund for the future. The Parent's Fund has been a pleasant surprise with 25% donor growth and a 30$ increase in dollars. Parent giving for the

first six months has totaled approximately $125,000 to date. You may have read about the establishment of the Campus Green Fund in keeping with the Board's goals. They have initial contributions of $6,000.

Mr. Martin indicated that February is a busy month with the Deans' Funds and the University faculty and staff campaign are due to kick off. The latter campaign has a volunteer corps in place and is looking to boost faculty and staff participation over the 23% level from last year. The Foundation and its employees takes this responsibility to heart and they start soliciting themselves to begin the year and for the first time in their history 100% of the employees of the Foundation have made a gift in support of the University.

This Spring also marks the 25th and 50th Reunion Campaigns and the Senior Class Gift Program for members of the Class of 2006.

It has been reported recently to the press that UConn has experienced the fastest percentage increase of any institution in the country in the growth of endowment at 28% for the year 2005.

Chairman Rowe thanked Mr. Martin for the report. He also mentioned that the matching funds for gifts in the last round of discussions in the State and the establishment of the University's budget, there was a reduction in the match, but that reduction goes away if the Rainy Day Fund is filled at the State. The State does have a surplus and we will see how large it gets and tax revenues are robust. It is quite possible at some point that the Rainy Day Fund will be topped off and we will be back with the Matching Gift Program.

(b) Development Progress Executive Summary (Attachment 11)

10. Adjournment

Chairman Rowe announced that the next meeting will be held on Wednesday, March 1, 2006 at 1:00 p.m. On that day, the Board will also hold a retreat with respect to governance issues. Chairman Rowe reminded Board members that there will be a reception with the faculty senate leadership in the Portico.

There being no further business appearing, the Board meeting adjourned at 3:20 p.m.

Respectfully submitted,

Louise M. Bailey
Secretary